# CHAPTER 1. GENERAL PROVISIONS

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Section 1.0: Short Title and Authority

Section 1.0.A: Short Title

These regulations shall be known and may be cited as the “Coconino County Zoning Ordinance” and will be referred to herein as “this Code”, or “this Ordinance”. All appendices, tables, exhibits and maps within the Ordinance are hereby adopted and shall be incorporated herein as a part of this Ordinance.

Section 1.0.B: Authority

This Ordinance is adopted pursuant to the authority contained in the Arizona Revised Statutes (A.R.S.) § 11-811 et. seq. and the general laws in order to conserve and promote the public health, safety, convenience, and general welfare of the present and future citizens of Coconino County.

Section 1.1: Purpose and Scope

Section 1.1.A: Purpose

For the purpose of providing requirements necessary to implementing the vision, goals, objectives and policies of the Coconino County Comprehensive Plan and to ensure consistency and conformity between the Comprehensive Plan Land Use designations and Zoning Districts, to promote and protect the public health, safety, convenience and general welfare of the people of the County of Coconino, to safeguard and enhance the appearance and quality of development of Coconino County, and to provide for the social, physical and economic advantages resulting from comprehensive and orderly planned use of land resources, a Zoning Ordinance establishing classifications of Zones, and regulations within those Zones hereby is established and adopted by the Board of Supervisors.

Section 1.1.B: Intent

The intent of the Zoning Ordinance is:

1. To safeguard and enhance the appearance, function, and quality of both new and existing development of Coconino County.

2. To promote a comprehensive, orderly and efficient use of land resources, and ensure compatibility and safety between land uses.

3. To establish standards regulating use and physical development of land.

4. To provide for procedures that respond uniformly and consistently to development proposals; and
5. To establish offices, boards, and commissions and define the power and duties of each.

Section 1.1.C: Use

To provide clearly defined terminology and definitions, terms and words beginning with a Capital letter are defined in Chapter 6, Definitions.

Section 1.2: Private Agreements

The provisions of this Ordinance are not intended to abrogate any Easements, covenants, or other existing agreements, which are more restrictive than the provisions of this Ordinance.

Section 1.3: Conflicting Ordinances and Regulations and Statutory Changes

Section 1.3.A: Conflicting Ordinances Regulations

Whenever the provisions of this Ordinance impose more restrictive regulations upon Buildings or Structures and the Use of them or the Use of lands or premises and require larger open space or Setbacks than are imposed or required by other ordinances, the provisions of this Ordinance or rules or regulations promulgated thereunder shall govern Where, in any specific case, different sections of this Ordinance or any other County ordinance applicable to the same area specify different requirements, the more restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall apply.

Section 1.3.B: Conflicting Regulations Statutory Changes

In the event of conflict between the regulations set forth in this Ordinance and any other regulations applicable to the same area, the more stringent limitation and requirement shall govern. References to Arizona Revised Statutes are those in effect on the date of adoption of this Ordinance and any subsequent amendments thereto.

Section 1.4: Establishment of Zones

Section 1.4.A: Division of County into Zones

This Ordinance designates zoning districts that classify and regulate land uses within the zoning districts for the purpose of In order to classify, regulate, restrict and separate the Use of land, Buildings and Structures and to regulate and to limit the type, height, and bulk of Buildings and Structures in the various districts and to regulate Setbacks and other open areas Abutting and-
between Buildings and Structures and to regulate the density of development, the County hereby is divided into the following zones.

1. **Implementation of the Comprehensive Plan.**

2. **Designating the appropriate use of land throughout the County and regulating new development to ensure logical and orderly growth and development that improves the County’s overall quality of life.**

3. **Conserving and enhancing the aesthetic, natural environmental systems, social, cultural and economic values of the County.**

4. **Protecting, maintaining, and improving the character and integrity of established communities and neighborhoods.**

**Section 1.4.B: Zoning Districts**

1. **In accordance with the authority granted under A.R.S. §11-811 et. seq., the County is divided into the following zoning districts and overlay districts:**
### Residential Zones

1. **G** General Zone  
2. **AR** Agricultural Residential Zone  
3. **RR** Rural Residential Zone  
4. **RS-6,000** Residential Single Family Zone  
5. **RS-10,000** Residential Single Family Zone  
6. **RS-18,000** Residential Single Family Zone  
7. **RS-36,000** Residential Single Family Zone  
8. **RM-10/A** Residential Multiple Family Zone  
9. **RM-20/A** Residential Multiple Family Zone  
10. **RMH** Residential and Manufactured Home Zone  
11. **MHP** Manufactured Home Park Zone  
12. **PRD** Planned Residential Development

### Commercial Zones

1. **CN-0.5/A** Commercial Neighborhood Zone  
2. **CG-10,000** Commercial General Zone  
3. **CH-10,000** Commercial Heavy Zone  
4. **RC** Resort Commercial Zone

### Industrial Zones

1. **MIP-20,000** Industrial Park Zone  
2. **ILM-10,000** Light Industrial and Manufacturing Zone  
3. **IHM-2-6,000** Heavy Industrial Zone

### Planned Districts and Special Purpose Zones

1. **RC** Resort Commercial  
2. **PRD** Planned Residential Development  
3. **PC** Planned Community Zone  
4. **PS** Public and Semi-Public Zone  
5. **OS** Open Space and Conservation Zone  
6. **MR** Mineral Resource Zone

### Overlay Zones

1. **FPM** Floodplain Management Overlay Zone  
2. **DRO** Design Review Overlay Zone

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2. **Regulations within Zones.** Within each of the zones, the use, location, height, and size of buildings and structures, the use of land and the size of lots, yards, courts, and other open...
spaces, number of dwelling units per acre, density of development, performance standards and other provisions are regulated as set forth in the following chapters of this Ordinance.

Section 1.4.CB: Adoption of Zones—Maps

Said several zones and boundaries of said zones and each of them hereby are established and adopted as

1. Adoption of Zoning Districts—Maps. The locations and boundaries of the zoning districts shall be shown, delineated and designated on the “Official Zoning Maps” of the County of Coconino, Arizona, which maps, together with all notations, references, data, Zone boundaries and other information thereon, is made a part hereof and adopted concurrently herewith shall be included in this Ordinance as if the matters and other information set forth by said map(s) were all fully described herein.

Section 1.4.C2:— Filing of Zoning Maps: The originals of the Official Zoning Maps shall be kept on file with the Community Development Department and shall constitute the original record.

The originals of the Official Zoning Maps shall be kept on file with the Department of Community Development and shall constitute the original record.

Section 1.4.D: Zoning District Boundaries

1. Where uncertainty exists concerning the boundaries of any zoning district shown on the Official Zoning Map, the following rules shall apply:

a. Where the intended boundaries on the Official Zoning Map are approximately highway, road, street, or alley lines or the centerlines thereof, said highway, road, street or alley lines shall be construed to be the zoning district boundaries.

b. Where the indicated boundaries are approximately lot lines, said lot lines shall be construed to be the zoning district boundaries.

c. Where the indicated boundaries are approximate jurisdictional boundaries lines (federal, tribal, county, or municipality), said boundary lines shall be construed to be the zoning district boundaries.

d. Where the indicated zoning district boundaries are approximately following the line of any stream or other waterway, the center of such stream or waterway shall be construed to be the zoning district boundaries.

e. Where zoning district boundary lines are fixed by dimensions shown on the Zoning Map, such dimensions shall govern. Where land has not been subdivided into lots, the zoning district boundary shall be determined by the use of the scale of measurement shown on the Official Zoning Map.

f. Whenever any highway, road, street, alley or other public way is abandoned by the
County the zoning districts adjoining each side of such highway, road, street, alley or public way shall be considered as extended to the center of such abandonment and all areas included in the vacation shall then be subject to all appropriate regulations of those zoning districts. Upon motion by the Board of Supervisors, such vacated public way may be designated as all or part of adjacent districts.

2. The Board of Adjustment may interpret the zoning ordinance and Official Zoning Map to resolve disputes if the location of a zoning district boundary is in doubt, in accordance with Section 5.10.

3. Conditions imposed by special ordinance in conjunction with amendments to the Zoning Map may be referenced to separate files maintained in the Community Development Department offices and are hereby made a part of the Official Zoning Map.

Section 1.5: Effects of Zoning Applicability

Section 1.5.A: Application of Provisions

The provisions of this Ordinance governing the Use of land, Buildings and Structures, Setbacks, Abutting Buildings and Structures, the height and bulk of Buildings, the density of development, the number of Dwelling units per acre, standards of performance and other provisions hereby are declared to be in effect upon all land included with the boundaries of each and every Zone established by this Ordinance. Any violation of the performance standards listed in this ordinance is a nuisance per se.

1. The provisions of this Ordinance shall govern the development and the uses of all buildings, structures, and land within the corporate limits of Coconino County. Any violation of the standards listed in this ordinance is a nuisance per se.

2. Any use not described and included by this Ordinance as being a permitted use, a use subject to conditions, or a use subject to a use permit within a specific zoning district shall be prohibited and is a violation of this Ordinance unless the Community Development Director, as confirmed by the Planning and Zoning Commission per Section 5.9, determines the use is substantially similar to other uses permitted in the zone.

3. Except as limited by A.R.S. § 11-321(E), no building, structure, or land shall be used, occupied, or developed and no permit, certificate or license shall be issued for such unless it is in conformity with all applicable provisions of this Ordinance. Any permit, certificate or license issued in conflict with the terms or provisions of this Ordinance is subject to revocation, and/or work stoppage order, and any other remedy available as law. The exception being any building or structure with a valid building permit issued under the provisions of an earlier ordinance of the County may be continued and completed in accordance with the plans and specifications upon which the permit was issued.

4. All physical changes, or changes to the use of a building or land, as evidenced by increased
parking requirements or change of occupancy occurring to existing properties after the effective date of this Ordinance shall be subject to all provisions of this Ordinance.

Section 1.5.B: Buildings under Construction

Any Building or Structure for which a Building Permit has been issued and which is still valid under the provisions of earlier ordinances of the County which are in conflict with this Ordinance nevertheless may be continued and completed in accordance with the plans and specifications upon which the permit was issued.

Section 1.6: Severability

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or places. The Board of Supervisors hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions, or the application thereof to any person or place, be declared invalid or unconstitutional.

Section 1.7: Statutory Exemptions for Railroad, Mining, Metallurgical, Grazing or General Agriculture, Agricultural Composting and Sale of Food by Producers

Section 1.7.A: Railroad, Mining, Metallurgical, Grazing or General Agriculture

4. Pursuant to A.R.S. § 11-812(A)(2) and (3) nothing contained in this Ordinance shall prevent, restrict or otherwise regulate the use or occupation of land or improvements for railroad, mining, metallurgical, grazing or general Agricultural purposes including or Agricultural Composting, if the parcel concerned is five or more contiguous Commercial Acres (35,000 square feet) in size. Property is not considered exempt from this Ordinance unless and until the Coconino County Community Development Department issues a Certificate of Exemption for that property. In order to secure a certificate of exemption, an applicant shall submit a zoning exemption application, including site plan and other reasonable supporting documentation, as prescribed by the application form.

Section 1.7.A: Exemption Eligibility

Property is not considered exempt from this Ordinance unless and until the Coconino County Community Development Department issues a Certificate of Exemption for that property. Only
property classified eligible for agricultural classification for tax purposes by the Coconino County Assessor’s Office or the Arizona Department of Revenue, based on criteria established in the Department of Revenue Agricultural Manual, is eligible for grazing or general Agricultural exemptions as property used for one of the purposes enumerated in the paragraph above is eligible for exemption under this section. If property has been so classified, the property is exempt from the Coconino County Zoning Ordinance and/or building code, unless the Community Development Director may determine that all or part of the property is not used primarily for one or more of the purposes enumerated above.

Section 1.7.B: Agricultural Composting

Concurrent with a zoning exemption application, an Agricultural Composting operation exempt under this section shall notify in writing the Board of Supervisors, and the fire district in which the composting operation is located, of its operations. If the nearest fire department is located in a city, town or fire district where the Agricultural Composting is not located, the Agricultural Composting operation shall also notify in writing the nearest fire department or district.

3. In order to secure a Certificate of Exemption, an application must be submitted on the form prescribed by the Community Development Department. The application must be accompanied by the following: evidence of agricultural classification by the Coconino County Assessor’s Office or the Arizona Department of Revenue, a Site Plan, grazing leases, if any, and other documentation indicating the use of the property for Exempt Agricultural Use as may be required by the Director of the Community Development Department. The Community Development Department will review the application for administrative completeness within 10 days after submission. The Department will have 30 days after administrative completeness to conduct its substantive review of the application. The total time for the granting or denying of the Certificate of Exemption is 40 days. Time frames are tolled and may be waived in accordance with A.R.S. §11-1601 et seq.

Section 1.7.C: Review

4. Exempt status is open to review by the Coconino County Community Development Department and may be canceled at any time upon a determination by the Director that the property is no longer being used for an exempt purpose. Any Structures built under an exemption that does not meet the underlying Zoning district and/or Coconino County building code may be required to comply with said standards if, at a future date, the exemption is no longer applicable. The denial of a Certificate of Exemption may be appealed to the Board of Supervisors subject to the provisions of in accordance with Section 5.5 of this Ordinance.

Section 1.7.B: Agricultural Composting

Pursuant to A.R.S. § 11-812 nothing contained in this Ordinance shall prevent, restrict or otherwise regulate the Use or occupation of land or improvements for Agricultural Composting, if the tract is five or more contiguous Commercial Acres. An Agricultural Composting operation...
shall notify in writing the Board of Supervisors and the nearest fire department of the location of the composting operation. If the nearest fire department is located in a city, town or fire district where the Agricultural Composting is not located, the Agricultural Composting operation shall also notify in writing the fire district in which the operation is located.

Section 1.7. DC: Sale of Food by Producers

Pursuant to A.R.S. § 3-561 to 3-563 nothing contained in this Ordinance shall prevent or restrict a producer of food from selling products raised or grown on the same property.

Section 1.8: Fees

All applications for permits in relation to this Ordinance shall be accompanied by a fee established by resolution of the Board of Supervisors.

Section 1.9: Computation of Time

Deadlines are calculated according to the Arizona Rules of Civil Procedure. (All deadlines of 10 days or less are based upon business days, 11 or more are calendar days. The first day is not counted, but the last day is counted.)

Section 1.10: Relationship to Other Policies and Regulations

Conformance with the Comprehensive Plan and Area Plans

Section 1.10.A: Other Plans and Ordinances

This Ordinance is intended to implement the goals and policies of the Coconino County Comprehensive Plan. The Coconino County Comprehensive Plan is the overarching policy document for land use decisions within the County. Area plans for communities within the County have been adopted as amendments to the Comprehensive Plan and provide more specific policies for each area. Any amendments to or actions pursuant to this Ordinance shall be in conformance with the Comprehensive Plan and its amendments, Area Plans and relevant laws, as may be amended from time to time. The Zoning and Subdivision Ordinances are used to implement the Comprehensive Plan and its amendments. The adopted Building Code sets the minimum standards for all construction within the County.

Section 1.10.B: Statutory Changes

The statutory citations are those in effect on the date of adoption of this Ordinance amendment. All subsequent amendments to the Arizona Revised Statutes shall be incorporated.
Section 1.11: Permit Requirements

Section 1.11.A: Zoning Compliance Review

Zoning compliance review is completed in conjunction with each of the following permits and permit requirements:

1. The adopted Building Code sets the minimum standards for all construction within the County, and as such a Building Permit, as required by the Building Code, shall be obtained prior to the construction, reconstruction, alteration, relocation or change in use of any building or other structure. Plan review, by the Community Development Director or designee, is required for all uses and/or developments prior to the issuance of a building and/or grading permit.

2. Except as limited by A.R.S. § 11-321(E) and Section 1.5(A)(3) of this Ordinance, no building permit or other permit (i.e. sign permit, lighting permit etc.) required by this Ordinance or other County regulations may be lawfully issued, nor shall a Certificate of Occupancy be granted until the Community Development Director or designee has given authorization indicating all requirements of this Ordinance, all conditions and stipulations of approval, and any other specific project related requirements have been met.

3. Except as specifically provided to the contrary in this Ordinance, each review and approval required by this Ordinance shall be independent of every other review and approval, and no review or approval shall be deemed to waive or satisfy any other requirement set forth herein.

4. Applications and submittal requirements for construction can be obtained from the Community Development Department. The required fee shall accompany all applications.

5. If any type of use permit or variance is required the use permit and/or variance shall be obtained prior to issuance of building and/or any construction permits.

6. A Floodplain Permit, as required by this Ordinance, shall be obtained prior to the construction, reconstruction, alteration, relocation or change in use of any Building or other Structure.

7. Design and Development Standards. The site design standards, and the individual development regulations for the different zoning districts are outlined in the following chapters herein. These standards provide certainty to property owners, developers, and neighbors about the limits of what is allowed. Conformance with these standards shall be ensured by the director, in accordance with Section 1.11.A.2 above, prior to building permit issuance.

All other permits, as required by this Ordinance, including but not limited to Sign Permits, Lighting Permits, Conditional Use Permits and Temporary Use Permits shall be obtained prior to the installation, construction, reconstruction, alteration, relocation, or initiation of the permitted feature.
a. Building Permits

1. A Building Permit, as required by the Building Code, shall be obtained prior to the construction, reconstruction, alteration, relocation or change in use of any Building or other Structure.

b. Floodplain Permits

1. A Floodplain Permit, as required by this Ordinance, shall be obtained prior to the construction, reconstruction, alteration, relocation or change in use of any Building or other Structure.

c. Other Permits

1. All other permits, as required by this Ordinance, including but not limited to Sign Permits, Lighting Permits, Conditional Use Permits and Temporary Use Permits shall be obtained prior to the installation, construction, reconstruction, alteration, relocation, or initiation of the permitted feature.

Section 1.11.B: Permit Applicants

All applications for permits must be signed by the owner of the property that the permit pertains to. If there are several persons or entities with land-based interests in the property such as tenants, easement-holders or holders of a mortgage or note, the Community Development Director, in his or her sole discretion, determines which land-interest holders must sign the permit application. The applicant shall be the proponent of the project or the property owner, but must be the party responsible for meeting the conditions of the permit. Refer to Chapter 5 of this Ordinance for further application and permit information.

Section 1.12: Planning and Zoning Commission

Section 1.12.A: Establishment

There is hereby established, pursuant to Arizona Revised Statutes A.R.S. §11-802 et seq., a countywide Planning and Zoning Commission, to fulfill the County’s planning function, to be known as the Coconino County Planning and Zoning Commission (the “Commission”).

Section 1.12.B: Powers and Duties

In addition to any authority granted to the Commission by Arizona law, this Ordinance or by other ordinances of the County, the Commission shall have the following duties:

1. To hold public hearings when necessary or when required by law.
2. To initiate, hear, review, and make recommendations to the Board of Supervisors regarding applications for amendments to the Comprehensive Plan or Area Plans, in accordance with the provisions of this Ordinance. On an annual basis, review the implementation progress and make recommendations to the Board on necessary updates or refinements to the Comprehensive Plan.

3. To make recommendations to the Board of Supervisors on all matters concerning or relating to the creation of Zoning Ordinances, the Zoning District Map(s), the boundaries thereof, the appropriate regulations to be enforced therein, and amendments of this Ordinance, and to undertake any other activities within the scope of the planning and zoning power.

4. To initiate, hear and review applications for amendments to either the Zoning District Map(s) and/or the text of this Ordinance.

5. To hear, review and recommend action(s) on applications for Conditional Use Permits, Design Review Overlay Cases and, if necessary determine appeals on Administrative and Temporary Use Permits.

6. To hear cases for determination of uses not listed, as per Section 5.9A.

7. To serve as the advisory body to the Board of Supervisors on such matters as applications for protected development rights plans, subdivision preliminary plats, and any subdivision regulation exceptions in accordance with the provisions of this Ordinance and the provisions of the County’s Subdivision Ordinance.

8. To confer and advise with other town, city, county, regional, or state planning agencies and commissions.

Section 1.12.C: Membership

The Commission shall consist of ten members who shall be qualified electors of the county. Two members shall be appointed from each supervisorial district by the supervisor from that district. Members shall be residents of the district from which they are appointed. Members of the commission shall serve without compensation except for reasonable travel expenses.

Section 1.12.D: Term of Office

The term of office of the members of the Commission shall be four (4) years. The incumbent Commissioner shall continue to serve, after their term of office has expired, until a successor has been appointed. In the event of a death, resignation, or removal from the Commission, a resident appointed by the Board of Supervisors shall fill the vacancy, for the un-expired term.

Section 1.12.E: Rules and Regulations

The Commission may make and publish by-laws to govern its proceedings and to provide for its meetings.
Section 1.12.F: Appeals

Appeals of decisions made by the Planning and Zoning Commission may be made as prescribed in Section 5.5 of this Ordinance.

Section 1.13: Board of Adjustment

Section 1.13.A: Establishment

There is hereby established, pursuant to Arizona Revised Statutes A.R.S. §11-816 et seq., a countywide Zoning Board of Adjustment to be known as the Coconino County Board of Adjustment.

Section 1.13.B: Powers and Duties

In addition to any authority granted to the Board of Adjustment by Arizona law, the Board of Adjustment shall have the following powers and duties:

1. To hear and decide appeals if the meaning of any word, phrase or section is in doubt, if there is a dispute between the appellant and enforcing officer, or if the location of a district boundary is in doubt.

2. To hear and decide requests for variance from the terms of this Zoning Ordinance if, owing to a peculiar situation, a strict interpretation would work an unnecessary hardship and if in granting the variance the general intent and purposes of the zoning ordinance will be preserved.

3. The Board of Adjustment may not:

   a. Make any changes in the uses permitted in any zoning classification or zoning district, or make any changes in the terms of the zoning ordinance, provided the restrictions in this paragraph shall not affect the authority to grant variances pursuant to State Statutes.

   b. Grant a variance if the special circumstances applicable to the property are self-imposed by the property owner.

Section 1.13.C: Membership

The Board of Adjustment shall be composed of a total of five (5) members who shall be residents and taxpayers of the County. There shall be one (1) member appointed from each supervisory district by the supervisor from that district. Members shall be residents of the district from which they are appointed. Each member shall be appointed for a term of four (4) years. Members of the commission shall serve without compensation except for reasonable travel expenses.
Section 1.13.D: Rules and Regulations

The Coconino County Board of Adjustment may adopt all rules and procedures necessary or convenient for the conduct of its business.

Section 1.13.E: Appeals to Board of Adjustment

Appeals to the Board of Adjustment may be taken by any person who feels that there is an error or doubt in the interpretation of the ordinance or that due to unusual circumstances attaching to the person’s property, an unnecessary hardship is being inflicted upon the person. The appeal shall state where it is a plea of an interpretation or a variance and the grounds for the appeal.

Any person aggrieved in any manner by an action of the Board of Adjustment concerning an interpretation or variance may appeal within thirty days to the superior court, and the matter shall be heard de novo.

Section 1.14: Board of Supervisors


In addition to any authority granted to the Board of Supervisors pursuant to A.R.S. §11-251 et. seq., the Board of Supervisors (the “Board”) shall have the following powers and duties relative to Planning and Zoning and this Ordinance:

1. To initiate, adopt, and amend the Comprehensive Plan; including the text, maps and exhibits, and all elements of the Comprehensive Plan, after recommendation by the Commission in accordance with the provisions of this Ordinance.

2. To initiate, adopt, and amend the Area Plans; including the text, maps and exhibits, and all elements of those Area Plans, after recommendation by the Commission in accordance with the provisions of this Ordinance.

3. To initiate, hear, review and adopt amendments to the Zoning District Map(s), the text of this Ordinance, and on zoning applications after recommendation by the Commission in accordance with the provisions of this Ordinance.

4. To hear, review and act upon subdivision plat applications, regulation exception requests, protected development rights plans, and the text of the Subdivision Ordinance after considering recommendations of the Commission in accordance with the provisions of this Ordinance and those of the Subdivision Ordinance.

5. To hear, review and act upon requests of appeals on conditional use permits, minor land splits and minor subdivisions requests, and determination as to uses not listed.
Section 1.152: Reserved for Future Amendments