

**ARTICLE 5.
NONATTAINMENT AREA RULES;
STABILIZATION FOR RESIDENTIAL PARKING AND DRIVES**

4-5-150. Stabilization for Residential Parking and Drives; Applicability

A. Geographic Applicability.

The "affected area" under this rule includes the Pinal-County-portion of the Phoenix Planning Area Serious PM10 nonattainment Area, identified as Township 1 North, Range 8 East, Gila & Salt River Base and Meridian.

B. Affected Parcels; Residential Property.

Property subject to this rule:

1. Includes any single deeded or platted parcel having built thereon a residential building or buildings with four or fewer residential units;
2. Excludes any publicly owned right-of-way legally established and actually maintained for travel by the public;
3. Excludes any right-of-way legally established to provide vehicular access to public utilities; and
4. Excludes earthmoving activity at a site, or that portion of a site, covered by mitigation requirements under dust registration issued by the Pinal County Control Officer.

C. Affected Surfaces at a Residential Property.

1. Affected surfaces include any areas in excess of 3,000 square feet utilized on a regular basis for parking, maneuvering or ingress and egress of on- or off-road vehicles.
2. Undisturbed surfaces are not affected surfaces, but only if those undisturbed surfaces are fenced or otherwise clearly distinguished from affected surfaces. Delineated long-term storage stalls, where a vehicle, trailer or other item is stored and not normally removed and replaced more than once in a sixty-day period shall also be considered undisturbed surfaces.

[Adopted effective September 10, 2008.]

4-5-160. Residential Parking Control Requirement

A. On and after the effective date, the owner and/or operator of any residential property shall install and maintain paving or a stabilization method for all affected surfaces. For purposes of this rule, "owner or operator" means any person who owns, leases, operates, controls, or supervises an affected area.

B. For purposes of this rule, a stabilization method shall consist of one of the following, implemented in a manner that meets the maintenance standard of this rule:

1. Paving with asphaltic concrete;
2. Paving with Portland cement based concrete;
3. Surfacing with a penetrating asphalt and a gravel surface, commonly known as chip sealing;
4. Surfacing with and uniformly maintaining a two-inch deep layer of rock having a nominal size of 1/4" or larger;
5. Surfacing with a two-inch deep layer of recycled asphalt;

6. Watering with sufficient frequency so as to maintain a crust on the surface;
7. Surfacing with any other surface treatment that has been approved in writing by the Pinal County Control Officer; or
8. Initially, and at such other times as may be requested by the Control Officer, demonstrating to the satisfaction of the Pinal County Control Officer on a form as required by the Control Officer, that the average threshold friction velocity of the native soil surface, corrected for non-erodible elements, is at least 100 cm/second. Threshold friction velocity shall be assessed in accord with §4-9-320.B.2.

C. Maintenance

Surface stabilization shall be maintained in a manner that prevents visible track-out in excess of ten feet in length.

[Adopted effective September 10, 2008. Amended June 3, 2009. effective August 26, 2009.]

4-5-170. Deferred enforcement date

The Control Officer shall commence enforcement of the requirements of this Article no sooner than October 1, 2009.

[Adopted effective September 10, 2008.]