

Maricopa County

Zoning Ordinance

Maricopa County Planning and Development Department
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Chapter 1 | Introductory Provisions

Section 101. Short Title

This Ordinance may be known and cited as the "*Maricopa County Zoning Ordinance*" (or "this Ordinance") and abbreviated as the "MCZO".

Section 102. Effective Date

This Ordinance was first adopted and became effective on **May 29, 1969**.

Section 103. Purpose

This Ordinance is designed to promote the public health, peace, safety, comfort, convenience and general welfare of the citizens of Maricopa County; to guide, control and regulate the future growth and development in order to promote orderly and appropriate use of land in the entire unincorporated area of said county; to protect the character and the stability of residential, business and industrial areas of Maricopa County; to facilitate existing or potential traffic movements; to provide adequate light, air and parking facilities; to secure safety from fire and other dangers; and to prevent the concentration of adult oriented and marijuana facilities. The provisions of this Ordinance should have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including adult oriented materials. Similarly, it is not the intent or effect of the Ordinance to restrict or deny access to materials protected by the First Amendment. In preparation of this Ordinance consideration has been given to Title 11, Chapter 6 of the Arizona Revised Statutes, and to all studies and surveys made in the past in connection therewith, including, but not limited to, the following reports and studies of present conditions and prospective future growth:

1. Maricopa County Comprehensive Plan and Area Plans;
2. Major Street and Highway Plan; Transportation System Plan
3. Parks and Recreation Plan.

Section 104. Interpretation

In interpreting and applying the regulations of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare. It is not intended by this Ordinance to interfere with or abrogate or annul any ordinances, rules, regulations or permits previously adopted or issued, and not in conflict with any of the regulations of this Ordinance, or which shall be adopted or issued pursuant to law relating to the use of buildings or premises and likewise not in conflict with this Ordinance; nor is it intended by this Ordinance to interfere with or abrogate or annul any easements, covenants, or other agreements between parties, except that if this Ordinance imposes a greater restriction, this Ordinance shall regulate. The Department shall apply and interpret this Ordinance and may issue directives as necessary.

Section 105. Separability Clause

Should any chapter, section or regulation of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any portion thereof other than the chapter, section or regulation so declared to be unconstitutional or invalid.

Section 106. Repeal of Conflicting Ordinances

All ordinances or portions of ordinances in conflict with this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 107. General Rules for Construction of Language

All words used in the present tense shall include the future tense. All words in the singular number shall include the plural number, and all words in the plural number shall include the singular number. The word "structure" includes the word "building", the word "shall" is mandatory and not directory, and the word "may" is permissive.

Section 108. General Rule for Measurements

Wherever this Ordinance requires numerical calculations, and the result of a calculation is a fraction of a whole number, the results shall be rounded as follows:

1. General Rounding: Fractions of one-half (0.5) or greater shall be rounded up to the nearest whole number and fractions of less than one-half (0.5) shall be rounded down to the nearest whole number, except as otherwise provided.
2. For parking spaces, fractions of a whole number shall be rounded up to the nearest whole number.

Section 109. Decisions/Appeals

(See table following page)

Decision Type	Reference (Linked)	Recommendation Body	Decision Authority	Appeal Authority
Administrative Applications	Section 306 (Administrative Actions and Appeal)	Zoning Inspector	Zoning Inspector	Hearing Officer retained by Maricopa County
Amendments to Zoning Ordinance or Zoning District Boundaries	Section 303 (Amendments)	Planning and Zoning Commission	Board of Supervisors	Superior Court
Area Plans, Comprehensive Plans and Comprehensive Plan Amendments	ARS/Maricopa County Comprehensive Plan	Planning and Zoning Commission	Board of Supervisors	Superior Court
Enforcement Actions	Chapter 12 (Violation, Penalty, and Enforcement)	-	Zoning Inspector	Hearing Officer retained by Maricopa County
Extensions to Temporary Use Permit	Section 1002 (Temporary Use Permits)	-	Planning and Zoning Commission	Superior Court
Interpretation	Section 302 (Board of Adjustment)	-	Director	Board of Adjustment
Special Use Permit	Section 1001 (Special Use Permits)	Planning and Zoning Commission	Board of Supervisors	Superior Court
Temporary Use Permit	Section 1002 (Temporary Use Permits)	Director or Designee	Director or Designee / Planning and Zoning Commission (Upon Opposition Received)	Planning and Zoning Commission (Upon Administrative Denial)
Variances	Section 302 (Board of Adjustment)	-	Board of Adjustment	Superior Court

Chapter 2 | Definitions

Section 201. Definitions

For the purpose of this Ordinance, certain words are hereby defined:

ACCESSORY BUILDING / STRUCTURE:

A building, structure or manufactured/mobile home that is subordinate to, and the use of which is incidental to, that of the principal building or use on the same lot.

ACCESSORY DWELLING UNIT:

A habitable space with independent sleeping, bathing and cooking quarters either detached from or attached to and designed without interior entry into the primary dwelling.

ACCESSORY USE:

A use that is customarily incidental and subordinate to the principal use of a lot or a building.

ADJUDICATED PERSON:

A person who, by determination of a court, board, commission or other lawful authority, has been convicted of a criminal offense, and having been subsequently sentenced, is actively on parole or probation and is ordered to reside at a specific address and/or has registered as a sex offender. Residency by two or more such persons (who are not spouses or minor children related by blood or adoption) at the same address shall create a Group Care Facility.

ADULT ORIENTED FACILITIES:

Any use of land or building/structure subject to the Maricopa County Ordinance for Adult Oriented Businesses and Adult Service Providers.

AIRPORT:

A landing area used regularly by aircraft for receiving or discharging passengers or cargo.

1. **Helipad:** An area on a heliport established for the landing or takeoff of helicopters.
2. **Heliport:** A landing area solely for the use of helicopters. A heliport may include more than one helipad.
3. **Landing Area:** Any locality, either land or water, including airports and landing fields, which is used or intended to be used for the landing and takeoff of aircraft, whether or not facilities are provided for the shelter, servicing or repair of aircraft or for receiving or discharging passengers or cargo.
4. **Landing Area Boundary:** The outer limit of the land or water of a landing area.

ALLEY:

A passage or way open to public travel that affords generally a secondary means of vehicular access to abutting lots and is not intended for general traffic circulation.

ALLEY LINE:

The boundary that separates the right-of-way of an alley from the abutting property.

AMATEUR RADIO ANTENNA:

The arrangement of wires or metal rods used in the sending and receiving of electromagnetic waves by amateur radio operators.

AMATEUR RADIO ANTENNA SUPPORT STRUCTURE:

Any structure, mast, pole, tripod, or tower utilized for the purpose of supporting amateur radio antennas for the purpose of transmission or reception of electromagnetic waves by amateur radio operators.

AMBIENT LIGHT:

The existing light condition that comes from multiple directions and provides general illumination. The light source may be natural or artificial light or a combination of both.

AREA DRAINAGE MASTER STUDY (ADMS):

A study to develop stormwater hydrology for a watershed, to define drainage systems, identify potential flood hazard areas, drainage problems and recommend solutions and standards for sound floodplain and stormwater management. The ADMS identifies alternative solutions to a given flooding or drainage problem. An Area Drainage Master Plan (ADMP) identifies the preferred alternative. An ADMP, unique to the subject watershed provides minimum criteria and standards (for flood control and drainage) for land use and development.

AREA OF JURISDICTION:

That part of the County outside the corporate limits of any municipality.

AREA PLAN:

A land use plan adopted by the Board of Supervisors for specific areas of the County as identified within the County's Comprehensive Plan.

AUTONOMOUS VEHICLE:

A motor vehicle that performs all driving functions under all conditions without a human operator.

BASEMENT:

That portion of a building between floor and ceiling that is partly below and partly above grade, but so located that the vertical distance from grade to floor below is less than the vertical distance from grade to ceiling.

BATTERY ENERGY STORAGE SYSTEM (BESS):

A facility that stores electrical energy in battery cells, modules or other devices for later use in providing electricity to the grid or enhancing the reliability and efficiency of the electric system. A BESS includes associated structures, equipment, and controls necessary for safe and effective operation.

For purposes of this ordinance, a BESS shall be considered utility-scale when designed for energy market participation or grid services and when not primarily intended to serve on-site end-use load. Residential, commercial, and industrial systems installed behind the customer meter or serving on-site consumption shall be considered distributed generation and are exempt from this definition.

BED AND BREAKFAST:

Establishments providing not more than 5 guest rooms for lodging on a less than weekly basis in an operator- or owner-occupied dwelling unit, with an eating and drinking service provided from a single kitchen for lodgers and residents only.

BILLBOARD EMBELLISHMENT:

Letters, figures, characters, or representations in cutouts, irregular forms, or similar ornamentation attached to or superimposed upon a billboard to provide a three-dimensional effect.

BILLBOARD:

A freestanding sign that advertises a business, product, service, or activity not limited to those sold, produced, manufactured, furnished, or available on the property where the sign is located. Billboards may be static, illuminated, or digital.

BILLBOARD – DIGITAL:

A billboard, utilizing digital message technology capable of changing the message or copy on the sign electronically, such that, the alphabetic, pictographic, or symbolic informational content can be changed or altered electronically on a fixed display surface composed of electronically illuminated or electronically actuated or motivated elements. This includes billboards with displays that have been preprogrammed to display only certain types of information (i.e., time,

date, temperature) and billboards whose informational content can be changed or altered by means of computer-driven electronic impulses.

BILLBOARD – FREEWAY:

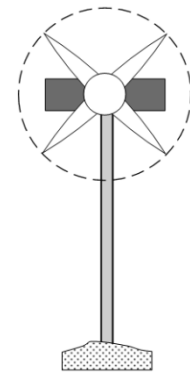
A billboard located along designated freeways within the County, specifically Interstate 17 (south of Carefree Highway), Interstate 10, State Route Loop 101, State Route Loop 202, State Route Loop 303, State Route 24, Northern Parkway, and U.S. Highway 60 (Superstition Freeway).

BILLBOARD – STATIC:

A billboard with a fixed message, which may have lighting that changes no more than once in a 24-hour period.

BLADE SWEEP:

The circumference of the outermost tip of a blade or set of blades that a wind generating system (wind turbine) traces while the blades are in motion.



BOARD OF SUPERVISORS:

The Board of Supervisors of Maricopa County.

BOARDING HOUSE:

A building where, for compensation and by prearrangement for definite periods, meals or lodging and meals, are provided for three or more persons, but not exceeding 20 persons.

BUILDABLE AREA:

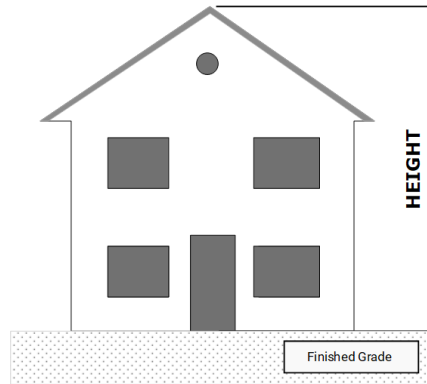
The portion of a lot which is within the envelope formed by the required setbacks. See "SETBACKS".

BUILDING:

A structure having a roof supported by columns or walls for housing, shelter or enclosure of persons, animals, chattels or property of any kind.

BUILDING HEIGHT:

The vertical distance from grade to the highest point of the coping of a flat roof; to the deck line of a mansard roof or the height of the highest gable, hip or gambrel roof.

**CARETAKER:**

A person whose assigned duties may include maintaining property, caring for farm animals, providing security, or providing care for a person having a documented medical condition.

CARPORT:

A roofed structure with two or more open sides under which a vehicle may be driven.

CELLAR:

That portion of a building between floor and ceiling that is partly below and partly above grade, but so located that the vertical distance from grade to floor below is greater than the vertical distance from grade to ceiling.

CEMETERY, FUNERAL & INTERMENT SERVICES:

A cemetery as defined in Arizona Revised Statutes includes public, religious and municipal land for sale of burial plots. A cemetery includes pet cemeteries, mausoleums, and accessory uses such as mortuaries. A cemetery specifically does not include land for private, family burial plots of ten or fewer registered with the Arizona Department of Health Services and that will be considered accessory and customarily incidental to a permitted primary use in the Rural zoning districts.

CHARTER SCHOOL:

A primary, elementary, or secondary school established by contract with a district governing board, the State Board of Education or the State Board for Charter Schools or University or Community College District pursuant to A.R.S. Article 8, Chapter 15, to provide learning that will improve pupil achievement and receives a predominant amount of its financing from public funds.

CHORD:

A line drawn parallel to where the points of a front line connect with the fronting street.

COMMERCIAL CENTER:

A development on a single parcel or multiple contiguous parcels containing a common commercial zoning district designation and served by common driveways, parking areas and/or amenities.

COMMISSION:

The County Planning and Zoning Commission of Maricopa County.

COMMUNITY BUILDING:

A public building designed or used for community activities of an educational, recreational or public service nature.

COMMUNITY RESIDENCE:

Except as required by state law, a residential living arrangement for six to ten unrelated individuals with disabilities or who are elderly or who are minors, and live-in staff living as a single housekeeping unit in a single dwelling unit where residents are in need of the mutual support furnished by other residents as well as the support services, if any, provided by the staff. Residents may be self-governing or supervised by a sponsoring entity or its staff, which provides habilitative or rehabilitative services related to the residents' disabilities. A community residence seeks to emulate a family to foster normalization of its residents and to integrate them into the surrounding community. Its primary purpose is to provide shelter in a family-like environment. Supportive inter-relationships between residents are an essential component. Medical and mental health treatment shall not comprise treatment beyond that which would be provided in the confines of a traditional family residential setting. Treatment shall be accessory to residency in the home.

Community residences include, but are not limited to, those residences that conform to this definition that are licensed by the Arizona Department of Health Services, including but not limited to adult care homes, elder care homes, child care homes, and sober living homes, certified by the Arizona Recovery Housing Association, or awarded an Oxford House Charter. The term "community residence" does not include any other group living arrangement for unrelated individuals who are not disabled, or any shelter, rooming house, boarding house, transient occupancy, or other use as defined in this Ordinance.

COMPREHENSIVE PLAN:

The plan adopted by the Board of Supervisors which meets the requirements of Title 11, Section 805 of Arizona Revised Statutes governing County Planning and Zoning.

CONDITIONAL USE:

A use of property permitted on a permanent basis within a zoning district as long as required conditions are met.

CORRAL:

A pen or enclosure for confining animals.

DATA CENTER: A facility primarily used for the processing, management, or storage of digital information, housing computer servers, data storage equipment, and related infrastructure. Data centers typically include backup power systems, environmental controls, network connectivity, and security measures, and may operate continuously. For zoning purposes, the term includes facilities engaged in activities such as telecommunications and storage systems, central and graphical processing, neural networks, quantum computing, data routing, server farms, cryptocurrency mining or processing, virtual private networks, virtual servers, artificial intelligence training or processing, image processing, cloud computing, and email services. The term also encompasses telecom hotels, carrier hotels, co-location centers, and similar facilities used for these purposes.

DESIGN FLOW:

The peak flow and peak volume of rainfall resulting from the design storm generated within a defined area.

DESIGN STORM:

The 100-year rainfall event that produces the design flow.

DESIGN STORM/RETENTION:

The 100-year, 2-hour rainfall event.

DETOXIFICATION FACILITY:

A facility where an individual or individuals receive physiological and/or medicinal treatment for the removal of toxic substances related to substance use disorder. A detoxification facility is not a community residence or recovery community residence.

DEVELOPMENT:

Any man-made change to property, including but not limited to, buildings or other structures, mining, dredging, filling, grading, landscaping, paving, excavation or drilling operations.

DEVELOPMENT MASTER PLAN:

A plan approved by Maricopa County that established the future development patterns for an area (usually one or more square miles).

DEVELOPMENT STANDARDS:

Regulations pertaining to setbacks, building height, building separation, lot coverage, lot area and lot width

DILAPIDATED BUILDING OR STRUCTURE:

Means any real property structure that is in such disrepair or is damaged to the extent that its strength or stability is substantially less than a new building or it is likely to burn or collapse and its conditions endangers the life, health, safety, or property of the public. The Building Official shall determine whether a building or structure is dilapidated. Dilapidated buildings or structures as determined by the Building Official shall include, but not be limited to, those buildings or structures that meet any or all of the following criteria:

1. The building or structure's interior walls or other vertical structural members, list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base.
2. The building or structure, exclusive of the foundation, has thirty-three percent (33%) or more damage or deterioration to the supporting member or member's structural assembly, or fifty-five percent (55%) damage or deterioration to the non-supporting enclosing or outside walls or covering.
3. The building or structure is infested by rodents, insects or other noxious pests, rendering it uninhabitable.
 - A. The building or structure exhibits conditions that present actual hazards or dangers.
 - B. The building or structure has been vacant and unsecured for more than forty-eight (48) hours, on more than one (1) occasion, during a previous twelve (12) month period.
 - C. The building or structure or their contents represents an imminent health or fire hazard.

DIRECTOR:

The Director of the Maricopa County Department of Planning and Development.

DISABILITY:

A (i) physical or mental impairment that substantially limits one or more major life activities of an individual; (ii) history or record of such an impairment; or (iii) being regarded as having such an impairment. Current illegal use of or addiction to a controlled substance is not a disability.

DORMITORY:

A building or that portion thereof other than a community residence, recovery community, hotel, boarding house, halfway house, fraternity house, or sorority house containing three (3) or more rooming units or guest rooms or sleeping facilities for more than five (5) persons. Such rooming units or guest rooms shall be for residential purposes only.

DRAINAGE:

Runoff which flows over land as a result of precipitation. This shall include sheetflow and flows, which may concentrate in local drainage systems with or without defined channels.

DRAINAGE ADMINISTRATOR:

The Director of the Maricopa County Planning and Development Department or his duly authorized representative.

DRAINAGE CLEARANCE:

The approval by the Drainage Administrator of a grading and drainage plan to develop a site. This plan may be a site plan, or engineered grading and drainage plan.

DRAINAGE CLEARANCE (FINAL):

A document issued by the Drainage Administrator when a final inspection has been completed that indicates the site was developed in accordance with the approved plan.

DRAINAGE DESIGN MANUAL:

Drainage Design Manual for Maricopa County: Volume I - Hydrology, Volume II - Hydraulics, and Volume III - Best Management Practices and Erosion Control.

DRAINAGE EASEMENT:

A legal right or privilege to use an area defined and established to receive or convey runoff.

DRAINAGE REPORT/PLAN (AREA):

A drainage plan based on a defined watershed that may include more than one political jurisdiction.

DRAINAGE REPORT/PLAN (CONCEPTUAL):

An overview drainage plan providing a minimum of drainage information with order of magnitude value for peak flows and retention requirements. Requirements shall be determined by the topography and proposed use of the site.

DRAINAGE REPORT/PLAN (DEVELOPMENT):

A drainage plan that may cover all or a portion of a development. A report/plan generally of greater detail and encompassing a smaller area than a Drainage Report/Plan (Master).

DRAINAGE REPORT/PLAN (MASTER):

A preliminary drainage plan encompassing all future phases or units within a development. A report/plan generally of greater detail and encompassing a smaller geographic area than a Drainage Report/Plan (Area).

DRAINAGE REPORT/PLAN (SITE):

A drainage plan for a single lot or the smallest increment of development. A report/plan generally of greater detail than a Drainage Report/Plan (Development).

DRAINAGE SYSTEM:

A system of lakes, rivers, creeks, streams, washes, arroyos, channels, closed conduits, or other topographic features on, through, or over which stormwaters flow at least periodically.

DRAINAGE WAIVER:

A grant of relief from the requirements of this Regulation which permits construction or other uses of property in a manner that would otherwise be prohibited or restricted by this Regulation.

DRIVEWAY:

A surface of concrete, asphalt, crushed granite, or other material approved by the Planning and Development Department leading from a roadway to existing or future development on property.

DWELLING:

A building or portion thereof designed or used exclusively for residential occupancy, including single-family, two-family and -multiple family- dwellings, but not including hotels, boarding and lodging houses. This also includes accessory dwelling units ancillary to a single-family dwelling.

DWELLING GROUP:

A group of three or more buildings which occupy a parcel of land in one ownership and have a yard in common.

DWELLING UNIT:

One or more persons occupying a premise and living as a single housekeeping unit as distinguished from a group occupying a boarding house, lodging house, hotel or community residence or recovery community as herein defined.

DWELLING, MULTI-FAMILY:

A building or portion thereof designed for occupancy by three or more families.

DWELLING, SINGLE-FAMILY:

A building designed for occupancy by one family, including factory-built dwellings, site-built dwellings, modular homes, manufactured homes and mobile homes. A mobile home or manufactured home is a single-family dwelling provided it is permanently affixed to the property and further provided it has been rehabilitated and approved by the State of Arizona Office of Manufactured Housing.

DWELLING, TWO-FAMILY:

A building designed for occupancy by two families each residing in a separate dwelling.

EASEMENT

A non-possessory property right for limited purpose to use and/or enter onto real property of another without possessing it.

EASEMENT, PRIVATE ACCESS

A non-public right-of-way for the purpose of providing ingress and egress for a property or properties that does not have adequate public street frontage, that is not dedicated to the public and the fee title of which is owned by the underlying owners of land over which it crosses for the benefit of the named grantor and grantee(s) and their successors and assigns.

EASEMENT, VEHICULAR NON-ACCESS (VNAE):

An easement prohibiting vehicular access to and from a public street.

EASEMENT, SOLAR ACCESS:

An easement in which the owner of a property (grantor) agrees to maintain the airspace above the grantor's property in such a manner as to not inhibit the ability of the grantee's property to receive the sunlight that would normally pass through the grantor's airspace in the absence of any structures or landscaping.

EMERGENCY HOUSING:

Temporary shelter required due to a natural disaster or fire.

EROSION:

The wearing away of the ground surface as a result of the movement of wind, water, ice and other geologic agents.

FALL PROTECTION DEVICE:

A barrier constructed of metal pipe rail or wooden rail, metal view fence, or transparent sheeting used for the purpose of preventing a human being from falling from an elevated surface.

FAMILY:

An individual living alone or any number of persons related by blood, marriage, adoption or guardianship, and domestic staff; or two unrelated individuals in a domestic partnership who have made a commitment to share their lives, living as a single housekeeping unit along with their children including step children, adopted children, and children under guardianship and domestic staff; or a group of not more than five (5) unrelated persons living together as single housekeeping unit.

FARM:

An area which is used for the commercial production of farm crops such as vegetables, fruit trees, cotton, grain and other crops and their storage on the area, as well as the raising thereon of farm poultry and farm animals, such as horses, cattle, sheep and swine for commercial purposes but not including commercial pen feeding, commercial feed lots or the commercial feeding of garbage or offal to swine or other animals. The term "farm" includes the operating of such an area for one or more of the above uses, including dairy farms, with the necessary accessory uses for treating or storing the produce, provided that the operation of any such accessory use is secondary to that of the farm activities.

FEED LOT, COMMERCIAL:

A livestock feeding or handling facility operated for the purpose of accommodating the needs of others in whole or in part for a fee or fees paid to the operator or owners for the accommodations, materials and services received.

FOOD AND BEVERAGE USES:

Establishments engaged in the preparation and sale of food or beverages for on-site consumption, take-out, or retail sale, including but not limited to bakery shops, delicatessens, ice cream shops and similar uses.

FOOD PRODUCTION:

Facilities engaged in the large-scale preparation, processing, or manufacturing of food or beverages for wholesale or distribution, including but not limited to wholesale bakeries, bottling plants, breweries, dairy processing facilities and similar uses.

FENCE:

A vertical, linear, unroofed structure, usually constructed of wire, posts, boards, or rails, used for the purpose of delineating a boundary or functioning as a barrier.

FLOOR AREA:

The gross floor area of an enclosed building or buildings determined specifically for purposes of computing off-street parking requirements.

GARAGE, PRIVATE:

An accessory building or portion of a principal building designed or used for the parking or temporary storage of motor vehicles of occupants in the building to which such garage is accessory, but not including the parking or temporary storage of delivery or truck motor vehicles having a capacity in excess of 10,000 lbs. gross vehicle weight.

GARAGE, PUBLIC:

A building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling or storing motor vehicles.

GARDEN:

A private facility for the cultivation of fruits, vegetables, flowers and ornamental plants, and accessory sales of products cultivated on site.

GARDEN, COMMUNITY:

A private or public facility for the cultivation of fruits, vegetables, flowers and ornamental plants by more than one person. Accessory sales of products cultivated on site are permissible.

GOVERNMENT ACTION:

An action by the government, defined as federal, state, county or municipal agencies only, including but not limited to, a government's acquisition of real property by purchase, eminent domain, or government error, which results in a building, lot, parcel or tract of land not meeting the requirements of this Ordinance.

GRADE:

The lowest point of elevation of the surface of the ground, paving or sidewalk at any point adjacent to a structure or fence/wall. For purposes of calculating structure, building or fence/wall heights, existing established grade shall be utilized on subdivision land and natural, undisturbed grade shall be utilized on unsubdivided land.

GRID-CONNECTED:

An electrical generating system whereby electricity is allowed to enter into the electrical utility grid solely through a bi-directional revenue meter that measures the flow of electricity from the power grid to the building and back to the grid when it produces more energy than is needed for consumption.

GROUP CARE FACILITY:

A dwelling unit shared by any class of residents under supervised care and/or treatment beyond that which would be provided in the confines of a traditional residential setting, who do not qualify as a Community Residence or Recovery Community.

GUEST:

Any transient person who rents or occupies a room for sleeping purposes.

GUEST HOUSE:

A habitable space within a separate structure on the same lot as the primary dwelling unit used to house family or guests without compensation.

GUEST RANCH:

A building or group of buildings each containing two or more guest rooms, other than a boarding house, hotel, and including outdoor recreational facilities such as, horseback riding, swimming, tennis courts, shuffleboard courts, barbecue and picnic facilities, and dining facilities intended for the use by guests of the guest ranch.

GUEST ROOM:

A room, other than located in a dormitory, that is designed for occupancy by one or more guests for sleeping purposes without cooking facilities.

HALFWAY HOUSE:

A facility that functions similarly to a dormitory and may house individuals that have been placed there by a court-order and/or with a substance use disorder. The length of tenancy is limited, and occupants may be subject to a curfew. A halfway house is not a Community Residence or Recovery Community.

HEARING OFFICER:

The individual(s) appointed by the Maricopa County Board of Supervisors to hear and decide civil proceedings established by an Ordinance, regulation, or provision enacted or adopted by the Board of Supervisors under the authority granted by ARS Title 11, Chapter 6 County Planning and Zoning.

HILLSIDE DISTRICT

That area defined as County hillside in Chapter 9 of the Maricopa County Zoning Ordinance.

HILLSIDE LOT OR PARCEL:

A lot or parcel of land which is required to comply with Maricopa County Zoning Ordinance, Chapter 9, Section 901, Hillside Development Standards.

HOME DAYCARE:

The care, supervision and guidance of a child or children, unaccompanied by a parent, guardian or custodian, on a regular basis, for periods of less than twenty-four hours per day, in a place other than the child's or the children's own home or homes.

HOME OCCUPATION, COTTAGE INDUSTRY:

An accessory use of a property that involves production, or the provision or sale of goods and/or services that does not meet the conditions of Residential Home Occupation and that requires legislative approval of a Special Use Permit by the Board of Supervisors.

HOME OCCUPATION, RESIDENTIAL:

An accessory use of a property that involves limited production, or the provision, or sale of goods and/or services, as outlined in the Use Regulations of Chapter 6.

HOSPITAL:

An institution for the diagnosis, treatment, or other care of human ailments. The term hospital is deemed to include sanitarium, clinic, rest home, nursing home, convalescent home, and maternity home.

HOTEL:

A building in which lodging or boarding and lodging are provided and offered to the public for compensation.

HOTEL, RESORT:

A building or group of buildings, other than a hotel, boarding house or lodging house, that includes two or more units made available for short term rental that may include individual guest rooms, suites of guest rooms, or dwelling units, and offered to the public for compensation.

HOUSEHOLD STAFF:

A person or persons who perform domestic duties for compensation for the occupants of a dwelling unit in which the hired individual does not reside.

INDOOR ENTERTAINMENT:

Amusement and entertainment establishments conducted entirely within an enclosed building, including but not limited to bowling alleys, dance halls, nightclubs and similar uses, excluding adult-oriented facilities as defined in this Ordinance.

INDUSTRIAL CENTER:

A development on a single parcel or multiple contiguous parcels within the same industrial zoning district designation and served by common driveways, parking areas and/or amenities.

INDUSTRIAL MANUFACTURING – GENERAL:

Industrial uses involving the manufacturing, assembly, processing, packaging, or treatment of goods and materials, including but not limited to the production of appliances, electronics, optical goods, precision instruments, ceramics, textiles, paper products, plastics, metals, glass products, food products, cosmetics, and pharmaceuticals. General manufacturing typically involves larger-scale operations heavier machinery, and a broader range of materials, and may produce greater noise, odor, vibration, traffic or other off-site impacts than light manufacturing.

INDUSTRIAL MANUFACTURING – LIGHT

Industrial uses of a smaller scale or lower intensity, typically involving the manufacturing, assembly, or processing of goods with minimal environmental or noise impacts, including but not limited to precision instruments, jewelry, small electronics, musical instruments, handicraft products, and similar light-fabrication activities. Light manufacturing generally consists of cleaner, quieter, and smaller-scale operations that produce limited off-site impacts.

JUNK/SALVAGE YARD

Any establishment or place of business which is maintained, used, or operated for storing, keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles or motor vehicle parts or metal sold for scrap. The term “junk” includes old or scrap copper, brass, rope rags, batteries, paper, trash, wood and rubber debris, wasted or junked, dismantled or wrecked automobiles, or parts thereof, iron, steel and other old or scrap ferrous or nonferrous materials.

The term “salvage yard” includes garbage dumps and sanitary fills. A junk/salvage yard may include repair facilities as an ancillary use.

KENNEL:

Any premises that are used for the commercial breeding, boarding, training, grooming or bathing of dogs, cats, and/or other small domesticated household pets (not farm animals), or for the breeding or keeping of dogs for racing purposes.

LABOR CAMP:

Any camp or similar place of temporary abode, established by or for the care of workers engaged in construction, repair or alteration work on roads or highways, railroads, or in lumbering or agricultural operations, or in other industrial activities.

LAND USE:

The purpose or purposes for which land or a building is occupied, maintained, arranged, designed, or intended.

LAUNDRY, SELF-SERVICE:

A building within which clothes washing and drying machines, and clothes dry cleaning machines, either coin operated or attendant operated, are provided on a rental basis for use by individuals for doing their own laundry and dry cleaning. Self-service laundry does not include outdoor drying facilities.

LEGAL NONCONFORMING USE:

The lawful use of any building, lot, parcel or tract of land existing at the time this Ordinance, or amendments thereto, become effective that otherwise do not conform with the use regulations of the zoning district in which it is located.

LOADING AND UNLOADING SPACES:

A permanently maintained area for the purpose of receiving or shipping and transporting of goods, wares, or commodities on the same lot as the principal building accessible to a street or alley.

LODGING HOUSE:

A building where lodging only, without meals, is provided for compensation to three or more persons, but not exceeding 20 persons.

LOT:

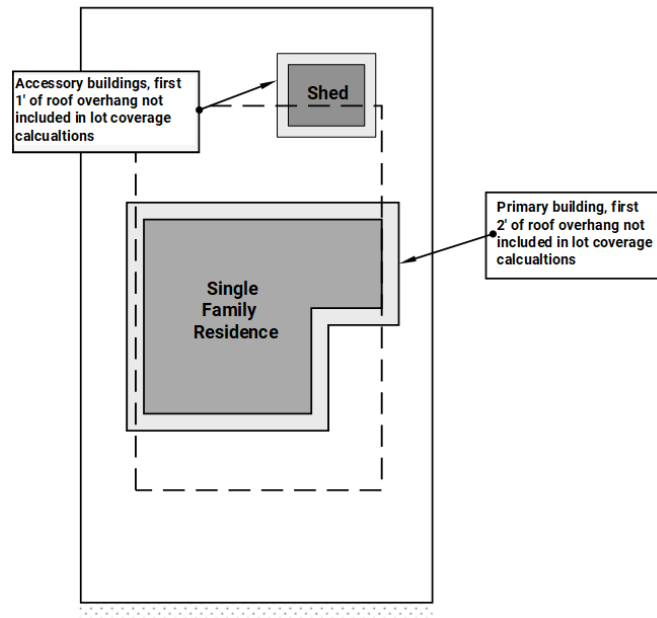
A designated parcel, tract or area of land established by a plat or otherwise, as permitted by law and to be used, developed or built upon as a unit. Occupied or intended for occupancy by a use permitted in this Ordinance, including one principal building together with its accessory buildings, the open spaces and parking spaces required by this Ordinance, and having its principal frontage upon a street.

LOT AREA:

The area of a horizontal plane within the lot lines of a lot.

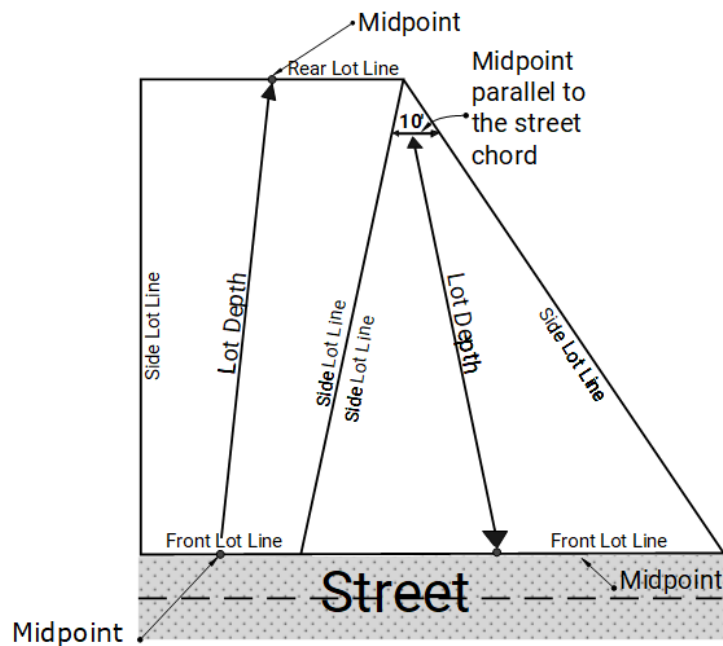
LOT COVERAGE:

The percentage of the area of a lot that is occupied by all buildings. The first two (2) feet of roof overhang from the exterior walls of the primary building, and the first one (1) foot of roof overhang from the exterior walls of all accessory buildings, are not to be included in the lot coverage.



LOT DEPTH:

For lots having front and rear lot lines that are parallel, the shortest horizontal distance between such lines; for lots having front and rear lot lines that are not parallel, the shortest horizontal distance between the midpoint of the front lot line and the midpoint of the rear lot line; and for triangular shaped lots, the shortest horizontal distance between the front lot line and a line within the lot parallel to and at a maximum distance from the front lot line, having a length of not less than ten feet.



LOT FRONTAGE:

That portion of a lot abutting a roadway or street.

LOT LINE:

Any line bounding a lot.

LOT LINE, FRONT:

The boundary of a lot that separates the lot from the street; and in the case of the corner lot, the front lot line is the shorter of the two lot lines separating the lot from the street except that where these lot lines are equal or within 15 feet of being equal, either lot line may be designated the front lot line but not both. In the case of residential lots located within a tract or a commercial pad located within a parking lot that have no direct street frontage, the front lot line must be designated by the applicant at the time of subdivision approval or prior to zoning clearance if no subdivision is required. A front lot line evaluation and determination by the Zoning Inspector may be requested in circumstances where a lot is shaped peculiarly or has unorthodox street frontage and the front is difficult to determine.

LOT LINE, REAR:

The boundary of a lot that is most distant from, and is, or is most nearly, parallel to the front lot line; except that in the absence of a rear lot line such as a triangular shaped lot, the rear lot line may be considered as a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten feet.

LOT LINE, SIDE:

The boundary of a lot that is not a front lot line or a rear lot line.

LOT OF RECORD:

A lot that is part of a subdivision, the plat of which has been recorded in the office of the County Recorder of Maricopa County; or a lot, parcel or tract of land, the deed of which has been recorded in the office of the County Recorder of Maricopa County.

LOT THROUGH (DOUBLE FRONTAGE):

A lot that has frontage on two streets that is parallel or nearly parallel to each other. On such lot, both lot lines are front lot lines, except where a non-access easement has been established on such a lot.

LOT WIDTH:

For rectangular lots, lots having side lot lines not parallel, and lots on the outside of the curve of a street, the distance between side lot lines measured at the required minimum front yard line on a line parallel to the street or street chord; and for lots on the inside of the curve of a street, the distance between side lot lines measured at the required minimum front yard line on a line parallel to the street or street chord.

LOT, CORNER:

A lot that has an interior angle of 135 degrees or less at the intersection of two street lines. A lot abutting upon a curved street is considered a corner lot if the tangents to the curve at the points of intersection of the side lot lines intersect at an interior angle of 135 degrees or less.

LOT, INTERIOR:

A lot other than a corner lot.

LOT, KEY:

A lot adjacent to a corner lot having its side lot line in common with the rear lot line of the corner lot and fronting on the street that forms the side boundary of the corner lot. See Chapter 8, 811.5.4.3 for exhibit.

MANUFACTURED HOME:

A residential dwelling unit manufactured after June 15, 1976 and built to the Manufactured Housing Construction and Safety Standards and the State of Arizona Installation Requirements for Manufactured Housing. The term “manufactured home” does not include recreational vehicles or modular (factory built) buildings.

MARIJUANA FACILITIES:

In accordance with Arizona Revised Statutes, an entity licensed by the Arizona Department of Health Services as follows:

1. Marijuana Establishment operates as:
 - A. a single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana and manufacture marijuana products;
 - B. a single off-site cultivation location at which the licensee may cultivate marijuana, process marijuana and manufacture marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers; or
 - C. a single off-site location at which the licensee may manufacture marijuana products and package and store marijuana and marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.
2. Nonprofit Medical Marijuana Dispensary that operates as a not-for-profit entity that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, supplies, sells or dispenses marijuana or relates supplies and educational materials.

or
3. Dual Licensee that operates as a non-profit marijuana dispensary and a marijuana establishment

MARIJUANA TESTING FACILITY:

In accordance with Arizona Revised Statutes, an entity that is licensed by the Arizona Department of Health Services to analyze the potency of marijuana and test marijuana for harmful contaminants.

MOBILE HOME:

A dwelling unit built prior to June 15, 1976, on a permanent chassis, capable of being transported in one or more sections and designed to be used with or without a permanent foundation as a dwelling in approved locations when connected to on-site utilities. The term "mobile home" does not include recreational vehicles or factory-built buildings.

MOBILE HOME/MANUFACTURED HOME PARK:

Any parcel of land upon which two or more mobile homes or manufactured homes occupied for dwelling or sleeping purposes, are located regardless of whether or not a charge is made for such accommodations.

MOBILE HOME/MANUFACTURED HOME SPACE:

A plot of ground within a mobile home park or travel trailer park designed for the accommodation of one mobile home/manufactured home or travel trailer together with its accessory structures including carports or other off-street parking areas, storage lockers, ramadas, cabanas, patios, patio covers, awnings and similar appurtenances.

MODULAR HOME (FACTORY-BUILT HOME):

A dwelling unit that is either wholly or in substantial part manufactured at an off-site location according to the Arizona Department of Housing requirements to be assembled on site, except that it does not include a manufactured home, mobile home, park model, or recreational vehicle as defined by this Chapter.

NON-LIVABLE BUILDING:

A building on a residential lot used solely for the parking of vehicles, workshop, the storage of equipment or material, the keeping of livestock and other similar uses but not designed, constructed or utilized for human habitation. Open metal patio covers shall also be considered non-livable.

OFF-GRID:

An electrical generating system whereby electricity is not allowed to enter into the electrical utility grid by any means.

OFF-SITE RUNOFF:

Runoff produced from precipitation that falls outside the limits of a development and that drains through a development or the site of proposed development.

ON-SITE RUNOFF:

Runoff produced from precipitation that falls within the limits of a development including easements and dedicated rights-of-way.

OUTDOOR ENTERTAINMENT

Entertainment enterprises conducted outdoors including but not limited to outdoor amusement parks; circus and carnival grounds having permanent facilities; drive-in or outdoor theaters; outdoor race tracks; permanent facilities for rodeos, auctions, swap meets, campgrounds, and sites rented for private parties including outdoor amplified music; zoos, including the keeping of wild or exotic animals on a private or commercial basis and other similar uses.

OXFORD HOUSE:

A self-governed Community Residence for people in recovery from substance use disorder that has been issued a “Conditional Charter” or “Permanent Charter” by Oxford House World Services, or successor organization providing oversight; where there is no limit on length of residency; where the use of alcohol or any illegal drug is prohibited; where any misuse of legal drugs is prohibited; where any resident who violates this prohibition is expelled from the dwelling; where the residents pay the costs of the dwelling, including rent and utilities; and, where through a majority vote, the residents establish policies that govern living in the Oxford House, including the manner in which applications for residence are approved.

PARK:

Any public or private non-commercial, not-for-profit land established and intended for recreational, educational, cultural, natural area or wildlife preservation, scenic or aesthetic use intended for leisure time enjoyment. This definition shall not be construed to include entry features or landscape buffers around the perimeter of a subdivision that serve no other active or passive recreational purpose.

PARKING LOT:

An area, other than a street or alley, devoted to unenclosed parking spaces.

PARKING SPACE, ACCESSIBLE:

A rectangular area not less than 18 feet in length for the full required width. The parking space and access aisle widths shall be as required by accessibility standards currently adopted by Maricopa County.

PARKING SPACE, STANDARD:

A rectangular area of not less than nine feet in width and not less than 18 feet in length, together with independent access from an aisle or driveway to be used by automobiles.

PARKING SPACE/LOT, PAVING:

The material used for permanently surfacing a parking space and/or lot that may include any of the following: at a minimum asphalt millings bound with a liquid emulsifier; or asphaltic concrete; cement concrete; penetration treatment of bituminous material and a seal coat of bituminous and mineral aggregate; or the equivalent of the above as approved by the Department of Planning and Development and complies with the County's air quality standards.

PATENT EASEMENT:

An easement created by the Federal Government pursuant to the Small Tract Act of 1938 to provide a corridor for roadway and utilities through small tracts conveyed to private ownership.

PERSON:

An individual, developer or their agent, firm, partnership, association, corporation, municipality, or agent of the aforementioned groups, or its agencies or political subdivisions.

PLACES OF PUBLIC ASSEMBLY:

The following uses are considered places of public assembly uses for purposes of parking requirements: churches, schools both public and private, colleges and universities, both public and private, funeral homes, museums, libraries, private clubs, lodges, community buildings, theaters, auditoriums, arenas, indoor and outdoor stadiums, health spas, gyms, tennis/handball court facilities, hospitals, rest homes, orphanages, nursing homes and institutions of a religious, charitable or philanthropic nature and uses similar to the above uses.

PLANNING AND ZONING COMMISSION:

The Planning and Zoning Commission of Maricopa County created pursuant to Arizona Revised Statutes Title 11, Chapter 6.

PRINCIPAL BUILDING OR USE:

The main use of land or a building as distinguished from an accessory use.

PRIVATE SCHOOL:

A primary, elementary, secondary school, college, or university established and controlled privately and supported by endowment and tuition and do not include a commercial daycare, day nursery or preschool component.

PUBLIC SCHOOL:

A primary, elementary, secondary school, college, or university that is directly administered under the authority of a governmental body and that receives a predominant amount of its financing from public funds.

PUBLIC UTILITIES

Services provided to the public for water, gas, electricity, telephone and cable television, including distribution, collector and feeder lines, pumping or booster stations along pipelines, and substations along electric transmission lines. (This does not include public utility treatment and generating plants, see Utility Treatment and Generating Plants definition.)

RAINFALL EVENT:

The amount of rain falling in a specified period of time.

RECOVERY COMMUNITY:

Multiple dwelling units located on a single parcel, or a series of adjacent lots under unified ownership, not to exceed a total area of three gross acres, providing a drug-free and alcohol-free living arrangement for people in recovery from substance use disorder or behavioral health disorder, (i) that are not held out to the general public for rent or occupancy and, (ii) which taken together, do not emulate a single family and are under the auspices of a single entity or group of related entities. The term does not include any other group living arrangement for unrelated individuals who are not disabled nor does it include any shelter or halfway house, community residence, assisted living facility, rooming house, boarding house, transient occupancy, or other use as defined in this Ordinance. Medical and mental health treatment shall not comprise treatment beyond that which would be provided in the confines of a traditional family residential setting.

RECREATION VEHICLE:

A vehicular or portable unit mounted on a chassis and wheels, designed and constructed to be installed with or without a permanent foundation for human occupancy. The term "recreation vehicle" shall include travel trailers, camping trailers, truck campers, park models and motor homes.

RECREATION VEHICLE (DESTINATION):

A recreation vehicle that is designed for, and is to be used for, permanent residential use in a travel trailer/recreation vehicle park or at other approved locations. The term recreation vehicle (destination) includes park model travel trailers.

RECREATION VEHICLE (OVERNIGHT):

A recreation vehicle that is not designed for, or to be used for, permanent residential use in a travel trailer/recreation vehicle park or at other approved locations.

RECREATION VEHICLE PARK:

Any parcel of land upon which **two** or **more** recreation vehicles for dwelling or sleeping purposes are located regardless of whether or not a charge is made for such accommodations.

RENEWABLE ENERGY:

Energy derived primarily from sources other than fossil fuels or nuclear fission.

RENEWABLE ENERGY SYSTEM:

A device or assemblage of devices that create, capture and/or store renewable energy.

RENEWABLE WATER SOURCE:

Water that is derived from sources other than groundwater.

RESPONDENT:

A person against whose property a complaint has been raised alleging violation of this Ordinance or who initiates an appeal of a decision of an administrative action by the Zoning Inspector or their designee or of the decision of the Board of Adjustment.

RETAIL AND SERVICES – GENERAL

Establishments engaged in the sale, rental, repair or service of goods and equipment, or the provision of personal or business services to the public.

RETAIL AND SERVICES – LIGHT:

Retail and service establishments of a smaller scale, typically serving local or neighborhood markets, including but not limited to specialty shops, personal care services, small-scale repair services, pharmacies, and similar uses. These uses generally occupy smaller buildings, have limited outdoor activity, and produce minimal off-site impacts.

RETAIL AND SERVICES – REGIONAL:

Retail and service establishments of a larger scale or broader service area, including but not limited to vehicle dealerships, equipment sales and rental, wholesale outlets, auction facilities, and similar uses. These uses typically occupy larger sites, may include significant outdoor sales or storage, and attract customers from a wider geographic area.

RETENTION SYSTEM:

A system that retains runoff in a controlled manner through the use of storage facilities. Stored runoff is either evacuated by percolation or released to the downstream drainage system after the storm event.

REVENUE METER:

A device that measures the flow of electricity for the purpose of allowing the electrical utility provider to determine the amount of electricity consumed by a retail customer. This device is typically owned by the electrical utility provider and is located at the service panel located at the customer end of the service entrance section.

REVENUE METER, BI-DIRECTIONAL:

A revenue meter that measures the flow of electricity in both directions as would be the case in a renewable energy system where the electrical utility provider is purchasing excess electricity from the retail customer - (see Revenue Meter).

RIGHT-OF-WAY (ROW; R/W)

Property right granted for the purpose of constructing, installing, operating and/or maintaining highways, roads, streets, alleys and ways, and bridges.

RIGHT-OF-WAY (MARICOPA COUNTY)

Right-of-Way opened and declared by the Board of Supervisors.

RIGHT-OF-WAY (OTHER)

Right-of-Way not opened and declared by the Board of Supervisors.

ROAD OR ROADWAY:

That area, whether public or private, between right-of-way lines, dedicated, reserved or provided for roadway purposes, access (right-of-way) easements and patent easements.

RUBBISH, JUNK, TRASH, DEBRIS AND FILTH:

Shall include, but not be limited to: ordinary litter, refuse, waste, or rubble and remains thereof and similar material including the waste or rubble of any dilapidated building or littered plant matter.

SALES, GARAGE/YARD:

Garage/yard sales or outdoor home parties that are held for the sale of goods or services at a dwelling shall not exceed six individual days in one year.

SCENIC CORRIDOR:

An area visible from a highway, waterway, railway, or major hiking, biking, or equestrian trail that provides vistas or wide views.

For the purpose of the location of Off-Site Advertising Signs (Billboard(s)), in Maricopa County, scenic corridor shall refer to the Scenic Corridor Overlay Zoning Districts (as set forth in Chapter 7) and scenic corridor district policy guidelines (Carefree Highway, Castle Hot Springs, McMickem Dam, Olive Avenue, El Rio, I-17 North of Carefree Highway and 7th Street/New River Road) including any future scenic corridor overlay zoning districts and policy guideline scenic corridors.

SCHOOL:

An institution of learning, such as charter schools and public and private schools, that offer instruction in several branches of learning and study, but not including business colleges, dancing schools, riding academies, or trade or vocational schools or preschools, nurseries, daycare or nursery schools.

SERVICE STATION:

A building or use devoted to the retail sale of fuels, lubricants, and other supplies for motor vehicles, including minor repair activities that are subordinate to the sale of petroleum products.

SETBACK:

A line measured from a roadway, future right-of-way line or property line that establishes the buildable area on the lot.

SETBACK LINE:

A line measured from a roadway, future right-of-way line or property line.

SHORT TERM RENTAL:

A single-family dwelling or an accessory dwelling leased, without signage, for a duration of 30 consecutive days or fewer to individuals other than registered sex offenders.

SIGN:

Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or marks or combinations thereof, whether permanent or variable, by which anything is made known, such as the designation of an individual, a firm, an association, a profession, a business, a commodity, product, or idea.

SIGN, AREA:

The total square footage or area of a sign mounted as individual letters and /or graphics against a wall or on other structure. For calculations purposes, the area shall be completely contained within a circle, square, or rectangle. The sign area shall be clearly defined by a boundary line, frame, contrasting colors, textures, materials and/or combination of materials designed to differentiate the sign area from the background against which it is placed. The area of any double-faced or “v” shaped sign shall be the area of the largest single face.

SIGN, CENTER IDENTIFICATION:

A freestanding sign that identifies users located within a commercial or industrial center.

SIGN, DIRECTORY:

A sign to identify the location of various buildings, offices, or businesses within a complex.

SIGN, ELECTRONIC MESSAGE DISPLAY (EMD):

The Board of Supervisors finds that Electronic Message Display (EMD) signs are a more intense sign than a static sign. EMD signs may display words, symbols, figures, and images. They may be light emitting diode (LED) displays digitally controlled by electronic communications or changed electronically by remote or automatic means. EMD’s may also include recorded or televised video. EMD’s are categorized by levels as follows:

1. Level 1 EMD’s are all or part of a sign that contains static messages only or changes static copy no more frequently than once every eight (8) seconds and shall not have “fade” or “dissolve” transitions, or full animation or video, or similar subtle transitions or frame effects that have the appearance of moving text or images.
2. Level 2 EMD’s are all or part of a sign that contains static messages with “fade” or “dissolve” transitions or similar subtle transitions or frame effects that do not have the appearance of moving text or images, full animation nor video.
3. Level 3 EMD’s are all or part of a sign that contains messages with “travel” or “scrolling” transitions, or similar transitions and frame effects that have text or animated images that appear to move or change in size, or be revealed sequentially rather than all at once, but are not video or televised messages.
4. Level 4 EMDs are all or part of a sign that contains full animation, televised or video displays.

SIGN, FREESTANDING:

A structure supported by a pole or architecturally designed base (not including wall signs, billboards or freeway pylon signs).

SIGN, FREEWAY PYLON:

An identification sign located on property abutting a freeway, or part of a complex or center abutting a freeway, that is oriented to and intended to be read from the freeway for the purpose of identifying an associated commercial, industrial, or mixed-use development and tenants within that integrated, planned development.

SIGN, HEIGHT:

The vertical dimension from the highest point of the structure to the lowest finish grade adjacent to the sign.

SIGN, MENU BOARD:

A freestanding sign with or without a speaker box, displaying the products for sale at a drive-in or drive-thru restaurant.

SIGN, OFF-SITE

A sign, except billboard signs, portraying information that directs attention to an idea, issue, point of view, candidate, entity, business, commodity, service, entertainment, product or attraction sold, offered, or existing elsewhere than upon the property where the sign is located.

SIGN, PROJECTING:

A type of wall sign attached to a building or other structure and extending in whole or in part more than **fifteen (15)** inches beyond the building line including awnings and canopies extending from sides of buildings.

SIGN, ROOF:

A sign affixed on a structure mounted, above, or over the roof of a building or structure so that it projects above the eave line of a roof, or the lowest horizontal roof edge extending beyond exterior wall. The top of the parapet wall, or the wall extending above the roof edge, shall be considered the eave line. The lowest point of a mansard style roof, which features four sides each with two distinct slopes, shall be considered the eave line. Where a parapet wall is combined with a mansard roof, the eave line shall be the top of the parapet.

SIGN, RURAL OR RESIDENTIAL IDENTIFICATION:

Any on-site, non-commercial sign in a Rural or Residential zoning district intended to identify the name of the resident, and/or street number or apartment number of the dwelling unit.

SIGN, TEMPORARY:

Includes any sign not permanently attached to the ground or other permanent structure of a sign designed to be transported, including, but not limited to, signs made as A-frames or T-frames; menu and sandwich board signs; flags, banners, balloons used as signs; umbrellas used for commercial messages; and signs attached to or painted on vehicles or trailers parked and visible from the public right-of-way, unless said vehicle travels in the normal day-to-day operations of the business, whether containing a permanent message or a message that changes periodically.

SIGN, VARIABLE:

A sign or portion of a sign designed to allow a change of copy manually, or by remote or by automatic means including tri-visions and electronic, digital, or video message displays.

SIGN, WALL:

A sign mounted flat against, projecting from or painted on the wall, awning, or parapet of a building or structure in such a manner that the wall becomes the supporting structure for or forms the background surface of the sign.

SINGLE-FAMILY RESIDENTIAL COMPLEX (CONDOMINIUM):

A group of single-family dwellings designed for individual separate ownership with unified management that provides common services and outdoor recreational facilities, but not including public bars, public restaurants or any commercial activity in connection therewith.

SOLAR GENERATING SYSTEM, PHOTO-VOLTAIC:

A renewable energy technology that converts photons of light directly into electrical energy. For purposes of this Ordinance, technologies that concentrate photons of light for the purpose of increasing photo-voltaic efficiency is considered a photo-voltaic solar generating system and not a concentrating solar generating system.*

SOLAR POWER, CONCENTRATING (CSP):

Thermal-electric power generation that utilizes parabolic dish, parabolic trough, linear fresnel or power technology as its mechanism for generating heat.*

SOLAR, CONCENTRATING:

A renewable energy technology that focuses and collects heat energy from the sun and utilizes that heat energy for the purpose of doing work. Concentrating solar does not include devices that concentrate photons of light onto a photo-voltaic cell for the purpose of increasing photo-voltaic efficiency in a photo-voltaic solar generating system.

SPECIAL FLOOD HAZARD AREA:

The area included within the delineated floodplains of Maricopa County as adopted by the Federal Emergency Management Agency.

SPECIAL USE:

A use of property that is characterized as special by the Board of Supervisors in accordance with the provisions of Chapter 10, Section 1001.

SPECIAL USE PERMIT:

The permit issued for a special use in accordance with the provisions of Chapter 10.

STORY:

That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the surface of such floor and the ceiling or roof above it.

STREET:

All property dedicated or otherwise reserved for public or private street uses, or having thereon a public easement for such use. A street shall not include commercial/industrial parking lots or single family/multi-family common tract areas used for ingress/egress. These parking lots and common tract areas shall be deemed to meet the legal access requirements of this Ordinance.

STREET LINE:

The boundary that separates the right-of-way of a street from the abutting property.

STREET SIDE:

The portion of a lot, yard or easement that is adjacent to a street.

STRUCTURAL ALTERATION:

Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any complete rebuilding of the roof or exterior walls.

STRUCTURE:

1. Anything manufactured or constructed by humans, as opposed to that occurring in nature, that is affixed, anchored, or otherwise attached to or below the surface of the ground.
Anything manufactured or constructed by humans, as opposed to that occurring in nature, that is attached to something having been affixed, anchored or otherwise attached to or below the surface of the ground.

SUSTAINABLE DEVELOPMENT:

Uses of properties that maintain or enhance economic opportunity and community well-being while protecting and restoring the natural environment upon which people and economies depend. Sustainable development meets the needs of the present without compromising the ability of future generations to meet their own needs at the same level of consumption.

TEMPORARY USE:

A use of property permitted on a temporary basis within a zoning district as long as required conditions are met and a Temporary Use Permit is approved in accordance with the provisions of Chapter 10, Section 1002.

TEMPORARY USE PERMIT:

The permit issued for a temporary use in accordance with the provisions of Chapter 10, Section 1002.

TRAVEL TRAILER PARK:

Any parcel of land upon which two or more travel trailers or recreational vehicles for dwelling or sleeping purposes are located regardless of whether or not a charge is made for such accommodations.

TRAVEL TRAILER SPACE:

A plot of ground within a mobile home / manufactured home park or travel trailer park designed for the accommodation of one travel trailer or recreational vehicle together with its accessory structures including carports or other off-street parking areas, storage lockers, ramadas, cabanas, patios, patio covers, awnings and similar appurtenances.

UTILITY-SCALE:

An electrical generating system whereby electricity is allowed to enter into the electrical utility grid by means other than a bi-directional revenue meter.

UTILITY TREATMENT AND GENERATING PLANTS:

Facilities designed to generate and distribute energy (e.g. electrical, nuclear, solar, etc.) and to process and treat sewage, wastewater, and water to provide safe drinking water and other services. Treatment and generating plants may also include attendant facilities and appurtenances to the above uses as well as uses associated with service to the public of gas, telephone and cable television. Where an electrical generating plant is in operation, evaporation ponds and other appurtenances may be permitted provided such evaporation ponds or appurtenances are associated within the facility being served.

WALL:

A vertical, linear, unroofed structure, usually constructed of concrete or masonry, used for the purpose of delineating a boundary or functioning as a barrier.

WALL, RETAINING:

Any wall that is constructed for the purpose of holding back earth for the purpose of making a transition in elevation from one grade to another. Retaining walls located on lands not considered Hillside as defined by Article 901.2.1 are subject to the provisions of Article 811.5. Any retaining walls located on lands considered Hillside shall be subject to the provisions outlined in Section 901.

WAREHOUSES, MINI:

Buildings that are composed of contiguous individual rooms that are rented to the public for the storage of personal property and that have independent access and locks under the control of the tenant; but excluding the storage of explosive, corrosive or noxious materials, such as dust, fumes, or noise that could be dangerous, injurious, distasteful, pernicious or obnoxious to man, other organisms or properties; and further excluding any other use otherwise permitted in the zoning district in which the mini-warehouse is located.

WAREHOUSING AND STORAGE:

Buildings used for the rental of space to the public for the storage of merchandise, commodities or personal property and where access is under the control of the building management, but excluding the warehousing and storage of explosive, corrosive or noxious materials, such as dust, fumes or noise that could be dangerous, injurious, distasteful, pernicious or obnoxious to man, other organisms or properties.

WEEDS:

Shall include any uncultivated vegetation of a combustible nature with an associated fire hazard that cannot be reasonably contained on the property where it exists and shall include, but not be limited to: dried grass higher than six inches (6"); or other dried vegetation higher than six inches (6"); tumbleweeds, branches or clippings; or dead trees, bushes or shrubs.

WIND GENERATING SYSTEM, LARGE:

A renewable energy technology that utilizes a wind turbine generator with an electrical output greater than 100 kilowatts.

WIND GENERATING SYSTEM, SMALL:

A renewable energy technology that utilizes a wind turbine generator with an electrical output of 100 kilowatts or less.

WIRELESS COMMUNICATION FACILITIES:

Facility composed of a support structure whether or not mounted on a building/structure and that supports antennae and other necessary attachments used exclusively for wireless transmission purposes, all of that are used as part of a communications or information system.

WIRELESS COMMUNICATION FACILITY, CONCEALMENT ELEMENT:

Standards to limit height, diameter or design of a wireless communication facility in order to mitigate adverse visual impact.

WIRELESS COMMUNICATION FACILITY, MAXIMUM HEIGHT:

For a wireless communication facility tower mounted facility, the vertical distance from grade to the highest point of the support structure and all antennas and attachments excluding architectural features for stealth design. For a facility co-locating on a building/structure other than a wireless communication facility tower, the vertical distance from the point the facility is affixed to the structure to the highest point of the wireless communication facility including all attachments.

WIRELESS COMMUNICATION FACILITY, SETBACK:

For a wireless communication facility tower mounted facility, the horizontal distance from lot line to the outer plane extended to grade of all attachments excluding architectural features for stealth design.

YARD:

The open space at grade level between a building and the adjoining lot lines, except as otherwise provided in this Ordinance. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the principal building is to be used; however, on any lot wherein a setback line has been established by the regulations of this Ordinance for any street abutting the lot, such measurement is to be taken from the principal building to the setback line (see "YARD, REQUIRED").

YARD, FRONT:

A yard extending across the front width of a lot and being the minimum horizontal distance between the street line and the principal building, other than steps, unenclosed balconies and unenclosed porches. The front yard of a corner lot is the yard adjacent to the shortest of the two property lines along a street.

YARD, REAR:

A yard extending between the side lot lines and being the minimum horizontal distance between the rear lot line and the rear of the principal building, other than steps, unenclosed balconies or unenclosed porches. On corner lots and interior lots, the rear yard is in all cases at the opposite end of the lot from the front yard.

YARD, REQUIRED:

The minimum open space as specified by the regulations of this Ordinance for front, rear and side yards, as distinguished from any yard area in excess of the minimum required in the designated zoning district (see "BUILDABLE AREA").

YARD, SIDE:

A yard between the building and the side lot line of a lot and extending from the front yard to the rear yard and being the minimum horizontal distance between a side lot line and the side of the principal building, other than steps, unenclosed balconies or unenclosed porches. An interior side yard is defined as the side yard adjacent to a common lot line.

ZONING DISTRICT:

Any portion of the unincorporated area of Maricopa County in which the same zoning regulations apply.

ZONING CLEARANCE:

The issuance of a permit or authorization by the Zoning Inspector indicating that a proposed building, structure or use of land meets all the standards contained in this Ordinance.

ZONING INSPECTOR:

The Director of the Maricopa County Department of Planning and Development. All references in this ordinance to the Zoning Inspector shall also include anyone appropriately designated to act by the Zoning Inspector.

Chapter 3 | Administration

Section 301. Planning and Zoning Commission

Article 301.1. Commissioners:

The Planning & Zoning Commission is composed of ten (10) commissioners, two (2) commissioners are appointed from each of the five (5) supervisor districts. Each commissioners shall be a resident of the supervisor district from which he or she is appointed. The appointments shall be for staggered terms as outlined in ARS §11-802. Commissioners are appointed and/or removed by the Board of Supervisors.

Article 301.2. Powers and duties:

The Planning & Zoning Commission shall have the powers and duties prescribed by A.R.S. §11-802 which are more particularly described as follows:

- 301.2.1.** The Commission shall act in an advisory capacity to the Board of Supervisors and shall make a report or recommendation in connection with any matter relating to the development of the county under the jurisdiction of the Board of Supervisors. The Planning & Zoning Commission evaluates proposals to conserve and promote public health, safety, convenience and general welfare.

Article 301.3. Hearings and Bylaws:

Hearings of the Planning & Zoning Commission shall be held at the call of the Chairman, regularly at least once a month with Zoning, Infrastructure, Policy, Procedure, and Ordinance Review (ZIPPOR) meetings to be held once per quarter in February, May, August and November and at such other times deemed necessary for the transaction of business. ZIPPOR shall be the standing Committee of the Commission and be responsible for reviewing all proposed Zoning Ordinance and Subdivision Regulation amendments, Comprehensive Plan issues, policy and procedure issues, or other related matters. All such hearings shall be open to the public. The Planning & Zoning Commission shall keep minutes of its proceedings, showing the vote of each commissioner and shall also keep records of its hearings and other official actions. The Planning & Zoning Commission shall adopt its own bylaws of procedure and elect its own officers.

Article 301.4. Temporary Use Permits:

In addition to the powers and duties described in ARS § 11-802, the Planning and Zoning Commission may grant, upon application, Temporary Use Permits or extensions thereof.

301.4.1. Process: Temporary Use Permits shall be processed in accordance with Section 1002.

301.4.2. Public Hearings: Upon receipt of a letter of protest or request for extension for any Temporary Use Permit, the Planning and Zoning Commission shall hold public hearing thereon after giving public notice thereof by adequately posting the area of concern in such application at least ten days in advance of the public hearings as well as due notice to registered parties of interest, and decide the same within a reasonable time.

301.4.3. Limitations: Any Temporary Use Permit granted under the terms of this Ordinance shall expire by limitation of substantial construction, in accordance with the plans for which such Temporary Use Permit was granted, which has not been completed within the time granted in the conditions of approval from the date of granting said Temporary Use Permit, or if judicial proceedings to review the Planning and Zoning Commission's decision shall be instituted one year from the date of entry of the final order in such proceedings, including all appeals.

301.4.4. Time Extension: Prior to the expiration of a time sensitive stipulation for Temporary Use Permits, an applicant may apply to the Planning and Zoning Commission for a stipulation modification under the original case number subject to a continuance fee to allow a single time extension not to exceed 60 days.

Section 302. Board of Adjustment**Article 302.1. Membership**

The Board of Adjustment is composed of five (5) members, one (1) member is appointed from each of the five (5) supervisor districts. Each member shall be a resident and taxpayer of the supervisor district from which he or she is appointed. The appointments shall be for staggered terms of four (4) years each. Members are appointed and/or removed by the Board of Supervisors.

Article 302.2. Powers and Duties:

The Board of Adjustment shall have only the powers and duties prescribed by §Title 11, Chapter 6, which are more particularly described as follows:

- 302.2.1.** Interpret the Zoning Ordinance when the meaning of any word, phrase, or section is in doubt, when there is dispute between the appellant and the Zoning Inspector (Enforcing Officer), or when the location of a zoning district boundary is in doubt.
- 302.2.2.** Allow a Variance from the terms of the Ordinance when, owing to a peculiar condition of the land that is not self-created in the line of title, a strict interpretation of the Ordinance creates an unnecessary hardship, as long as granting such Variance the general intent and purposes of the Zoning Ordinance will be preserved.
- 302.2.3.** Under no circumstances shall there be granted a Variance to allow a use of property not permitted by the regulations for the zoning district in which such property is located or where such Variance is specifically prohibited within this Ordinance. No variance to Chapter 10, Sections 1002 or Chapter 8, Section 815 shall be considered.
- 302.2.4.** In addition to the Powers and Duties outlined in Article 302.2 of this Ordinance, the Board of Adjustment shall not modify, waive, or otherwise vary any standard or regulation identified in Chapter 7, Section 706 of this Ordinance without a specific finding that military airport or ancillary military facility compatibility is preserved pursuant to Arizona Revised Statute §28-8481C.
- 302.2.5.** Code enforcement review as outlined in Articles 1204.3.6 – 1204.3.10 of this ordinance.

Article 302.3. Meetings and Rules:

Meetings of the Board of Adjustment shall be held at the call of the Chairman, regularly at least once a month and at such other times deemed necessary for the transaction of business. All such meetings shall be open to the public. The Chairman, or in his absence, the Vice-Chairman, may administer oaths and compel the attendance of witnesses. The Board of Adjustment shall keep minutes of its proceedings, showing the vote of each member upon each request or if absent or failing to vote, indicating such facts, and shall also keep records of its hearings and other official actions. A copy of every rule or regulation, every Variance and every order, requirement, decision or

determination of the Board of Adjustment shall be filed with the Director and shall be a public record. The Board of Adjustment shall adopt its own rules of procedure and elect its own officers.

Article 302.4. Appeals:

An appeal 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 present. The appeal shall state whether it is a plea for an interpretation or a Variance and the grounds for the appeal. Such appeal shall be taken within a reasonable time, not to exceed 60 days or such lesser period as may be provided by the rules of the Board of Adjustment, by filing with the Zoning Inspector and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The Zoning Inspector shall forthwith transmit to the Board of Adjustment all papers constituting the record upon which the action appealed from was taken. Such an appeal shall stay all proceedings in the matter appealed from unless the Zoning Inspector certifies to the Board of Adjustment that, by reason of the facts stated in the certificate, the stay would in the opinion of the Zoning Inspector cause imminent peril to life or property. In such case, proceedings shall not be stayed, except by a restraining order granted by said Board of Adjustment or by a court of record on application and notice to the Zoning Inspector from whom the appeal is taken. Said Board of Adjustment shall fix a time for hearing the appeal and give notice thereof to the parties to the appeal and the public as set forth herein.

Article 302.5. Application for Variance

Application for any Variance from the development standards of this Zoning Ordinance shall be made to the Board of Adjustment. Such applications shall be made on forms prescribed by the Board of Adjustment, shall be filed with the Director, and shall be accompanied by:

- 302.5.1.** Reasons for requesting the Variance including a detailed description of a statutorily based hardship and evidence that granting of said Variance will not in any way adversely impact the intent and purpose of the Zoning Ordinance.

Article 302.6. Public Hearings:

- 302.6.1. Appeals:** Upon receipt in proper form of appeals concerning interpretation of the Zoning Ordinance, the Board of Adjustment shall hold a public hearing thereon after giving public notice thereof by posting of the hearing agenda as

well as due notice to the parties to the appeal, and decide the same within a reasonable time.

302.6.2. Variance: Upon receipt in proper form of an application for any Variance to the regulations of this Ordinance, the Board of Adjustment shall hold public hearing thereon after giving public notice thereof by adequately posting the area of concern in such application at least ten days in advance of the public hearings as well as due notice to registered parties of interest, and decide the same within a reasonable time.

302.6.3. No application shall be scheduled for hearing by any board or commission acting pursuant to the “Maricopa County Zoning Ordinance (MCZO)”, or administratively approved unless and until all fees and fines owed to the Department as a result of any activity or inactivity attributable to the property that is the subject of the application are brought current and paid in full or any amounts owed pursuant to an agreement of compliance are current, as the case may be. This requirement shall not be waived by the board/commission.

Article 302.7. Appeal of a Decision Made by the Board of Adjustment:

A person aggrieved in any manner by an action of the Board of Adjustment may within 30 days of such action, appeal to the Superior Court pursuant to ARS Title 11, Chapter 6.

Section 303. Zone Change Amendments

Article 303.1. Authority:

The Board of Supervisors may from time to time, after receiving report and recommendation thereupon by the Commission and after public hearings required by law, amend zoning district boundaries or the regulations herein or subsequently established. Amendments may be initiated either by the property owner or by the Commission on its own motion.

Article 303.2. Zone Change Amendments Initiated by Property Owner(s):

303.2.1. Any property owner or authorized agent of a property owner desiring an amendment or change in the Zoning Ordinance changing the zoning district boundaries within an area previously zoned shall file an application for the amendment or change with the staff of the Board of Supervisors.

- 303.2.2.** Upon receipt of the application, staff of the Board of Supervisors shall submit it to the Commission for report and recommendation. Prior to presenting its report and recommendation to said Board, the Commission shall hold public hearing thereon after giving at least 15 days notice thereof by publication once in a newspaper of general circulation in the seat of Maricopa County (Phoenix) and by posting of the area included in the proposed change. The posting shall be in no less than two places with at least one notice for each one-quarter mile of street frontage along perimeter public rights-of-way so that the notices are visible from the nearest public right-of-way. If there is no perimeter right-of-way, the posting shall be placed so that it is clearly visible from the nearest public right-of-way or on sites selected by the Department in order to ensure visibility.
- 303.2.3.** The Commission shall also send notice by first class mail to each real property owner as shown on the last assessment of the property within 300 feet of the proposed amendment or change and each county or municipality which is contiguous to the area of the amendment or change. The notice sent by mail shall include, at a minimum, the date, time and place of the hearing on the proposed amendment or change including a general explanation of the matter to be considered; a general description of the area of the proposed amendment or change; and notification that if 20% of the property owners by area and number within 300 feet of the subject property file protests, a supermajority affirmative vote of three-fourths of all members of the Board will be required to approve the rezoning.
- 303.2.4.** If the Planning Commission has held a public hearing, the Board may adopt the recommendations of the Planning Commission through use of a consent calendar without holding a second public hearing if there is no objection, request for public hearing or other protest. If there is an objection, a request for public hearing or a protest, the Board of Supervisors shall hold public hearing on such petitions giving at least 15 days notice thereof by publication once in a newspaper of general circulation in the seat of Maricopa County (Phoenix) and by adequate posting of the area of concern in said petition at least 15 days in advance of the public hearing. After holding the public hearing, the Board of Supervisors may adopt the petitioner's proposed change provided that if 20% of the owners by number and by area, of all property within 300 feet of the proposed change, file a protest, such a change shall not be made except by a three-fourths vote of all members of the Board of Supervisors. However, except that the required number of votes shall in no event be less than a majority of the full members of the Board.

303.2.5. In calculating the owners by area for a protest, only that portion of a lot or parcel of record situated within 300 feet of the property to be rezoned shall be included. In calculating the owner by number or area, County property and public rights-of-way shall not be included.

303.2.6. As used in the Ordinance, legal protests for the purposes of requiring a three-fourths vote of the Board of Supervisors as referenced in Article 303.2.4 shall be subject to the following:

1. The legal protest shall be filed in writing with the Department by 12:00 noon on the Friday prior to the public hearing before the Board of Supervisors.
2. The legal protest shall clearly state opposition to the amendment or change.
3. The legal protest shall be filed by the record property owner of any property located within 300 feet of the proposed amendment or change. In the event title shall be held in multiple parties, the filing by any such party shall be sufficient.
4. The legal protest shall indicate the Assessor Parcel Number or address of the parcel(s) owned by the party filing the opposition.

303.2.7. No application shall be scheduled for hearing by any board or commission acting pursuant to the “Maricopa County Zoning Ordinance (MCZO)”, or administratively approved unless and until all fees and fines owed to the Department as a result of any activity or inactivity attributable to the property that is the subject of the application are brought current and paid in full or any amounts owed pursuant to an agreement of compliance are current, as the case may be. This requirement shall not be waived by the board/commission.

Article 303.3. Zone Change Amendments Initiated by the Commission:

303.3.1. Amendments initiated by the Commission are subject to the same public hearing requirements set forth herein Chapter 3, Section 303, Article 303.2 (amendments initiated by property owners).

Article 303.4. Amendments to Zoning Ordinance Standards:

303.4.1. Proceedings involving one or more of the following proposed changes or related series of changes in the standards governing land uses, shall include notice to real property owners provided by one of the methods discussed below:

1. A 10% or more increase or decrease in the number of square feet or units that may be developed.
2. A 10% or more increase or reduction in the allowable height of buildings.
3. An increase or reduction in the allowable number of stories of buildings.
4. A 10% or more increase or decrease in setback or open space requirements.
5. An increase or reduction in permitted uses.

Prior to the first hearing on such changes, notice shall be sent by first class mail to each real property owner, as shown on the last assessment, whose real property is directly affected by the changes; and the change shall be published in a display ad covering not less than one-eighth of a full page in a newspaper of general circulation in the County.

303.4.2. 303.4.2. For amendments to Zoning Ordinance standards or uses, the Department will send notice of an application submittal to persons who register their names and addresses with the County's Enhanced Regulatory Outreach Program (EROP) as being interested in receiving notice of regulatory text amendments.

303.4.3. Area of interest groups which includes homeowners associations, other organized groups and agencies may register to receive planning cases applications with the Department. The registration is available on the Planning and Development website with submittal of the representative contact name, group name, mail and e-mail addresses. The area of interest contact information will be uploaded to the County GIS system available to the public.

Article 303.5. Amendment Approved by the Board:

A decision by the Board of Supervisors involving rezoning of land which changes the zoning classification of such land or amends Zoning Ordinance standards or uses shall not be effective until the dedication of required right-of-way but not prior to 31 days after final approval of the change in classification, standard or use by the Board. Unless a resident files a written objection with the Board of Supervisors, the rezoning may be enacted as an emergency measure that becomes effective immediately by a four-fifths majority vote of the board.

Article 303.6. Conditional Zoning:

- 303.6.1.** The Board of Supervisors may approve a change of zone conditioned on a schedule for development of the specific use or uses for which rezoning is requested. When the Board of Supervisors adopts the zoning amendment, it may impose a schedule of development including, but not limited to, a date by which construction shall commence or dates by which phases of development of the property for the use approved shall be substantially completed.
- 303.6.2.** The owner or developer of property which was rezoned conditioned on compliance with a schedule of development shall obtain a Certificate of Occupancy prior to the expiration of any time limits imposed by the Board. If the Certificate of Occupancy is not filed or the Department independently determines that the property has not been improved for the use for which it was conditionally approved, a public hearing may be set before the Commission for considering of rescinding the zone change approval. The findings and recommendation of the Commission shall be forwarded to the Board of Supervisors for public hearing to determine compliance with the schedule of development, grant an extension, or cause the property to revert to its former zoning classification. Notification by registered mail of both the hearing before the Commission and the hearing before the Board shall be sent to the owner and applicant who requested the rezoning. Notice of public hearing shall be as set forth in Chapter 3, Section 303., Article 303.2. herein.

Article 303.7. Reconsideration of Denied Zoning Application:

If an application for amendment is denied by the Board of Supervisors, that application shall not be refiled nor shall there be filed with the Board of Supervisors any other application for the same amendment within a period of one year unless in the opinion of the Commission there is a change of circumstances warranting such filing. This waiting period will not be applied to applications withdrawn by the applicant prior to action by the Board of Supervisors.

Article 303.8. Compliance with County Plans:

All applications for changes of Zoning District boundaries must be consistent with and conform to the County's adopted Comprehensive Plan.

Article 303.9. Site Plan Amendments:

- 303.9.1.** Holders of approved Special Use Permits, Plans of Development, and Unit

Plans of Development may apply to amend associated site plans as set forth in the provisions of this Ordinance.

303.9.2. Amendments to approved site plans may be categorized as major or minor. In determining the status of proposed amendments, the Department of Planning and Development shall adhere to the procedures and criteria of this Article.

303.9.3. Applications for amendments to approved site plans shall include the appropriate fee and the appropriate submittal requirements as required by the Planning and Development Department. No application shall be scheduled for hearing by any board or commission acting pursuant to the “Maricopa County Zoning Ordinance (MCZO)”, or administratively approved unless and until all fees and fines owed to the Department as a result of any activity or inactivity attributable to the property that is the subject of the application are brought current and paid in full or any amounts owed pursuant to an agreement of compliance are current, as the case may be. This requirement shall not be waived by the board/commission.

303.9.4. Unit Plans of Development that were originally processed through the Board of Supervisors may be amended administratively, either as a Major or Minor Amendment, as set forth in the provisions of this Ordinance. If, however, the amendment changes or alters a development standard or stipulation of approval, then the amendment shall be processed through the Planning and Zoning Commission and Board of Supervisors for approval. Major Amendments to Special Use Permits shall be processed through the Planning and Zoning Commission and Board of Supervisors for approval.

303.9.5. Minor Amendments shall be reviewed by staff of the Planning and Development Department and other County Departments as deemed necessary, according to standard administrative procedures. Staff will recommend approval, approval subject to conditions, or denial.

303.9.6. Major Amendments:

1. An amendment will be considered major if the proposed amendment involves one or more of the following:
 - A. change altering any condition or stipulation of approval;
 - B. An increase of more than 10% in the following:
 - i. Building size, dimensions, or height of any proposed or existing structure to be retained,

- ii. The number of parking spaces,
 - iii. The size of landscaped areas, or
 - iv. The size or height of approved signs.
- C. A decrease of more than 10% in setback;
- D. A change in the location of buildings, parking areas, access drives, recreational amenities, exterior lighting, signs or fencing or landscaping used as buffering/screening, if such change would significantly and/or materially increase potential adverse impacts on adjacent property as determined by the Zoning Inspector;
- E. The request is for a different type of land use;
- F. Non-compliance with existing Zoning Ordinance standards;
- G. A written objection by the Maricopa County Department of Transportation, the Maricopa County Flood Control District, or the Maricopa County Department of Environmental Services;
- H. The request is found by the Zoning Inspector to be a Major Amendment.

303.9.7. Minor Amendments:

1. An amendment will be considered minor if the proposed amendment is not a Major Amendment. In general, Minor Amendments are small adjustments to the details of a site plan that allow continued compliance with an approved site plan and that do not substantively or materially alter the original character and/or intent of the approved site plan.
2. The Zoning Inspector shall make the final determination of whether an amendment is a Minor Amendment.

Section 304. Citizen Review Process

Article 304.1.

Upon application for revision in the Zoning Ordinance to change the zoning district within an area previously zoned as set forth in Chapter 3, Section 303, Articles 303.2 and 303.3 herein or upon application requesting a special use as set forth in Chapter 10, Section 1001 herein, a citizen review process shall be conducted. The purposes of the citizen review process shall be the following:

1. Adjacent landowners and other potentially affected citizens will be

notified of the application and substance of the proposed change in zoning district or special use.

2. Adjacent landowners and other potentially affected citizens will be provided an opportunity to express any issues or concerns they may have with the proposed rezoning or special use before any public hearing required as set forth in Chapter 3, Section 303, Articles 303.2 and 303.3 herein.

Article 304.2.

Prior to any application that requires a citizen review process, the applicant shall conduct a pre-application meeting with the Planning Department.

Article 304.3.

Within 30 days of submitting an application that requires a citizen review process, the applicant shall post the property included in the proposed change. The posting shall be in no less than two places with at least one notice for each quarter mile of frontage along perimeter right-of-way so that the notices are visible from the nearest public right-of-way. Each notice shall be manufactured in accordance with specifications set forth in the application packet. The posting shall include, at a minimum, a brief description of the area of the proposed amendment or change, a general explanation of the nature of the proposed amendment or change, the name of the applicant, and contact information for the applicant. A signed affidavit along with photographic evidence shall be submitted to staff demonstrating proof of posting within 30 days of application submittal.

Article 304.4.

Within 30 days of submitting an application that requires a citizen review process, the applicant shall also send notice by first class mail to each real property owner as shown on the last assessment of the property within three hundred feet of the proposed amendment or change. The notice by mail shall include, at a minimum, a description of the area of the proposed amendment or change, a general explanation of the nature of the proposed amendment or change, the name of the applicant, and contact information for the applicant. A copy of the notice and an affidavit demonstrating proof of such notification shall be submitted to staff within 30 days of application submittal.

Article 304.5.

Every application that requires a citizen review process shall include a citizen participation plan. The citizen participation plan, at a minimum, shall include the following information:

1. Identification of the residents, property owners, interested parties, political jurisdictions and public agencies that may be affected by the application.
2. How those interested in and potentially affected by an application will be notified that an application has been made.
3. How those interested and potentially affected parties will be informed of the substance of the change, amendment, or development proposed by the application.
4. How those potentially affected or otherwise interested parties will be provided an opportunity to discuss the applicant's proposal with the applicant and express any concerns, issues or problems they may have with the proposal in advance of the public hearing.
5. The applicant's schedule for completion of the citizen participation plan.
6. How the applicant will keep the Planning Department informed on the status of their citizen participation efforts.

Article 304.6.

The level of citizen interest and area involvement will vary depending on the nature of the application and the location of the site. The target area for early notification will be determined through a coordinated effort of the applicant and the Planning and Development Department. The Zoning Inspector shall resolve any disputes that may arise while determining the target area. At a minimum, the target area shall include the following:

1. Real property owners within the noticing area set forth in item 304.4 herein;
2. Any homeowners association within the required noticing area set forth in item 304.4 herein;
3. Other potentially affected citizens in the target area who have requested that they be placed on the routing list maintained by the Planning Department.

Article 304.7.

These requirements apply in addition to any notice provisions set forth in Chapter 3, Section 303, Articles 303.2 and 303.3 herein.

Article 304.8.

The applicant may submit a citizen participation plan and begin implementation prior to formal application at their discretion. This shall not occur until after the required pre-application meeting and consultation with planning department staff.

Article 304.9.

The citizen participation plan shall include a written report containing the results of the citizen participation effort prior to notice of public hearing set forth in Chapter 3, Section 303, Articles 303.2 and 303.3 herein. At a minimum the citizen participation report shall include the following information:

1. Details and techniques the applicant used to involve the public, including:
 - A. Dates and locations of any and all meetings where citizens were invited to discuss the applicant's proposal;
 - B. Content, dates mailed, and number of mailings, including letters, meeting notices, newsletters and other publications;
 - C. An exhibit depicting the location of residents, property owners, and interested parties receiving notices, newsletters or other written materials.
 - D. The number of people that participated in the process.
2. A summary of perceived or real concerns, issues and problems expressed during the process, including:
 - A. The substance of the concerns, issues, and problems;
 - B. How the applicant has addressed or intends to address perceived or real concerns, issues, and problems expressed during the process; and,
 - C. Perceived or real concerns, issues and problems with which the applicant disagrees, which the applicant cannot address, or which the applicant chooses not to address, including an explanation of the applicant's reasoning.

Section 305. Plan of Development (POD) Process**Article 305.1.**

All development involving non-residential zoning districts, two-family or multi-family residential development in a two-family residential zoning district or multi-family residential zoning district, or property with a Unit Plan of Development (UPD) or Planned Area Development (PAD), shall be subject to a plan of development (POD) approval as set forth in the provisions of this Ordinance. A preliminary plat may serve as a POD for residential projects. A single building with no more than four units on one lot of record shall not require a POD. PODs shall be required in two-family and multi-family zoning district when there are two or more buildings on a single parcel.

Article 305.2.

A POD may be processed through the Planning and Zoning Commission and Board of Supervisors for approval concurrent with a zone change request (under the zone change application) or it may be processed administratively (under a separate POD application) as set forth in the provisions of this Ordinance. All zone change requests that require a POD shall be processed as a zone change with overlay and be charged accordingly. Separate POD requests will be charged accordingly.

Article 305.3.

An application and phasing plan, if proposed, for a POD shall be submitted to the Planning and Development Department on the official forms provided by the Department. The application shall satisfy the submittal requirements as well as pertinent regulations as set forth in the provisions of this Ordinance or from other county departments. The application shall contain sufficient information for staff to determine whether the proposal meets the requirements of the County. A pre-application meeting is recommended.

Article 305.4.

A POD is a precise plan. Staff shall review the POD in accordance with submittal requirements, regulations, and policies. If staff determines that the proposal is consistent with the purposes and intent of the Ordinance and other pertinent regulations and policies, then staff shall grant approval and may impose stipulations as deemed necessary to satisfy the provisions of this Ordinance or other applicable regulations and policies. Staff may also find that conditions required for approval do not exist and, therefore, deny the request. Staff may forward the request to the Planning and Zoning Commission for a recommendation to the Board of Supervisors when the POD is included with a zone change. A POD request shall be required to be forwarded to the Planning and Zoning Commission for a recommendation to the Board of Supervisors as required with a Special Use Permit or Military Compatibility Permit.

Article 305.5.

Appeals of an administrative decision regarding a POD request within two (2) weeks of said decision. The appeal shall be forwarded to the Planning and Zoning Commission for a recommendation to the Board of Supervisors.

Article 305.6.

For all development subject to a POD, an approved POD and subsequent building permits are required prior to the commencement of any construction or development on the site. The applicant shall ensure that required building permits for the site or first phase shall be issued within three (3) years of the date of approval of the POD, unless otherwise stated in the POD approval. Prior to the date of expiration, the applicant may file unlimited requests via a Minor Amendment application for a one (1) year time extension authorized by the Director of Planning and Development. If the time frame has expired, the applicant shall submit a new POD application.

Article 305.7.

Any change or modification to an approved POD shall be considered an amendment to the POD. Staff shall determine whether changes constitute a Minor or Major Amendment according to the provisions set forth in this Ordinance.

Article 305.8.

Non-compliance with stipulations of POD approval shall be considered a zoning violation. No application shall be scheduled for hearing by any board or commission acting pursuant to the “Maricopa County Zoning Ordinance (MCZO)”, or administratively approved unless and until all fees and fines owed to the Department as a result of any activity or inactivity attributable to the property that is the subject of the application are brought current and paid in full or any amounts owed pursuant to an agreement of compliance are current, as the case may be. This requirement shall not be waived by the board/commission.

Section 306. Administrative Actions and Appeal**Article 306.1.**

Requests for uses by right subject to conditions, requests for a reasonable accommodation under Article 907.3.7, and other requests not subject to a legislative process as required by the provisions of this Ordinance or state law may be processed administratively as set forth in the provisions of this Ordinance.

Article 306.2.

Applications subject to administrative approval shall be submitted to the Planning and Development Department on an official form provided by the Department. The application shall satisfy the submittal requirements as well as all pertinent ordinances and regulations. The application shall request sufficient information for the Department to determine if the proposal satisfies the requirements of all applicable ordinances, rules and regulations.

Article 306.3.

The Department shall review applications for administrative approval in accordance with all applicable ordinances, rules and regulations. If it is determined that the proposal is consistent with all applicable ordinances, rules and regulations, then the Department shall grant approval and may impose conditions necessary to ensure that the proposal does not negatively impact the health, safety or general welfare of the citizens of Maricopa County. If Staff finds that the application cannot be administratively granted, the application shall be denied.

Article 306.4.

A respondent may file an appeal of the decision of Zoning Inspector or their designee by submitting an Appeal Form. Such an appeal must be received by Planning and Development no later than 5:00 p.m., thirty (30) days following a decision on an application subject to an administrative action.

Article 306.5.

A respondent shall completely and accurately fill out an Appeal Form and may provide supplemental information if so desired, except that the supplemental information shall be in summary and limited to a one page narrative.

Article 306.6.

The Appeal Form may be submitted electronically to the Zoning Inspector or their designee in the manner as specified on the Appeal Form.

Article 306.7.

The Department will review the Appeal Form for administrative completeness. An appeal of the Zoning Inspector's decision will be scheduled for hearing before a Hearing Officer retained by Maricopa County pursuant to A.R.S. § 11-815 (E) within thirty (30) days after filing the appeal. The Appeal Form and supplemental information shall be transmitted to the Hearing Officer for review at least one week prior to hearing.

Article 306.8.

All appeals of the same administrative action shall be consolidated and presented to the Hearing Officer as a single matter.

Article 306.9.

The Hearing Officer may reverse the decision of the Zoning Inspector only upon a finding that the decision was arbitrary, capricious, unreasonable or was not supported by the evidence presented to the Zoning Inspector by the appellant.

Article 306.10.

The decision of the Hearing Officer shall be provided to the Department within five business days following the hearing. Upon delivery to the Department, the decision shall become final and effective. The Department shall provide a copy of the hearing officer's decision to the applicant within five business days of receipt from the hearing officer. If the Hearing Officer rules in favor of the applicant, the permit or license shall be issued by the Zoning Inspector or their designee within fourteen (14) business days.

Article 306.11.

If the respondent does not agree with the determination of the Hearing Officer, the respondent may file an appeal pursuant to A.R.S. § 11-816(D).

Chapter 4 | Zoning

Section 401. Establishment of Zoning Districts and Boundaries Thereof

For the purpose of this Ordinance, that part of Maricopa County outside the corporate limits of any municipality is hereby classified into the following zoning districts:

Article 401.1. Rural Zoning Districts:

- 401.1.1. Rural - 190** Rural Zoning District - 190,000 Square Feet of property per primary Dwelling Unit
- 401.1.2. Rural - 70** Rural Zoning District - 70,000 Square Feet of property per primary Dwelling Unit
- 401.1.3. Rural - 43** Rural Zoning District - 43,560 Square Feet of property per primary Dwelling Unit

Article 401.2. Single Family Residential Zoning Districts:

- 401.2.1. R1 - 35** Single-Family Residential Zoning District - 35,000 Square Feet of property per primary Dwelling Unit
- 401.2.2. R1 - 18** Single-Family Residential Zoning District - 18,000 Square Feet of property per primary Dwelling Unit
- 401.2.3. R1 - 10** Single-Family Residential Zoning District - 10,000 Square Feet of property per primary Dwelling Unit
- 401.2.4. R1 - 8** Single-Family Residential Zoning District - 8,000 Square Feet of property per primary Dwelling Unit
- 401.2.5. R1 - 7** Single-Family Residential Zoning District - 7,000 Square Feet of property per primary Dwelling Unit
- 401.2.6. R1 - 6** Single-Family Residential Zoning District - 6,000 Square Feet of property per primary Dwelling Unit

Article 401.3. Multiple Family Residential Zoning Districts:

- 401.3.1. R - 2** Two-Family Residential Zoning District - 6,000 Square Feet per lot with a minimum lot area per dwelling unit of 4,000 square feet

401.3.2. R - 3 Multiple-Family Residential Zoning District - 6,000 Square Feet per lot with a minimum lot area per dwelling unit of 3,000 square feet

401.3.3. R - 4 Multiple-Family Residential Zoning District - 6,000 Square Feet per lot with a minimum lot area per dwelling unit of 1,000 square feet

Article 401.4. Commercial Zoning Districts:

401.4.1. C - S Planned Shopping Center Zoning District

401.4.2. C - O Commercial Office Zoning District

401.4.3. C - 1 Neighborhood Commercial Zoning District

401.4.4. C - 2 Intermediate Commercial Zoning District

401.4.5. C - 3 General Commercial Zoning District

Article 401.5. Industrial Zoning Districts:

401.5.1. IND - 1 Light Industrial Zoning District

401.5.2. IND - 2 General Industrial Zoning District

401.5.3. IND - 3 Heavy Industrial Zoning District

Article 401.6. Overlay Zoning Districts:

401.6.1. PAD Planned Area Development Overlay

401.6.2. RUPD Residential Unit Plan of Development

401.6.3. CUPD Commercial Plan of Development

401.6.4. IUPD Industrial Plan of Development

401.6.5. SC Senior Citizen Overlay Zoning District

**401.6.6. Wickenburg
Scenic
Corridor** Wickenburg Scenic Corridor Overlay Zoning District

**401.6.7. HWY 74 Scenic
Corridor** Highway 74 Scenic Corridor Overlay Zoning District

- 401.6.8. Military** Overlay Zoning District
Airport And
Ancillary
Military Facility

Section 402. Boundaries

Article 402.1. Boundary Lines on the Zoning District Maps:

The boundaries of the aforesaid zoning districts are shown electronically upon the maps designated as “PlanNet”. The zoning district maps, along with all the notations, references, and other maps, along with all the notations, references, and other information shown thereon, are a part of this Ordinance and have the same force and effect as if said maps and all the notations, references and other information shown thereon were all fully set forth or described herein.

Article 402.2. Boundary Determination:

Where uncertainty exists with respect to the boundaries of any zoning district as shown on the zoning district maps, the following rules shall apply or as determined by the zoning inspector.

- 402.2.1.** 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.
- 402.2.2.** Where zoning district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be the zoning district boundaries.
- 402.2.3.** Where zoning district boundaries are indicated as approximately following the line of any stream, irrigation canal or other waterway or railroad right-of-way, or the boundary line of public land, the center of such stream, canal or waterway, or of such railroad right-of-way, or the boundary line of such public land shall be construed to be the zoning district boundaries.
- 402.2.4.** Where a zoning district boundary divides a lot or parcel of land, the location of such boundary, unless indicated by dimensions shown on the zoning district maps, shall be determined by the use of the scale appearing on said maps. Further, such zoning district line shall be treated as a property line for applying all zoning district requirements.

- 402.2.5.** Where such boundaries have been changed by the Board of Supervisors pursuant to Chapter 3, Section 304. of this Ordinance and where such changed boundaries are shown on detailed maps, the detailed maps shall govern in an event there is any difference between the boundaries shown on the zoning district maps adopted as part of this Ordinance, or subsequent amendments thereto, and the detailed maps.

Article 402.3. Public Way Vacation:

Whenever any street, alley or other public way is vacated by the Board of Supervisors, the zoning districts adjoining each side of such street, alley or public way shall be considered as extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended zoning districts.

Article 402.4. Zoning of Right-of-Way:

Zoning is applicable on all property, except public street rights-of-way. Use of public street rights-of-way for other than public street purposes requires approval by the appropriate agency.

Section 403. Lands Not Previously Zoned

Lands which for reason of law, change in ownership or for any other reason, come under the authority of Maricopa County after this Ordinance becomes effective and which have not been zoned prior thereto by any other jurisdiction having zoning authority, shall be subject to the regulations of the Rural-190 Zoning District until such time as soon as practicable thereafter public hearings are held as required by law for the expressed purpose of zoning such lands pursuant to this Ordinance.

Section 404. Lands Previously Zoned by Other Jurisdictions

Lands which for reason of law, change in ownership or for any other reason, come under the authority of Maricopa County after this Ordinance becomes effective and which have been zoned prior thereto by another jurisdiction having zoning authority, shall retain such zoning until such time as soon as practicable thereafter public hearings are held as required by law for the expressed purpose of zoning such lands pursuant to this Ordinance.

Section 405. Lots Divided by Zoning District Boundaries

Whenever a lot of record existing at the effective date of this Ordinance or any applicable subsequent amendment thereto is divided by a zoning district boundary, the regulations

applicable to the zoning district in which 50% or more of the lot area of such lot is located may apply to the entire area of such lot, provided that the greatest distance from said zoning district boundary to any lot line of such lot in the zoning district in which less than 50% of its area is located shall not exceed 25 feet. Such distance shall be measured perpendicular to said zoning district boundary.

Chapter 5 | Zoning Districts and Development Standards

Section 501. Purpose of Rural and Residential Zoning Districts

Article 501.1. Rural Zoning Districts

501.1.1. RURAL-190 (190,000 square feet), RURAL-70 (70,000 square feet) & RURAL-43 (43,560 square feet): The principal purpose of these zoning districts is to conserve and protect farms and other open land uses, foster orderly growth in rural areas, prevent urban and agricultural land use conflicts, and encourage sustainable development. The primary purpose of requiring large minimum lots of not less than the minimum lot area required in each zoning district is to discourage small lot or residential subdivisions where public facilities such as water, sewage disposal, parks and playgrounds, and governmental services such as police and fire protection are not available or could not reasonably be made available. Principal uses permitted in these zoning districts include both farm and non-farm residential uses, farms and recreational and institutional uses.

Article 501.2. Single-Family Residential Zoning Districts

501.2.1. R1-35 (35,000 square feet), R1-18 (18,000 square feet), R1-10 (10,000 square feet), R1-8 (8,000 square feet), R1-7 (7,000 square feet) & R1-6 (6,000 square feet): The principal purpose of these zoning districts is to conserve, protect, and encourage sustainable single-family residential development where minimum lots of not less than the minimum lot area required in each zoning district, are suitable and appropriate taking into consideration existing conditions, including present use of land, present lot sizes, future land use needs, and the availability of public utilities. Principal uses permitted in these zoning districts include single-family dwellings, churches, schools, parks, playgrounds, and other community facilities.

Article 501.3. Multiple-Family Residential Zoning Districts

501.3.1. R-2 (Two-Family Residential Zoning District). The principal purpose of this zoning district is to provide for the efficient use of land and facilities by single-family attached or detached dwellings and limited multiple-family residential projects, taking into consideration sustainable development practices, and

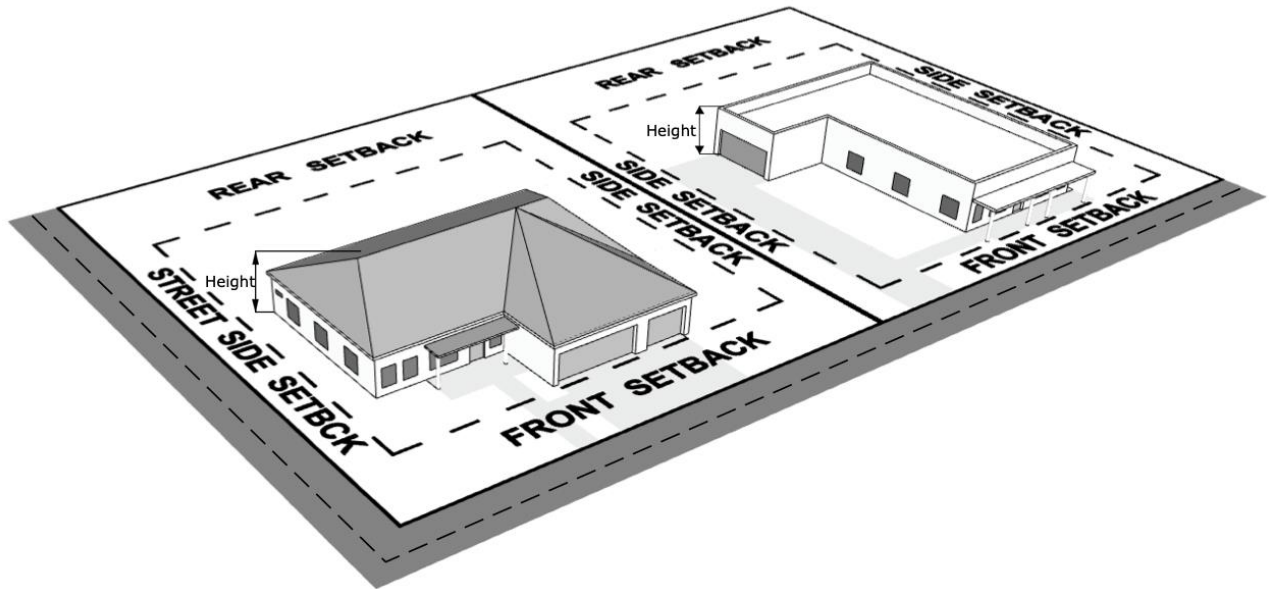
existing conditions, including present use of land, future land use needs, and the availability of public utilities. The minimum lot required is 6,000 square feet in area, and the minimum lot area required for each dwelling unit is 4,000 square feet. Principal uses permitted in this zoning district include single-family, duplexes, limited multiple-family dwellings, and other uses permitted in the single-family residential zoning district.

- 501.3.2. R-3, R-4, & R-5 (Multiple-Family Residential Zoning Districts):** The principal purpose of these zoning districts is to provide for multiple-family residential developments in locations which are suitable and appropriate, taking into consideration existing conditions, sustainable development practices, and including present use of land, future land use needs, and the availability of public utilities. The minimum lot area required for each dwelling unit in each of the districts is as follows: 3,000 square feet for R-3; 2,000 square feet for R-4; and 1,000 square feet for R-5. Principal uses permitted in these zoning districts include two-family dwellings, duplexes, multiple-family dwellings, dormitories, and the uses permitted in the single-family residential zoning district. The R-5 zoning district also allows all land uses within the C-1 zoning district.

Section 502. Rural & Residential Zoning Districts Development Standards

Development Standards	RU-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	Additional Notes
Lot Area Minimum (sq. ft.)	190,000	70,000	43,560	35,000	18,000	10,000	8,000	7,000	6,000	6,000	6,000	6,000	6,000	
Minimum Lot Area required for each dwelling unit in the Multiple Family Zoning Districts										4,000	3,000	2,000	1,000	See figures.
Lot Width Minimum (ft.)	300	250	145	145	120	80	80	70	60	60	60	60	60	
Lot Coverage Maximum	10%	15%	25%	30%	35%	40%	45%	45%	50%	60%	60%	60%	60%	
Primary Structure														
Front (ft.) – setback minimums	60	60	40	40	10 or 18**	10 or 18**	10 or 18**	10 or 18**	10 or 18**	10	10	10	10	See figures. ** 10’ minimum but no less than 18’ to the plane of the front-facing garage. Through lots require a front yard on both front lot lines.
Side, street (ft.) – setback minimums	30	30	20	20	10	10	10	10	10	10	10	10	10	See figures.
Side, interior (ft.) – setback minimums	30	30	20	20	10	7	7	5	5	5	5	5	5	See figures.
Rear (ft.) – setback minimums	60	60	40	40	30	25	25	25	25	25	25	25	25	See figures.
Height Maximum (ft.)	35	35	35	35	35	35	35	35	35	35	40	40	40	See figures.
Accessory Structure Setbacks and Rear/Side Yard Lot Coverage														
Front (ft.) – setback minimums	60	60	40	40	10	10	10	10	10	10	10	10	10	See figures.
Side, street (ft.) – setback minimums	30	30	20	20	15	10	10	10	10	10	10	10	10	See figures. Detached ADUs – 5’ setback minimum – see Article 602.3.
Side, interior (ft.) – setback minimums	3	3	3	3	3	3	3	3	3	3	3	3	3	See figures. Detached ADUs – 5’ setback minimum – see Article 602.3.
Rear (ft.) – setback minimums	3, Detached Accessory Dwelling Units (ADUs) minimum 5’ setback from property lines within the rear and side yard setbacks – see Article 602.3.													See figures.
Rear and Side Required Yard Coverage Maximum	30%													See Section 806.
Height Maximum (ft.)	Same as Primary Structure. Detached Accessory Dwelling Units (ADUs) limited to 18’ maximum height within the rear and side yard setbacks – see Article 602.3.													See figures.
Additional Regulations														
All Rural & Residential Zoning Districts - Other than at the discretion of the Zoning Inspector, a parcel shall not receive electrical power without the establishment of a primary or principal use.														
R-2, R-3, R-4, and R-5 (Two-Family, Multiple-Family Residential Zoning Districts) - All multi-family residential development in the R-2, R-3, R-4, or R-5 Zoning Districts shall be subject to a plan of development approval as set forth in the provisions of this Ordinance. A single building with no more than four units on one lot of record shall not require a POD. PODs shall be required in two-family and multi-family zoning districts when there are two or more buildings on a single parcel. Multi-family uses, which were developed prior to September 22, 2008 shall be exempt from the Plan of Development process; provided, however, that in the event all two-family or multi-family structures located on the property are removed or destroyed in excess of 75% of value, the property shall, without regard to the original date of development, require a Plan of Development.														

Figure 1 — Rural and Residential Zoning Setbacks

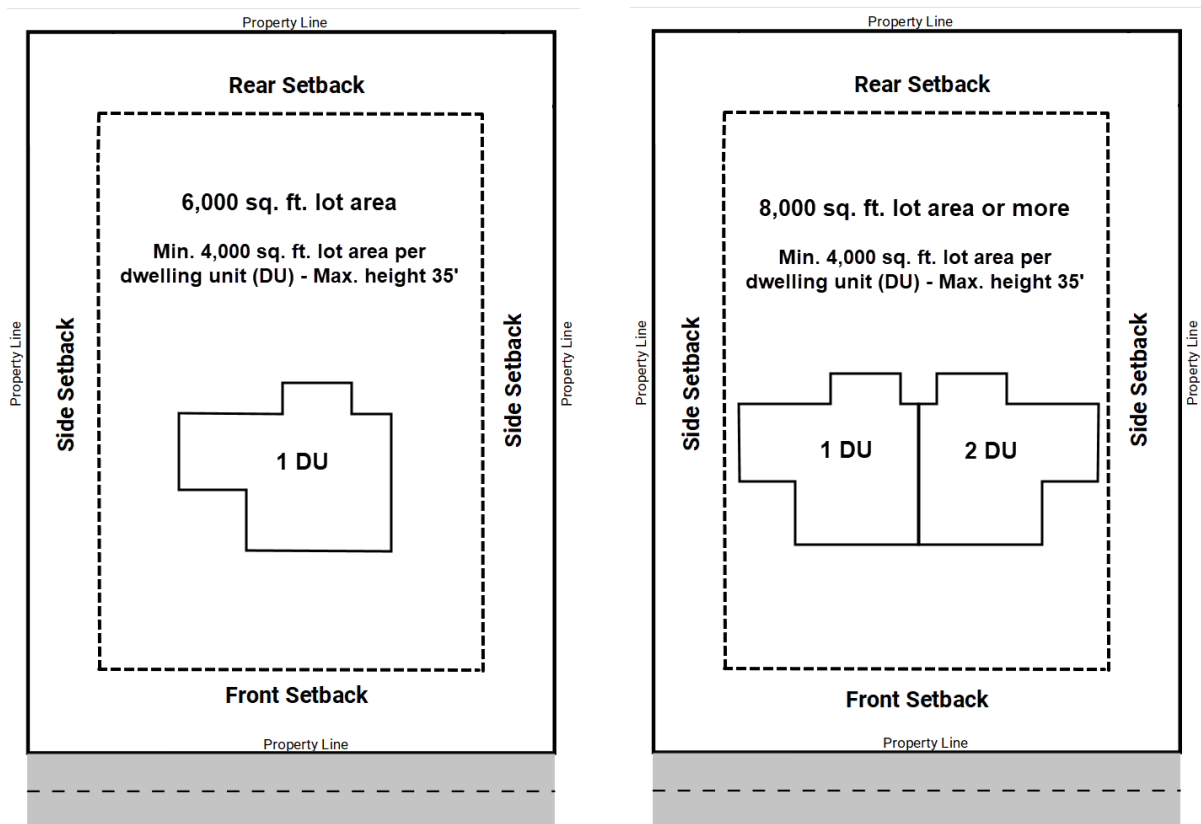


CHAPTER 5 - ZONING DISTRICTS AND DEVELOPMENT STANDARDS

Figure 2 — R-2 Zoning Setbacks and minimum lot area per dwelling unit.

Number of Dwelling Units (DU) calculation: Total Lot area (sq. ft.) divided by the minimum lot area (sq. ft.).

Example 8,000 sq. ft. lot area / 4,000 sq. ft. min lot area per DU per zoning development standard = 2 dwelling units.

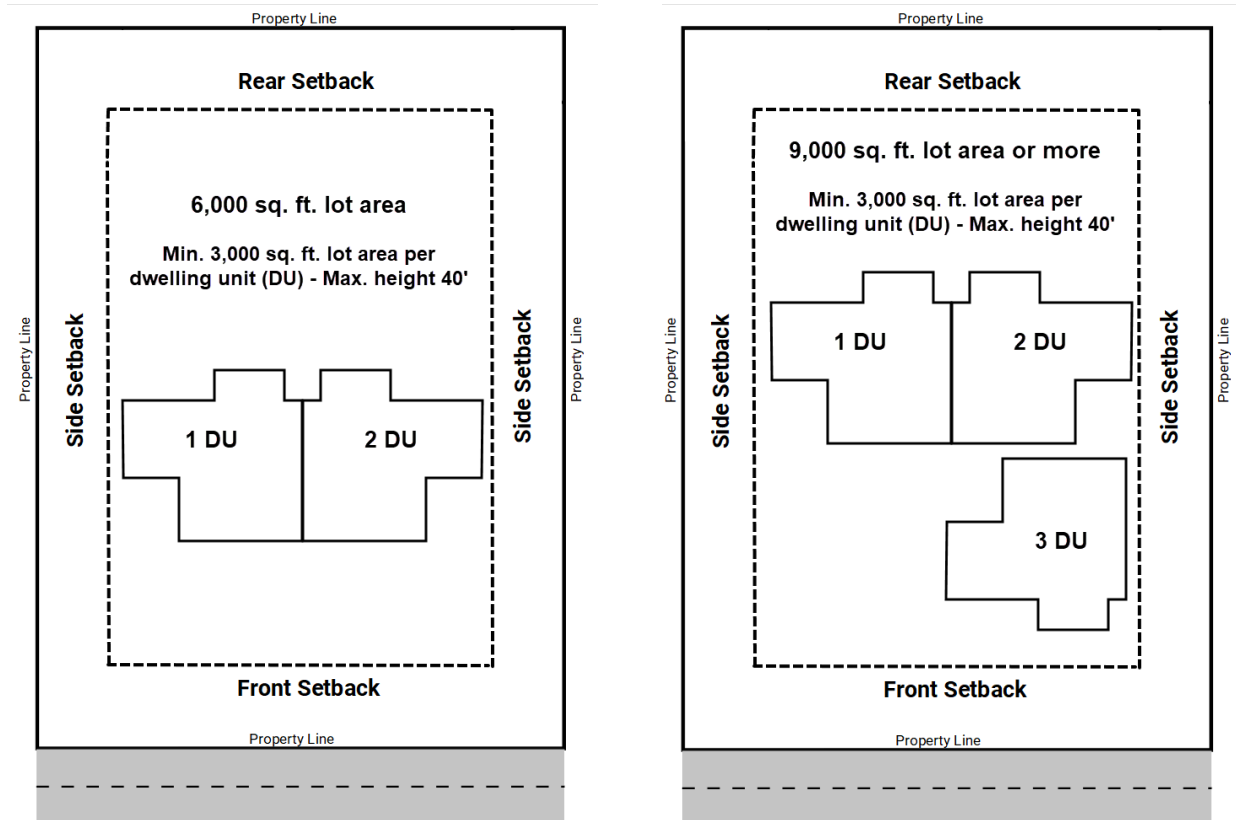


CHAPTER 5 - ZONING DISTRICTS AND DEVELOPMENT STANDARDS

Figure 3 — R-3 Zoning Setbacks and minimum lot area per dwelling unit.

Number of Dwelling Units (DU) calculation: Total Lot area (sq. ft.) divided by the minimum lot area (sq. ft.).

Example 9,000 sq. ft. lot area / 3,000 sq. ft. min lot area per DU per zoning development standard = 3 dwelling units.



CHAPTER 5 - ZONING DISTRICTS AND DEVELOPMENT STANDARDS

Figure 4 — R-4 Zoning Setbacks and minimum lot area per dwelling unit.

Number of Dwelling Units (DU) calculation: Total Lot area (sq. ft.) divided by the minimum lot area (sq. ft.).

Example 8,000 sq. ft. lot area / 2,000 sq. ft. min lot area per DU per zoning development standard = 4 dwelling units.

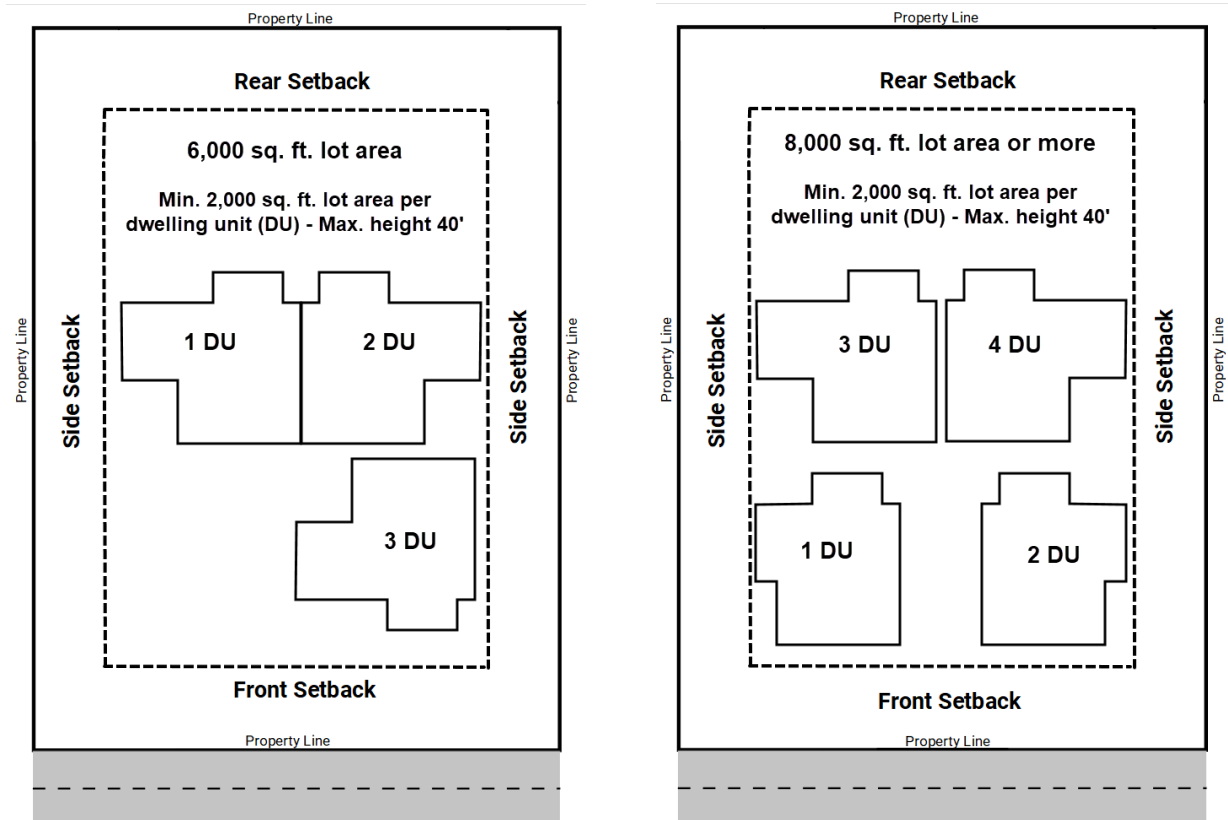
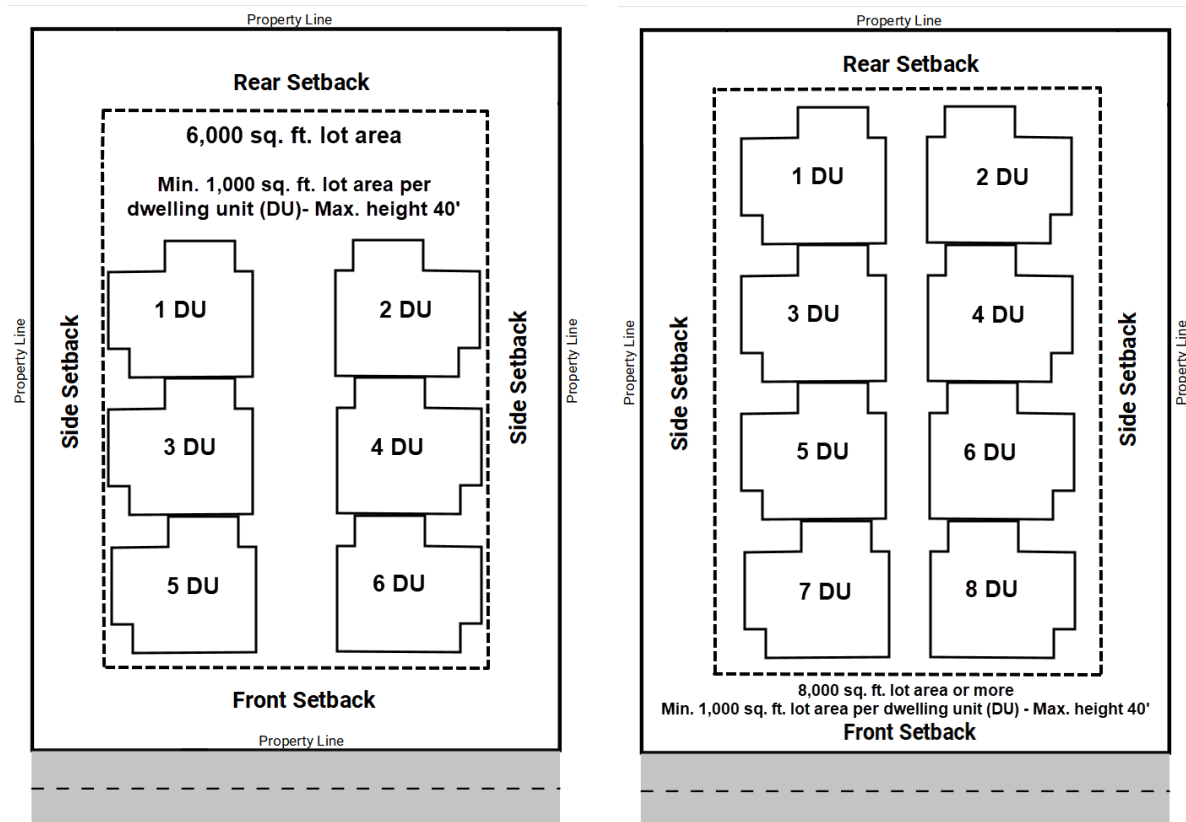


Figure 5 — R-5 Zoning Setbacks and minimum lot area per dwelling unit.

Number of Dwelling Units (DU) calculation: Total Lot area (sq. ft.) divided by the minimum lot area (sq. ft.).

Example 8,000 sq. ft. lot area / 1,000 sq. ft. min lot area per DU per zoning development standard = 8 dwelling units.



Section 503. Purpose of Commercial Zoning Districts

Article 503.1. Commercial Zoning Districts

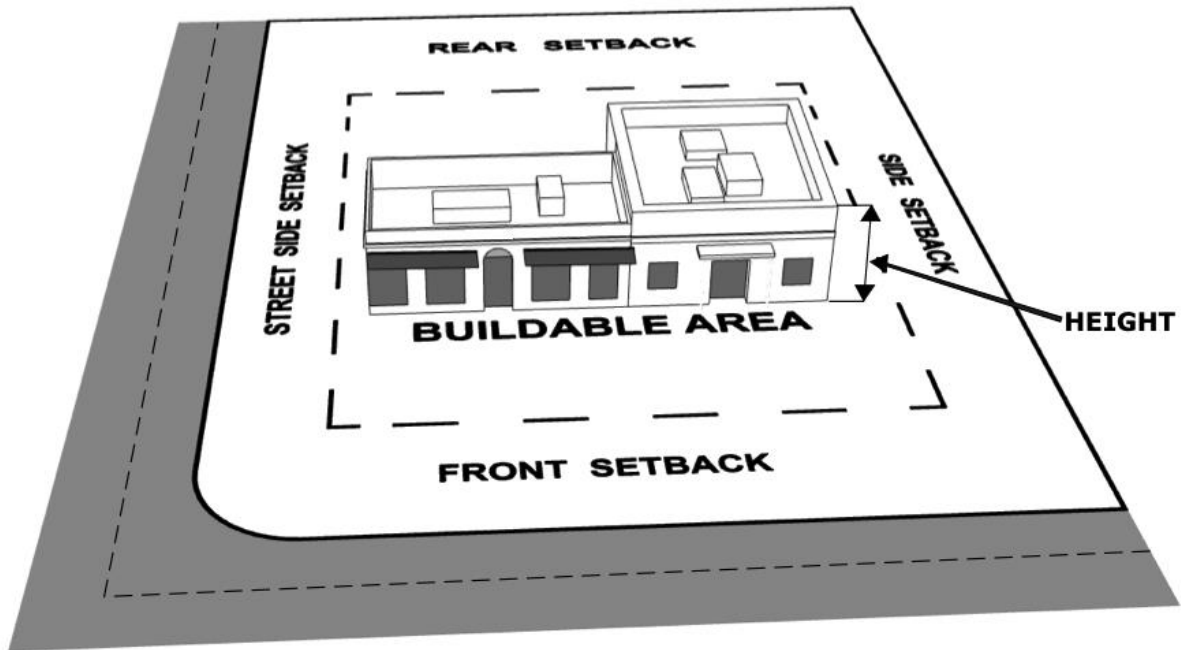
- 503.1.1. C-O (Commercial Office Zoning District):** The principal purpose of this zoning district is to provide for well-designed and attractive business and professional office facilities on sites in appropriate locations while encouraging sustainable building practices. This zoning district would constitute a transition between other commercial land uses and residential neighborhoods, providing a buffer between residential neighborhoods and nonresidential areas. Along major transit corridors, this district is intended to achieve walkable and transit-oriented office and professional uses. Principal uses in this zoning district include professional, semi-professional, and business office uses.
- 503.1.2. C-S (Planning Shopping Center Zoning District):** The principal purpose of this zoning district is to provide for well-designed and attractive retail shopping facilities on sites not less than five (5) acres in size and in appropriate locations to serve adjacent and nearby residential neighborhoods while encouraging sustainable building practices. Permitted uses in this zoning district include the retail sale of merchandise and services customarily considered as shopping center uses.
- 503.1.3. C-1 (Neighborhood Commercial Zoning District):** The principal purpose of this zoning district is to provide for smaller shops and services in convenient locations to meet the daily needs of families in the immediate residential neighborhoods.
- 503.1.4. C-2 (Intermediate Commercial Zoning District):** The principal purpose of this zoning district is to provide for the sale of commodities, the performance of services, and other activities in locations for which the market area extends beyond the immediate residential neighborhoods while encouraging sustainable building practices.
- 503.1.5. C-3 (General Commercial Zoning District):** The principal purpose of this zoning district is to provide for commercial uses concerned with wholesale or distribution activities in locations where there is adequate access to major streets or highways.

Section 504. Commercial Zoning Districts Development Standards

Development Standards	C-O	C-S	C-1	C-2	C-3	Additional Notes
Lot Area Minimum (sq. ft.)	12,000	217,800 (5 acres)	6,000	6,000	6,000	
Lot Width Minimum (ft.)	60	N/A	60	60	60	
Lot Coverage Maximum	35%	25%	60%	60%	60%	
All Structures						
Front (ft.) – setback minimums	10	10	10	10	10	*See figures. Through lots require a front yard on both front lot lines.
Side, street (ft.) – setback minimums	15	50	15	10	10	*See figures.
Side, interior (ft.) – setback minimums	5	50	None required / 10 (adjacent to Rural or Residential Zoning District)	None required / 10 (adjacent to Rural or Residential Zoning District)	None required / 10 (adjacent to Rural or Residential Zoning District)	*See figures.
Rear (ft.) – setback minimums	5	50	None required 25 (adjacent to Rural or Residential Zoning District)	None required 25 (adjacent to Rural or Residential Zoning District)	None required 25 (adjacent to Rural or Residential Zoning District)	*See figures.
Height Maximum (ft.)	30 / within 20’ of Rural or Residential Zoning District, no building to exceed 15’ in height	40	40	40	40	*See figures.
Additional Regulations for All Commercial Zoning Districts						
Dust Control	In any commercial project, all areas of a parcel which have been graded or the surface disturbed in any way, and which are not currently under development shall be revegetated or surfaced to minimize wind-blown dust. See also the Maricopa County Air Quality Department regulations .					
Enclosure of Uses	All activity (except required on-site parking, loading or unloading) including incidental or accessory storage and display area shall be within a completely enclosed building, unless otherwise specifically noted herein.					
Landscaping/Buffering	There shall be a solid fence, wall and suitable planting minimum six feet in height where the side or rear lot lines or boundaries of the lot area adjacent to a rural or residential zoning district. All street frontage of the lot shall be landscaped with drought-tolerant plants including grass, trees, shrubs or natural vegetation. There shall be a minimum of one tree and three shrubs every 20 feet. Trees shall be a minimum 2-inch caliper at the time of installation. The required side yards shall be landscaped with drought-tolerant plants including trees, shrubs or natural vegetation. At least 4% of the gross parking area shall be landscaped with grass, trees, shrubs, or natural vegetation. Any part of the lot not used for buildings, other structures, parking and vehicular and pedestrian access shall be landscaped with grass, trees, shrubs, xeriscaping or natural vegetation. All landscaped areas shall be provided with water bibs or an automatic sprinkler system.					
Parking/Loading/Unloading	Parking regulations are as provided in Chapter 8, Section 802. Loading and Unloading regulations are as provided in Chapter 8, Section 803.					

Additional Regulations for All Commercial Zoning Districts	
Plan of Development	All commercial development shall be subject to a plan of development approval as set forth in the provisions of this Ordinance. Commercial uses which were developed prior to September 22, 2008 shall be exempt from the Plan of Development process; provided, however, that in the event all commercial structures on the property are removed or destroyed in excess of 75% of value, the property shall, without regard to the original date of development, require a Plan of Development.
Outdoor Lighting	Any outdoor lighting shall be in conformance with provisions in Chapter 8, Section 812. All outdoor lighting shall be placed so as to reflect light away from any adjoining rural or residential zoning district.
Screening	All refuse collection areas shall be screened from view from all public streets. The front property line shall be screened with a 3’ screen wall, berm or hedge to minimize headlight glare.
Signage	The sign regulations are as provided in Chapter 11, Section 1103.
Walls and Perimeter Screening	A minimum 6’ solid wall is required adjacent to Rural or Residential zoning or any alley. Commercial outdoor uses shall be enclosed to a height of not less than 6’ with walls, fences of view obscuring material. No outdoor commercial use shall encroach into any required setback adjacent to street and storage of material shall not exceed the height of screening. Access gate in said solid wall shall be constructed of view-obscuring material.
C-S Zoning District Specific Regulations	
Landscaping	Any part of the shopping center site not used for buildings or other structures, loading and access ways, or pedestrian walks shall be landscaped with trees, shrubs or natural vegetation.
Ownership	The shopping center site and the buildings and appurtenant facilities shall be in a single ownership, or under management or supervision of a central authority; or under management or supervision of a central authority; or they shall be subject to other supervisory lease or ownership control as may be necessary to carry out the purpose of regulations relating to the C-S Zoning District.

Figure 6 — Commercial Zoning Setbacks



Section 505. Purpose of Industrial Zoning Districts

Article 505.1. Industrial Zoning Districts

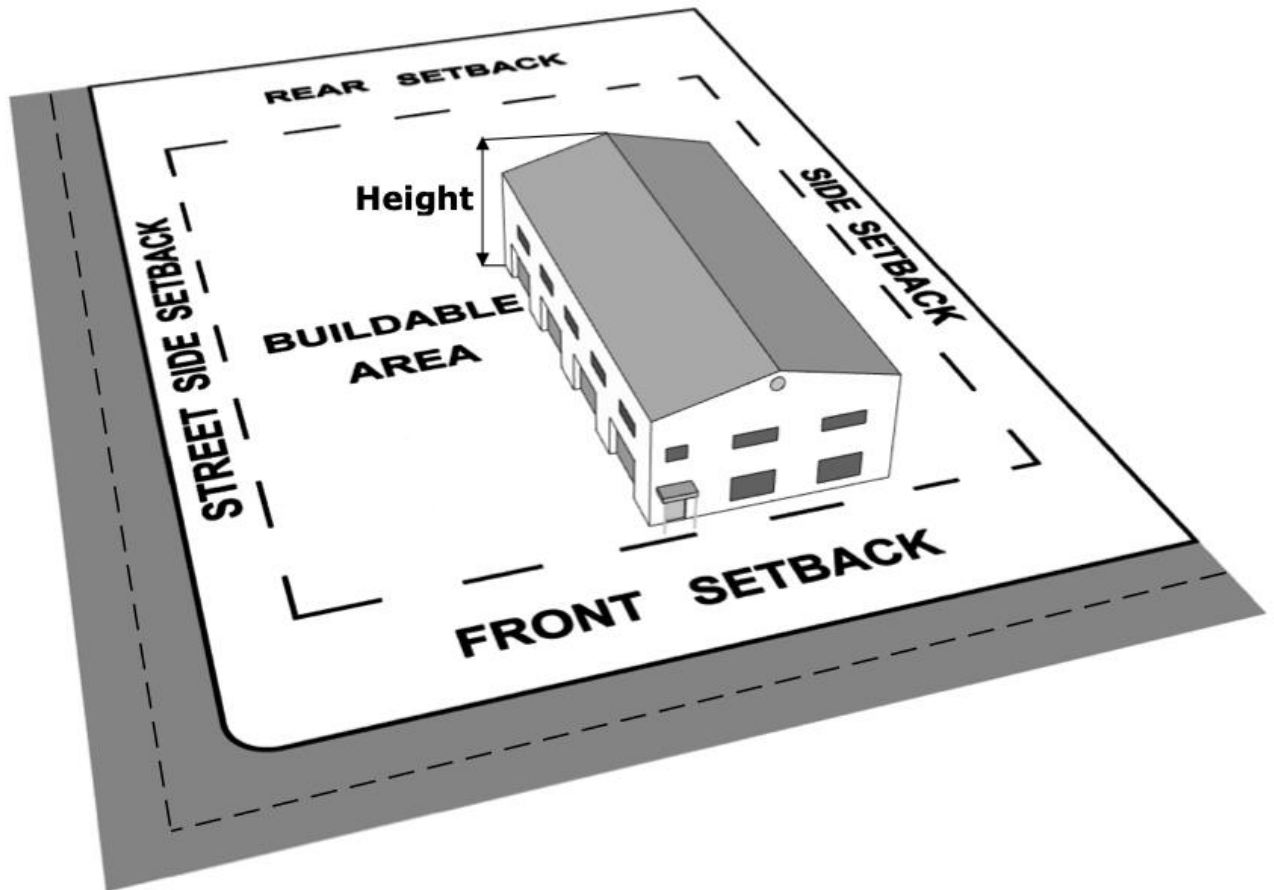
- 505.1.1. IND-1 (Light Industrial Zoning District):** The principal purpose of this zoning district is to provide sufficient space in appropriate locations for certain types of business and manufacturing uses that are quiet, attractive and well-designed including appropriate screening and/or landscape buffers to afford locations close to existing residential uses, so that people can live and work in the same neighborhood.
- 505.1.2. IND-2 (General Industrial Zoning District):** The principal purpose of this zoning district is to provide for light industrial uses in locations which are suitable and appropriate taking into consideration the land uses on adjacent or nearby properties, access to a major street or highway, rail service or other means of transportation, and the availability of public utilities while encouraging sustainable development practices. Principal uses permitted in this zoning district include the manufacture, compounding, processing, packaging or treatment of materials which do not cause or produce objectionable effects that would impose hazard to adjacent or other properties by reason of smoke, soot, dust, radiation, odor, noise, vibration, heat, glare, toxic fumes, or other conditions that would affect adversely the public health, safety and general welfare.
- 505.1.3. IND-3 (Heavy Industrial Zoning District):** The principal purpose of this zoning district is to provide for the most intense industrial uses in locations which are suitable and appropriate, taking into consideration land uses on adjacent or nearby properties, access to a major street or highway, rail service, or other means of transportation. Principal uses permitted in this zoning district include the industrial uses that are not permitted in any other zoning district.

Section 506. Industrial Zoning Districts Development Standards

Development Standards	IND-1	IND-2	IND-3	Additional Notes
Lot Area Minimum (sq. ft.)	35,000	6,000	6,000	
Lot Width Minimum (ft.)	150	60	60	
Lot Coverage Maximum	60%			
All Structures				
Front (ft.) – setback minimums	20			*See figures. Through lots require a front yard on both front lot lines.
Side, street (ft.) – setback minimums	10			*See figures.
Side, interior (ft.) – setback minimums	None required / 10 (adjacent to Rural or Residential Zoning District)			*See figures.
Rear (ft.) – setback minimums	10	10 / 25 (adjacent to Rural or Residential Zoning District)	10 / 25 (adjacent to Rural or Residential Zoning District)	*See figures.
Height Maximum (ft.)	60			*See figures.
Additional Regulations for All Industrial Zoning Districts				
Dust Control	In any multi-phase industrial project, all areas of a parcel which have been graded or the surface disturbed in any way, and which are not currently under development shall be revegetated or surfaced to minimize wind-blown dust by a method or plan approved by the Department of Planning and Development.			
Enclosure of Uses	In the IND-1 and IND-2 zoning districts, all uses except for parking, loading, unloading or storage shall be conducted within a completely enclosed building. In the IND-3 zoning district, all uses may be conducted outdoors.			
Landscaping/Buffering	There shall be a solid fence, wall and suitable planting six feet in height where the side or rear lot lines or boundaries of the lot are adjacent to a rural or residential zoning district. All street frontage of the lot shall be landscaped with drought-tolerant plants including trees, shrubs or natural vegetation. There shall be a minimum of one tree and three shrubs every 20 feet. Trees shall be a minimum 2-inch caliper at the time of installation. The required side yards shall be landscaped with drought-tolerant plants including trees, shrubs or natural vegetation. 4% of the gross parking area shall be landscaped with trees, shrubs, or natural vegetation. Any part of the lot not used for buildings, other structures, parking and vehicular and pedestrian access shall be landscaped with grass, trees, shrubs, xeriscaping or natural vegetation. All landscaped areas shall be provided with water bibs or an automatic sprinkler system.			
Plan of Development	All industrial development shall be subject to a plan of development approval as set forth in the provisions of this Ordinance.			
Outdoor Lighting	For industrial uses, which were developed prior to October 15, 1984, an as-built plan which requires a zoning clearance may serve as the plan of development. When the owner or authorized agent wants to make a change to the property, this as-built plan indicating the changes may be submitted. The Zoning Inspector may approve changes as long as any expansion is part of the existing land use, does not conflict with existing codes, does not exceed one hundred percent of the area of the original development, and does not adversely impact the surrounding areas or drainage conditions. These changes may include, but are not limited to parking covers, interior remodeling, additions to the buildings or new buildings.			
Screening	All refuse collection areas shall be screened from view from all public streets. The front property line shall be screened with a 3’ screen wall, berm or hedge to minimize headlight glare.			
Signage	The sign regulations are as provided in Chapter 11, Section 1104.			

Additional Regulations for All Industrial Zoning Districts	
Walls and Perimeter Screening	Industrial sites and/or uses shall be enclosed to provide effective site screening from adjoining properties, uses or streets as follows: • Adjacent to any rural or residential zone, automobile parking shall be screened from view. • A solid masonry wall, not less than six feet in height shall be required along and adjacent to any side or rear property line abutting any rural or residential zone boundary, or any alley abutting such zone boundary. • Further, any access gates shall be constructed of view-obscuring material to provide effective site screening. • The perimeter of any portion of a site which any outdoor use of any industrial nature is permitted shall be enclosed to a height of not less than six feet by building walls, walls or fences of any view-obscuring material. • No outdoor industrial use or enclosure thereof shall encroach into any required setback area adjacent to any street, nor shall any storage products or materials exceed the height of any such enclosure.
IND-1 Zoning District Specific Regulations	
Landscaping	Required yards adjacent to any street shall be landscaped and shall not be occupied by any use or structure including parking or loading spaces except for drives and roadways, signs and lighting as permitted in this Ordinance. Any part of a site not used for buildings, parking, driveways, storage, loading, sidewalks, etc. shall be landscaped and maintained. Landscaped areas shall include an approved mixture of drought tolerant or other plant materials, and organic and non-organic ground cover materials. The approval of the above mixture of landscape materials shall be by the Board of Supervisors upon recommendation of the Commission. An automatic irrigation system shall be provided and maintained to all landscaped areas requiring water. All landscaped areas adjacent to vehicular parking and access areas shall be protected by six-inch vertical concrete curbing in order to control storm water flows and minimize damage by vehicular traffic.
Walls and Perimeter Screening	Industrial sites and/or uses shall be enclosed to provide effective site screening from adjoining properties, uses or streets by the use of walls, berms and landscape plantings or combinations thereof as follows: • Adjacent to any rural or residential zone, automobile parking shall be screened from view. • A solid masonry, concrete or earthen product wall not less than six feet in height or approved landscaped berms, landscape screening or combinations thereof shall be required along and adjacent to any side or rear property line abutting any rural or residential zone boundary, or any alley abutting such zone boundary. • Further, any access gates shall be constructed of view-obscuring materials to provide effective site screening. Approval of the alternative screening methods listed above shall be by the Board of Supervisors upon recommendation of the Commission. • The perimeter of any portion of a site upon which any outdoor use of an industrial nature is permitted, shall be screened to a height of not less than six feet in height by building walls, walls or fences of any view obscuring material, approved landscaped berms, landscape screening or combinations thereof. • No outdoor industrial use or enclosure thereof shall encroach into any required setback area adjacent to any street, nor shall any storage products or materials exceed the height of any such enclosure. • Approval of the alternative screening methods listed above shall be by the Board of Supervisors upon recommendation of the Commission.

Figure 7 — Industrial Zoning Setbacks



Chapter 6 | Zoning Districts Uses Table, Accessory Uses and Use Standards and Conditions

Section 601. Use Regulations

A building or premises shall be used only for the following purposes:

**Rural, Residential, Multi-family, Commercial and Industrial Zoning District
Uses tables.**

P – Permitted, **S** – Special Use Permit, **POD** - Plan of Development, **TUP** – Temporary Use Permit, and/or * additional information

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
RESIDENTIAL																						
One Single-family dwelling - per lot of record. Includes short term rentals	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*			p*	p*	p*	p*	p*	p*	*Article 602.2.
Multifamily (>2 units)										POD	POD	POD	POD			POD	POD	POD	POD	POD	POD	
Accessory dwelling unit (ADU)-which may include a leased short-term rental	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*			p*	p*	p*	p*	p*	p*	*Article 602.3.
Emergency housing: Temporary shelter required due to a natural disaster or fire or other circumstances determined to constitute an emergency by the zoning inspector	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Home daycare for up to four (4) children	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P	* Article 602.4.
Mobile Home Parks and Manufactured Home Parks													POD*			POD*	POD*	POD*	POD*	POD*	POD*	* Section 903.
RESIDENTIAL - GROUP LIVING																						
Boarding houses																	POD	POD	POD	POD	POD	
Community residences, subject to the provisions and standards of Section 907	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*			p*	p*	p*	p*	p*	p*	* Section 907.
Dormitories											POD	POD	POD			POD	POD	POD	POD	POD	POD	
Halfway houses																	POD	POD	POD	POD	POD	

CHAPTER 6 – ZONING DISTRICTS USES TABLE,
ACCESSORY USES AND USE STANDARDS AND CONDITIONS

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
Recovery communities within 1,200 linear feet of the closest recovery community or community residence under Section 907											S**	S**	POD*			POD*	POD*	POD*	POD*	POD*	POD*	* Section 907. ** Article 1001.1.9.

ACCOMMODATIONS																						
Guest ranches, bed and breakfast establishments, resorts, and hotels	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	POD	POD	POD	POD	
Travel trailer or recreation vehicle (RV) parks	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	POD	S*	S*	POD	POD	POD	POD	POD	POD	* Article 1001.1.4.

AGRICULTURAL																						
Agricultural chemicals (storage, mixing, sale and distribution)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	Not including manufacturing.
Commercial feed lots with outdoor storage	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	POD	POD	POD	
Corrals for the keeping of horses	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P	
Cotton gins	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	Not including the manufacturing or processing of byproducts.
Farm animal (horse, cattle and other farm animal) medical clinics and surgical referral hospitals, subject to the following standards	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	POD	POD	POD	POD	POD	* Article 1001.1.7.
Farms	P	P	P																	POD	POD	

CHAPTER 6 – ZONING DISTRICTS USES TABLE,
ACCESSORY USES AND USE STANDARDS AND CONDITIONS

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
Gardens and community gardens	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P	
Industrial agriculturally oriented operations and facilities, aquacultural facilities with breeding and holding lakes and ponds.	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	
Storage/maintenance of agricultural equipment	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD*	POD	POD	POD	POD	* Inside storage of agricultural equipment in C-2 zoning only.
The keeping of a farm animals	p*	p*	p*	p**	p**	p**	p**	p**	p**	p**	p**	p**	p**			P	P	P	P	P	P	*No limit on number of farm animals in rural zoning districts. ** In R1-35 see Additional Regulations Article 603.1.

BILLBOARDS																						
Billboards	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	POD S*	POD S*	POD S*	POD S*	POD S*	* Article 1001.1.8.

COMMERCIAL																						
Adult oriented facilities as defined under Chapter 2																	POD*	POD*	POD*	POD*	POD*	* Article 603.7.

COMMERCIAL - EDUCATIONAL																					
Business schools													POD			POD	POD	POD	POD	POD	
Educational training to include conservatories or studios: Art, dancing or music, trade schools																	POD	POD	POD	POD	

CHAPTER 6 – ZONING DISTRICTS USES TABLE,
ACCESSORY USES AND USE STANDARDS AND CONDITIONS

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
COMMERCIAL - ENTERTAINMENT (See definition of Indoor Entertainment and Outdoor Entertainment in Chapter 2)																						
Amusement enterprises and outdoor amusement parks and bowling alleys																		POD	POD	POD	POD	
Circus and carnival grounds having permanent facilities - outdoor entertainment for permanent facilities																		POD	POD	POD	POD	
Dance halls and nightclubs, including outdoor amplified music, except adult oriented facilities as defined under Chapter 2 of this ordinance																		POD	POD	POD	POD	
Drive in or outdoor theaters																		POD	POD	POD	POD	
Land use involving large assemblage of people	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	POD	POD	POD	
Miniature golf courses and driving ranges																	POD*	POD	POD	POD	POD	* Inside use only in C-2 zoning.
Outdoor Entertainment																		POD	POD	POD	POD	
Pool halls or billiard centers																	POD	POD	POD	POD	POD	
Private clubs and fraternal organizations													POD			POD	POD	POD	POD	POD	POD	
Special Event Venues (indoor/outdoor uses)	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	POD	POD	POD	POD	* Article 1001.1.10.

CHAPTER 6 – ZONING DISTRICTS USES TABLE,
ACCESSORY USES AND USE STANDARDS AND CONDITIONS

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
Theaters																	POD*	POD*	POD*	POD*	POD*	* Not including a drive in theater and adult oriented facilities as defined in Chapter 2.
COMMERCIAL - FOOD & BEVERAGE (See Food and Beverage Uses definition in Chapter 2)																						
Bars, including retail sales of package goods for off site consumption																	POD*	POD*	POD*	POD*	POD*	* Including retail sales of package goods for off-site consumption, provided that there is no entertainment or music audible offsite.
Catering establishments																	POD*	POD*	POD*	POD*	POD*	* Not utilizing any manufacturing process or outside storage of materials or vehicles.
Fast Food with drive in																	POD	POD	POD	POD	POD	
Food and Beverage													POD			POD	POD	POD	POD	POD	POD	
Liquor stores													POD*			POD*	POD*	POD*	POD*	POD*	POD*	* Limited to retail sales of package goods for off-site consumption.
Restaurants and cafes, including drive-through													POD*			POD*	POD*	POD*	POD*	POD*	POD*	Article 603.2.

CHAPTER 6 – ZONING DISTRICTS USES TABLE,
ACCESSORY USES AND USE STANDARDS AND CONDITIONS

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
Restaurants and cafes, including patios, cocktail lounges, and outside dining and drinking areas, provided there is no amplified entertainment or music audible off-site																	POD*	POD*	POD*	POD*	POD*	* May not have outdoor music or entertainment.

COMMERCIAL - RETAIL & SERVICES - GENERAL (see Retail and Services - General definition in Chapter 2)																						
Automobile, boat sales (including outdoor display area), golf cart sales, new and used, and rentals (Indoor sales)																	POD*	POD*	POD*	POD*	POD*	* Provided all sales, service, and repair activities are conducted within a building.
Automobile repair shops and garages, including an outside vehicle storage area to be used for vehicles under repair																	POD*	POD*	POD*	POD*	POD*	* Shall be completely screened from any street or surrounding property, and further provided all repair operations are conducted within a building.
Carwash																	POD*	POD*	POD*	POD*	POD*	*Provided steam cleaning is confined to a building.
Cash Advance and Payday Loan Facilities																	POD	POD	POD	POD	POD	

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
Feed stores	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD*	POD	POD	POD	POD	*Inside only in C-2 otherwise Special Use Permit is required.
General Retail																	POD	POD	POD	POD	POD	
Pet shops																	POD	POD	POD	POD	POD	
Self-storage facilities																	POD	POD	POD	POD	POD	

COMMERCIAL - HOA OFFICES, RECREATIONAL FOR AMENITIES																						
Offices for homeowners associations (HOA) and other HOA related uses such recreation centers and ancillary uses, maintenance facilities, storage facilities, horse stables and other facilities for the benefit of subdivision / master-planned community residents	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	

COMMERCIAL - LIGHT RETAIL & SERVICES (see definition of Retail and Services - Light in Chapter 2)																						
Art Galleries and photography and art studios													POD	POD		POD	POD	POD	POD	POD	POD	
Banks and financial institutions (not including Payday loan facilities)													POD	POD		POD	POD	POD	POD	POD	POD	
Book, Stationary & Gift Shops													POD*			POD*	POD*	POD*	POD*	POD*	POD*	* Except adult oriented facilities

CHAPTER 6 – ZONING DISTRICTS USES TABLE,
ACCESSORY USES AND USE STANDARDS AND CONDITIONS

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
Cleaning agencies, laundry agencies, pressing establishments and self-service laundries, including self-service dry cleaning machines													POD*			POD*	POD*	POD*	POD*	POD*	POD*	* No cleaning of clothes on premises.
Gasoline service stations													POD*			POD*	POD*	POD*	POD*	POD*	POD*	* All incidental repair work must be conducted wholly within an enclosed building and repair work cannot constitute more than 60% of floor area.
Grocery stores and meat markets													POD*			POD*	POD*	POD*	POD*	POD*	POD*	* No slaughtering of animals or poultry on the premises.
Light Retail Services													POD			POD	POD	POD	POD	POD	POD	
Offices													POD	POD		POD	POD	POD	POD	POD	POD	
Professional Office														POD	POD	POD	POD	POD	POD	POD	POD	
COMMERCIAL – MEDICAL																						
Laboratories, medical or dental or clinical														POD			POD	POD	POD	POD	POD	
Veterinary hospitals and clinics																	POD	POD	POD	POD	POD	

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
COMMERCIAL - PLANT NURSERIES																						
Plant nurseries and greenhouses (wholesale only) for the propagation, cultivation and wholesale distribution of plants produced on the premises, provided such uses do not include retail sales. Open storage is limited to plants or packaged fertilizer, and the buildings and structures used in connection therewith set back from all lot lines a distance of not less than 50 feet	P	P	P	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	POD	POD	POD	POD	
Plant nurseries (retail only)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	POD	POD	POD	POD	
COMMERCIAL - REGIONAL RETAIL & SERVICES (See definition of Retail and Services - Regional in Chapter 2)																						
Commercial storage, or impoundment (not to include salvage operations, dismantling or sale of parts) of automobiles, motor vehicles, mobile homes, manufactured homes, travel trailers, recreation vehicles, boats and aircraft	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	POD	POD	POD	POD	*Sites of not less than one acre.
Commercial storage/impoundment (≥1 acre)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	POD	POD	POD	Autos, RVs, boats, aircraft; no salvage operations.

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
Kennels	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	POD	POD	POD	
Landscape material sales																		POD*	POD*	POD*	POD*	*Article 603.5.
Pawn Shop																	POD	POD	POD	POD	POD	
Regional Retail & Services																		POD	POD	POD	POD	
Truck stops																		POD*	POD*	POD*	POD*	*Article 603.6.

COMMERCIAL - STORAGE																						
Commercial storage of mobile homes, manufactured homes, travel trailers, recreation vehicles, boats and aircraft																		POD	POD	POD	POD	

COMMERCIAL - TELEVISION & RADIO																						
Radio and television broadcasting stations and studios																	POD*	POD*	POD*	POD*	POD*	* Not including transmitter towers and stations.

COMMUNICATION																						
Primary or accessory commercial television, microwave and radio transmitter, receiving stations and towers and dishes, including earth stations	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
Wireless communication facilities	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	POD* S**	* Section 902. for development standards. ** SUP - Article 1001.1.6. for WCF exceeding standards.

CONSTRUCTION																						
Construction equipment, including sales, service, rental and storage																				POD	POD	
Lumber yards																		POD*	POD*	POD*	POD*	* Not including industrial milling or planning operations
Temporary construction administration offices/yard complex – which may include a security office or residence for a security guard													POD*	POD*	POD*	POD*	POD*	POD*	POD*	POD*	POD*	* Article 603.8.

FUNERAL & INTERMENT SERVICES																						
Cemeteries, including pet cemeteries and mausoleums, including accessory uses such as mortuaries	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	
Funeral homes, mortuaries and chapels																	POD	POD	POD	POD	POD	
Private, family burial plots of ten or fewer	P	P	P																			

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
HOME OCCUPATION / COTTAGE INDUSTRY																						
Home occupations	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			P*	P*	P*	P*	P*	P*	* Article 603.9.
Home occupations, cottage industry in Rural Zoning Districts or in Single-Family Zoning Districts that do not meet the conditions of Article 603.9.	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	POD*	* Article 1001.1.5.
INDUSTRIAL																						
Development of earth products	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	POD*	* Clay, coal, gas, gravel, minerals, sand, stone, topsoil not to include extraction except for IND-3.
Experimental and proving grounds	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	POD	
Laboratories, experimental, photo or motion picture, research or testing, and Marijuana Testing Facilities																			POD	POD	POD	
Motion picture producing																			POD	POD	POD	
Outdoor storage including wholesale and retail sales of landscape materials, storage rental yards, construction yards and similar, interim industrial uses.	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	POD	
Training centers, industrial																				POD	POD	

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
Truck terminals, including service and storage																				POD	POD	
Warehousing, storage and wholesale distribution facilities																			POD	POD	POD	

INDUSTRIAL - FOOD PRODUCTION (See definition of Food Production in Chapter 2)																						
Custom meat processing plants including slaughtering, butchering and temporary storage of products.	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	
Food Production																				POD	POD	
Frozen food lockers, including processing																		POD*	POD*	POD*	POD*	* Not to include slaughtering of animals
Packing houses, fruits or vegetables																				POD*	POD*	* Not including processing

INDUSTRIAL - GENERAL INDUSTRIAL																						
Autonomous Vehicle fleet, drone / UAV Depots, Taxi-stations and facilities																				POD	POD	
Battery Energy Storage Systems subject to condition																				POD*	POD*	* Article 603.10
Data Centers with compensatory power generation																				POD	POD	

INDUSTRIAL - GENERAL INDUSTRIAL MANUFACTURING (see definition of Industrial Manufacturing - General in Chapter 2)																						
General Industrial Manufacturing																				POD	POD	

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
INDUSTRIAL - INDUSTRIAL CLEANING																						
Cleaning plants, including carpets and dyeing																				POD	POD	
INDUSTRIAL - LIGHT INDUSTRIAL MANUFACTURING (see definition of Industrial Manufacturing - Light in Chapter 2)																						
Light Industrial Manufacturing																			POD	POD	POD	
Any other office, laboratory, manufacturing and assembling uses																			POD*	POD*	POD*	*Article 603.11.
INDUSTRIAL - STORAGE																						
Storage and maintenance of specialized machinery and equipment used specifically in agriculture or rural areas	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	POD	POD	POD	
Storage, mixing and/or blending, sale and distribution of agricultural chemicals	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	
MARIJUANA																						
Medical Marijuana Dispensary Facilities and/or Marijuana Establishment as defined in Chapter 2 of this Ordinance subject to all rules adopted by the Arizona Department of Health Services																	POD*	POD*	POD*	POD*	POD*	*Article 603.3.
Marijuana Offsite Cultivation (including dispensary and/or establishment)																			POD*	POD*	POD*	*Article 603.4.

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
MEDICAL & GROUP CARE FACILITIES																						
Group care facilities and hospitals and institutions of an educational, religious, charitable or philanthropic nature, homes for the aged, nursing homes, convalescent homes and community residences or recovery communities that do not meet the requirements of Article 1207.3 and other group care facilities including for adjudicated residents	S**	S**	S**	S**	S**	S**	S**	S**	S**	S**	S*	S*	S**	S**	S**	S**	POD**	POD**	POD**	POD**	POD**	*Recovery communities only permitted in R-3 & R-4 with a Special Use Permit. Article 1001.1.9. ** Section 907.
Hospitals and detoxification facilities																	POD	POD	POD	POD	POD	
PUBLIC & SEMI-PUBLIC USES																						
Churches and houses of worship	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Day nurseries and nursery schools, including a playground and playground equipment													POD			POD	POD	POD	POD	POD	POD	Shall be screened from Rural and Residential.
Libraries, museums, parks, playgrounds and community buildings, provided such uses are conducted on a nonprofit basis	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Parking lots and public garages																	POD*	POD*	POD*	POD*	POD*	* Subject to parking standards in Section 802.

CHAPTER 6 – ZONING DISTRICTS USES TABLE,
ACCESSORY USES AND USE STANDARDS AND CONDITIONS

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
Privately owned or operated stations for fire protection, police or security service, ambulance, or other emergency service providers	S	S	S	S	S	S	S	S	S	S	S	S	POD	S	S	POD	POD	POD	POD	POD	POD	
Public facilities such as libraries, museums, parks, playgrounds, community buildings including police stations, post offices and other community service buildings used for non-commercial non profit purposes	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Schools which include only K-12 public, private and charter schools	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

RECREATIONAL & OPEN SPACE																						
Golf courses including clubhouses located thereon	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	*			p*	p*	p*	p*	p*	p*	* Not including miniature courses or practice driving tees operated for commercial purposes.
Public and private forests and wildlife reservations	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P	
Public equestrian uses accessory to a single-family residence	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*			p*	p*	p*	p*	p*	p*	* Article 603.12.
Public riding and boarding stables	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	POD	* Article 1001.1.3.

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
Recreational open air facilities, including but not limited to lakes, swimming pools and tennis courts. (This does not include personal recreation on private property.)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	POD	POD	POD	POD	
RENEWABLE ENERGY																						
Utility-scale concentrating solar power (CSP) generating facilities or photo-voltaic solar generating facilities of any output capacity are allowed as either a primary or accessory use within the IND-2 zoning district subject to the development standards of that district																				POD*	POD*	* Article 906.
TEMPORARY LAND USES																						
Model home sales complex, temporary real estate offices and temporary construction administrative offices/yard complex.	P or TUP	P or TUP	P or TUP	P or TUP	P or TUP	P or TUP	P or TUP	P or TUP	P or TUP	P or TUP	P or TUP	P or TUP	P or TUP			P or TUP	P or TUP	P or TUP	P or TUP	P or TUP	P or TUP	
TRANSPORTATION																						
Airports, runways/airstrips, helipads/heliports and other landing areas	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	POD	POD	Article 811.3. OFZ and RPZ standards. *Article 1001.1.1.
Bus depots																		POD	POD	POD	POD	

Zoning District Uses	Rural-190	RU-70	RU-43	R1-35	R1-18	R1-10	R1-8	R1-7	R1-6	R-2	R-3	R-4	R-5	C-O	C-S	C-1	C-2	C-3	IND-1	IND-2	IND-3	Additional Information
UTILITIES																						
Public Utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utility Treatment and Generating Plants																				POD*	POD*	* Article 603.13.

Section 602. Accessory Uses Incidental to the Uses Table

Article 602.1. Uses considered to be customarily incidental and accessory to the uses listed in the previous tables as determined by the zoning inspector.

Article 602.2. One Single Family dwelling per lot of record. Includes short-term rentals subject to the following standards:

1. A Short-Term Rental (STR) is the use of a single-family dwelling or an approved accessory dwelling unit for lease or rent for a duration of no more than 30 consecutive days.
2. The owner of a short-term rental must reside on the property if the property contains an accessory dwelling unit unless a certificate of occupancy, certificate of completion or similar final approval for the accessory dwelling unit was issued by the County on or before September 13, 2024.
3. The STR must be rented as a whole unit to a single party or individual. Partial rentals (e.g., by the room or by the bed) are prohibited.
4. Only one (1) STR unit may be rented per parcel at any given time.
5. The following are prohibited in connection with any STR:
 - A. Use of the property for commercial events, public assembly, or special gatherings, including weddings, banquets, or similar functions.
 - B. Signage, site-specific websites, or any external identification suggesting commercial operation.
 - C. Operation of any retail, food service, or other commercial enterprise from the STR.
6. The STR may not be rented, leased, or occupied by any person who is a registered sex offender, and the lessee may not include such individuals as a member of the renting party.

Article 602.3. Accessory Dwelling Units (ADUs)

1. In accordance with Arizona State Statute, ADUs are a permitted use on any lot or parcel zoned for single-family residential use. A public hearing, variance, or special permit shall not be required.
2. Number of Units.
 - A. At least one attached and one detached ADU shall be permitted on each lot or parcel where a single-family dwelling is allowed.

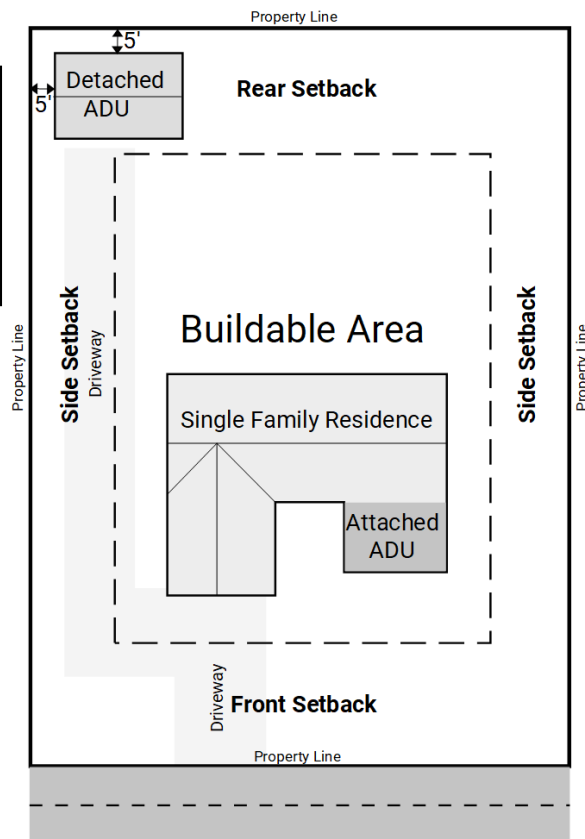
**CHAPTER 6 - ZONING DISTRICTS USES TABLE,
ACCESSORY USES AND USE STANDARDS AND CONDITIONS**

- B. On lot or parcel one acre or larger, at least one additional detached ADU shall be permitted provided that at least one ADU on the lot be a deed restricted-affordable dwelling unit to be rented to households earning up to eighty percent of the area median income.
- 3. Size.
 - A. No ADU shall exceed the size of the principal dwelling.
 - B. On lot or parcel less than one acre, the size of the ADU shall be a maximum of 75% of the primary dwelling unit or 1,000 square feet whichever is less.
- 4. Occupancy and Tenancy.
 - A. ADUs may be leased or occupied independently of the principal dwelling as long-term rental housing.
 - B. No familial, marital, or employment relationship is required between occupants of the principal dwelling and the ADU.
- 5. Design Standards. ADUs shall be subject to the same height, lot coverage, and frontage standards as single-family dwellings within the zoning district. Except that:
 - A. Detached ADUs may be built in the required rear yard and/or the required side yard but shall not occupy more than 30% of any required yard and shall not be nearer than five feet to any side or rear lot line.
 - B. Detached ADUs that encroach into the required side or rear yard shall be limited to a height of 18 feet.
 - C. All ADUs shall share a single access point to the street with the primary residence; internal driveways may diverge from this point.
- 6. Any ADU lawfully established prior to adoption of this Article that does not meet current standards may be continued as a legal nonconforming use. Alterations or expansions must comply with this Article.
- 7. No more than one ADU may be used as a short-term rental. (See also, Article 602.2.4)

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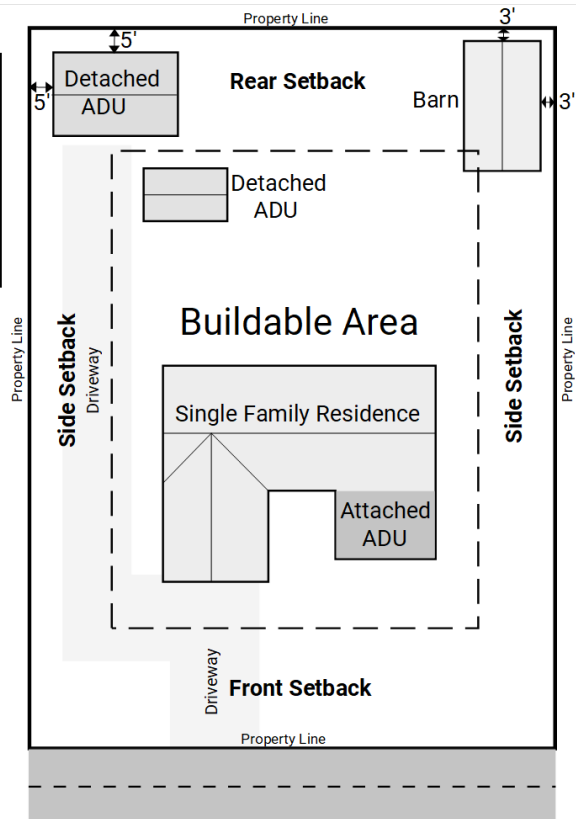
Detached ADU structures must be a min. of 5' from adjacent property lines with a max. height of 18' and area under roof cannot exceed 30% of the rear or side setback.

On Lots less than 1 acre an ADU shall be 75% of the primary dwelling or 1,000 sq. ft. whichever is less.



Detached ADU structures must be a min. of 5' from adjacent property lines with a max. height of 18' and area under roof cannot exceed 30% of the rear or side setback.

On lots greater than 1 acre may have a second ADU built and must be deed restricted as affordable.



Non-residential detached structures other than ADUs must be a min. of 3' from adjacent property lines and area under roof cannot exceed 30% of the rear or side setback.

**CHAPTER 6 - ZONING DISTRICTS USES TABLE,
ACCESSORY USES AND USE STANDARDS AND CONDITIONS**

Article 602.4. Home Daycare for up to Four (4) Children with the Following Conditions:

1. The owner/operator of the daycare shall reside in the dwelling unit in which the daycare operates.
2. The rear and/or side yard is enclosed and provides a minimum of 75 sq. ft. per each child occupying the outdoor activity area.
3. There shall be no signs, advertising, display or other indications of the daycare on the premises.
4. The total number of children under compensated care shall not exceed four (4) at any one time.
5. The residential address of the business shall not be listed in any business directly or in any advertising.
6. There shall be no change to the residential appearance of the premises, including the creation of separate or exclusive business entrance(s).
7. No pick-up or drop off of children shall be permitted on the premises between the hours of 10:00 p.m. and 6:00 a.m.

Article 602.5. Renewable Energy Systems

Only as an accessory use as set forth in Section 906. Where renewable energy systems involve the generation or storage of electricity, only grid-connected or off-grid systems are permitted.

Article 602.6. Private swimming pool and incidental installations

Private swimming pools along with incidental installations, such as pumps and filters, provided such pools and incidental installations are located in other than the required front yard and provided such pools are set back from all lot lines a distance of not less than three feet. Pools and spas must meet all barrier requirements as provided in the current U.B.C.

Article 602.7. Private Sports Court or Private Outdoor Recreational Structures:

1. Such court or structure shall not be constructed within 20 feet of any adjoining property under separate ownership, and provided that sports court fences or walls or recreational structures shall not exceed 14 feet in height.
2. Such courts are shall not be constructed within 20 feet of any adjoining property not internal to the multiple-family development and provided that tennis court fences or walls shall not exceed 12 feet in height and further provided that any lights for the tennis courts shall be subject to a use permit and shall be placed so as to not direct or reflect light upon adjoining land, and subject lights shall be in conformance with standards

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in Chapter 8, Section 812. (Outdoor Light Control Provisions) herein. More than one sports court is permitted so long as the primary use of the property is residential and so long as the court or courts are accessory to the residential use and maintained exclusively for the use of residents of the parcel on which it is located.

Article 602.8. Private Events

1. Private, non-commercial events incidental to the established use on a parcel, are permitted by-right in all zoning districts.
2. Private events are limited to invitation only without any advertisement or commercial transaction.

Section 603. Use Standards and Conditions

Article 603.1. The Keeping of Farm Animals

No limit on number of farm animals in Rural zoning districts. In the R1-35 zoning district subject to the following conditions:

1. Up to six (6) chicken hens. Lots less than 1 acre in size with a recorded subdivision community, the enclosure for the chicken hens shall not exceed the height of the perimeter fencing of the lot.
2. Corrals for the keeping of horses, provided such corrals are located in the rear yard, set back from all lot lines a distance of not less than 40 feet and contain at least 1,200 square feet of area for each horse kept therein. The keeping of horses on properties located in residential zoning districts in other than permitted corral areas is prohibited.

Article 603.2. Restaurants and Cafes, including Drive-Through

Not including those having dancing or shows. The sale of alcoholic beverages for on-site consumption only may be permitted as an accessory use if the kitchen facilities do not exceed 20% of floor area. Patios, cocktail lounges and outside dining and drinking areas shall be limited to a space serving no more than 50 patrons and no entertainment or music shall be audible off site.

Article 603.3. Medical Marijuana Dispensary Facilities and/or Marijuana Establishment as defined in Chapter 2 of this Ordinance subject to all rules adopted by the Arizona Department of Health Services and to the Following Conditions:

1. Medical Marijuana Dispensaries and/or Marijuana Establishments shall not be located within 1,500 feet of any other Medical Marijuana Dispensary and/or Marijuana Establishments.

CHAPTER 6 - ZONING DISTRICTS USES TABLE, ACCESSORY USES AND USE STANDARDS AND CONDITIONS

2. Medical Marijuana Dispensaries and/or Marijuana Establishments shall not be located within 1,500 feet of:
 - A. A church; or
 - B. A public or private elementary or secondary school; or
 - C. A public or private day care center, preschool, nursery, kindergarten, or similar use; or
 - D. A public park or playground; or
 - E. An adult oriented facility.
3. For purposes of measuring separation distances required in this section, the measurements shall be taken in a straight line from the closest exterior wall of the subject building to the closest boundary line of any affected parcel without regard to intervening structures or objects or political boundaries.
4. A Medical Marijuana Dispensary and/or Marijuana Establishment lawfully operating is not rendered in violation of these provisions by the subsequent location of a church, public or private elementary or secondary school, a kindergarten or preschool or similar use, or a park or playground within 1,500 feet of the Medical Marijuana Dispensary and/or Marijuana Establishment and/or Medical Marijuana Offsite Cultivation Location.
5. This provision shall not be construed as permitting any use or act which is otherwise prohibited or made punishable by law.
6. The facility may only have retail sales / dispersal of product, with cultivation, extraction and infusion of the product. A Marijuana Establishment as defined in Chapter 2 of this Ordinance shall be limited to type 'A' only.

Article 603.4. Marijuana Offsite Cultivation (Including Dispensary and/or Establishment) Subject to the Following Conditions:

1. Medical Marijuana Dispensaries and/or Marijuana Establishment and/or Medical Marijuana Offsite Cultivation Location facilities shall not be located within 1,500 feet of any other Medical Marijuana Dispensary.
2. Medical Marijuana Dispensaries and/or Marijuana Establishment and Medical Marijuana Offsite Cultivation Locations shall not be located within 1,500 feet of:
 - A. A church; or
 - B. A public or private elementary or secondary school; or

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- C. A public or private day care center, preschool, nursery, kindergarten, or similar use; or
 - D. A public park or playground; or
 - E. An adult oriented facility.
3. For purposes of measuring separation distances required in this section, the measurements shall be taken in a straight line from the closest exterior wall of the subject building to the closest boundary line of any affected parcel without regard to intervening structures or objects or political boundaries.
4. A Medical Marijuana Dispensary and/or Marijuana Establishment and/or Medical Marijuana Offsite Cultivation Location facilities lawfully operating is not rendered in violation of these provisions by the subsequent location of a church, public or private elementary or secondary school, a kindergarten or preschool or similar use, or a park or playground within 1,500 feet of the Medical Marijuana Dispensary and/or Marijuana Establishment and/or Medical Marijuana Offsite Cultivation Location.
5. This provision shall not be construed as permitting any use or act which is otherwise prohibited or made punishable by law.

Article 603.5. Landscape Material Sales

Provided all incidental equipment and supplies, including fertilizer and empty cans, are kept within a completely enclosed building or within an area enclosed on all sides by a solid fence or wall at least six feet in height, and no goods, materials or objects are stacked higher than the fence or wall so erected.

Article 603.6. Truck Stops

With customary accessory facilities including but not limited to restaurant, convenience retail, hotel, truck wash, and minor repair facilities but not including major repair, freight storage, freight handling, warehousing or distribution facilities.

Article 603.7. Adult Oriented Facilities as Defined Under Chapter 2, Subject to the Following Conditions:

- 1. Adult oriented facilities shall not be located within 1,500 feet of any other adult oriented facility.
- 2. Adult oriented facilities shall not be located within 1,500 feet of:
 - A. A church; or
 - B. A public or private elementary or secondary school; or

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- C. A public or private day care center, preschool, nursery, kindergarten, or similar use; or
 - D. A public park or playground; or
 - E. A medical marijuana dispensary or a medical marijuana offsite cultivation location.
- 3. For purposes of measuring separation distances required in this section, the measurements shall be taken in a straight line from the closest exterior walls of any affected structures without regard to intervening structures or objects or political boundaries.
 - 4. An adult oriented business lawfully operating is not rendered in violation of these provisions by the subsequent location of a church, public or private elementary or secondary school, a park or playground, or a medical marijuana dispensary or medical marijuana offsite cultivation location within 1,500 feet of the adult oriented business.
 - 5. This provision shall not be construed as permitting any use or act which is otherwise prohibited or made punishable by law.

Article 603.8. Temporary Construction Administration Offices/Yard Complex –Which May Include a Security Office or Residence for a Security Guard Provided that the Following Conditions Are Met:

- 1. The uses are only associated with the developer/owner and subdivision or project in which they are located.
- 2. Upon sale of the development, cessation of the need for the use (95% buildout), or cessation of the use, all structures, modifications to structures and uses related to the temporary facility shall be removed.
- 3. Those uses of structures allowed shall meet all building code requirements.
- 4. All items stored on site shall only be those required for the construction on site.
- 5. The allowed uses may encroach into setback areas.
- 6. All necessary permits must be issued prior to placement on the site.

Article 603.9. Home Occupations Subject to the Following:

- 1. The entrepreneur of a home occupation shall reside in the dwelling on the property in which the business operates.
- 2. The number of persons who are employed in connection with the occupants, but who are non-residents of the dwelling on the property in

CHAPTER 6 - ZONING DISTRICTS USES TABLE, ACCESSORY USES AND USE STANDARDS AND CONDITIONS

which the business operates, shall not exceed three, unless the non-resident employees are an immediate family member (spouse, child, sibling, parent, grandparent, grandchild, step parent, step child, step sibling) whether related by adoption or blood.

3. The business shall be conducted entirely within a completely enclosed building, other than allowance for limited outdoor storage per item '14' below. Physical business activity other than storage may occur within the area described per item '14' below except that no mechanical equipment or power tools shall be operated out of doors, and in no instance shall any outdoor activity exceed the height of screening and not to exceed eight (8) feet.
4. The home occupation shall not interfere with the delivery of utilities or other services to the area.
5. The business shall not generate any noise (if the noise would be considered to have an adverse impact on the surrounding residential neighborhood per the Maricopa County Noise Ordinance), vibration, smoke, dust, odors, heat, glare, or electrical interference with radio or television transmission in the area that would exceed that normally produced by a dwelling unit in a zoning district used solely for residential purposes.
6. No mechanical equipment or power tools shall be used, except that used for normal household purposes if the noise would be considered to have an adverse impact on the surrounding residential neighborhood per the Maricopa County Noise Ordinance.
7. No toxic, explosive, flammable, radioactive, or other similar material shall be used, sold, or stored on the site.
8. There shall be no change to the residential appearance of the premises, except that a separate business entrance shall be permitted. A maximum four (4) square foot sign shall be permitted, and the sign shall otherwise meet the requirements of Article 1102.1 of this Ordinance.
9. Unless a passenger vehicle accessory to the residence or an employee, not more than one vehicle used in commerce shall be permitted in connection with the home occupation. Said vehicle shall be stored in an enclosed garage.
10. The number of customers, clients, or students on the premises shall not exceed five at any time.
11. No non-resident employees, customers, clients, or students shall be permitted on the premises for business purposes between the hours of 10:00 p.m. and 7:00 a.m.

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12. Deliveries from commercial suppliers (vehicle weight greater than 10,000 lbs.) shall not restrict traffic circulation, and shall occur between 8:00 a.m. and 5:00 p.m., Monday through Friday.
13. If the home occupation requires that any non-resident employees, customers, clients, or students visit the property, a minimum of one (1) additional off-street parking space shall be provided per Chapter 8, Section 802. of this Ordinance. The maximum number of additional off-street parking spaces permitted shall be six.
14. The outdoor storage of materials shall be limited to a maximum of 25% of the total lot area and shall not be located within any required front or street side yard. Any outdoor storage shall be completely fenced with a solid masonry wall or wood fence to obstruct the view to a height equal to the elevation of the tallest materials to be stored with a maximum height of stored materials of eight feet.
15. All outdoor lighting shall be shielded so as not to direct or reflect light upon adjoining land, shall not be constructed within 20 feet of any adjoining property under other ownership, and shall not exceed 20 feet in height.
16. If these conditions cannot be met, a Special Use Permit per Section 1001.1.5. of this Ordinance shall be required.

Article 603.10. Battery Energy Storage Systems

All battery energy storage units shall be setback a minimum of 100' from all lot lines.

Article 603.11. Any Other Office, Laboratory, Manufacturing and Assembling Uses

Which do not create any danger to the public health, safety and general welfare in surrounding areas and which do not create any offensive noise, vibration, smoke, dust, odor, heat or glare and which, by reason of high value in relation to size and weight of merchandise received and shipped create very little truck traffic.

Article 603.12. Public Equestrian Uses Accessory to a Single-Family Residence Limited to the Following:

1. The boarding of up to five (5) horses and/or other equine not owned by the private property owner and/or resident. Documentation of ownership shall be maintained when more than five (5) horses and/or other equine are kept on the property.
2. Non-commercial public activities (no admission fee shall be charged) involving up to a maximum of 24 persons (including staff, participants and spectators).

CHAPTER 6 - ZONING DISTRICTS USES TABLE, ACCESSORY USES AND USE STANDARDS AND CONDITIONS

3. All structures shall meet minimum setback requirements and the maximum lot coverage requirement. All parcels must meet minimum lot area and width requirements.
4. Any public equestrian use that cannot meet these conditions will require a Special Use Permit in accordance with Article 1001.1.3. of this Ordinance.

Article 603.13. Utility Scale concentrating solar power (CSP) generating facilities or photo-voltaic solar generating facilities of any output capacity are allowed subject to the following:

As either a primary or accessory use within the IND-2 or IND-3 zoning district subject to the development standards of that district and provided that any water consumed during the production of electricity by the generating facility is supplied from a “renewable water source” as defined by this Ordinance.

Chapter 7 | Overlay Zoning Districts

Section 701. PAD (Planned Area of Development)

Article 701.1. Purpose:

The Planned Area Development (PAD) Overlay Zoning District is intended to accomplish the following:

1. Permit and encourage the unified planning of large areas in order to achieve the mixture, variety and cohesiveness of land uses and amenities that such large-scale planning makes possible.
2. Establish development parameters for land uses, densities and intensities, and design standards, while allowing final detailed site plans and parcel descriptions to be deferred to the time of subdividing or site planning.
3. Assure both the County and the property owner that the development approved under a PAD may be carried out over a specified time.
4. Promote sustainable development practices.

Article 701.2. General Provisions:

1. The PAD District is an overlay zoning district which may be combined with any of the zoning districts set forth in this Ordinance, including Rural and Residential Districts, Commercial Districts, Industrial Districts, Unit Plans of Development (RUPD, CUPD and IUPD), and Special Uses (SUP).
2. The minimum site area for a PAD shall be 160 acres.
3. Parameters for development are established through approval of a General Development Plan for the entire PAD site. Prior to development on any site within a PAD, approval of Specific Development Plans is required. Specific Development Plans provide the details of development for individual development parcels in the PAD.

Article 701.3. Use Regulations:

1. Uses permitted within the PAD District shall be limited to those permitted in the zoning districts with which the PAD District is combined, as set forth in the General Development Plan.
2. Height regulations, yard regulations, and intensity of use regulations shall be those required in the zoning districts with which the PAD District is combined, as set forth in the General Development Plan. Variations in these development standards may be approved through concurrent use

of Unit Plans of Development (RUPD, CUPD and IUPD) in combination with the PAD and underlying zoning districts.

Article 701.4. Required Plan Submittal:

1. Applications for a PAD shall be filed and processed in the same manner as other amendments to the Zoning Ordinance. Notice and procedures for public hearings shall conform to the procedures prescribed in Chapter 3, Section 303.
2. The PAD application shall be accompanied by a General Development Plan which shall consist of the following:
 - A. Map(s) showing at least the following:
 - i. Boundary of the proposed PAD District.
 - ii. General boundaries, approximate acreage, and proposed land use of each development parcel (including the different types and densities of residential use), and the corresponding zoning district for each land use.
 - iii. General location of any known public uses, such as schools, parks, recreational facilities and trails.
 - iv. Approximate location of all arterial and collector streets.
 - v. Landscaping concept plan.
 - vi. Topographic character of the land, with identification of any areas in the Hillside District (see Chapter 9, Section 901.).
 - vii. Conceptual/preliminary drainage plan.
 - viii. General phasing boundaries.
 - B. Development narrative including at least the following:
 - i. Development narrative including at least the following:
 - ii. Description of the proposed PAD and the nature of the development proposed.
 - iii. Discussion of the internal and external land use relationships and compatibility.
 - iv. Discussion of the proposed public features provided.
 - v. Identification of utilities and services to be provided for the development.

- vi. Schedule of development parcels listing land use, proposed underlying zoning district, approximate acreage, density or intensity limit, and applicable development standards.
 - vii. Overall density proposed.
 - viii. Landscaping concepts.
 - ix. Phasing plan and anticipated timing for implementation of the development.
 - x. Master street plan, including street widths and cross-sections.
 - xi. Traffic report including information on trip generation for each development unit, traffic volumes and capacity analysis.
 - xii. Restrictive covenants (if applicable).
 - xiii. Legal description of the PAD boundary.
3. Upon approval of the General Development Plan by the Board of Supervisors, the PAD Zoning District shall be established on the site in accordance with provisions of Chapter 3, Section 303. However, no development shall be permitted until a Specific Development Plan has been approved for the parcel to be developed.
4. The Commission may recommend and the Board of Supervisors may approve conditions to the approval of a PAD including maximum density/intensity, maximum building heights, maximum lot coverage, minimum setbacks, timing and phasing, and other reasonable considerations deemed necessary to promote the purpose of this Ordinance.
5. Major changes to an approved PAD General Development Plan shall be processed in the same manner as the initial application. Minor amendments may be administratively approved by the Department of Planning and Development. For the purposes of this section the following shall be considered a major change to the approved PAD General Development Plan:
- A. A change in individual zoning district category.
 - B. A change in individual zoning district area by 5% or more.
 - C. A change in the number or a substantial change in the location of major streets.
 - D. Any change that is determined by the Planning & Development Department Director to warrant review by the Planning & Zoning Commission and Board of Supervisors.

Article 701.5. Specific Development Plan:

1. Submittal and approval of a Specific Development Plan is required prior to development of any parcel within a PAD.
2. The Specific Development Plan shall be generally consistent with the development parameters set forth in the General Development Plan. Refinements in site configuration and development parcel size are allowable, as long as any limitations applied to the overall PAD are met. A legal description of the development parcel shall be included with application for the Specific Development Plan. Application for the Specific Development Plan shall include information showing the development parcel in the context of the approved PAD and in relation to any other approved Specific Development Plans in the PAD, along with an accounting of density or intensity if limits were stipulated in the PAD approval.
3. For residential parcels, the Specific Development Plan shall be a final plat or an approved Special Use Permit, processed in the same manner and with the same requirements set forth in the County Subdivision Regulations or this Ordinance.
4. For non-residential parcels, the Specific Development Plan shall be a site plan processed in the same manner and with the same requirements set forth for a precise plan of development in Chapter 3, Section 305.

Section 702. UPD (Unit Plan of Development)

Article 702.1. The purpose of a Unit Plan of Development (UPD) is to allow limitation on the entitled uses and variations to the development standards of the underlying zoning district in which a development or project is located. Such limitations and variations may be warranted due to aspects of the site and surrounding community or for projects that require special design techniques or flexibility due to considerations including, but not limited to, the physical limitations of the project site, as well as innovative or sustainable project design techniques.

Article 702.2. The following UPD overlay zoning districts may be established:

1. A Residential Unit Plan of Development (RUPD) may be established in any rural or residential zoning district. A site subject to an RUPD may reduce the minimum required lot area but the average lot area per primary dwelling unit, exclusive of the area occupied by streets, shall not be less than that required by the underlying zoning district.

2. A Commercial Unit Plan of Development (CUPD) may be established in any commercial zoning district.

3. An Industrial Unit Plan of Development (IUPD) which may be established in any industrial zoning district.

Article 702.3. The owners or authorized agents of a site may submit to the Board of Supervisors a plan to develop a UPD. Plans, drawings and specifications shall be in sufficient detail so that reviewing bodies can fully evaluate the proposal and its effects.

Article 702.4. The plan shall be referred to the Planning & Zoning Commission for its review, and recommendation at a public hearing. Notice and procedures for public hearings shall conform to the procedures prescribed in Chapter 3, Section 303.

Article 702.5. The Commission, after holding a public hearing, shall then present its recommendation and the plan to the Board of Supervisors for consideration and public hearing. Notice and procedures for public hearings shall conform to the procedures prescribed in Chapter 3, Section 303.

Article 702.6. The recommendation of the Commission shall include the reasons for approval or disapproval of the plan. If the Commission recommends approval, its recommendation shall include specific evidence and facts.

1. The use(s) of the site will conform to the permitted uses as listed in the use regulations of the zoning district in which it is located.

2. The proposed development will not adversely affect adjacent properties or the permitted uses thereof.

3. The proposed development was designed, and will be constructed, in a manner consistent with sustainable development practices.

4. For a site subject to an RUPD, the average lot area per dwelling unit or manufactured house, exclusive of the area occupied by streets, shall not be less than that required by the zoning district regulation otherwise applicable to the site.

5. For a site subject to a CUPD, the project will have access to, and frontage along, a paved street or sufficient capacity for the proposed use(s).

6. For a site subject to an IUPD, the project will have access to a major street or highway, rail service or other means of transportation.

7. For a site subject to an IUPD, the project will not adversely affect the

public health, safety, and general welfare by causing or producing objectionable effects that would impose hazard to adjacent or other properties by reason of smoke, soot, dust, radiation, odor, noise, vibration, heat, glare, toxic fumes or other undesirable conditions.

Article 702.7. The recommendation of the Commission may include reasonable conditions as deemed necessary to promote the purpose of the Ordinance including, but not limited to, specification or regulation of the following:

1. Yards and open spaces.
2. Fences, walls, or other types of site screening.
3. Points of vehicular and pedestrian ingress and egress.
4. Signs.
5. Landscaping and its maintenance.
6. Outdoor lighting.
7. The number of parking spaces required and the surface of parking areas; however, parking space size and driveway design must meet standard requirements.
8. Noise, vibration, odor, and other potentially dangerous or objectionable elements, for a site subject to a CUPD or an IUPD.
9. Those uses which are permitted and those which are prohibited.
10. Time limit for the start of construction.

Article 702.8. Major Amendments to a UPD shall be processed in the same manner as the initial plan. If, however, the amendment does not alter a development standard or stipulation of approval, then it may be processed administratively, either as a Major or Minor Amendment to the plan or as a plat, as set forth in the provisions of this Ordinance or the Subdivision Regulations.

Section 703. SC (Senior Citizen)

Article 703.1. Purpose:

The SC (Senior Citizen Overlay) Zoning District is intended to provide for planned residential development, designed specifically for residency by persons of advanced age.

Article 703.2. Use Regulations:

1. The SC (Senior Citizen Overlay) Zoning District is an overlay zone and shall be combined with any rural or residential zoning district and not with any other zoning district, (e.g., Rural-190 (SC), R1-35 (SC), R-5 (SC), etc.).
2. The regulations which apply to property in any zone with which the SC Zoning District is combined shall remain the same, except as to the matters specified in this Section. This Section shall apply in lieu of or in addition to and shall supersede the corresponding regulations of such zone with which the SC Zoning District is combined.
3. Temporary use for underage occupancy. Continued occupancy in this district in the dwelling unit by an underage spouse, because of the death or long-term medical relocation of the spouse meeting the age requirement, shall be exempt from this provision. This exemption shall continue only so long as the remaining spouse maintains a sole occupant status. Upon change from a sole occupant status, the age requirements of this district for occupancy shall be met. Otherwise, a Temporary Use Permit for underage occupancy shall be required for occupancy of any underage person beyond the 90 days permitted in Article 703.6.1.

Article 703.3. Height Regulations:

Any building that exceeds two stories in height, shall contain elevators for the use of its occupants.

Article 703.4. Intensity of Use Regulations:

The Senior Citizen Overlay Zoning District shall only be established on parcels of five or more contiguous acres which may include existing or proposed subdivided lots and public or private rights-of-way and easements.

Article 703.5. Parking Regulations:

The required parking spaces as delineated in the underlying zoning district shall be located within 200 feet of the unit it is to serve.

Article 703.6. Additional Regulations:

1. Each dwelling unit, if occupied, shall be occupied by at least one person not less than 55 years of age and no person 18 years of age or under shall reside in any dwelling unit for a period of time exceeding 90 days.
2. Age restrictions listed in Article 703.6.1 above shall not apply to any resident who is a qualified individual with disabilities per the definition of disability in Chapter 2.
3. The following criteria shall be met and maintained for each planned residential development:

- A. At least 80% of the dwelling units shall be occupied by at least one person 55 years of age or older per unit.
- B. Policies and procedures which demonstrate an intent to provide housing for persons 55 years of age or older shall be published and adhered to.
- C. It is the responsibility of the residents and/or owners of properties to provide evidence that the above criteria are met and will be maintained.

(NOTE: The above criteria are based on the requirements contained in Section 100.304 of the Rules and Regulations for implementation of the Federal Fair Housing Amendment Act of 1988).

Article 703.7. Public Hearing Notice and Procedure:

The use and application of this Overlay Zoning District shall be consistent with all other zoning districts in this Ordinance. Notice and procedure for public hearing shall conform to the procedures prescribed in Chapter 3, Section 303. hereof.

Section 704. WICKENBURG SCENIC CORRIDOR

Article 704.1. Purpose:

The principal purposes of the WICKENBURG SCENIC CORRIDOR Overlay Zoning District are:

- 1. To maintain the scenic beauty that now exists along the Wickenburg Highway.
- 2. To encourage orderly and sensitive development within the Scenic Corridor.
- 3. To encourage safe and efficient traffic flow along the Wickenburg Highway.
- 4. To encourage and improve the economic, social and physical living environment for the residents within the Scenic Corridor.
- 5. To encourage sustainable development practices.

Article 704.2. General Provisions:

- 1. The Wickenburg Highway Scenic Corridor Overlay Zoning District encompasses lands within two miles of the edge of the right-of-way of both sides of the Wickenburg Highway (U.S. Highway 60-89) extending from Bell Road (Surprise) to the Town of Wickenburg corporate limits.

2. Persons with property divided by the Scenic Corridor boundary or intensity levels (Classes 1-4) are required to comply with the district standards only for that segment of the property within the boundary according to Chapter 4, Section 405 of the Maricopa County Zoning Ordinance.
3. When standards and requirements differ between the Scenic Corridor Overlay Zoning District and the existing primary zoning district classification, the more restrictive regulation shall apply.
4. All new development shall be required to conform with the Scenic Corridor Overlay Zoning District regulations. Existing uses shall be governed as provided by Chapter 10, Section 1004., Non-Conforming Uses, of the Maricopa County Zoning Ordinance.
5. The Wickenburg Scenic Corridor Overlay Zoning District is divided into four intensity levels according to location and physical features of the Scenic Corridor. These are as follows:
 - A. **Class 1: One-quarter mile to two miles** from Wickenburg Highway Right-of-way.
 - B. **Class 2: 300 feet to one-quarter mile** from Wickenburg Highway Right-of-way.
 - C. **Class 3: Zero to 300 feet** from Wickenburg Highway Right-of-way; from Rocking Hills Drive alignment (Morristown) north to the Town of Wickenburg.
 - D. **Class 4: Zero to 300 feet** from Wickenburg Highway Right-of-way; from Rocking Hills Drive alignment south to Bell Road (Surprise).

Article 704.3. Use Regulations:

Uses allowed within the Scenic Corridor Overlay District shall remain the same as specified in the primary district with which the Overlay District has been combined. However, because of the amount and proliferation of existing commercial zoning, additional commercial zoning (C-O, C-S, C-1, C-2, C-3) will be discouraged. To accommodate needed commercial uses, transfer of commercial zoning within the scenic corridor is allowed. Commercial Zoning may be changed to another commercial classification of equal or less intensity (where C-O is the least intense and C-3 is the most intense). To encourage commercial development in the appropriate areas, *bonus ratios* will be allowed in certain circumstances. Ratios vary according to class designation as follows:

TRANSFER OF COMMERCIAL ZONING BONUS RATIO*

- **Class 3 to Class 1 or 2** 2
(Arterial Intersections)
- **Class 3 to Class 4** 2
(Activity Centers)
- **Class 4 to Class 1 or 2** 2
(Arterial Intersections)
- **Class 4 (Non-activity Center)** 1.5
to Class 4 (Activity Centers)

Note: *Ten acres of C-2 Zoning in Class 3 could be used to designate 20 acres of C-2 Zoning (or C-1, C-O, C-S) in Classes 1, 2 or 4 at arterial intersection or activity centers.

Article 704.4. Standards

The following standards apply in each intensity level Class category:

1. CLASS 1:

- A. **Land Use Plan:** Rezoning shall be consistent with the Scenic Corridor Plan (Goals and Policies and Land Use Plan).

2. CLASS 2:

- A. **Land Use Plan:** Rezoning shall be consistent with the Scenic Corridor Plan (Goals and Policies and Land Use Plan).
- B. **Building Height:** Building heights for new development shall be limited to 33 feet above grade.

3. CLASS 3:

- A. **Land Use Plan:** Rezoning shall be consistent with the Scenic Corridor Plan (Goals and Policies and Land Use Plan).
- B. **Building Height:** Building heights for new development shall be limited to 33 feet above grade.
- C. **Screening:** All non-residential uses shall comply with the following provisions regarding screening:
 - i. Outdoor storage of all items except display goods shall be located to the rear of the principal building and screened with a solid fence.
 - ii. Loading areas shall be screened and located to the rear of structures.

- iii. All parking areas shall be screened from the Wickenburg Highway.
 - iv. Natural drought-tolerant landscaping with vegetation indigenous to the Upper Sonoran Desert shall be placed in front of any wall facing the Wickenburg Highway.
- D. **Signs:** The sign regulations are as provided in Chapter 11, Section 1105 hereof.
- E. **Architecture:** All non-residential uses shall meet the following architectural standards:
- i. A minimum of 80% of surface material, excluding doors and windows, shall be made to appear as if natural materials were used in construction. The use of reflective glass shall be prohibited.
 - ii. All accessory structures and improvements must be similar in style and appearance to the architecture of the principal building.
- F. **Access:** The number of access points to the Wickenburg Highway shall be minimized. A minimum separation of one-half mile between access points on either side of the highway is required unless otherwise approved by the Board of Supervisors after finding that no alternative is available. Common access points will be encouraged for all new development. All intersections of local roads shall be at 90 degrees (right angle) with the Wickenburg Highway.
- G. **Slope:** Development on steep slopes within Class 3 shall be regulated by the following provisions:
- i. Maricopa County Zoning Ordinance, Chapter 9, Section 901., Hillside Development Standards, shall apply to all development of slopes greater than 15%.
 - ii. The existing natural slope of property for all new development shall be maintained according to the following schedule:

SLOPE GRADIENT	PERCENTAGE OF PROPERTY TO KEEP EXISTING NATURAL SLOPE
0 to 5 %	25%
5 to 15%	60%
15 to 25%	80%
25 % +	90%

- H. **Landscape Setback:** All structures, parking areas, and other improvements, except driveways and free-standing signs, shall be set back a minimum of 25 feet from the ultimate right-of-way line of the Wickenburg Highway (U.S. 60-89). For lots less than 250 feet in depth, the minimum setback shall be 10% of the lot depth except that the minimum setback shall not be less than that required by the underlying zoning district. Existing natural vegetation within the required landscape setback shall be preserved. Additional vegetation indigenous to the Upper Sonoran Desert shall be provided if there is insufficient existing vegetation.
- I. **Noise Abatement:** Residential uses adjacent to the Wickenburg Highway or the Santa Fe Railroad shall include noise abatement improvements when warranted.

4. **CLASS 4:**

- A. **Land Use Plan:** Rezoning shall be consistent with the Scenic Corridor Plan (Goals and Policies and Land Use Plan).
- B. **Building Height:** Building Heights for new development shall be limited to 33 feet above road grade.
- C. **Screening:** All non-residential uses shall comply with the following provisions in regard to screening:
 - i. Outdoor storage of all items except display goods shall be located to the rear of the principal building, and screened with a solid fence.
 - ii. Loading areas shall be screened and located to the rear of structures.
 - iii. All parking areas are to be screened from the Wickenburg Highway.
 - iv. Natural drought tolerant landscaping shall be placed in front of any wall facing the Wickenburg Highway.
- D. **Signs:** The sign regulations are as provided in Chapter 11, Section 1105 hereof.
- E. **Architecture:** All non-residential uses shall meet the following architectural standards:
 - i. A minimum of 80% of surface material, excluding doors and windows shall be made to appear as if natural materials were used in construction. The use of reflective glass shall be prohibited.

- ii. All accessory structures and improvements must be similar in style and appearance to the architecture of the principal building.
- F. **Access:** Direct access to the Wickenburg Highway from adjacent property shall be prohibited, except existing development will be allowed temporary access until an alternative method of access is in place. The following access controls shall be implemented as funding becomes available and/or development is approved.
- i. Access points shall be limited to one half mile along the Wickenburg Highway.
 - ii. All intersections of local roads shall be at ninety degrees (right angles) with the Wickenburg Highway.
 - iii. An alternate internal circulation plan which uses existing access points at railroad crossings shall be developed for that area east of the Wickenburg Highway.
 - iv. A frontage road and/or an alternate internal circulation plan shall be developed for those areas west of the Wickenburg Highway which are undeveloped and have parcels of sufficient size to accommodate an internal traffic design.
 - v. Where property adjacent to the Wickenburg Highway (to the west) is developed or there are small parcels for which an alternate method of access cannot be developed, a frontage road shall be constructed on or within Arizona Department of Transportation right-of-way, where possible and necessary.
 - vi. Improvements, and right-of-way dedications when necessary, for access including frontage roads, signalization and intersections shall be the responsibility of new development.
- G. **Landscape Setback:** All structures, parking areas, other improvement except driveways and free-standing signs, shall be setback a minimum of 25 feet from the ultimate right-of-way line of the Wickenburg Highway (U.S. 60-89). For lots less than 250 feet in depth except that the minimum setback shall not be less than that required by the underlying zoning district. Existing natural vegetation within the required landscape setback shall be preserved. Additional natural desert vegetation shall be provided if there is insufficient existing vegetation.
- H. **Noise Abatement:** Residential uses adjacent to the Wickenburg Highway or the Santa Fe Railroad shall include noise abatement improvements when warranted.

- I. If additional right-of-way acquisition is needed, the Railroad will be considered as a viable option.

Section 705. HIGHWAY 74 SCENIC CORRIDOR

Article 705.1. Purpose:

The HIGHWAY 74 SCENIC CORRIDOR Overlay Zoning District establishes criteria that encourage preservation of the natural and cultural landscape and its scenic quality along Highway 74. The specific purpose of this Overlay Zoning District is to:

1. Protect scenic land and associated views and viewsheds of natural, cultural and visual resources along Highway 74, while also recognizing the legitimate expectations of property owners and the County's overall land use and economic needs and goals.
2. Preserve Upper Sonoran Desert and hillside landforms to the greatest extent feasible for the benefit of residents and visitors, and as an economic resource to Maricopa County in tourism and recreation activities.
3. Protect designated recreational areas, such as regional parks, by minimizing any potentially negative impacts from adjacent development.
4. Encourage innovative and sensitive planning, as well as high-quality design and construction techniques for development along Highway 74.
5. Encourage safe and efficient traffic flow along Highway 74.
6. Enhance the economic, social and physical living environment for the residents.
7. Encourage sustainable development practices.

Article 705.2. General Provisions:

1. The Highway 74 Scenic Corridor Overlay Zoning District is comprised of all land 500 feet from each side of the centerline of the Highway 74 right-of-way, from the east boundary line of Section 27, Township 6 North, Range 1 West, Gila and Salt River Base Meridian to the west boundary line of Section 17 of Township 6 North, Range 3 West, Gila and Salt River Base and Meridian.
2. Property divided by the Overlay Zone boundary is regulated by the district standards only for that segment of the property within the zone.

Article 705.3. Permitted Uses:

Uses permitted are those allowed by the primary zoning district with which the Scenic Corridor Overlay Zoning District is combined unless prohibited herein.

Article 705.4. Standards:

In addition to the standards of the underlying zoning district, the following standards shall apply:

1. Height Regulations:

- A. For residential uses, 20 feet within 250 feet of the centerline of Highway 74 and 30 feet from 250-500 feet of the centerline of Highway 74.
- B. For nonresidential uses, 20 feet within 250 feet of the centerline of Highway 74 and 33 feet from 250-500 feet of the centerline of Highway 74.

2. Slopes: In addition to the standards in Chapter 9, Section 901. (Hillside Development Standards), the following standards shall apply:

SLOPE GRADIENT	PERCENTAGE OF PROPERTY TO REMAIN NATURAL OR TO BE REVEGETATED
0 to 5 %	25%
5 to 15%	45%
15 % +	65%

- 3. In locating required natural areas, attention shall be given to preservation of washes and significant natural features on the property and should be incorporated into the drainage plan.
- 4. **Setback from Highway 74:** Within the Scenic Corridor, all structures, fences, parking areas and other improvements except driveways and signs, shall be setback an average of 75 feet and a minimum of 50 feet from the property line to allow an undulating rather than a linear setback and to accommodate the unique terrain and natural features of the site. Existing vegetation within the required setback shall be preserved with the exception of the driveway. Additional vegetation, if provided, shall be native vegetation indigenous to the Upper Sonoran Desert.
- 5. **Screening:** All uses shall comply with the following screening standards:
 - A. All service and outside storage areas shall be screened from public rights-of-way not less than the height of equipment to be screened. Screening shall consist of a solid decorative wall six feet in height to

- conceal trash containers, loading docks, transformers and other mechanical and/or electrical equipment.
- B. All mechanical rooftop equipment must be screened to the height of the tallest equipment and/or integrated with the building design.
6. **Access:** The number of access points to Highway 74 from any one development within the Scenic Corridor shall be limited to one driveway except as follows:
- A. A traffic impact study demonstrates the need for additional driveways due to traffic conditions, and
- B. The governmental jurisdiction concurs with that study and then allows additional driveways as required.
7. **Signs:** The sign regulations are as provided in Chapter 11, Section 1105.2 hereof.
8. **Parking: 5%** of all surface parking area for non-residential development shall be landscaped with native vegetation indigenous to the Upper Sonoran Desert. Perimeter landscaping shall not be included in the 5% and shall not be counted towards the requirements of Chapter 8, Section 802.
9. **Archaeological Survey:** Prior to the issuance of Zoning Clearance, an archaeological survey shall be required for all development with exceptions granted by the State Historic Preservation Officer.
10. **Lighting:** Low level lighting is encouraged. All on-site lighting shall be shielded so as to not illuminate any area outside of the site. The source of light shall not exceed 18 feet in height. All outdoor lighting shall conform to Chapter 8, Section 812. of the Maricopa County Zoning Ordinance.
11. **Architectural Design:** All developments shall select materials and colors that are muted and compatible with the desert environment and help reduce visual contrast, heat gain and glare. Design features are to be included on all sides of a building.
12. **Density Bonus:** To encourage areas of no development within the Corridor, a transfer of density for residential development equal to twice the base zoning will be allowed in property outside and adjacent to the non-developed portion of the property (when the development proposes no development within the Corridor). To receive the density bonus, a non-development easement agreement must be prepared and submitted as part of an accompanying rezoning request for increased density. Upon approval of the increased density request, the easement shall be recorded prior to zoning clearance.

13. **Environmental Evaluation:** For those projects not guided by the National Environmental Policy Act of 1969, a request for a habitat and special status species evaluation shall be made by the developer to the Arizona Game and Fish Department with information forwarded within 45 days to the appropriate County agency. Mitigation and protection measures based on the evaluation shall be reviewed by staff and incorporated into the recommendation to the Commission with final action by the Board of Supervisors.
14. **Utilities:** Utility lines shall be located underground.

Section 706. MILITARY AIRPORT AND ANCILLARY MILITARY FACILITY

Article 706.1. Authority:

The MILITARY AIRPORT AND ANCILLARY MILITARY FACILITY Overlay Zoning District is enacted pursuant to authority granted by Arizona Revised Statutes §11-814.

Article 706.2. Purpose:

The purpose of the Military Airport and Ancillary Military Facility Overlay Zoning District is to adopt and enforce zoning regulations for property in the high noise or accident potential zone to assure development compatible with the high noise or accident potential generated by military airport and ancillary military facility operations that have or may have an adverse effect on public health and safety in compliance with Arizona Revised Statutes §28-8461 and §28-8481 as ordered by the Superior Court of Arizona in the case of Arizona State, et al. v. Maricopa County, et al. (case no. CV 2008-091301). In all cases where there is or may be a conflict between this Military Airport and Ancillary Military Facility Overlay Zone and the underlying zone, the terms of this Military Airport and Ancillary Military Facility Overlay Zone shall control.

Article 706.3. Location:

The Military Airport and Ancillary Military Facility Zoning Overlay District is defined as those areas located within the High Noise or Accident Potential Zone as defined in Arizona Revised Statutes §28-8461.

Article 706.4. Definitions:

For the purpose of this Section, the following are hereby defined:

USE COMPATIBILITY AND CONSISTENCY DETERMINATION (UCCD): A determination by Luke Air Force Base that a proposed use not specifically identified pursuant to Article 706.6.1 of this Ordinance is compatible and

consistent with the high noise or accident potential of a military airport or ancillary military facility.

DAY/NIGHT NOISE LEVEL (LDN): A 24 hour, time-weighted annual average noise level. It is a measure of the overall noise experienced during an entire day.

MILITARY COMPATIBILITY PERMIT: The permit approved by the Board of Supervisors in accordance with this Section, and which allows for the development of uses that are consistent and compatible with the high noise or accident potential of a military airport or ancillary military facility.

PLAN OF DEVELOPMENT: A precise plan that establishes and identifies specific and detailed parameters for the phased or non-phased development of land and supporting infrastructure to be carried out at the time of actual development.

Article 706.5. Military Compatibility Determination:

706.5.1. Any proposed land use not specifically identified as consistent and compatible with the high noise or accident potential of the military airport or ancillary military facility pursuant to Article 706.6.1 of this Military Airport and Ancillary Military Facility Overlay Zone shall, as a pre-condition to the filing of an application for a Military Compatibility Permit and Plan of Development, require an individual Use Compatibility and Consistency Determination (UCCD) by Luke Air Force Base.

706.5.2. A UCCD may be obtained on a form provided by the Department, or by any signed document by an authorized representative of Luke Air Force Base that states the proposed use on the specific property is “consistent and compatible with the high noise or accident potential of the military airport or ancillary military facility.” All requests for UCCD shall be directed through the Planning and Development Department who will forward the appropriate UCCD form to Luke Air Force Base for review and determination prior to application for a Military Compatibility Permit and Plan of Development. The applicant shall pay the appropriate UCCD processing fees at the time of submittal of the UCCD request to the Planning and Development Department.

Article 706.6. Use Compatibility And Consistency:

706.6.1. Before any proposed use of property can be considered for approval, a determination of land use compatibility and consistency must be made in accordance with the following:

	Ldn 65-69	Ldn 70-74	Ldn 75-79	Ldn 80-84	Ldn 85+	APZ 1	APZ 2
Residential							
Residential uses other than the residential uses listed below	No ⁽¹³⁾	No ⁽¹³⁾	No ⁽¹³⁾	No ⁽¹³⁾	No	No	No
Single family residential that is the subject of zoning approved on or before December 31, 2000, or on or before December 31 of the year in which the property becomes territory in the vicinity of a military airport, that permits one dwelling unit per acre or less	Yes ^(9,19)	Yes ^(10,19)	Yes ^(11,19)	No ⁽¹³⁾	No ⁽¹³⁾	No	No ⁽¹³⁾
Single family residential that is the primary residence for persons engaging in agricultural use and ancillary residential buildings incident to the primary agricultural use	Yes ^(9,19)	Yes ^(10,19)	Yes ^(11,19)	Yes ^(12,19)	No ⁽¹³⁾	No	No ⁽¹³⁾
Transportation, communications and utilities							
Railroad and rapid rail transit	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	Yes ⁽¹⁵⁾
Highway and street right-of-way	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Motor vehicle parking	Yes	Yes	Yes	Yes	Yes	Yes ⁽¹⁵⁾	Yes ⁽¹⁵⁾
Communications (noise sensitive)	Yes	Yes ⁽²⁾	Yes ⁽³⁾	No	No	Yes ⁽¹⁵⁾	Yes ⁽¹⁶⁾
Utilities	Yes	Yes	Yes	No	No	Yes ⁽¹⁵⁾	Yes ⁽¹⁶⁾
Other transportation, communications and utilities	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	Yes ⁽⁸⁾	Yes ⁽¹⁵⁾	Yes ⁽¹⁶⁾
Commercial/retail trade							
Wholesale trade	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	Yes
Building materials-retail	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	Yes
General merchandise-retail	Yes	Yes ⁽¹⁾	Yes ⁽²⁾	No	No	No	No
Food-retail	Yes	Yes ⁽¹⁾	Yes ⁽²⁾	No	No	No	No
Automotive and marine	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	No	No	No	No/Yes ⁽¹⁷⁾
Apparel and accessories-retail	Yes	Yes ⁽¹⁾	Yes ⁽²⁾	No	No	No	No
Eating and drinking places	Yes	Yes ⁽¹⁾	Yes ⁽²⁾	No	No	No	No
Furniture and home furnishings-retail	Yes	Yes ⁽¹⁾	Yes ⁽²⁾	No	No	No	No/Yes ⁽¹⁷⁾
Other retail trade	Yes	Yes ⁽¹⁾	Yes ⁽²⁾	No	No	No	No
Personal & business services							
Finance, insurance, real estate	Yes	Yes ⁽¹⁾	Yes ⁽²⁾	No	No	No	Yes
Personal services	Yes	Yes ⁽¹⁾	Yes ⁽²⁾	No	No	No	Yes
Business services	Yes	Yes ⁽¹⁾	Yes ⁽²⁾	No	No	No	Yes
Repair services	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	Yes

	Ldn 65-69	Ldn 70-74	Ldn 75-79	Ldn 80-84	Ldn 85+	APZ 1	APZ 2
Contract construction services	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	No	No	No	Yes
Indoor recreation services	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	No	No	No	Yes
Other services	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	No	No	No	Yes
Industrial/manufacturing							
Food and kindred products	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	Yes ⁽¹⁶⁾
Textile mill products	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	Yes ⁽¹⁶⁾
Apparel	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	Yes ⁽¹⁶⁾
Lumber and wood products	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	Yes ⁽¹⁶⁾
Furniture and fixtures	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	Yes ⁽¹⁶⁾
Paper and allied products	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	Yes ⁽¹⁶⁾
Printing and publishing	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	Yes ⁽¹⁶⁾
Chemicals and allied products	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	No
Petroleum refining, and related industries	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	No
Rubber and miscellaneous plastic	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	Yes ⁽¹⁶⁾
Stone, clay and glass products	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	Yes ⁽¹⁶⁾
Primary metal industries	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	Yes ⁽¹⁶⁾
Fabricated metal products	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	Yes ⁽¹⁶⁾
Professional, scientific, and controlling instruments	Yes	Yes ⁽¹⁾	Yes ⁽²⁾	No	No	No	No
Miscellaneous manufacturing	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	Yes ⁽¹⁶⁾
Public and quasi-public services							
Government services	Yes ⁽¹⁾	Yes ⁽²⁾	Yes ⁽²⁾	No	No	No	Yes ⁽¹⁶⁾
Cultural activities, including churches	Yes ⁽¹⁾	Yes ⁽²⁾	No	No	No	No	No
Medical and other health services	Yes ⁽¹⁾	Yes ⁽²⁾	No	No	No	No	No
Cemeteries	Yes ⁽⁵⁾	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	No	Yes
Nonprofit organizations	Yes ⁽¹⁾	Yes ⁽²⁾	No	No	No	No	Yes
Correctional facilities	Yes ⁽¹⁾	Yes ⁽²⁾	Yes ⁽³⁾	Yes ⁽⁴⁾	No	No	Yes
Other public and quasi-public services	Yes ⁽¹⁾	Yes ⁽²⁾	No	No	No	No	Yes ⁽¹⁶⁾
Outdoor recreation							
Playground and neighborhood parks	Yes	Yes	No	No	No	Yes ⁽¹⁵⁾	Yes
Community and regional	Yes	Yes	No	No	No	Yes ⁽¹⁵⁾	Yes
Nature exhibits	Yes	No	No	No	No	No	No
Spectator sports, incl. arenas	Yes ⁽¹⁴⁾	Yes ⁽¹⁴⁾	No	No	No	No	No
Golf courses and riding stables	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	No	No	Yes ⁽¹⁵⁾	Yes
Water based recreational areas	Yes	Yes ⁽⁵⁾	Yes ⁽⁶⁾	No	No	No	No
Resort and group camps	Yes ⁽¹⁾	Yes ⁽²⁾	No	No	No	No	No

	Ldn 65-69	Ldn 70-74	Ldn 75-79	Ldn 80-84	Ldn 85+	APZ 1	APZ 2
Auditoriums and concert halls	Yes ⁽⁶⁾	Yes ⁽⁷⁾	No	No	No	No	No
Outdoor amphitheaters and music shells	Yes ⁽¹⁴⁾	Yes ⁽¹⁴⁾	Yes ⁽¹⁴⁾	No	No	No	No
Other outdoor recreation	Yes	Yes ⁽¹⁴⁾	Yes ⁽¹⁴⁾	No	No	No	No
Resource production, extraction and open space							
Agriculture (except livestock)	Yes ⁽⁹⁾	Yes ⁽¹⁰⁾	Yes ⁽¹¹⁾	Yes ⁽¹²⁾	Yes ⁽¹³⁾	Yes ⁽¹³⁾	Yes ⁽¹³⁾
Livestock farming and animal breeding	Yes ⁽⁹⁾	Yes ⁽¹⁰⁾	Yes ⁽¹¹⁾	Yes ⁽¹²⁾	Yes ⁽¹³⁾	Yes ⁽¹³⁾	Yes ⁽¹³⁾
Forestry activities	Yes ⁽⁹⁾	Yes ⁽¹⁰⁾	Yes ⁽¹³⁾	Yes ⁽¹³⁾	Yes ⁽¹³⁾	No	Yes
Fishing activities and related services	Yes	Yes	No	No	No	No	No
Mining activities	Yes	Yes	Yes	Yes	Yes	No	Yes ⁽¹⁶⁾
Permanent open space	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Water areas (not incidental to farming)	Yes	Yes	No	No	No	No	No

Subject to the restrictions in this ordinance, land Uses identified as “yes” have been found to be consistent and compatible with the high noise or accident potential of the military airport or ancillary military facility, and a Military Compatibility Permit and Plan of Development may be considered by the Board of Supervisors.

Land Uses identified as “no” have been found to be inconsistent and incompatible with the high noise or accident potential of the military airport or ancillary military facility. However, if Maricopa County and the military airport mutually agree that such use or uses is/are compatible and consistent with the high noise or accident potential of the military airport or ancillary military facility, the use or uses can be allowed. A UCCD will be required to make such a determination.

- (1) Measures to achieve an outdoor to indoor noise reduction level of twenty-five decibels pursuant to this Ordinance must be incorporated into the design and construction of all buildings and Maricopa County must make an express finding, as part of approval, that use of noise reduction level criteria will not alleviate outdoor noise.
- (2) Measures to achieve an outdoor to indoor noise reduction level of thirty decibels pursuant to this Ordinance must be incorporated into the design and construction of all buildings and Maricopa County must make an express finding, as part of approval, that use of noise reduction level criteria will not alleviate outdoor noise.
- (3) Measures to achieve an outdoor to indoor noise reduction level of thirty-five decibels pursuant to this Ordinance must be incorporated into the design and construction of all buildings and Maricopa County must make an express finding, as part of the approval, that use of noise reduction level criteria will not alleviate outdoor noise.
- (4) Measures to achieve an outdoor to indoor noise reduction level of forty decibels pursuant to this Ordinance must be incorporated into the design and construction of all buildings and Maricopa County must make an express finding, as part of the approval, that use of noise reduction level criteria will not alleviate outdoor noise.
- (5) Measures to achieve an outdoor to indoor noise reduction level of twenty-five decibels must be incorporated into the design and construction of portions of buildings where the public is received, office areas, noise sensitive areas or where normal noise level is low.
- (6) Measures to achieve an outdoor to indoor noise reduction level of thirty decibels must be incorporated into the design and construction of portions of buildings where the public is received, office areas, noise sensitive areas or where normal noise level is low.
- (7) Measures to achieve an outdoor to indoor noise reduction level of thirty-five decibels must be incorporated into the design and construction of portions of buildings where the public is received, office areas, noise sensitive areas or where normal noise level is low.

- (8) Measures to achieve an outdoor to indoor noise reduction level of forty decibels must be incorporated into the design and construction of portions of buildings where the public is received, office areas, noise sensitive areas or where normal noise level is low.
- (9) Measures to achieve an outdoor to indoor noise reduction level of twenty-five decibels must be incorporated into the design and construction of new residential buildings or expansions of existing residential buildings.
- (10) Measures to achieve an outdoor to indoor noise reduction level of thirty decibels must be incorporated into the design and construction of new residential buildings or expansions of existing residential buildings.
- (11) Measures to achieve an outdoor to indoor noise reduction level of thirty-five decibels must be incorporated into the design and construction of new residential buildings or expansions of existing residential buildings.
- (12) Measures to achieve an outdoor to indoor noise reduction level of forty decibels must be incorporated into the design and construction of new residential buildings or expansions of existing residential buildings.
- (13) No new residential buildings or expansions of existing residential buildings are permitted.
- (14) Compatible if special sound reinforcement systems are installed.
- (15) No aboveground buildings or structures.
- (16) No new buildings or improvements or expansion of nonagriculture buildings or improvements for uses that result in the release of any substance into the air that would impair visibility or otherwise interfere with operating aircraft, such as any of the following:
 - (a) Steam, dust and smoke.
 - (b) Direct or indirect reflective light emissions.
 - (c) Electrical emissions that would interfere with aircraft and air force communications or navigational aid systems or aircraft navigational equipment.
 - (d) The attraction of birds or waterfowl such as operation of sanitary landfills or maintenance of feeding stations.
- (e) Explosives facilities or similar activities.
- (17) If located in the extended portion of accident potential zone two in territory of Maricopa County described in section 28-8461, paragraph 9, subdivision (a).
- (18) Uses not listed are presumed to not be compatible. If Maricopa County and the military airport mutually agree that an individual use is compatible and consistent with the high noise or accident potential of the military airport or ancillary military facility, the use shall be presumed to be compatible.
- (19) Building permits for new residences and expansions of existing residences are only allowed if 1) the landowner acquired a “vested” property right on or before January 1, 2010; or 2) if Maricopa County and the military airport mutually agree that an individual use is compatible and consistent with the high noise or accident potential of the military airport or ancillary military facility pursuant to A.R.S. §28-8481(J); or 3) pursuant to a military land use variance granted pursuant to Article 706.10 of this ordinance. For the purposes of this section, A landowner will be deemed to have a “vested” property right only if the landowner (a) had a building permit or special use permit for a residential use, and (b) undertook substantial physical construction on the site pursuant to that building permit, or incurred substantial monetary expenditures for construction on the site pursuant to that building permit, or made considerable contractual commitments pursuant to that building permit.

For residential land uses:

- 706.6.2.** For proposed residential land uses identified with a “yes” in paragraph 706.6.1 that do not require approval of a preliminary and final plat, the applicant shall proceed forward to apply for building permits pursuant to the rules and requirements of this Ordinance.

For non-residential land uses:

- 706.6.3.** For proposed non-residential land uses identified with a “yes” in paragraph 706.6.1 the applicant shall apply for a Military Compatibility Permit and Plan of Development pursuant to Article 706.7 and other applicable requirements of this Ordinance.
- 706.6.4.** For proposed non-residential land uses that are not specifically identified in paragraph 706.6.1, a UCCD shall be required pursuant to Article 706.5. Upon receipt of a UCCD, the applicant shall apply for a Military Compatibility Permit and Plan of Development pursuant to Article 706.7 and other applicable requirements of this Ordinance.

Other Requirements:

- 706.6.5.** Approval of a Military Compatibility Permit also requires approval of a Plan of Development pursuant to Section 305 of this Ordinance. At the discretion of the applicant, the required Plan of Development may be filed concurrently with or separately from the application for a Military Compatibility Permit. If filed concurrently, a single application covering both cases is required. If filed separately, then separate applications are required.
- 706.6.6.** A determination of compatibility and consistency pursuant to Article 706.6.1 or by UCCD does not guarantee approval of a Military Compatibility Permit or a Plan of Development; such approval shall be at the discretion of the Board of Supervisors pursuant to Article 706.7 of this Ordinance.

Article 706.7. Military Compatibility Permit Procedures:

If the required application for Plan of Development is submitted concurrent with the application for Military Compatibility Permit, the following procedures shall apply:

- 706.7.1.** The applicant shall apply for a Military Compatibility Permit with Plan of Development together as a single application, with supporting statements, identifying the proposed use of the buildings, structures, and premises, to the Board of Supervisors. These applications and supporting statements shall be referred to the Commission for its review, report, recommendation, and public hearing.

- 706.7.2.** The Commission, having held a public hearing, shall then present its report, recommendation, and the plans, together with the supporting statement, to the Board of Supervisors for consideration and public hearing. Notice and procedure for public hearing shall conform to the procedures prescribed in Section 304 of this Ordinance.
- 706.7.3.** The recommendation of the Commission shall include its reasons for approval or disapproval of such plans and supporting statement, and if recommended for approval, specific evidence and facts showing that the use is compatible and consistent with the high noise or accident potential of a military airport or ancillary military facility, that all county standards and requirements will be followed, and that necessary safeguards will be provided for the protection of adjacent property or the permitted uses thereof.
- 706.7.4.** The recommendation of the Commission may include variations of the standards and requirements of the underlying zoning district including, but not limited to the following:
- Yards and open spaces.
 - Fences and walls, or other screening.
 - Parking areas, street improvements, including provision of service roads or alleys when practical and necessary, except for paving requirements unless it can be shown that the paving alternative will comply with the Maricopa Association of Government's Particulate Plan for PM-10 by reducing particulate pollution.
 - Regulation of points of vehicular ingress and egress.
 - Regulation of signs.
 - Landscaping and maintenance thereof.
 - Maintenance of grounds.
 - Control of noise, vibration, odor and other potentially dangerous or objectionable elements.
 - Time limits may be imposed for the commencement of construction and/or review and further action by the Commission; and/or a time limit within which the Military Compatibility Permit and Plan of Development shall cease to exist.
- 706.7.5.** The Commission shall not vary any standard or requirement without a specific finding that military airport or ancillary military facility compatibility is preserved pursuant to Arizona Revised Statutes.

- 706.7.6.** The Board of Supervisors shall not approve any application unless it finds that the proposed use on the specific property is consistent and compatible with the high noise or accident potential of the military airport or ancillary military facility.
- 706.7.7.** Amendments shall be processed in the same manner as the initial plans and supporting statement of proposed use.
- 706.7.8.** Non-compliance with the stipulations of the Military Compatibility Permit or Plan of Development approval shall be considered a zoning violation.

If the required application for Plan of Development is submitted separately from the application for Military Compatibility Permit, the following procedures shall apply:

Military Compatibility Permit:

- 706.7.9.** Upon receipt of an application for a Military Compatibility permit, the Board of Supervisors shall submit it to the Commission for report and recommendation. Prior to presenting its report and recommendation to said Board, the Commission shall hold public hearing thereon after giving at least 15 days notice thereof by publication once in a newspaper of general circulation in the seat of Maricopa County and by posting of the area included in the proposed Military Compatibility Permit. The posting shall be in no less than two places with at least one notice for each one-quarter mile of frontage along perimeter public rights-of-way so that the notices are visible from the nearest public right-of-way.
- 706.7.10.** The Commission shall also send notice by first class mail to each real property owner as shown on the last assessment of the property within 300 feet of the proposed Military Compatibility Permit and each county or municipality which is contiguous to the area of the Military Compatibility Permit. The notice sent by mail shall include, at a minimum, the date, time, and place of the hearing on the Military Compatibility Permit including a general explanation of the matter to be considered, a general description of the area of the Military Compatibility Permit, and notification that if 20% of the property owners by area and number within the Military Compatibility Permit area file protests, an affirmative vote of three-fourths of all members of the Board will be required to approve the Military Compatibility Permit.
- 706.7.11.** If the Planning Commission has held a public hearing, the Board may adopt the recommendations of the Planning Commission through use of a consent calendar without holding a second public hearing if there is no objection, request for public hearing, or other protest. If there is an objection, a request for public hearing, or a protest the Board of Supervisors shall hold a public hearing on such petitions giving at least 15 days notice thereof by publication once in a newspaper of general circulation in the seat of Maricopa County,

and by adequate posting of the area of concern in said petition at least 15 days in advance of the public hearing. After holding the public hearing the Board of Supervisors may adopt the petitioner's proposed Military Compatibility Permit provided that if 20% of the owners, by number and by area of all property within 300 feet of the proposed Military Compatibility Permit, file a protest such Military Compatibility Permit shall not be approved except by a three-fourths vote of all members of the Board of Supervisors. However, except that the required number of votes shall in no event be less than a majority of the full members of the Board.

- 706.7.12.** In calculating the owners by area for a protest, only that portion of a lot or parcel of record situated within 300 feet of the property subject to the Military Compatibility Permit shall be included. In calculating the owner by number or area, County property and public rights-of-way shall not be included.
- 706.7.13.** A decision by the Board of Supervisors involving a Military Compatibility Permit shall not be effective until the dedication of required right-of-way, but not prior to 31 days after final approval of the Military Compatibility Permit by the Board. Unless a resident files a written objection with the Board of Supervisors, the Military Compatibility Permit may be enacted as an emergency measure that becomes effective immediately by a four-fifths majority vote of the board.
- 706.7.14.** The Board of Supervisors shall not approve any application unless it finds that the proposed use on the specific property is consistent and compatible with the high noise or accident potential of the military airport or ancillary military facility.
- 706.7.15.** If a petition for Military Compatibility Permit is withdrawn by the applicant or denied by the Board of Supervisors, that petition shall not be refiled nor shall there be filed with the Board of Supervisors any other Military Compatibility Permit for the same parcel(s) within a period of one year unless in the opinion of the Commission there is a change of circumstances warranting such filing.
- 706.7.16.** Non-compliance with the stipulations of Military Compatibility Permit approval shall be considered a zoning violation.
- 706.7.17.** Any change or modification to an approved Military Compatibility Permit shall be considered an amendment to the approved Military Compatibility Permit, and shall be processed accordingly pursuant to the provisions of this Ordinance. Staff shall determine whether the change constitutes a Minor or Major Amendment according to the provisions set forth in this Ordinance.

Plan of Development:

- 706.7.18.** All development that requires a Military Compatibility Permit pursuant to this Ordinance shall be subject to Plan of Development approval as set forth in

the provisions of this Ordinance. A preliminary plat shall serve as a Plan of Development for applicable residential projects. For industrial and commercial projects, a separate plan of development shall be approved, along with preliminary and final plat approval as applicable, which shall be subject to the Maricopa County Subdivision Regulations, the Military Airport and Ancillary Military Facility Overlay Zoning District and other provisions of this Ordinance, and other applicable county regulations and ordinances.

- 706.7.19.** A Plan of Development that is required as part of a Military Compatibility Permit shall be processed through the Planning and Zoning Commission and Board of Supervisors for approval in the manner outlined in this Ordinance.
- 706.7.20.** An application and phasing plan, if proposed, for a Plan of Development shall be submitted to the Planning and Development Department through the One Stop Shop (OSS) on an official form provided by the Department. The application shall satisfy the submittal requirements as well as pertinent regulations as set forth in the provisions of this Ordinance or from other county departments. The application shall contain sufficient information for staff to determine whether the proposal meets the requirements of the County.
- 706.7.21.** A Plan of Development is a precise plan in which the standards and regulations of the underlying zoning district shall remain the same unless otherwise modified by the Board of Supervisors. However, the Board of Supervisors shall not vary any standard or regulation without a specific finding that the military airport or ancillary military facility compatibility is preserved pursuant to Arizona Revised Statutes.
- 706.7.22.** For all development subject to a Plan of Development, an approved Plan of Development and subsequent building permits are required prior to the commencement of any construction or development on the site. The applicant shall ensure that required building permits for the site or first phase are issued within two (2) years of the date of approval of the Plan of Development. Prior to the date of expiration, the applicant may file a single request via a Minor Amendment application for a one (1) year time extension authorized by the Director of Planning and Development. If the time frame has expired, the applicant shall submit a new Plan of Development application.
- 706.7.23.** Any change or modification to an approved Plan of Development shall be considered an amendment to the Plan of Development, and shall be processed accordingly pursuant to the provisions of this Ordinance. Staff shall determine whether the change constitutes a Minor or Major Amendment according to the provisions set forth in this Ordinance.
- 706.7.24.** Non-compliance with the stipulations of Plan of Development approval shall be considered a zoning violation.

Article 706.8. Citizen review process:

- 706.8.1.** Upon application for a Military Compatibility Permit and/or Plan of Development, a citizen review process shall be conducted. The purposes of the citizen review process shall be the following:
1. Adjacent landowners and other potentially affected citizens will be notified of the application and substance of the proposed Military Compatibility Permit and/or Plan of Development.
 2. Adjacent landowners and other potentially affected citizens will be provided an opportunity to express any issues or concerns they may have with the proposed Military Compatibility Permit and/or Plan of Development before any public hearing required as set forth in this Ordinance.
- 706.8.2.** Prior to any application for a Military Compatibility Permit and/or Plan of Development, the applicant shall conduct a pre-application meeting with the Planning and Development Department.
- 706.8.3.** Within 30 days upon submitting an application for a Military Compatibility Permit and/or Plan of Development, the applicant shall post the property included in the proposed development. The posting shall be in no less than two places with at least one notice for each quarter mile of frontage along perimeter right-of-way so that the notices are visible from the nearest public right-of-way. Each notice shall be a minimum of six square feet in area and shall be laminated. The posting shall include, at a minimum, a brief description of the area of the Military Compatibility Permit and/or Plan of Development, a general explanation of the nature of the proposed Military Compatibility Permit and/or Plan of Development, the name of the applicant, and contact information for the applicant. A signed affidavit along with photographic evidence shall be submitted to staff demonstrating proof of posting within 30 days of application submittal.
- 706.8.4.** Within 30 days of submitting an application for a Military Compatibility Permit and/or Plan of Development the applicant shall also send notice by first class mail to each real property owner as shown on the last assessment of the property within three hundred feet of the proposed Military Compatibility Permit and/or Plan of Development. The notice by mail shall include, at a minimum, description of the area of the proposed Military Compatibility Permit and/or Plan of Development, a general explanation of the nature of the proposed Military Compatibility Permit and/or Plan of Development, the name of the applicant, and contact information for the applicant. A copy of the notice and an affidavit demonstrating proof of such notification shall be submitted to staff within 30 days of application submittal.

- 706.8.5.** Every application for a Military Compatibility Permit and/or Plan of Development shall include a citizen participation plan. The citizen participation plan, at a minimum, shall include the following information:
1. Which residents, property owners, interested parties, political jurisdictions and public agencies may be affected by the application.
 2. How those interested in and potentially affected by an application will be notified that an application has been made.
 3. How those interested and potentially affected parties will be informed of the substance of the proposed Military Compatibility Permit and/or Plan of Development.
 4. How those affected or otherwise interested will be provided an opportunity to discuss the applicant's proposal with the applicant and express any concerns, issues or problems they may have with the proposal in advance of the public hearing.
 5. The applicant's schedule for completion of the citizen participation plan.
 6. How the applicant will keep the Planning Department informed on the status of their citizen participation efforts.
- 706.8.6.** The level of citizen interest and area of involvement will vary depending on the nature of the application and the location of the site. The target area for early notification will be determined through a coordinated effort of the applicant and staff. The Planning Director shall resolve any disputes that may arise while arriving at the target area. At a minimum, the target area shall include the following:
1. Real property owners within the noticing area set forth in Article 706.8.4 herein;
 2. The head of any homeowners association within the noticing area set forth in Article 706.8.4 herein;
 3. Other potentially affected citizens in the target area who have requested that they be placed on the routing list maintained by the Planning Department.
- 706.8.7.** The applicant may submit a citizen participation plan and begin implementation prior to formal application at their discretion. This shall not occur until after the required pre-application meeting and consultation with planning department staff.
- 706.8.8.** The citizen participation plan shall include a written report on the results of the citizen participation effort prior to notice of public hearing set forth in this

Ordinance. At a minimum the citizen participation report shall include the following information:

1. Details and techniques the applicant used to involve the public, including:
 - A. Dates and locations of any and all meetings where citizens were invited to discuss the applicant’s proposal;
 - B. Content, dates mailed, and number of mailings, including letters, meeting notices, newsletters and other publications;
 - C. The location of residents, property owners, and interested parties receiving notices, newsletters or other written materials;
 - D. The number of people that participated in the process.
2. A summary of perceived or real concerns, issues and problems expressed during the process, including:
 - A. The substance of the concerns, issues, and problems;
 - B. How the applicant has addressed or intends to address perceived or real concerns, issues, and problems expressed during the process; and,
 - C. Perceived or real concerns, issues and problems with which the applicant disagrees, which the applicant cannot address, or which the applicant chooses not to address, including an explanation of the applicant’s reasoning.

Article 706.9. Compatible Uses:

706.9.1. Maricopa County and Luke Air Force Base mutually agree that the following uses are compatible and consistent with the high noise or accident potential of the military airport or ancillary military facility on any property and do not require an individual Use Consistency and Compatibility Determination or a Military Compatibility Permit:

1. Non-habitable accessory uses to an existing and properly permitted primary use, defined as an accessory structure not occupied by people and not provided with mechanical means of air, ventilation, and/or heat. No accessory structure or building appurtenance may exceed 30 feet in height.

Article 706.10. Military Land Use Variance; Process

706.10.1. Upon written request of the Attorney General of Arizona only, the Board of Supervisors shall consider granting a military land use variance pursuant to A.R.S. §28-8481(C) that would permit a variation from the land use regulations outlined in A.R.S. §28-8481(J) and Article 706.6, Section 706.6.1 of this ordinance.

- 706.10.2.** Upon the written request pursuant to Section 706.10.1 of this ordinance, the military land use variance shall be scheduled for consideration by the Board of Supervisors at a public meeting. Should the Board of Supervisors approve the military land use variance request, notice of such approval shall be sent to the Attorney General of Arizona within three business days after such approval. Notice of such approval shall also be sent to the affected property owner(s) which shall also include a detailed explanation of the implications of the military land use variance.

Article 706.11. General provisions:

- 706.11.1.** Persons with property divided by the Military Airport and Ancillary Military Facility Overlay Zoning District are required to comply with the provisions of this Section only for that segment of the property within the overlay zoning district. Where the Military Airport and Ancillary Military Facility Overlay Zoning District divides a lot or parcel of land, the Military Airport and Ancillary Military Facility Overlay Zoning District line shall be treated as a property line for applying all provisions of this Section.
- 706.11.2.** When standards and requirements differ between the Military Airport and Ancillary Military Facility Overlay Zoning District and the existing zoning district classification, the more restrictive regulation shall apply.
- 706.11.3.** All new uses of land shall be required to conform with the Military Airport and Ancillary Military Facility Overlay Zoning District. Existing uses of land and buildings shall be governed as follow:
1. Any use of land, buildings, or structures, lawfully existing at the time this Section or amendments thereto become effective, may be continued even though such use does not conform with the regulations of this Section or amendments thereto.
 2. In the event that a nonconforming use of land, building, or structure is discontinued for a period of 12 consecutive months, any future use thereof shall be in conformity with the regulations of this Section.
 3. In the event that a nonconforming use of land, building or structure is destroyed by fire, explosion, act of God, or act of the public enemy to the extent of 75% of its value, according to the appraisal thereof by competent appraisers, then and without further action by the Board of Supervisors, the future use thereof shall from and after the date of such destruction be subject to all the regulations of this Section or amendments thereto.
 4. A nonconforming use of land, building, or structure shall not be enlarged, extended, reconstructed, or altered unless such enlargement, extension, reconstruction, or alteration conforms with the regulations of this Section.

Chapter 8 | General Regulations

Section 801. Applying General Provisions

The regulations set forth in this Chapter qualify or supplement, as the case may be, the zoning district regulations appearing elsewhere in this Ordinance.

Section 802. Parking Regulations

Article 802.1. Minimum Requirements:

There shall be provided parking spaces for each use on a lot based on the following chart

ARTICLE 802.1 - Parking Requirements*	
Use	Minimum Parking Spaces
Residential Uses	
1. Mobile Home & Travel Trailer/RV Park	One per approved space + spaces to meet the needs of any commercial, office or public assembly
2. Single-family (includes mobile homes on owned lots)	Two per dwelling unit
3. Multiple-family**	Two per dwelling unit + 20% of the required parking must be reserved for guest parking spaces
4. Fraternities & Sororities**	One and one-half per each sleeping room
Public Assembly**	
1. Schools, public, private and charter	One per 400 square feet of floor area
2. All other public assembly uses	One per 200 square feet of floor area
Commercial Uses**	
1. Golf Courses	Four spaces per golf course green
2. Group Care Facilities	One space per employee and 0.25 spaces per bed over ten residents
3. Hotels, Guest Ranches and Resort Hotels	One per sleeping room + spaces to meet the needs of any commercial, office or public assembly

ARTICLE 802.1 - Parking Requirements*	
Use	Minimum Parking Spaces
4. Office and Commercial Uses	One per 300 square feet of floor area
5. Outdoor Dining	One per 100 square feet
6. Outdoor Displays	One per 5,000 square feet
7. RV/Boat Storage & Mini and Indoor Mini Storage Facilities	Four spaces per office and two spaces for caretaker's quarters (if any)
8. Special Events Venue	0.5 spaces per maximum permitted occupancy on site
Industrial Uses**	
1. Industrial, Wholesale & Manufacturing Uses	One per 1,000 square feet of floor area
2. Warehouse Uses	One per 1,000 square feet of floor area
*Parking requirements apply to structures associated with the primary or principal use of the property. **Quantity of accessible parking shall be provided based on the requirements of the accessibility standards currently adopted by Maricopa County.	

Article 802.2. Fractional Measurements:

One additional parking space shall be required if the number of required parking spaces results in a fractional number.

Article 802.3. Location:

802.3.1. Parking spaces shall be located on the same lot as the use they are intended to serve, or within 600 feet of the use to be served, provided:

1. Written assurances are supplied to the Zoning Inspector that the off-site parking will be continuously available during normal business hours of the use to be served; and
2. Such off-site parking is paved, has a zoning entitlement equal to or more intense than the use served, and is included in a new or existing approved Plan of Development.
3. Shared Parking Agreements. The Zoning Inspector or their designee may approve the use of a shared parking agreement between two or more separate sites that meet the above requirements, provided the agreement is in writing, recorded with the County Recorder, and binding

on successors in interest to all affected properties. If the agreement lapses or is terminated, the affected property must either secure a new shared parking agreement or provide the full number of required parking spaces. Failure to do so shall constitute a violation of this Ordinance.

802.3.2. Parking spaces shall be located such that each space has access to the use to be served without crossing an arterial street, or a railroad right-of-way, unless requirement is waived by the Zoning Inspector due to a written approved valet parking plan or other provision.

802.3.3. The number and location of required parking spaces, and the distance of parking spaces from the use to be served, may be waived by the Zoning Inspector with a written approved valet parking plan.

802.3.4. A reduction in required parking spaces may be approved for commercial, industrial, or multifamily residential developments based on a professional parking demand study that:

1. Is prepared and signed by a licensed professional engineer or certified transportation planner;
2. Demonstrates, using relevant data and site-specific factors, that the reduced parking supply will adequately serve the proposed use without causing adverse impacts to surrounding properties or public facilities;
3. Considers factors such as unit mix and size (for multifamily), proximity to transit, bicycle facilities, on-street parking availability, and transportation demand management measures;
4. Receives approval from both the Planning and Development Department and MCDOT.
5. A parking reduction greater than 20% for a commercial or multifamily residential development must be approved by the Board of Supervisors with recommendation from the Planning and Zoning Commission.

Article 802.4. Mixed Uses:

The required parking spaces shall be the sum of the required parking spaces for each of the individual uses.

Article 802.5. Joint Use:

This Ordinance allows the joint use of parking spaces for two or more buildings or uses if the total spaces equals the spaces required for the individual buildings or uses during their normal hours of operation, determined by the Zoning Inspector or their designee with a written agreement between property owners for two or more buildings.

Article 802.6. Accessible Parking:

- 802.6.1.** Such spaces shall be located on the shortest accessible route to building entrances. The accessible route shall not be permitted to be used for drainage.
- 802.6.2.** Such spaces shall show the international accessible symbol and say "Reserved". Such signs shall be exempted from the Sign Regulations of this Ordinance.
- 802.6.3.** Such space shall have an international accessible symbol painted on the ground to the rear of the parking space.

Article 802.7. Design Standards:

The following parking space/lot design standards shall be complied with:

- 802.7.1.** Parking areas, excluding single-family residential uses, shall be paved, unless otherwise determined by the zoning inspector.

Type of Material	Compliance with 802.7.1
Paving or Asphalt	Yes
Liquid asphaltic binder/emulsifier with millings	Yes
Stabilized decomposed granite	Yes
Asphalt Millings	No
Decomposed granite	No

- 802.7.2.** Parking areas for single-family residential uses must be paved or surfaced with decomposed granite or an ABC materials to minimize dust pollution. Surfacing alternatives may be approved at the discretion of the Zoning Inspector or their designee.
- 802.7.3.** Parking spaces, aisles, and driveways shall be so arranged as to require ingress and egress from the lot to a street by forward motion of the vehicle. *
- 802.7.4.** Parking spaces shall be designed so that vehicles exiting there from will not be required to back onto or across any sidewalk or street. *
- 802.7.5.** Adjacent to any rural or residential zone parking areas shall be screened from view, except when separated by a public street. Any parking area facing a street shall be screened with a three foot tall solid wall or landscaped berm to minimize headlight glare.

- 802.7.6.** Any lights used to illuminate parking areas shall be so arranged and screened as to reflect the light away from adjoining lots in rural or residential districts and from streets or from any residential use in commercial zoned districts. Such lights shall be in accordance with any adopted County Outdoor Lighting Ordinance and shall have a maximum height of 18 feet.
- 802.7.7.** Parking areas shall be visually screened from abutting road right-of-way (excluding alleys) by a building or a three foot tall solid wall, landscaped berm or fence of 80% opacity to minimize headlight glare or a strip of landscaping at least five feet in width.
- 802.7.8.** Either a wall or a minimum six inches high curb or bumper guard shall be installed to ensure that no part of a parked vehicle shall extend past any property line.
- 802.7.9.** Parking spaces shall be designated by striping.
- 802.7.10.** The design of roads, pedestrian walks, and open spaces within parking areas are subject to approval by the Zoning Inspector and shall be arranged so that pedestrians are not unnecessarily exposed to and endangered by vehicular traffic.
- 802.7.11.** Paved and comfortably graded accessible pedestrian walkways shall be provided from the parking areas to the primary building entrance along lines of the most intense pedestrian use, particularly from building entrances to streets, parking areas, and adjacent buildings.
- 802.7.12.** Only one parking area entrance and one parking area exit; or one combined parking area entrance and exit is allowed for a lot or parcel along any one street unless otherwise approved by the County Engineer.

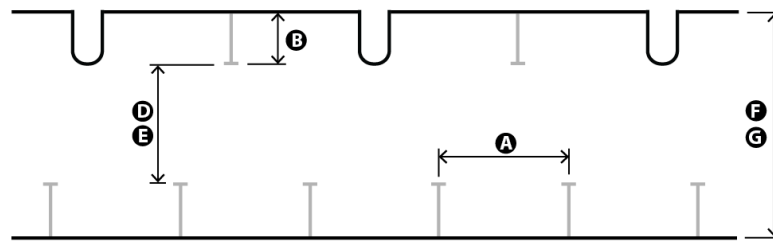
* Requirement applies except for a single-family dwelling, a single two-family dwelling, and an individual mobile home on a lot of record.

Article 802.8. Parking Area Dimensions:

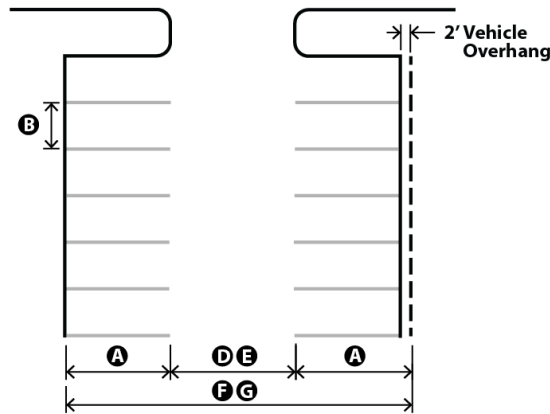
Dimensions of parking spaces and access areas shall be in accordance with the following:

Figure 1 — SEE PARKING LAYOUT GRAPHIC

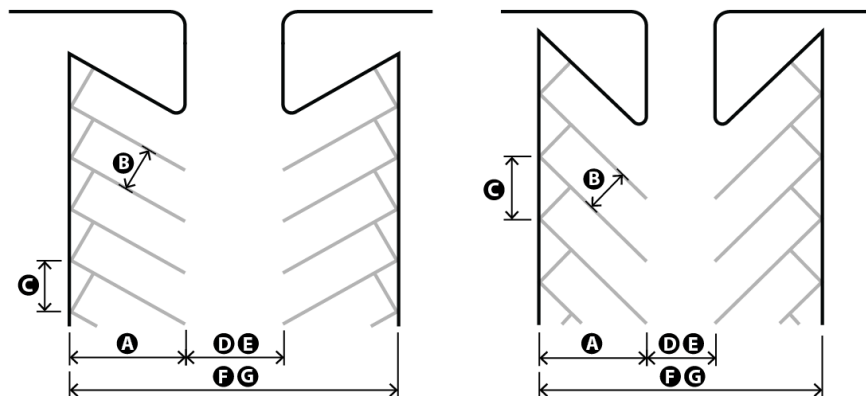
Angle of Parking	MINIMUM DIMENSIONS						
	Stall Depth (A)	Stall Width (B)	Curb Length (C)	Aisle Width (One Way) (D)	Aisle Width (Two Way) (E)	Overall Width (One Way) (F)	Overall Width (Two Way) (G)
0° (Parallel)	22'	9'	n/a	12'	24'	30'	42'
90° (Perpendicular)	18'	9'	n/a	24'	24'	60'	60'
30° (Angular)	16.8'	9'	18'	12'	18'	45.6'	51.6'
45° (Angular)	19.1'	9'	12.7'	13'	20'	51.2'	58.2'
60° (Angular)	20.1'	9'	10.4'	18'	22'	58.2'	62.2'



PARALLEL PARKING (0°)



PERPENDICULAR PARKING (90°)



ANGULAR PARKING (30°, 45°, 60°)

Article 802.9. Additional Parking Regulations:

In addition to the above parking requirements, the following requirements must be met:

- 802.9.1.** No Zoning Clearance shall be issued unless the required parking as indicated in this section is provided.
- 802.9.2.** Whenever a Zoning Clearance has been granted, the subsequent use of the property is conditioned upon the provision of the parking spaces contained in the approved plans.
- 802.9.3.** No addition or enlargement of an existing building or use shall be permitted unless the parking requirements of this Ordinance are met for the entire building or use.
- 802.9.4.** The parking or storage of a non-accessory vehicle except for normal deliveries having a gross vehicle weight greater than 10,000 lbs. on any lot in any rural or residential zoning district is prohibited.
- 802.9.5.** Not more than three unregistered and/or inoperable motor vehicles shall be stored on any lot or parcel of land within any rural or residential zoning district, and such unregistered or inoperable vehicles if stored out of doors shall be stored in other than required front yard and such that it is visually screened by a solid wall or fence from any public or private street right-of-way unless stored within an attached carport. Such storage shall maintain a five (5) foot clear patch around any structure.
- 802.9.6.** The use of any required parking area for motor vehicle repair work, or permanent display, or sales of any kind is prohibited, and any required parking area shall be available for customer, patron, and employee parking at all times during normal business hours. Use of the parking area is prohibited without an appropriate entitlement.
- 802.9.7.** Parking structures, which have no portion above grade, shall not be included in the calculation of lot coverage for the site.
- 802.9.8.** Off-street parking provided for employees of office or commercial or industrial uses requiring 50 or more spaces shall designate at least 10% of the total number of parking spaces for use by car and/or van pools, and be clearly signed, reserved, and managed to that end.
- 802.9.9.** Off-street parking provided for employees of office or commercial or industrial uses requiring 100 or more spaces shall designate at least 15% of the total number of parking spaces for use by car and/or van pools and be clearly signed, reserved, and managed to that end; and shall design and construct convenient facilities in order to secure bicycles; and shall design and provide for needed transit facilities, such as, but not limited to, park and ride parking spaces and transit stops and shelters as determined by the Regional Public Transit Authority; and shall provide to the Maricopa County Trip Reduction Office, plans and programs to reduce total vehicle trips in conformance with the State of Arizona and Maricopa County goals, policies, regulations, and plans.

- 802.9.10.** For those large scale residential and/or commercial developments that include one or more regulation golf courses and which propose to use golf carts to meet some of the transportation needs, one of the two required parking spaces for single-family and multiple-family dwellings may be a golf cart parking space. Such golf cart parking space shall be a maximum size of six feet in width by 12 feet in depth and shall not be used for any purpose other than golf cart parking. Up to 10% of the required parking spaces at regulation golf courses in the above large scale developments may be golf cart parking spaces.
- 802.9.11.** All drive-through facilities shall have a minimum of 100 linear feet of queuing space per bay or pick-up window. Queuing lengths shall be a linear measurement from the point of service.

Section 803. Loading and Unloading Regulations

Article 803.1. Commercial buildings:

For all commercial buildings hereafter erected, or for any building converted to such use or occupancy, there shall be provided one loading and unloading space not less than ten feet in width, 20 feet in length for each 25,000 square feet of floor area, or fraction thereof, devoted to such use in the building.

Article 803.2. Wholesale, Manufacturing and Industrial Buildings:

For all wholesale, manufacturing and industrial buildings hereafter erected, or for any building converted to such use or occupancy, there shall be provided one loading and unloading space for each 10,000 square feet of floor area, or fraction thereof, devoted to such use in the building.

Article 803.3. Location:

The required loading and unloading spaces shall in all cases be on the same lot as the use they are intended to serve.

Article 803.4. Collective Action:

This Ordinance shall not be construed to prevent the joint use of loading and unloading spaces for two or more buildings or used if the total of such spaces when used together is not less than the sum of the spaces required for the various individual buildings or uses computed separately.

Article 803.5. Mixed Uses:

In the case of mixed uses, the required loading and unloading spaces shall be the sum of the required loading and unloading spaces for the various uses computed separately, and such spaces for one use shall not be considered as providing required loading and unloading for any other use.

Section 804. Right-of-Way Acquisition

The recommendation of the Commission on a proposed zoning district boundary or application for a Special Use Permit or application for a Military Compatibility Permit or an administratively approved Plan of Development may include appropriate provision for acquiring right-of-way for street widening purposes. The amount of land recommended for such acquisition, however, shall be determined by MCDOT .

The recommendation of the Commission on a proposed zoning district boundary, application for a Special Use Permit, application for a Military Compatibility Permit, or an administratively approved Plan of Development may identify the need for right-of-way to accommodate planned street widening. Any required dedication of right-of-way shall be imposed, if applicable, at the time of subdivision plat or development plan approval, and the amount of land to be dedicated shall be determined by MCDOT based on adopted transportation plans and proportionality to the development's impact.

Section 805. Transportation, Access and Future Right-of-Way Lines**Article 805.1. Establishment:**

The following setback lines are hereby established for reservation of future rights-of-way:

805.1.1. Transportation System Plan: 25 feet to 200 Feet from and on both sides of the centerline of all existing or proposed routes based upon the route's future functional classification listed in the MCDOT Transportation System Plan and width corresponding to the MCDOT Roadway Design Manual, both as may be amended, or as determined by MCDOT. If not designated in Article 805.1.1, then Article 805.1.2 shall apply.

805.1.2. Grid Network:

1. 65 feet from and on both side of the centerline of all section lines or as indicated in the Transportation System Plan, as may be amended.
2. 40 feet from and on both sides of the centerline of all existing midsection lines or as indicated in the Transportation System Plan, as may be amended.

Article 805.2. Measurement:

On any lot wherein a setback line has been established for reservation of future right-of-way, yards required by the regulations for the zoning district in which such lot is located shall be measured from the ultimate street line

(future right-of-way reservation line). The setback line that includes the future right-of-way shall be enforced unless a letter is received from MCDOT stating no future street or a lesser future right-of-way reservation is recommended along the subject setback line on the subject property.

Article 805.3. Buildings And Structures:

Buildings or structures, other than fences, hereafter erected, altered or relocated shall not be placed within the aforementioned setback lines.

Section 806. Accessory Buildings and Use

Article 806.1. Construction and Use:

Timing and Construction: An accessory building or use shall not be constructed or established on a lot until construction of the principal or primary use building has commenced or the primary use established.

Article 806.2. Location:

1. Detached accessory buildings and structures may be built in the required rear yard and/or the required side yard but shall not occupy more than 30% of any required yard and shall not be nearer than three feet to any side or rear lot line.
2. In the case of corner lots, accessory buildings shall not occupy the street-side yard of the corner lot; and when a garage is entered from an alley, it shall not be located nearer than ten feet to the alley line.
3. Fences and walls may be erected outside of the lot's principal building area subject to the height restrictions of Article 811.5 of this Ordinance.
4. Driveway access from accessory structures to County Roads are subject to approval by MCDOT, and may not be permitted along arterial or collector roadways.

Section 807. Number of Principal Buildings on a Lot

Where a lot is located in a multiple-family residential, commercial or industrial zoning district, more than one principal building may be located on the lot but only when the locations of such buildings conform to all the open space requirements around the lot for the zoning district in which the lot is located. Yard regulations in such case may be applied around the principal buildings as though there were only one principal building on the lot.

Section 808. Adjustment Permitting an Additional Dwelling Unit

In zoning districts permitting multiple-family dwellings, if an amount of lot area not allocated to a dwelling unit is more than 80% of that required for one dwelling unit, such remaining lot area may be used to satisfy the lot area requirement for an additional dwelling unit.

Section 809. Additional Lot Area and Dimension Regulations**Article 809.1. Pre-existing non-conforming lots:**

Any lot of record existing at the time this Ordinance originally effective, or amendments thereto become effective, which does not conform with the lot area or width requirements for the zoning district in which it is located may be used for any use permitted in that zoning district provided other applicable regulations of this Ordinance are complied with.

Article 809.2. Lot Area and Dimension:

Any lot, after this Ordinance became effective, or amendments thereto become effective, shall not be reduced in any manner below the lot area and dimension requirements of this Ordinance for the zoning district in which it is located, or if a lot is already less than the minimums so required, such lot area or dimension shall not be further reduced.

Article 809.3. Yard, Coverage and Open Space:

Any lot, after this Ordinance or amendments thereto become effective, shall not be reduced or diminished to cause the yards, lot coverage or other open spaces to be less than that required by this Ordinance, or to decrease the lot area per dwelling unit except in conformity with this Ordinance.

Section 810. Additional Yard and Open Space Regulations**Article 810.1. Multiple buildings:**

Required yard or other open space around any existing buildings, or which is hereafter provided around any building for the purpose of complying with this Ordinance shall not be construed as providing a yard or open space for any other building.

Article 810.2. Multiple Story Buildings:

When an open space is more than 50% surrounded by a building which is two stories or more in height, the minimum width of the open space shall be at least 30 feet for two-story buildings, and 40 feet for three-story buildings.

Article 810.3. Mixed Use Buildings:

Side yards for dwelling units erected above other uses conducted in the same building are not required in excess of the side yards that would be required for such building were it not to contain the dwelling units.

Article 810.4. Exceptions:

Every part of a required yard shall be open to the sky, unobstructed, except as enumerated in the following:

- 810.4.1.** Accessory buildings and renewable energy systems may locate in the required rear yard and/or the required side yard subject to applicable regulations elsewhere in this Ordinance.
- 810.4.2.** Ordinary projections of windowsills, cornices, eaves and other ornamental features may project a distance not exceeding two feet into any required yard.
- 810.4.3.** Chimneys may project a maximum of two feet into any required yard.
- 810.4.4.** Fire escapes may project a maximum of five feet into any required yard provided such projection shall be distant at least two feet from any lot line or setback line.
- 810.4.5.** Bay windows and balconies of a building may project a maximum of three feet into the required front or rear yard, provided that such features shall not occupy, in the aggregate, more than one-third of the length of the wall of the building on which they are located.
- 810.4.6.** Uncovered stairs and necessary landings may project a maximum of six feet into the required front or rear yard, except for a railing not to exceed three feet in height which may extend above the entrance floor of the building.
- 810.4.7.** Terraces, patios, platforms and ornamental features which extend outward from a building and do not extend more than three feet above grade may project into any required yard, provided such features are a maximum of two feet from any lot line or setback line.

Section 811. Additional Height Regulations**Article 811.1. Public Buildings:**

Public or public service buildings, hospitals, institutions, or schools may be erected to a height not exceeding 60 feet, and churches may be erected to a

height not exceeding 75 feet, if the building is set back from each lot line at least one foot for each foot of additional building height above the height limit otherwise permitted in the zoning district in which the building is located.

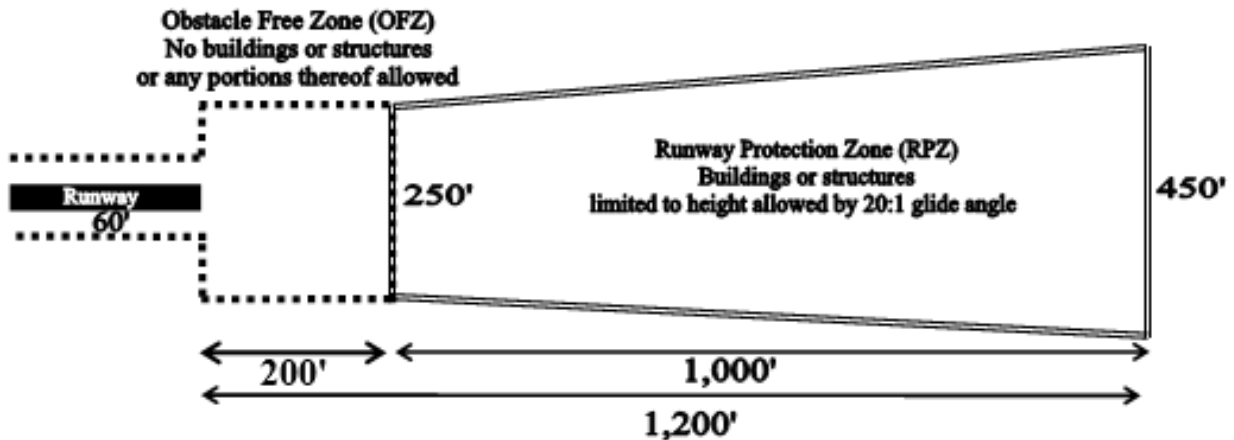
Article 811.2. Building Appurtenances:

Chimneys, church steeples, refrigeration coolers, ventilating fans, elevator bulkheads, fire towers, ornamental towers or spires, and mechanical appurtenances, except for renewable energy systems located in single-family, two-family, and multi-family zoning districts, necessary to operate and maintain the building, may be erected to a height not exceeding 100 feet, if such structure is set back from each lot line at least one foot for each foot of additional height above the height limit otherwise permitted in the zoning district in which the structure is located. The above setbacks are measured from the lot line to the closest point (including overhangs or other projections) on the structures. Renewable energy systems as appurtenant structures located within single-family, two-family, and multi-family zoning districts shall be subject to the height regulations of the zoning district in which the property is located.

Article 811.3. Runways and Landing Strips:

Buildings or structures or any portions thereof, except for navigational aids, shall not be located in the obstacle free zone ("OFZ") which shall be defined as an area which is 60 feet wide along each side of the edge of the runway of an existing or proposed runway or landing strip and 250 feet wide centered along the projected runway center line at a distance of 200 feet from the end or ends of an existing or proposed runway or landing strip where takeoff and landing is either executed or proposed. A runway protection zone ("RPZ") shall be located at the end or ends of the existing or proposed runway or landing strip where takeoff or landing is either executed or proposed which shall be a trapezoidal area which is 200 feet beyond the ends of the runway and centered along the projected runway centerline. The RPZ shall be 1,000 feet long. The width of the RPZ closest to the end of the runway or landing strip shall be 250 feet. The width of the RPZ furthest from the end of the runway or landing strip shall be 450 feet. Within the RPZ, buildings or structures or any portions thereof shall not be erected to exceed a height that would interfere with the takeoff or landing of a plane with a glide angle of one foot vertical for every 20 feet horizontal, such glide angle to be computed as beginning at the RPZ boundary which is closest to the end of the runway.

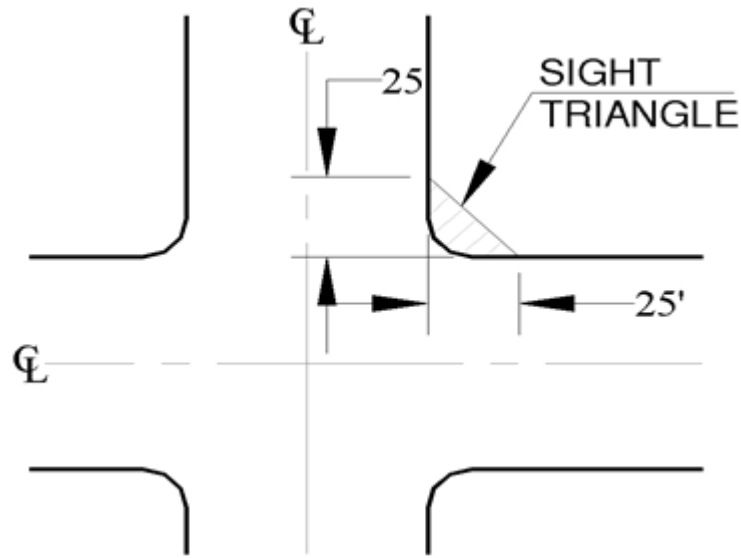
The OFZ or RPZ should be located entirely on the same lot or parcel as the runway or landing strip. In any instance where any portion of the OFZ or RPZ of a runway or landing strip extends beyond the lot or parcel of property containing the runway or landing strip, written consent or avigation easements must be obtained from all adjacent property owners and all property owners in which the OFZ or RPZ may wholly or partially lie. The provisions of this paragraph may be waived for any private airport if it will not conflict with applicable regulations of the Federal Aviation Administration or Department of Defense requirements.



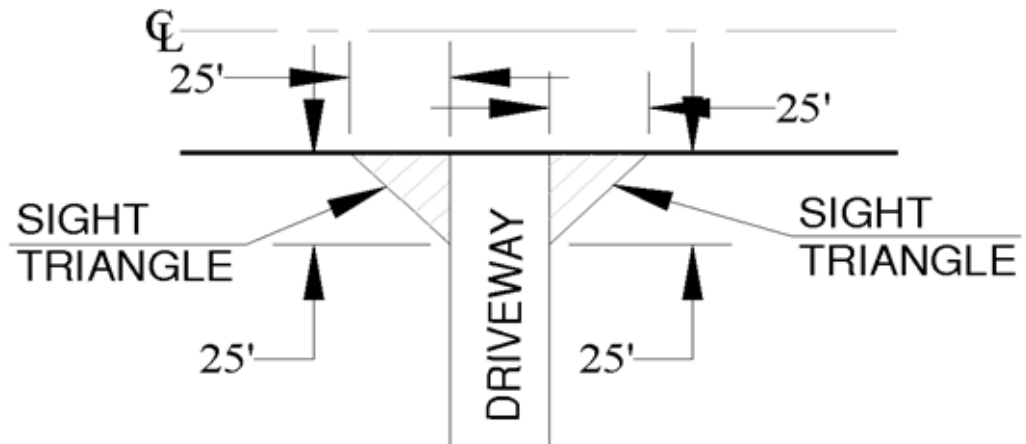
Article 811.4. Sight Visibility Triangles:

The following regulations shall apply:

- 811.4.1.** In all zoning districts no structure, landscaping, fence, wall, terrace or other obstruction to view in excess of two feet in height, measured from the adjacent pavement of the nearest street centerline, shall be placed within the triangle formed by measuring along street-side and/or alley-side property lines, ultimate street lines a distance of 25 feet from their point of intersection and by connecting the ends of the respective 25 feet distances. Driveways, parking spaces and trees are prohibited within the triangle. This standard may be administratively waived if sight visibility is in conformance with the MCDOT Roadway Design Manual or jurisdiction having authority.



- 811.4.2.** In commercial and industrial zoning districts no structure, landscaping, fence, wall, terrace or other obstruction to view in excess of two feet in height, measured from the established elevation of the nearest street centerline, shall be placed within the triangle formed by measuring along street-side property line or future right-of-way and driveway length a distance of 25 feet from their point of intersection and by connecting the ends of the respective 25 feet distances. This standard may be administratively waived if sight visibility is in conformance with the MCDOT Roadway Design Manual or jurisdiction having authority.
- 811.4.3.** A required sight visibility triangle shall not be permitted to encumber an abutting parcel without acquisition of an easement.



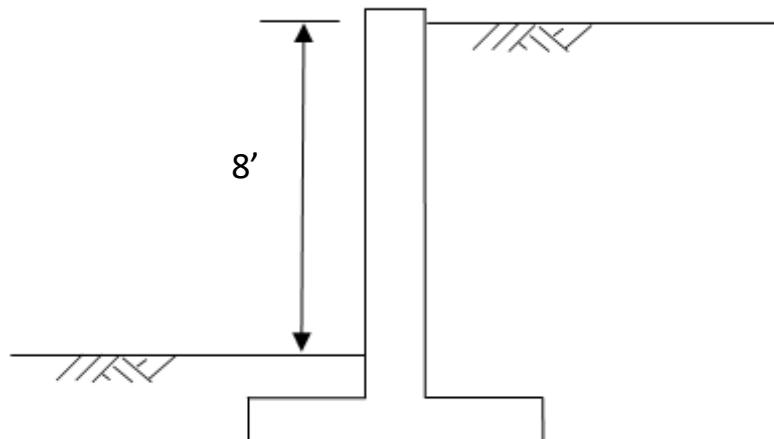
Article 811.5. Fences, Walls, and Retaining Walls:

The following provisions apply to fences, walls, and retaining walls.

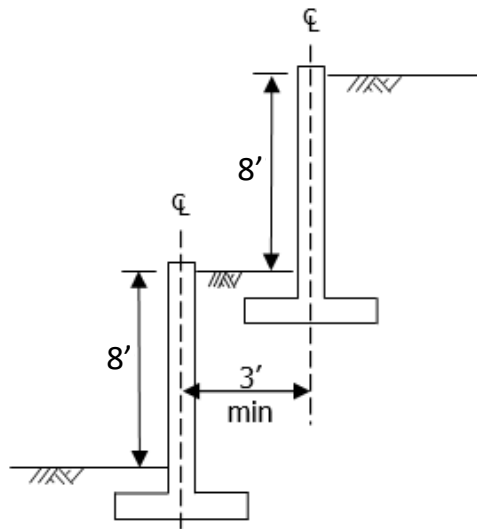
811.5.1. Prohibitions: Concertina wire, razor wire, and electric wire or electrification of a fence are prohibited below a height of eight feet above finished grade.

811.5.2. Retaining walls

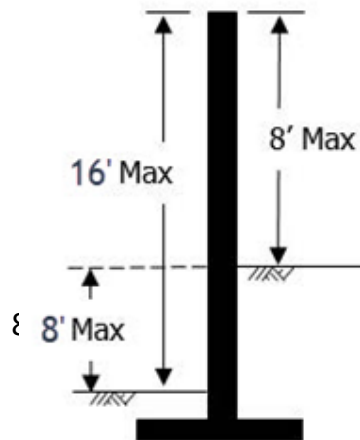
1. Retaining walls shall meet the provisions of Article 811.5 unless a variance to these standards is granted by the Maricopa County Board of Adjustment pursuant to Section 302, or through an approved Unit Plan of Development as set forth under Section 702.
2. All retaining walls shall be constructed such to include appropriate moisture barriers and weep holes.
3. Where retaining walls are visible to the public, said retaining walls should be constructed of split-face concrete masonry unit (CMU), faced with stucco, brick, tile, stone or other material such to minimize the visual impact of the wall. Further, the area in front of a retaining wall that is visible to the public should be suitably landscaped using low water use plants. If a tier is created by a series of retaining walls and is visible to the public, the plant species used should not have invasive root systems or generate severe point loads nor should any tree specimens used in the landscaping of a tier have a canopy that is wider than the separation distance between the walls at the tree's maturity.
4. Outside the principal building envelope, the retaining wall height shall not exceed 8'. Retaining walls shall not exceed a height of 8 feet as measured from the low side finished grade to the top of the earth being retained, except as permitted in Article 901.4 of this Ordinance.



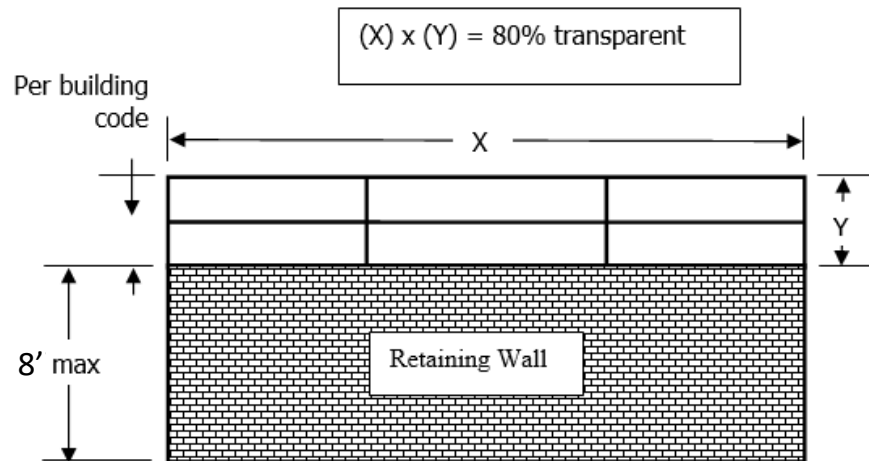
5. Outside the principal building envelope, the retaining wall height shall not exceed 8'. Where more than one retaining wall is erected in a series such to serve as an integral retaining wall system, the height of an individual retaining wall section shall not exceed 8 feet as measured from the low side finished grade of the retaining wall to the top of the earth being retained by that retaining wall section. The number of retaining walls is not limited, but where retaining walls are tiered, separation between retaining walls (centerline to centerline) shall be a minimum of 3 feet. 2 or more retaining walls separated by a building shall not be considered a series.



6. Outside the principal building envelope, the retaining wall height shall not exceed 8'. Where a wall or fence above is erected on top of a retaining wall, the maximum overall height of the retaining wall combination shall not exceed 16 feet as measured from the low side finished grade to the top of the wall or fence.



7. Additional fall protection where required by the applicable building code shall be allowed on top of a retaining wall without affecting the overall height of the wall, provided the fall protection has a transparency of 80% or more provided that the height of the fall protection does not exceed what is required by the building code. Transparency shall be calculated by taking the area of the empty space between horizontal and vertical members divided by the outer dimensions of the fall protection system. Fall protection as provided for under this article shall be constructed of metal pipe rail or wooden rail, metal view fence, or transparent sheeting. Other construction materials shall not receive this exclusion.

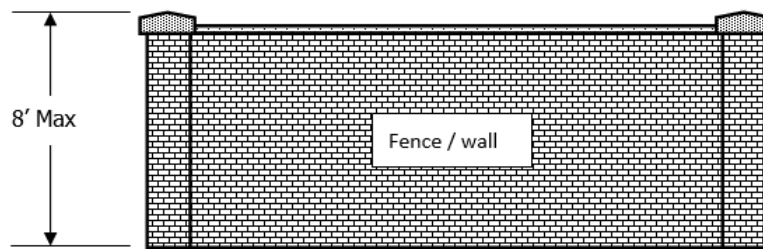


8. Walls and solid fences shall contain provision(s) to maintain historic drainage patterns.
9. A building permit is required for walls/fences over 6' in height, retaining walls over 18" in height, pool barriers, walls/fences on hillside lots, corrals in residential zoning districts, fences to establish a primary use or a wall on a corner lot abutting a key lot.
10. A drainage clearance (building) permit is required for any fence or wall that impacts the historic flow of surface runoff, regardless of height.
11. Wire strand or pipe rail fencing, with no attached mesh or similar screening material shall not require a permit unless it is located in a Special Flood Hazard Area (Floodplain) or is used to establish a principal use.
12. Fences, walls and gates may not be located in a Maricopa County Right-of-Way, Other Right-of-Ways or certain public utility easements that will impact their intended uses. Fences and walls shall not be permitted within easements or private access easements.
13. Vehicular fence gates are prohibited on/along Vehicular Non-Access Easements (VNAE).

14. Issuance of County permit(s) for walls/fences is to verify drainage impacts and not to evaluate access rights or availability and does not include verification of property boundaries or easements which is the responsibility of the owner/applicant.

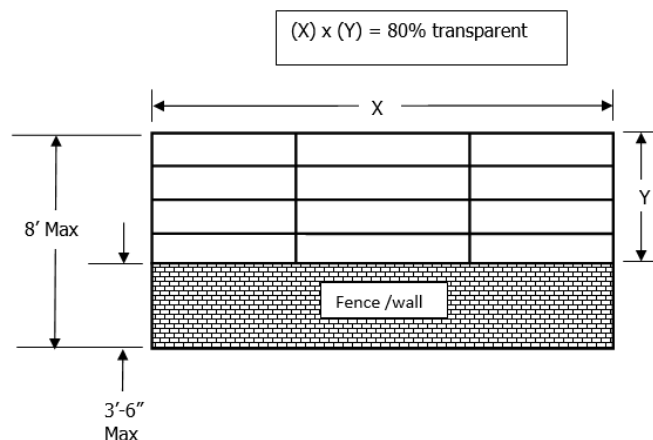
811.5.3. Rural, Commercial, and Industrial zoning districts:

1. Fences or walls located outside of the lot's buildable area shall have a maximum height of eight feet as measured from finished grade, or as measured from the top of an integral retaining wall including any columns, decorative caps, and light fixtures. If a screen wall also serves as a retaining wall, provisions of retaining walls shall apply.

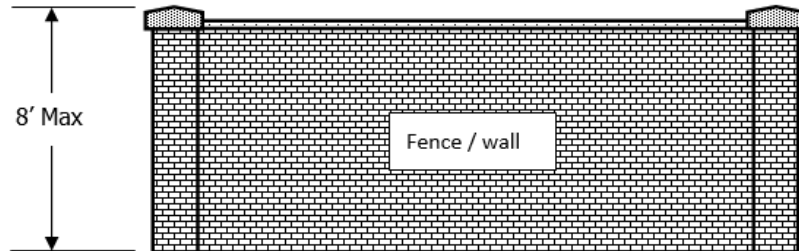


811.5.4. Single-family and Multi-family zoning districts:

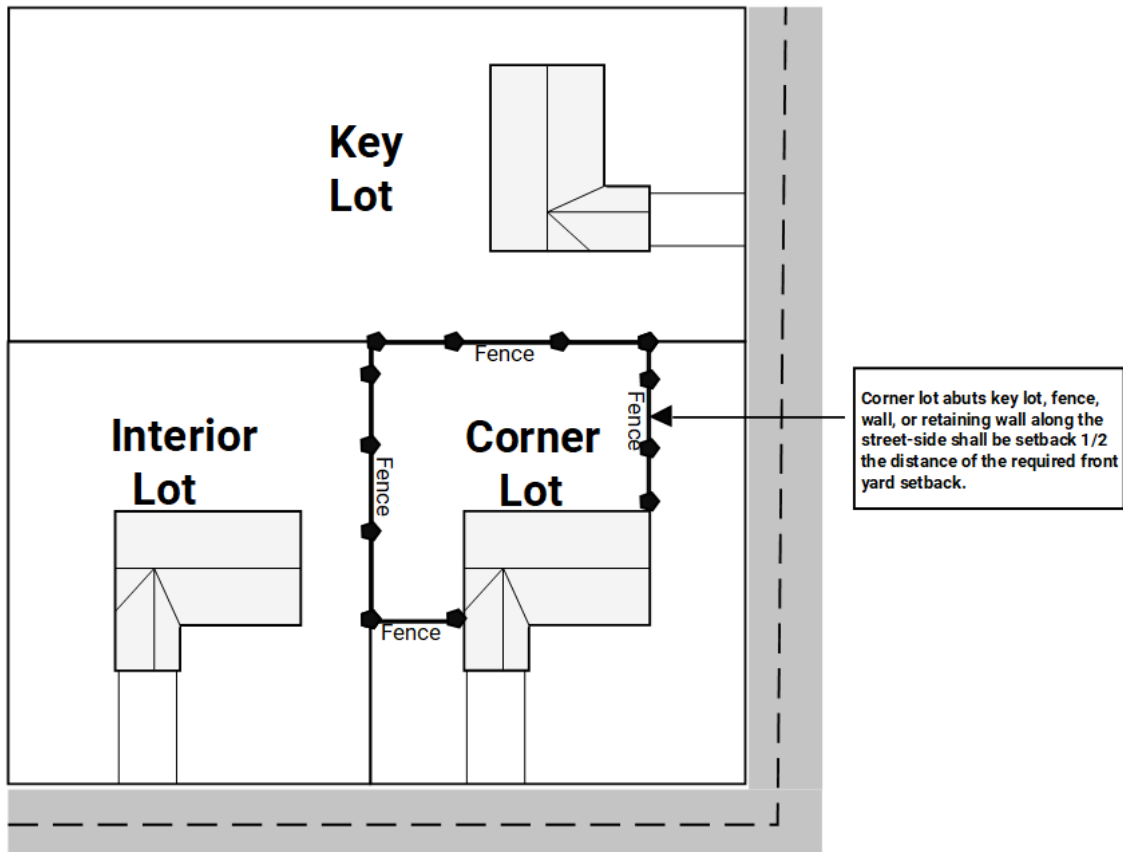
1. Outside the principal building envelope, the wall height shall not exceed 8'. Fences, walls, or retaining walls, or any combination thereof located within the required front yard shall be a maximum height of eight feet as measured from finished grade, except that any height above 3'-6" up to a maximum height of eight (8) feet shall be permitted at an 80% transparency calculated by taking the area of the empty space between internal members divided by the outer dimensions of the fence/wall. This shall include chain link, metal pipe or wooden rail, metal view fence, or transparent sheeting. If a screen wall also serves as a retaining wall, the provisions of retaining walls shall apply.



2. Fences, hedges or walls located outside of the lot's buildable area, but not within the required front yard, shall not exceed a height of eight (8) feet as measured from finished grade, or as measured from the top of an integral retaining wall. This height shall include any columns, decorative caps, and light fixtures.

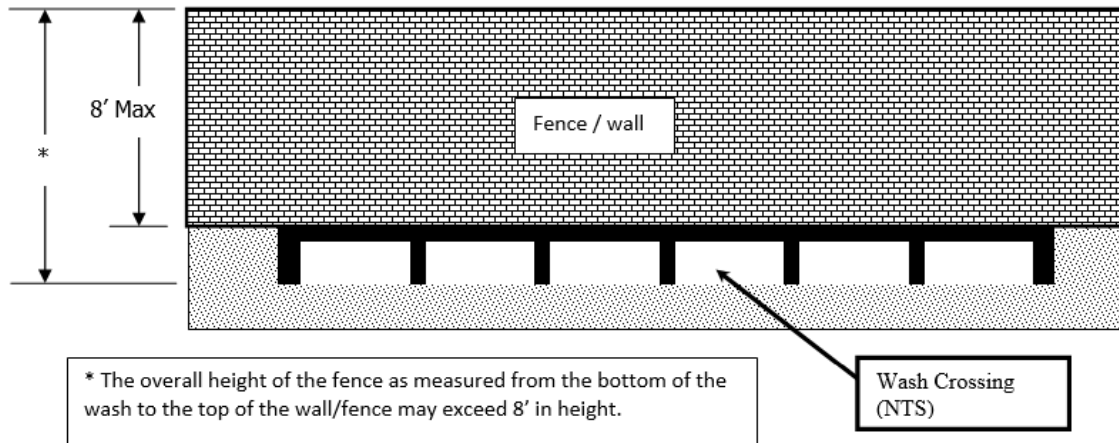


3. When a corner lot abuts a key lot, a fence, wall, or retaining wall located along the street-side of the corner lot shall be setback from the street-side property line a distance of not less than half the distance of the required front yard setback; however, a fence of 80% transparency or greater may be installed along the property line.



811.5.5. Exceptions:

1. Utility companies that are regulated by the Arizona Corporation Commission may be allowed an increase of fence or wall heights due to national, state, or local standards.
2. Any Unit Plan of Development approved by the Board of Supervisors prior to August 22, 2012 may observe the development standards of this Section or the approved development standard whichever is the least restrictive.
3. The plane of a wall/fence height may be maintained at wash crossings for spans of up to twenty feet. In these instances the wall/fence height may exceed eight feet.

**Article 811.6. Accessory Building and Structure Height:**

No building or structure in any zoning district shall exceed the maximum height permitted for a principal building permitted in the respective zoning district unless the proposed use has specific height regulation set forth in this ordinance.

Article 811.7. Electric Transmission Lines:

Structures to support electric transmission lines shall observe a maximum height of 120 feet.

Section 812. Outdoor Light Control Provisions

Article 812.1. Purpose:

These provisions are intended to control the use of outdoor artificial illuminating devices emitting rays into the night sky which have a detrimental effect on astronomical observations. It is the intention of this Ordinance to encourage good lighting practices such that lighting systems are designed to conserve energy and money, while increasing nighttime safety, utility, security and productivity.

Article 812.2. Conformance With Applicable Codes:

- 812.2.1.** All outdoor artificial illuminating devices shall be installed in conformance with the provisions of this section and any building code now in effect or which may hereafter be enacted, as applicable.
- 812.2.2.** Where any provisions of the Arizona State Statutes, or any Federal law, or any companion Ordinance conflicts with the requirements of this outdoor light control provision, the most restrictive shall govern.
- 812.2.3.** The provisions of this section are not intended to prevent the use of any material or method of installation not specifically prescribed by this Ordinance.
- 812.2.4.** As new lighting technology develops which is useful in reducing light above the horizontal, consideration shall be given to use of state of the art technology in keeping with the intent of the Ordinance.

Article 812.3. Definitions:

- 812.3.1. *Outdoor Light Luminaires:*** Outdoor artificial illuminating devices, outdoor luminaires, lamps and other devices, permanent or portable, used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot or flood lights for:
 - 1. Building and structures;
 - 2. Recreational areas;
 - 3. Parking lot lighting;
 - 4. Landscape lighting;
 - 5. Billboards and other signage (advertising or other);
 - 6. Street lighting.

812.3.2. *Offsite sign (billboard) external lighting:*

1. Lighting shall be installed such that the sign is illuminated from top down to prevent glare and light trespass.
2. Light luminaires shall be fully shielded.
3. Shall consist of no more than four (4) individual luminaires (or lamps) per sign face and produces a maximum of 40,000 lumens per luminaires.

812.3.3. *Individual:* Shall mean any private individual, tenant, lessee, owner or any commercial entity, including but not limited to companies, partnerships, joint ventures or corporations.

812.3.4. *Installed:* Shall mean the initial installation of outdoor light luminaires defined herein following the effective date of this Ordinance, but shall not apply to those outdoor light luminaires installed prior to such date, except as provided in Article 812.6.1.

Article 812.4. General Requirements:

812.4.1. *Shielding:* All exterior illuminating devices, except those exempt from this Ordinance and those regulated by Article 812.5.3. shall be fully or partially shielded as required in Article 812.4.2.

1. *“Fully Shielded”* shall mean that those luminaires so designated shall be shielded in such a manner that light rays emitted by the luminaires, either directly from the lamp or indirectly from the luminaire, are projected below a horizontal plane running through the lowest point of the luminaire where light is emitted.
2. *“Partially shielded”* shall mean that those luminaires so designated shall conform to the classification of *“Cutoff”*, defined as follows:
 - A. A luminaire light distribution is designated as cutoff when the candle-power per 1,000 lamp lumens does not numerically exceed 25 lumens (two and one-half percent) at an angle of 90 degrees above Nadir (horizontal), and 100 lumens (ten percent) at a vertical angle of 80 degrees above Nadir. This applies to any lateral angle around the luminaire.

812.4.2. *Filtration:* Those outdoor light luminaires requiring a filter in Article shall have glass, acrylic or translucent enclosures (Quartz Glass does not meet this requirement).

812.4.3. Requirements for Shielding and Filtering: The requirements for shielding and filtering light emissions from outdoor light luminaires shall be as set forth in the following table:

LUMINAIRE LAMP TYPE	SHIELDED	FILTERED
Low pressure sodium ¹	None	None
High pressure sodium	Fully	None
Metal halide ⁵	Fully	Yes
Fluorescent ⁷	Fully ⁴	Yes ²
Quartz ³	Fully	None
Incandescent greater than 150 watts	Fully	None
Incandescent, 150 watts or less	None	None
Mercury vapor	Fully ⁶	Yes ⁶
Fossil fuel	None	None
Glass tubes filled with neon, argon, and krypton	None	None
Other sources	As approved by the zoning inspector	

Footnotes:

- This is the preferred light source to minimize undesirable light into the night sky affecting astronomical observations.*
- Warm white and natural lamps are preferred to minimize detrimental effects.*
- For the purposes of this ordinance, quartz lamps shall not be considered an incandescent light source.*
- Outdoor advertising signs of the type constructed of translucent material and wholly illuminated from within do not require shielding.*
- Metal Halide display lighting shall not be used for security lighting after 11:00 p.m. (or after closing hours if before 11:00 p.m.) unless fully shielded. Metal Halide lamps shall be in enclosed luminaries.*
- Recommended for existing fixtures. The installation of Mercury Vapor Luminaires is prohibited.*
- Outdoor advertising signs may use fluorescent luminaires. These luminaires must be mounted at the top of the sign structure and may be partially shielded, but not filtered.*

Article 812.5. Prohibition:

- 812.5.1. *Searchlights:*** The operation of searchlights for advertising purposes is prohibited between the hours of 11:00 p.m. and sunrise.
- 812.5.2. *Recreational Facilities:*** No outdoor recreational facility, public or private, shall be illuminated by non-conforming means after 11:00 p.m., except to conclude specific recreational or sporting event or any other activity conducted at a ball park, outdoor amphitheater, arena, or similar facility in progress prior to 11:00 p.m.
- 812.5.3. *Outdoor Building or Landscaping Illumination:*** The unshielded outdoor illumination of any building, landscaping, signing or other purpose is prohibited, except with incandescent fixtures of 150 Watts or less, or low pressure sodium luminaires.
- 812.5.4. *Mercury Vapor:*** The installation of Mercury Vapor luminaires is prohibited.

Article 812.6. Permanent Exemptions:

- 812.6.1. *Non-Conforming Luminaires:*** All outdoor light luminaires installed prior to January 1, 1985, that are equipped with a permanent automatic shut-off device may remain unchanged, except that the subject light luminaires shall not be operated between the hours of 11:00 p.m. and sunrise. Outdoor light luminaires may remain unchanged until such time as alteration is proposed and must come into conformance with this Ordinance.
- 812.6.2. *Fossil Fuel Light:*** Produced directly or indirectly by the combustion of natural gas or other utility-type fossil fuels.

Article 812.7. Other Exemptions from Outdoor Lighting Provisions:

- 812.7.1. *Bottom-Mounted Outdoor Advertising Lighting:*** Any lawfully existing bottom mounted upward lighting shall be permitted to remain, but shall be equipped with an automatic device which shuts off the luminaires between the hours of 11:00 p.m. and sunrise. However, any future alteration to said billboard sign or support structure shall require the upward lighting to be removed and replaced with downward lighting in conformance with Article 812.3.2. All new billboards are required to be in conformance with Article 812.3.2.
- 812.7.2. *Low Intensity Fixtures:*** Any outdoor lighting fixture which has a maximum candle power of less than 1,000 candelas is exempt from these provisions, if equipped with an automatic device which shuts off the fixture between the hours of 11:00 p.m. and sunrise.

Article 812.8. Procedures for Compliance:**812.8.1. Applications:**

1. Any individual applying for a Zoning Clearance and intending to install outdoor lighting luminaires shall, as a part of said application, submit evidence that the proposed work will comply with provisions in this ordinance.
2. Utility companies providing a notarized affidavit in which they agree to comply with the provisions of these regulations shall be exempt from applying for and obtaining a permit for the installation of outdoor light fixtures, including residential security lighting.

812.8.2. Contents of Application or Submission: The submission shall contain, but shall not necessarily be limited to the following, all or part of which may be part of or in addition to the information required elsewhere in the zoning regulations upon application for the required permit:

1. Plans indicating the location on the premises, the type of illuminating devices, luminaires, lamps, supports and other devices, etc.
2. Description of the illuminating devices, luminaires, lamps, supports and other devices, etc. This description may include, but is not limited to, manufacturers' catalog cuts and/or drawings (including sections where required).
3. The above required plans and descriptions shall be sufficiently complete to enable the Zoning Inspector to readily determine whether compliance with the requirements of this Ordinance will be secured. If such plans and descriptions cannot enable this ready determination by reason of the nature or configuration of the devices, luminaires, or lamps proposed, the applicant shall submit evidence of compliance by certified test reports as performed by a recognized testing lab.

Section 813. Flood Control Regulations

This Zoning Ordinance and all amendments hereto shall be consistent with and subject to the regulations and provisions of the Floodplain Regulations for Maricopa County.

Section 814. Location of Mobile Homes, Travel Trailers, Aircraft, Boats, Camping Trailers, Truck Campers & Motor Homes

The location of mobile homes and travel trailers outside of mobile home parks, travel trailer parks, and the location of aircraft, boats, camping trailers, truck campers and motor homes for storage shall be subject to the following:

Article 814.1. Regulations:

At no time shall the mobile home, travel trailer, aircraft, boat, camping trailer, truck camper or motor home be occupied or used for living, sleeping or housekeeping purposes, except as provided in 814.1.1:

Mobile homes and travel trailers intended for non-residential use or for temporary housing shall be subject to securing a Temporary Use Permit; provided that mobile homes used for quarters for on duty personnel in connection with publicly or privately owned or operated fire stations shall be a non-residential use in any zoning district and be subject to securing a Temporary Use Permit.

- 814.1.1.** Location: If a travel trailer, aircraft, boat, camping trailer, truck camper or motor home is located or stored outside of a garage or carport it shall be only placed in the rear yard of the lot or side yard of the lot but not within the required front yard except that for loading and unloading purposes may be permitted for a period of time not to exceed 72 hours. Such storage shall maintain a five (5) foot clear path around any structures. Such storage shall not be occupied for living, sleeping or housekeeping purposes per Article 814.1.

Section 815. Amateur Radio Antennas and Antenna Support Structures

Article 815.1. Maximum Height:

Amateur radio antennas and amateur radio antenna support structures shall not exceed a maximum height of 120 feet (inclusive of both the support structure and any attached antennas) in any district.

Article 815.2. Location:

Amateur radio antennas and amateur radio antenna support structures shall be in the rear yard, except in Rural and Single Family Residential zoning districts on a single lot of five acres or larger where such antennas and support structures may be located anywhere on the buildable area of the lot.

Article 815.3. Setbacks:

Amateur radio antennas and amateur radio antenna support structures must meet the yard requirements of primary buildings or structures of the zoning district in which they are located. Such setbacks shall be measured from the lot line to the closest horizontal extension of the antenna support structure or any attachment, including antennas.

Article 815.4. Support Structures:

Amateur radio antennas and amateur radio antenna support structures shall be set back an additional one foot (in addition to the yard requirements noted in Article 815.3. above) for every one foot in height which the antenna or support structure exceeds the height limitation of the zoning district in which it is located. Such additional setback shall be measured from the lot line to the closest point of the base of the antenna or support structure.

Article 815.5. Guy Wire Anchors:

Guy wire anchors may be installed within a required setback, but shall not be placed within three feet of any lot line, or within any easement, sight distance triangle, runway or landing strip.

Article 815.6. Number of Allowed Structures:

Not more than two amateur radio antenna support structures will be permitted on any lot in the Rural and Single Family Residential zoning districts, provided the standards of this section are met and there is at least 20,000 square feet of lot area for each antenna support structure. There is no limit to the number of amateur radio antennas mounted to a building and such structures shall be considered a building appurtenance.

Article 815.7. Deviation from Standards:

Any deviation from the standards of this section shall require a Special Use Permit.

Section 816. Property Maintenance

A person, firm or corporation shall have committed a violation of this Ordinance if such person, firm or corporation without lawful authority:

Article 816.1.

Allows for rubbish, junk, trash, weeds, filth, debris or dilapidated buildings which constitute a hazard to public health and safety to remain upon property of which they are the owner or occupant, or to remain upon sidewalks, streets and alleys contiguous to the property which they are the owner or occupant.

Article 816.2.

Places any rubbish, trash, filth or debris upon any private or public property located in the unincorporated areas of the County which is not owned or under the control of the person, firm or corporation.

Chapter 9 | Development Regulations

Section 901. Hillside

Article 901.1. Purpose:

The principal purpose of the hillside development standards is to allow the reasonable use and development of hillside areas while promoting the public health, safety, convenience and general welfare of the citizens of Maricopa County and maintaining the character, identity, and image of hillside areas. The primary objectives of the hillside development standards are to encourage the preservation of natural topographic features and to minimize the scarring of hillside construction.

Article 901.2. General Provisions:

- 901.2.1.** All portions of a lot, tract or parcel having a natural slope of 15% or greater within any horizontal distance with a ten foot (10') elevation change shall be subject to the regulations set forth in this Section. Any challenge to a determination by the Department that any portion of a lot, tract or parcel is subject to the regulations set forth in this Section, shall include as part of the challenge a written determination of an Arizona registered civil engineer supported by sealed topographical plans.
- 901.2.2.** The issuance of grading permits, building permits or other approvals of improvement work on any real property, subject to the regulations in this Section, shall not be conditioned on altering, modifying or not utilizing existing grading, construction or other improvements on such real property to conform to the regulations in this Section if such existing grading, construction or other improvement was completed in conformance with valid permits, issued prior to the adoption of this provision.

Article 901.3. Height Regulations:

The height of all buildings and structures, including retaining walls, on portions of property having a natural slope of 15% or greater shall not exceed 30 feet from original natural grade through any building cross section, measured vertically at any point along that cross section from original natural grade.

Article 901.4. Development Standards:

These hillside regulations shall apply only to development on those portions of a property having a natural slope of 15% or greater. For purposes of this Article disturbance shall be defined as all grading, grubbing and clearing; construction activity; erection, placement or construction of buildings and structures; paving and surfacing of roadways, driveways, and parking areas;

easements for above ground and underground utility lines; septic systems including but not limited to leach fields and evaporation pond drip lines; excavation or filling or combination thereof, and cut and fill of slopes and associated spill materials.

901.4.1. *Grading and Drainage Requirements:* There shall be no grading or other disturbance on or to any site other than percolation and test borings (100 square feet maximum in size) prior to the issuance of a Zoning Clearance and Drainage Clearance, and prior to final approval of complete plans by the Building Safety Division and the issuance of a Building (grading) Permit.

1. The extent of all disturbance on that portion of a lot which has a natural slope of 15% or greater, shall be limited to a total disturbance within the gross lot area not to exceed 75,000 square feet and shall be located entirely within the buildable area of the lot, except that disturbance related to the driveway and utility connections may extend outside the lot's buildable area to the street line or other lot line.
2. ***Sewage Disposal System:*** All components of the septic system shall be contained within the building envelope.
3. All utility lines shall be located underground within the driveway graded area whenever possible. If this location is not possible, then disturbance of natural terrain for these lines shall be confined to within four feet of either side of the lines.
4. The driveway shall be the shortest practical route from the street line to the lot's buildable area and shall be the narrowest practical width as determined by engineering plan review at the time of construction permitting.
5. Roadways and all related hillside disturbance shall be contained within dedicated rights-of-way, subdivision private street tracts, or easements. Roadways within easements shall be included in the maximum gross lot disturbance (sq. ft.) calculation.
6. No building or structure shall be placed outside of the lot's buildable area within any portion of a required yard that has a natural slope of 15% or greater. This shall not be construed to prevent relief from the standard with approval of a Special Use Permit in accordance with Section 1001 of this ordinance, a Unit Plan of Development in accordance with Section 702 of this ordinance, or a Variance in accordance with Section 302 of this ordinance.
7. ***Drainage:*** The entrance and exit points and continuity of all natural drainage channels on a hillside site shall be preserved.

8. All cut and fill slopes shall be completely contained by retaining walls or by substitute materials acceptable under the provisions of the County's adopted Building Code except for the minimum amount of swale grading necessary for drainage purposes.
9. The finished surfaces of any retaining wall shall blend into the natural setting.

901.4.2. *Slope Stabilization and Restoration:*

1. Vegetation shall be reestablished on all exposed fill slopes, cut slopes, and graded areas, or areas otherwise disturbed, by means of a mixture of indigenous grasses, shrubs, trees or cacti to provide a basic ground cover which will prevent erosion and permit natural revegetation. In lieu of the reestablishment of indigenous vegetation, all exposed cut slopes shall be riprapped with stone or chemically stain treated with materials which blend in with the natural setting.
2. Any slope disturbance in violation of this Section is a violation of this Ordinance and shall be remediated with a Compliance agreement that will specifically list the method of slope stabilization including vegetation, soilscape and contours; will set deadlines for remediation to be completed; and may be subject to all remedies as outlined in Chapter 12 of this Ordinance.

Article 901.5. *Procedural Regulations:*

- 901.5.1.** All applications for a Zoning Clearance and Drainage Clearance on those portions of properties having a natural slope of 15% or greater shall contain the following materials and information:

1. Grading and Drainage Plan:
 - A. Contour interval not exceeding five foot intervals. Graphically depict all portions of properties having a natural slope of 15% or greater, previously disturbed and proposed disturbance.
 - B. Grading and Drainage Plan must be submitted on/or along with a topographic survey prepared by a civil engineer. Architect drawn plans shall not be accepted under any circumstance for a lot determined to be hillside.
 - C. Scale of the site plan shall be not less than 1"=20'-0".
 - D. At all structures show sections through site and building at 25'0" intervals perpendicular to slope, giving maximum building and structure height conditions in each cross section.

- E. Graphically depict all disturbed areas and show the proposed method of final treatment or restoration.
- F. A grading and drainage plan is required and shall be prepared and sealed by an Arizona registered civil engineer.
- G. Show location of all proposed utility lines, and septic tank or sewage disposal areas.
- H. Give legal description and property dimensions.
- I. Provide a table on the plan which provides the following information:
 - i. Gross area of lot (sq. ft. & percentage)
 - ii. Area of lot that is hillside (sq. ft. & percentage)
 - iii. Area of hillside on lot that has been previously disturbed (if applicable). (sq. ft. & percentage)
 - iv. Area of hillside on lot that is will be new disturbance (sq. ft. & percentage), including disturbance during construction.

Section 902. Wireless Communication Facilities

Article 902.1. Purpose:

The principal purpose of this Section is to establish the locations in unincorporated Maricopa County where wireless communication and information system facilities may be located and the regulations that apply to their placement. The regulations contained herein are designed to recognize the need to accommodate the approval of those types of public utility uses while still recognizing the need to promote the public health, safety and general welfare of the citizens of Maricopa County. These regulations establish zoning standards that will protect the integrity of single-family neighborhoods.

Article 902.2. General Provisions

- 902.2.1.** Wireless communications facilities are permitted in all zoning districts subject to the provisions and standards outlined in this Section.
- 902.2.2.** Wireless communication facilities are permitted on individual lots of record, or on lease or easement areas described by metes and bounds of an area adequate to accommodate the tower structure and associated ground equipment for at least two carriers.

- 902.2.3.** The construction and location of wireless communication facilities and facilities for wireless information systems shall be subject to the standards contained in this regulation, unless otherwise noted herein.
- 902.2.4.** Wireless communication structures in excess of 199 feet in height are prohibited unless co-locating on an existing structure (other than a wireless communication facility tower) and unless there is a plan to mitigate interference with military and commercial aircraft and to mitigate disruption of avian migration and nesting and to preserve nighttime skies for astronomical observation, and shall be required to obtain Special Use Permit approval of the Board of Supervisors. Structures of 199 feet or less in height shall not have lighting, unless said lighting is specific to the purpose of a structure upon which a wireless communication facility is co-located.
- 902.2.5.** Facilities for public safety agencies are exempt from the requirements of this Section.
- 902.2.6.** The standards contained in this Section with regard to height, diameter, and design are concealment elements to ensure structures do not have an adverse visual impact or harm the public welfare.
- 902.2.7.** Any wireless communication facility properly permitted that existed as of June 10, 2015 shall be considered legal non-conforming with regard to this Section. Any change to a legal non-conforming wireless communication facility shall bring it into conformance with this Section or shall be subject to a Special Use Permit.
- 902.2.8.** Unless qualifying as an Eligible Facilities Request under Section 6409 of the Spectrum Act – as defined by 47 CFR 1.4001 (B)(3) as amended – any proposed Wireless Communication Facility that cannot meet the standards outlined in Article 902.3 of this Ordinance shall be required to obtain a Special Use Permit approval by the Board of Supervisors.

Article 902.3. Standards:

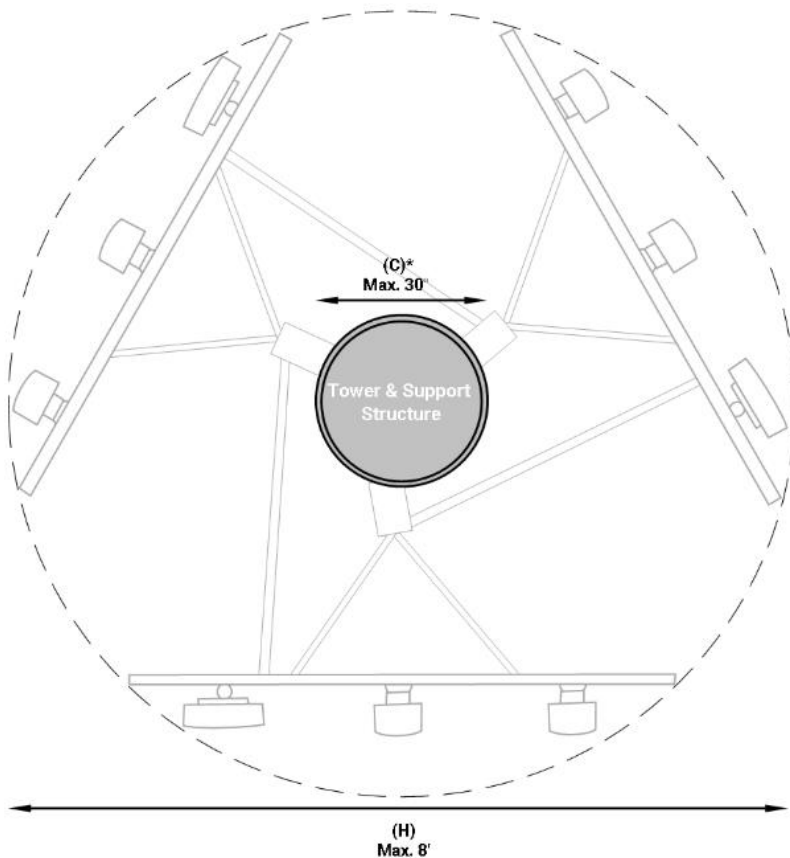
The following standards shall apply to Wireless Communication Facilities:

902.3.1. Location:

1. In Rural, Single-Family Residential or Multiple-Family Residential Zoning Districts, wireless communication facilities are permitted subject to the following limitations:
 - A. The maximum height of a wireless communications facility including the base, platform and attached antennae shall not exceed 80 feet

above grade or no greater than 15 feet above the height of the structure (other than a wireless communication facility tower) onto which it will be attached.

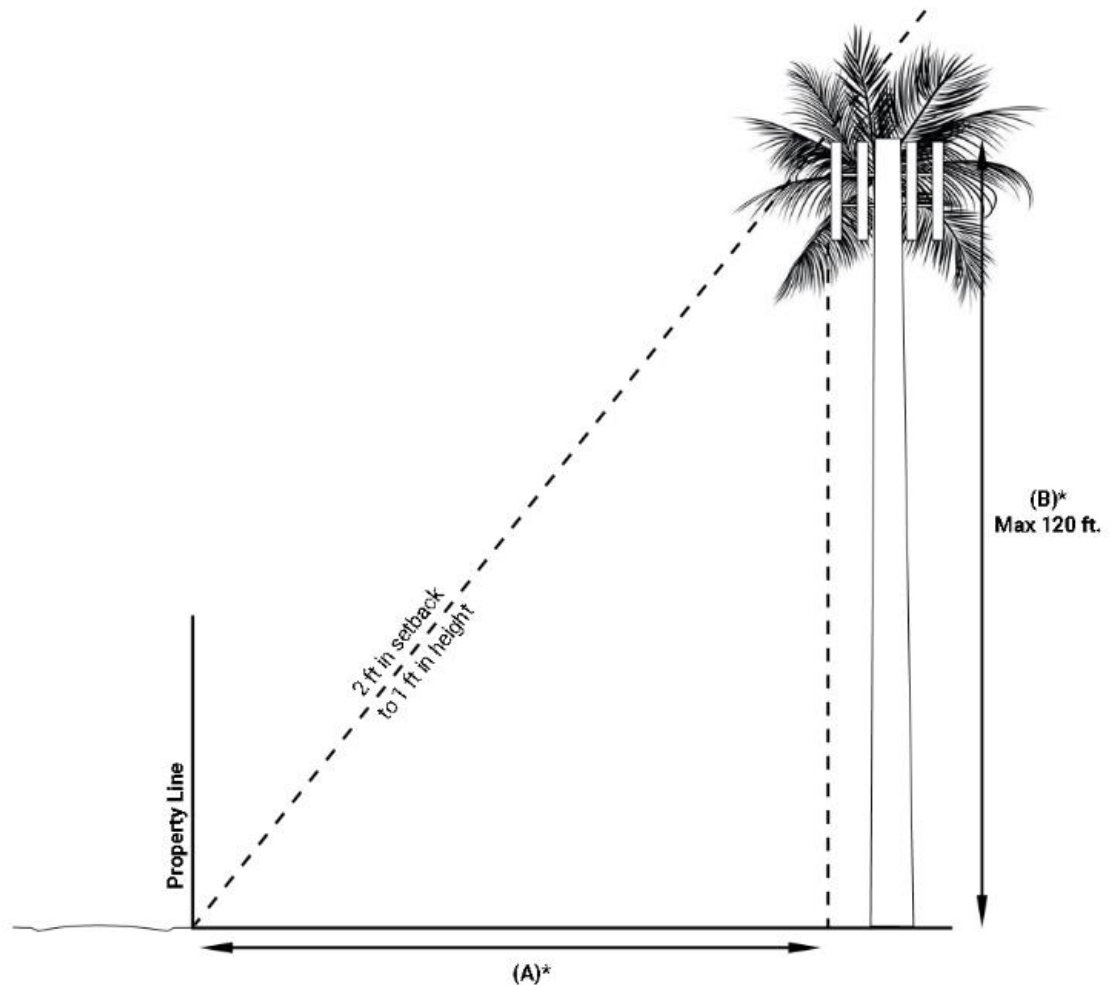
- B. Up to two wireless communication facilities may be mounted on a building and may include not more than two microwave antennae dishes with diameters of not more than one and one half meters (4.9 feet) each, and each being 15 feet or less in height as measured above the roofline so long as the supporting structure is screened.
- C. Towers and support structures shall have a maximum diameter of 30 inches (2.5 feet).



*Letters reference sub-articles of this Section of the Ordinance.

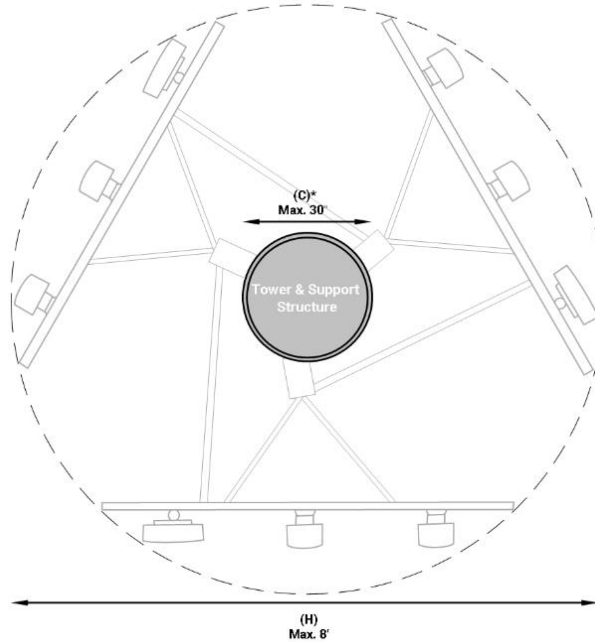
- D. The color of a wireless communication facility shall be compatible with the surrounding environment. Exposed portions of the tower structure shall be non-reflective.
- E. Installation of a wireless communication facility shall avoid removal of mature trees and cacti unless a plan for their relocation is approved by the Department.

- F. Wireless communication facilities which are installed on properties on or within 500 feet of a property required to meet Hillside Development Standards of Chapter 9, Section 901. of this Ordinance shall be required to obtain Special Use Permit approval of the Board of Supervisors.
- G. Wireless communication facilities shall be setback 2 feet from all property lines for each 1 foot in height (including tower and antenna attachments but not to include architectural features for stealth design), unless co-locating on a building/structure (other than a wireless communication facility tower). Structures that are no greater in height than the maximum permitted building height for the respective zoning district may be permitted at a minimum 3 foot setback but shall not be located within a required front yard.



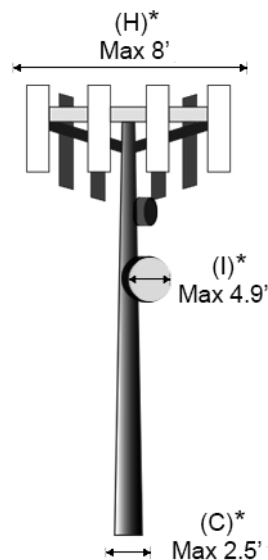
*Letters reference sub-articles of this Section of the Ordinance.

- H. The maximum diameter of antenna arrays shall be eight feet measured from circumference line to circumference line through the center of the tower structure but not including architectural features for stealth design such as tree limbs, palm fronds, and windmill blades.



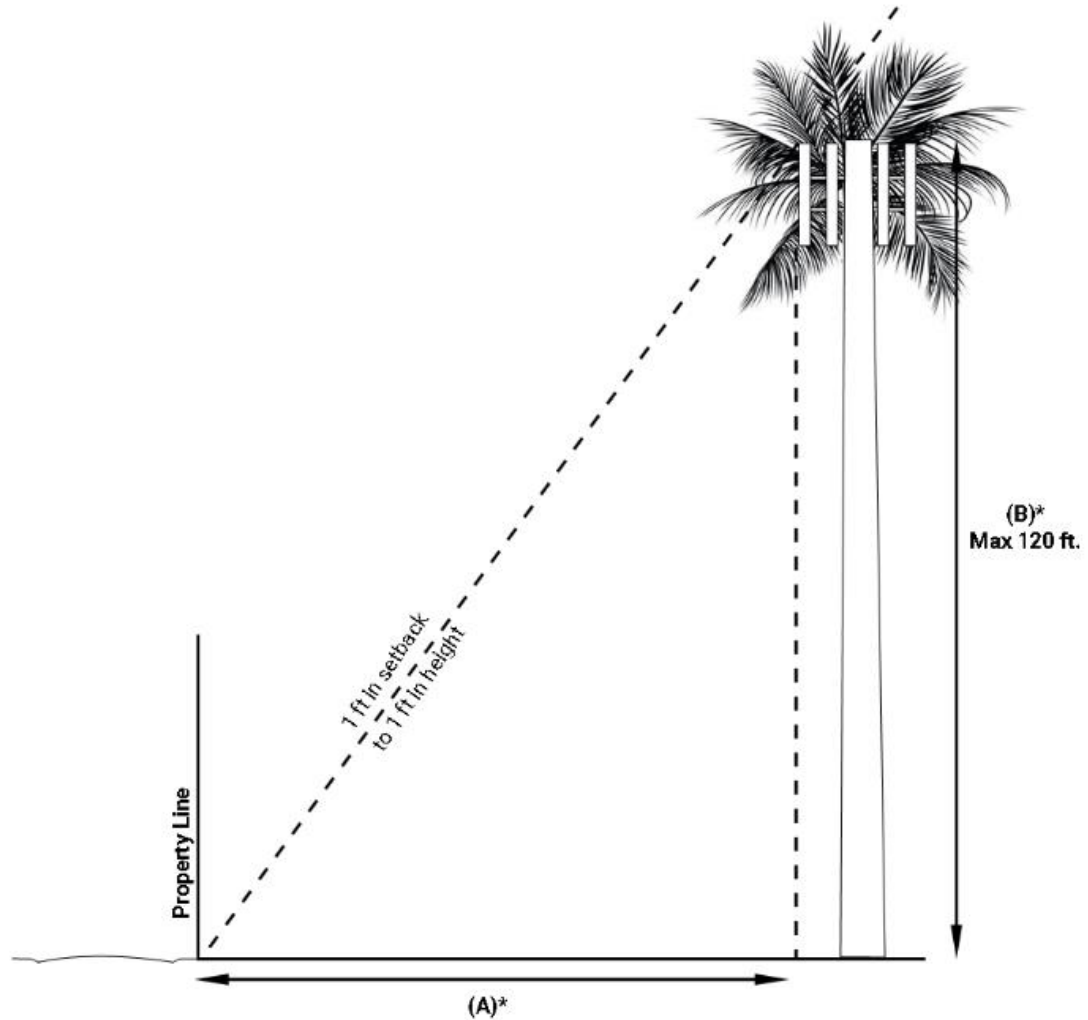
*Letters reference sub-articles of this Section of the Ordinance.

- I. The maximum diameter of any microwave dish shall be one and one half meters (4.9 feet).



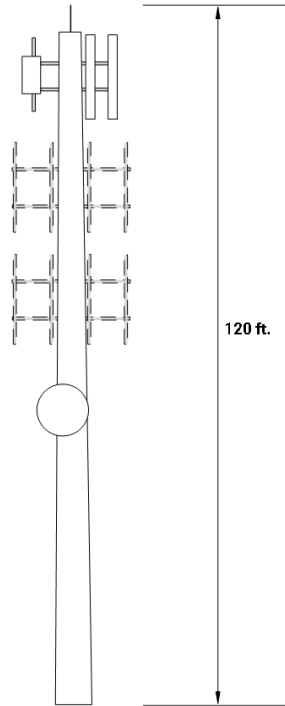
*Letters reference sub-articles of this Section of the Ordinance.

- J. All ground-mounted equipment associated with a wireless communication facility shall be screened visually and to mitigate noise.
 - K. Unless no greater in height than the maximum permitted building height for the respective zoning district or designed in a stealth manner acceptable to staff of the Maricopa County Planning and Development Department, the tower structure for a new wireless communication facility shall be located at least 1,000 feet (radius) from any existing wireless communication facility tower structure. There is no separation requirement for facilities mounted on a building/structure (other than a wireless communication facility tower). A stealth design must observe reasonable site aspects to affect the stealth design. For example, stealth design as a tree must have live trees of the respective species imitated and of similar height located in proximity to the tower.
 - L. Unless located within a building, a solid screen wall of a minimum six feet high, or to the height of intake/exhaust for HVAC and other equipment if higher, shall be constructed around the facility's ground equipment, and shall visually screen all equipment and mitigate noise. Associated panels for solar power generation do not require screening.
 - M. Generators will only be permitted for emergency purposes.
 - N. All ground equipment accessory to the Wireless Communication Facility shall be setback at least three feet (3') from a lot line and shall not be located within a required front yard.
2. In Commercial or Industrial zoning districts, wireless communication facilities are permitted subject to the following limitations:
- A. The wireless communication facility, if exceeding the height requirements of the zoning district in which it is located, shall be set back from a property line that abuts land located in a Rural or Residential Zoning District one foot for every one foot in height of the wireless communication facility (including tower and antenna attachments but not to include architectural features for stealth design), unless mounted on a building/structure other than a wireless communication facility tower. Notwithstanding the foregoing, the wireless communication facility shall be permitted to be located in alignment with the front of the principal building on the lot or parcel on which the wireless communication facility is erected. Structures that are no greater in height than the maximum permitted building height for the respective zoning district may be permitted at a minimum 3 foot setback but shall not be located within a required front yard.



*Letters reference sub-articles of this Section of the Ordinance.

- B. The maximum height of a wireless communications facility including the base, platform and attached antennae, shall not exceed 120 feet above grade or 15' above the height of the structure (other than a wireless communication facility tower) onto which it will be attached.



- C. There is no separation requirement for facilities in Commercial or Industrial zoning.
 - D. There is no limit to the number of Wireless Communication Facilities (including microwave dishes) that may be located on a building/structure in Commercial or Industrial zoning.
 - E. All standards of Article 902.3.1.1 shall apply to facilities located within Commercial or Industrial zoning districts, unless specifically modified by the standards of Article 902.3.1.2.
3. Any wireless communications facility or wireless information system facility proposed to be located on any property, tower or pole developed primarily for the transport, receiving or distribution of electricity or as an electric utility station, or other utility compound such as a water or wastewater treatment facility, are subject to the following limitations:
- A. Such properties, towers or poles include, but are not limited to:
 - 1. Substations;
 - 2. Receiving stations;
 - 3. Generating stations;
 - 4. Switching yards;
 - 5. Storage yards;

6. Communications facilities; and
 7. Existing 500kV, 345kV, 230kV, 115kV, 69kV transmission lines.
- B. The overall height of proposed new structures, antennas, attachments and appurtenances are limited to 125 feet or the height of the tallest existing structure, whichever is less. Antennas proposed to be attached onto structures (other than a wireless communication facility tower) are limited to a maximum height of 15 feet above the height of the structure onto which it will be attached.
- C. Ground equipment may be located on another parcel, but must be setback at least three feet from any lot line. This does not apply to the item below.
- D. In addition 12kV transmission lines, guy/stub poles, light poles or towers may have close mount antennas (less than 12 inch radius and pole mounted equipment.

Section 903. Mobile Home Parks

Article 903.1. Standards:

- 903.1.1.** Each mobile home space shall have an area of not less than 3,000 square feet and an average width of not less than 44 feet.
- 903.1.2.** Travel trailers or manufactured homes may be located on mobile home spaces but the minimum setbacks required of mobile homes shall be provided, and the appropriate sections of County plumbing and health codes must be complied with.
- 903.1.3.** Mobile homes, travel trailers, manufactured homes or detached accessory structures shall be located on mobile home spaces so as to provide a minimum setback from any mobile home space boundary, including boundaries in common with the edge of any interior drive or roadway, of not less than five feet, unless otherwise specified herein. Each mobile home or travel trailer shall set back from lot lines or required park screening a distance of not less than ten feet.
- 903.1.4.** The minimum distance between mobile homes, travel trailers, manufactured homes or detached accessory structures, and the minimum distance between mobile homes or travel trailers and buildings in the same mobile home park shall be ten feet, unless otherwise specified herein.

- 903.1.5.** A mobile home park shall provide a minimum ten foot clear unobstructed area from front lot lines and a minimum ten foot clear unobstructed area from street side lot lines. These areas shall be provided with appropriate landscaping, including necessary water maintenance facilities. These clear unobstructed areas shall not be utilized in determining space boundaries, dimensions or setbacks.
- 903.1.6.** Street improvements to Maricopa County streets standards for any public roads bounding the mobile home park shall be made as required by the Maricopa County Highway Department at the time of development of the park.
- 903.1.7.** Provision for on-site storm water retention/drainage and off-site storm water drainage both entering and leaving the property shall be as required by the Planning and Development Department and the Flood Control District.
- 903.1.8.** Minimum distance or setbacks required herein shall be the shortest of horizontal dimensions measured from the nearest portion of the side wall of a mobile home, manufactured home or travel trailer, or from any attached patio cover, carport, cabana, ramada or similar appurtenances. Detached accessory storage structures, containing a maximum area of 100 square feet and located in the rear one-third of a mobile home space shall not be included in these distance or setback requirements, unless the mobile home space is adjacent to a lot line, in which case the minimum distances or setbacks shall apply. No accessory storage structure shall be located so as to limit access to utility compartments and services.
- 903.1.9.** All interior drives or roadways within the mobile home park shall be a minimum width of 26 feet, exclusive of curbs and walkways, measured from edge of pavement to edge of pavement. The interior drives or roadways shall be paved
- 903.1.10.** The mobile home park shall be permanently screened from surrounding lots by a solid fence, wall, or suitable planting, with a minimum of six feet in height.
- 903.1.11.** No zoning clearance for the location of a mobile home or travel trailer on individual mobile home spaces shall be issued until such time as the requirements for mobile home park development as listed herein have been certified as being completed, in accordance with the approved plan of development, by a licensed engineer.

- 903.1.12.** Access to all mobile home spaces shall be from the interior of the park. There shall be no individual access to any mobile home space from a public street.
- 903.1.13.** In mobile home parks that contain ten or more mobile home spaces, there shall be provided a minimum of 100 square feet of recreational open space and/or recreational facilities for each mobile home space. Public or private streets, vehicle storage areas and exterior boundary landscaping areas shall not be included in calculating recreational open space.
- 903.1.14.** The signs identifying mobile home parks shall be subject to the standards as set forth in Chapter 11, Article 1106.1.
- 903.1.15.** The parking regulations for mobile home parks are as provided in Chapter 8, Article 802. hereof.
- 903.1.16.** Any outdoor mobile home park lighting shall be placed so as to reflect light away from adjoining rural or residential zoning district and shall be in accordance with any adopted County Outdoor Lighting Ordinance.
- 903.1.17.** Mobile home parks that have been developed prior to the effective date of this Ordinance shall be permitted to meet the Zoning Ordinance setback requirements for mobile home parks in effect at the time of their development.

Section 904. Protected Development Rights

Article 904.1. Purpose:

This article implements Arizona Revised Statutes Section 11-1201 et seq., which allows a county to provide for protected development rights through approval of Protected Development Right Plans, as defined in this Section.

Article 904.2. Protected Development Right Plans:

A "Protected Development Rights Plan" means a plan for the development of property approved by the Maricopa County Board of Supervisors pursuant to the Maricopa County Zoning Ordinance Chapter 3, Section 305 (Plan of Development (POD) process) Chapter 7, Section 702; and Maricopa County Subdivision Regulations Chapter 2, Section 203 (Final Plat).

Article 904.3. Protected Development Right:

The protected development right confers on the landowner the right to undertake and complete the development and use of the property under the terms and conditions of the protected development right plan, and precludes

enforcement against the property to which the protected development right applies of any legislative or administrative land use regulation that would change, alter, impair, prevent, diminish, delay, or otherwise impact the development or use of the property as set forth in the Protected Development Right Plan, except under the following circumstances:

- 904.3.1.** With the consent of the landowner.
- 904.3.2.** On findings, by ordinance or resolution and after notice and a public hearing, that natural or man-made hazards on or in the immediate vicinity of the property, if uncorrected, would pose a serious threat to the public health, safety and welfare if the project were to proceed as approved in the Protected Development Right Plan.
- 904.3.3.** On findings, by ordinance or resolution and after notice and a hearing, that the landowner or his representative intentionally supplied inaccurate information or made material misrepresentations that made a difference in the approval of the Protected Development Right Plan.
- 904.3.4.** On the enactment of a state or federal law or regulation that precludes development as approved in the Protected Development Right Plan, in which case the County Board of Supervisors, after notice and a hearing, may modify the affected provisions, on a finding that the change in state or federal law has a fundamental effect on the Protected Development Right Plan.

A protected development right does not preclude the enforcement of a subsequently adopted overlay zoning classification that imposes additional requirements and that does not affect the allowable type or density of use, or ordinances or regulations that are general in nature and that are applicable to all property subject to land use regulation by the county, such as building, fire, plumbing, electrical, and mechanical codes.

Article 904.4. Duration of a Protected Development Right:

If approved by the Board of Supervisors, a protected development right established pursuant to a Protected Development Right Plan is valid for three years for a non-phased development, five years for a phased development, and ten years for a phased development that contains at least one section of land as defined by 43 United States Code 751 or has a gross acreage of more than 640 acres.

The duration of a protected development right shall be extended for a maximum of two additional years for a non-phased or phased development, and ten additional years for a phased development that contains at least one section of land as defined above or has a gross acreage of more than 640 acres if the landowner demonstrates that a longer time period is warranted by relevant circumstances, including the size, type and phasing of the development on the property, the level of investment of the landowner, economic cycles or market conditions. Such extensions are subject to the Board of Supervisors approval.

A protected development right terminates at the end of the applicable period established under this section. If a building permit has been issued before the date of termination of a protected development right, the protected development right remains valid until the building permit expires, but in no event for longer than one year. On expiration, only principal structures for which footings or foundations have been completed may be finished under the protected development right. On the expiration of a protected development right, development may continue based on a valid building permit and according to standards in effect at that time. An unexpired building permit issued for a property with a protected development right does not expire or shall not be revoked merely because a protected development right expires under the time limitations specified in this section. Nothing in this Article precludes development based on common law principals vested rights or rights granted pursuant to a development agreement.

The commencement of a protected development right period shall be the effective date of valid approval of the Protected Development Right Plan or July 17, 1994, the effective date of the protected development right statute, whichever date is later. The protected development right period shall be noted on the Protected Development Right Plan. Protected Development Right Plans approved prior to the date of this Chapter may be resubmitted to the Department with the applicable protected development right period noted on the plan.

Article 904.5. Applicability:

This Chapter shall be applicable to all Protected Development Right Plans, as defined in Article 904.4. above, approved by Maricopa County after July 17, 1994, the effective date of the protected development rights enabling statute, if approved and identified as a Protected Development Right Plan at the time of approval.

Section 905. Drainage Provisions

Article 905.1. Statement of Purpose:

The purpose of this section is to promote and protect the health, peace, safety, comfort, convenience and general welfare of the citizens of Maricopa County by regulating grading and drainage of all land within the unincorporated areas of Maricopa County, Arizona and to minimize the possible loss of life and property through careful regulation of development, to protect watershed and natural waterways, minimize soil erosion and to ensure that all new development will not create an adverse drainage conditions.

Article 905.2. Scope:

This section shall apply to development of land and conditions which may affect drainage systems and patterns.

Article 905.3. Administration:

This article sets forth the duties and powers of the Drainage Administrator and the limitations on regulation.

905.3.1. Drainage Administrator: The Board of Supervisors of Maricopa County has appointed the Director of the Maricopa County Planning and Development Department or a duly authorized representative as the Drainage Administrator who shall enforce the provisions of this Regulation.

905.3.2. Mandatory Duties:

The Drainage Administrator shall:

1. Review drainage reports and plans for all developments of land covered by this Ordinance and approve such plans when the requirements of this section are met.
2. Investigate violations and complaints of non-compliance with the Ordinance.
3. Keep copies of all documents or other submissions made pursuant to the County's records retention requirements.
4. Issue notices or orders necessary to enforce the provisions of this section.
5. Upon determination that development of land subject to this Ordinance has proceeded without drainage clearance, take action necessary to obtain compliance with this Ordinance.

905.3.3. Discretionary Powers:

The Drainage Administrator may:

1. Inspect properties for which approval of a drainage clearance has been requested.
2. Inspect properties in response to drainage related complaints. If violations are found, require compliance with the provisions of this Ordinance.
3. Upon determination that all reasonable means to gain voluntary compliance have been exhausted, record a notice of non-compliance, and/or disclaimer with the Maricopa County Recorder in a manner so that it appears in the chain of Title of the affected parcel of land.
4. Issue notices of violation pursuant to this Ordinance.
5. Require additional information necessary to make a determination concerning violations and compliance with the provisions of this Ordinance.
6. Adopt drainage design standards, guidelines, administrative rules, procedures and policies to implement and effectuate the purposes of this section.
7. Establish, collect and regulate fees, which have been approved by the Board of Supervisors, for review and inspection of development for which a drainage clearance is sought. Fees may be waived for Federal, State, County and Municipal governments that are developing in the unincorporated areas of Maricopa County.
8. Require appropriate financial assurances for one or more of the following drainage infrastructure facilities required to obtain a drainage clearance:
 - A. Drainage control features which provide protection for the development, such as dams, levees, dikes and interceptor channels or canals;
 - B. Common area retention systems or drainage way conveyance facilities required for development;
 - C. A development that has been interrupted with a partially completed drainage system that presents the potential to create an adverse drainage condition;
 - D. A project that has more than one phase and the schedule of construction of all phases is longer than one year.
9. Approve applications for a Drainage Waiver pursuant to Article 905.6 of this Ordinance.

905.3.4. Restriction on Regulation

The Drainage Administrator may not:

1. Require a property owner to apply for a drainage clearance to install or change an existing drainage system on property which was already developed as of December 14, 1994, the effective date of the Drainage Regulation which this Section supersedes.
2. Require submission of an application for a drainage clearance in connection with the repair or alteration of property as it was developed as December 14, 1994, so long as the effect of such repair or alteration does not increase the potential to create an adverse drainage condition to the subject property or other properties.
3. Compliance with or exemption from this Ordinance does not relieve any person from liability if that person's actions cause drainage related damage to any other person or property.
4. This Section shall not pertain to or otherwise regulate cities, counties, towns or other incorporated municipalities, the State or its agencies or political subdivisions. This paragraph does not exempt school districts, private utilities, and private emergency or fire services from compliance with the provisions of this Regulation.
5. Request for exemption by those entities identified in paragraph 4 of this section must be in writing from the requestor and submitted with the building permit application.

Article 905.4. Drainage Review Board

Pursuant to the authority granted in ARS § 11-251, the Board of Supervisors shall appoint each member of the Maricopa County Board of Adjustment as a member of the Drainage Review Board (DRB) which shall hear requests for waivers to this section and appeals from interpretations made by the Drainage Administrator in accordance with the rules of this section.

905.4.1. The Drainage Review Board shall select a chair and a vice chair from among its own members who shall have the power to administer oaths and take evidence.

905.4.2. The Drainage Review Board shall by resolution fix the time and place of its meetings. The meetings shall be open to the public; minutes of its proceedings and records of its examinations and other official actions shall be kept and filed with the Maricopa County Planning and Development Department as a public record.

- 905.4.3.** The Drainage Review Board shall adopt rules of procedure consistent with the provisions of this Ordinance for the conduct of Drainage Review Board business including establishment of a fee schedule to cover in part administrative costs incurred in the processing of appeals, drainage clearances, drainage waivers, plan review for development or entitlement and performance bonds. The fee schedule shall be effective when approved by the Board of Supervisors and may be separately amended from time to time as deemed necessary by the Board of Supervisors.

Article 905.5. Appeals

- 905.5.1.** Appeals of any decision of the Drainage Administrator to the Drainage Review Board shall be filed with the Drainage Administrator within 30 days from the receipt of notice of the decision to be appealed and shall be in writing on a form provided by the Drainage Administrator. The notice of appeal shall specify the grounds for said appeal.
- 905.5.2.** While an appeal is pending, all matters, including decisions regarding the proceeding, shall be suspended or stayed unless the Drainage Administrator certifies to the Drainage Review Board that by reason of facts surrounding the appeal the stay would, in the opinion of the Drainage Administrator, cause imminent peril to life or property. In such cases the other matters shall not be stayed.
- 905.5.3.** The Drainage Review Board shall fix a time for hearing the appeal and give notice to the parties in interest and to the public as set forth herein. The Drainage Review Board shall hear and decide the appeal within a reasonable time.
- 905.5.4.** After public hearing, the Drainage Review Board shall render its decision whereby the Board may either affirm or reverse the decision of the Drainage Administrator.
- 905.5.5.** Any person aggrieved by a decision of the Drainage Review Board may, within 30 days of such decision, appeal to Superior Court.

Article 905.6. Drainage Waiver

- 905.6.1.** The Drainage Administrator shall review and decide requests for waiver from the requirements of this section.
- 905.6.2.** Before granting a waiver the Drainage Administrator shall find that each of the following criteria is met:

1. The grant will not result in an increase in the 100-year peak flow or discharge; and
2. By reason of special physical circumstances, location or surroundings of the property, strict application of the Regulation would deprive the property of privileges enjoyed by similar property; and
3. The waiver request is the minimum necessary, considering the drainage related hazard, to afford relief; and
4. There is a showing of good and sufficient cause; and
5. Granting the waiver will not result in additional threats to public safety, health, welfare, or extraordinary public expense, create a nuisance, the victimization of or fraud on the public and that the waiver does not conflict with existing local laws or ordinances.

905.6.3. The Drainage Administrator may attach such conditions or restrictions to the granting of a waiver as the Drainage Administrator determines necessary to reduce or eliminate potential threats to public safety, health, welfare or to public or private property resulting from the granting of the waiver. The applicant may be required to post bonds, assurances or other security to guarantee compliance with the conditions and restrictions imposed.

905.6.4. Property shall be posted a minimum of fifteen days prior to the Drainage Administrator's decision.

Article 905.7. General Provisions

This section sets forth the general requirements for Drainage Clearance Review including; Drainage Report/Plan (Entitlement), Design Parameters, and Drainage Report/Plan (Site Development).

905.7.1. Drainage Clearance

Except as provided for in this Section, a drainage clearance shall be required for any application for entitlement or development. Unless substantial construction as approved by the Drainage Administrator has occurred within 180 days of issuance of a building permit, the drainage clearance may be declared null and void and removal may be ordered of any partially completed improvements which may adversely affect drainage as determined by the Drainage Administrator. Upon application, the Drainage Administrator may approve a renewal of an expired Drainage Clearance for an additional 180 days.

Provided no development is to be located within a retention basin or drainage way, a drainage clearance shall not be required for: (i) any building with an area of 200 square feet or less, or (ii) for pipe rail type fencing that is not permanently affixed to the ground.

An exemption from requirements for Zoning Clearance, Building Permit, Environmental Services Department clearance or other permits does not constitute an exemption for drainage clearance, unless such exemption is granted by statute.

A Final Drainage Clearance Inspection must be approved prior to a final Certificate of Occupancy for permits issued to construct residential, commercial, industrial, educational, institutional, and such dwelling units as condominiums and apartments.

A floor/stemwall/foundation inspection approval is required prior to a request for a final building inspection for a single-family dwelling, additions thereto or livable accessory buildings.

Final drainage inspection approval shall be obtained within ninety (90) days of the date of notice of deficiencies identified at the time of the final drainage inspection.

905.7.2. Drainage Report/Plan (Development)

1. A Grading & Drainage Plan and Drainage Report shall be required for all subdivisions, development master plans, commercial, industrial, and multi-family residential developments. A Grading & Drainage Plan and Drainage Report may be required for any other applications, including development for a single family residence, as deemed appropriate by the Drainage Administrator. A revised Grading & Drainage Plan and Drainage Report may be required for any undeveloped or partially developed portions of an approved plan when no development or improvements have occurred for two or more years. The Grading & Drainage Plan and Drainage Report shall address existing drainage conditions as compared to drainage conditions at the time of plan approval. Based upon conclusions of the Grading & Drainage Plan and Drainage Report, reasonable modifications to the approved plan may be required by the Drainage Administrator.
2. All Grading & Drainage Plan and Drainage Reports, including conceptual, shall be prepared, signed and sealed by an Arizona Registered Professional Civil Engineer and shall comply with the checklists which are part of the application, together with any supporting documents deemed necessary to evaluate the drainage clearance.

905.7.3. No On-Lot Retention

In no event shall on-lot retention be permitted on any lot for residential use that is less than one acre.

905.7.4. Drainage Report/Plan (Development Master Plan)

1. The amount and degree of hydraulic and hydrologic detail required shall be determined by the Drainage Administrator based upon the complexity of the Development Master Plan.
2. For any development pursuant to a Development Master Plan, the drainage design shall be consistent with the drainage report and plan approved for the master planned community.

905.7.5. Drainage Report/Plan (Preliminary)

1. The amount and degree of hydraulic and hydrologic detail required shall be determined by the Drainage Administrator based upon the complexity of the preliminary plan including Plans of Development and Preliminary Subdivision Plats.
2. A preliminary Grading & Drainage Plan and Drainage Report is required for Preliminary Plat or Plan of Development approval. The preliminary plan and report shall address how off-site and on-site runoff will be managed; and demonstrate compliance with the retention volume requirements. A more detailed report shall be submitted for Final Plat approval.

905.7.6. Design Parameters

The drainage retention and runoff conveyance system shall be designed to eliminate or minimize adverse stormwater runoff effects and convey the runoff through the development with minimal detrimental effects to the development or to any other property. No system shall be approved if the effect may cause an increase in the peak discharge, volume or velocity of runoff; or change the point of entry or exit of drainage onto other property during the runoff event. No system shall be approved that does not conform to Best Management Practice Standards in controlling erosion and reducing sediment load.

All development shall be based on current engineering policies, standards and best practices at the time of application for construction, and conform to the standards and criteria contained in the Maricopa County Drainage Design Manuals and Drainage Policies and Standards Manual which are adopted by the County.

1. **Storm Frequency Criteria** - The rainfall event, based upon the 100-year storm duration generating the peak discharge for the area contributing runoff to the development, shall be used in designing the overall development drainage system.
2. **Retention and Management of Storm Drainage**
 - A. The retention system shall be designed to receive and retain the volume generated from the 2-hour, 100-year runoff event falling over the entire development site including all new and project related improved rights-of-way, excluding off-site flows. Co-mingling of on and offsite flows is discouraged unless measures to mitigate increased retention basin maintenance are implemented. These shall include, but not be limited to, upstream sediment basins, increased retention volume requirements and/or the use of dual chamber drywells.
 - B. Drywell and storm drain volumes shall not be used as part of the retention volume.
 - C. On-site retention facilities may include natural depressions, man-made basins, depressed parking areas, or other methods which do not result in water being ponded longer than 36 hours. No more than 25% of parking areas shown on the plan shall be used for retention and the maximum depth of the retention facilities cannot exceed 12 inches in parking areas. Vehicle storage areas used for retention, regardless of depth, shall contain the required number of dual-chamber drywells to drain the basin within 36 hours. Accessible parking and travel paths shall not be used for retention.
 - D. Retention basins and septic systems shall be separated in accordance with the Maricopa County Environmental Services Setback Distance Chart.
 - E. Utility lines and structures shall not be located within drainage facilities unless approved in writing by the occupying utility company.
 - F. If reasonable alternatives are not available, stormwater facilities in the County right-of-way may be acceptable provided the Maricopa County Department of Transportation approves the design.
 - G. A right-of-way or public utility easement shall not be designated for drainage or retention without prior written approval of the appropriate agency or affected utility.
 - H. Within subdivisions, on-site drainage shall be either to the street or to a designated drainage easement/tract or approved drainage way with adequate outfall.

- I. Within areas without established drainage infrastructure, drainage patterns shall remain historic with respect to inflow and outflow locations and characteristics.
 - J. Within subdivisions, drainage corridors (natural & man-made) that will convey offsite runoff flow through a development site shall be located in drainage tracts. Plats must identify maintenance responsibilities for the drainage tracts.
3. **Stormwater Disposal** - On-site runoff that has been retained shall be disposed of within 36 hours either by percolation, drywells or draining into an approved drainage way. Flows from basins shall not exceed pre-development flows and shall be in the location and direction of the historic flows. If runoff is to be conveyed by an underground system, complete detailed plans shall be submitted. Underground retention systems must drain within 36 hours.
4. **Drywell Design**
- A. If drywells are to be utilized for stormwater disposal, certification shall be required indicating that the drywells meet the provisions of the Environmental Protection Agency (EPA).
 - B. Drywells shall be used only for stormwater disposal and not for disposal or deposit of wastes or other contaminants.
 - C. Proof of drywell registration with the Environmental Protection Agency (EPA) shall be required prior to final as-built approval or issuance of the final drainage clearance.
 - D. Certification that the drywell meets requirements of this regulation shall be submitted at the time of installation.
5. **Road Design**
- A. To facilitate drainage, the design of roadways in the system shall conform to the Maricopa County Drainage Design Manuals, Maricopa County Drainage Policies and Standards and Maricopa County Department of Transportation Roadway Design Manual.
 - B. Adequate drainage ways shall be constructed to convey the street design flow if that flow is designed to leave the public right-of-way. Such drainage ways shall be platted as drainage easements or as separate tracts with maintenance provisions designated to the owner or HOA as the case may be. The County shall not maintain drainage facilities outside of the County right-of-way.

- C. The Drainage Administrator may require construction of a culvert or bridge where a road crosses a natural drainage way. The size of the culvert or bridge shall conform to Maricopa County Department of Transportation standards.
 - D. If roads are designed to convey runoff, the amount conveyed shall not exceed design standards. Additional flow shall be conveyed in storm drains or other drainage ways if the design standards are exceeded or the depth within local roadways is greater than 8 inches; and 6 inches in highroad classifications (collector, arterial and parkway).
 - E. To prevent back and head cutting, dip sections and culvert crossings of rights-of-way shall have adequate cutoff walls or aprons constructed of non-erodible material.
 - F. For subdivisions and other residential developments requiring 2 points of access, at least one shall be paved and the other being at least an all-weather road access with a maximum flow of 6 inches in depth over the roadway or overflow section during the 100-year peak flow event.
6. **Finished Floor Elevation** - Finished floors of a livable building shall be elevated a minimum of one foot above the highest grade point within ten feet of the foundation of the building. In areas without established drainage infrastructure, the Drainage Administrator may require higher finished floor elevations, grading and drainage plans or an engineer's certification that the finished floor is safe from inundation during the 100-year peak runoff event to ensure safety. A finished floor elevation lower than the minimum may be permitted provided it is determined by technical data and certified by an Arizona Registered Professional Civil Engineer to be the minimum necessary to be safe from inundation by the 100-year peak runoff event. Finished floor elevations may be required to be referenced to a known benchmark. Non-livable buildings (see definitions) are exempt from this section.
7. **Floodplain Development** - That portion of a development that is within a designated special flood hazard area (floodplain) shall comply with the Floodplain Regulations for Maricopa County. If a developer desires to re-delineate a floodplain, the required data shall be submitted to the Flood Control District.

Development within a delineated floodplain is not exempt from drainage and grading requirements of this section.

8. **Landscaping** - Walls, fences, decorative borders, berms and other similar structures or features less than one (1) foot in height above grade located within the building setbacks are permitted without first obtaining a drainage clearance provided they do not have an adverse drainage effect on the property adjacent land or obstruct, inhibit or divert any drainage way or other drainage feature.
9. **Grading**
 - A. Grading and Drainage Plans submitted for approval shall indicate preservation of the entrance and exit points and continuity of all natural drainage ways on a development site.
 - B. All Engineered grading and drainage plans with any cutting or filling of slopes shall meet the provisions of the Maricopa County Drainage Policies and Standards Manual.
 - C. Subsurface drainage for cuts and fill slopes must maintain the stability and integrity of the cut or fill slope.
 - D. Drainage facilities shall be designed to maintain historic drainage patterns or to convey runoff to the nearest approved drainage way.
 - E. Erosion of the ground in the area of discharge shall be minimized by installation of non-erosive cutoff walls, aprons or other approved erosion control devices.
 - F. Cut and fill slopes, new and redirected channels must be protected against erosion by suitable plantings, check dams, riprap or other approved methods.

905.7.7. Development of Minor Accessory Construction on Commercial or Industrial Projects

For minor accessory construction associated with established commercial or industrial projects, a drainage plan shall be required but may not be required to be prepared by an Arizona Registered Professional Civil Engineer as determined by the Drainage Administrator. In such cases the plan shall include but not be limited to the following information:

1. Plan requirements:
 - A. Maximum construction disturbance limits.
 - B. All information required by Article 905.7 (General Provisions) and any other Maricopa County Ordinance regulation.
 - C. Any supporting information which the Drainage Administrator deems necessary to evaluate the drainage clearance.

2. Minor accessory construction on commercial or industrial projects shall be limited to signs, accessible ramps, propane tanks, trash enclosures, billboards and wireless communication facilities, mobile storage containers and other projects as determined by the Drainage Administrator.
3. Projects that include only include minimal ground disturbance and will not create an adverse impact to the site or surrounding properties shall be considered as meeting Section 905.7.7. Projects that include disturbance of more than 1,500 sq. ft. outside of the building envelope or 10,000 sq. ft. in total shall not be considered as meeting Section 905.7.7 and must comply with the requirements of Section 905.7.

Article 905.8. Compliance, Enforcement and Penalties

905.8.1. Deed Restrictions

Recording of deed restrictions which include drainage easements, tracts, channels or common areas used for drainage purposes to be maintained by the property owner may be required. Recordation of such deed restrictions shall be noted on the final plat or other development plans as the case may be.

905.8.2. Performance Assurances

Financial assurances may be required by the Drainage Administrator to ensure construction, completion or maintenance of approved drainage facilities. Assurances shall be released upon verification of compliance with approved plans and all provisions of this Ordinance.

905.8.3. Regulation Violation

It is a violation of this Ordinance:

1. To develop, construct, alter, use, repair, improve, fill, divert, obstruct, remove or commence the creation, construction, alteration, repair, improvement, filling, diversion, obstruction or removal of any wash, culvert, easement, channel, ditch, berm, retention basin, wall fence, other structure or use which may affect any natural drainage or improved drainage design or drainage system without obtaining a drainage clearance from the Drainage Administrator;
2. For any person to place or allow to be placed any fill material, rubbish, trash, weeds, filth or debris which obstructs, retards or diverts any natural or improved drainage system upon any private or public property located in the unincorporated areas of Maricopa County;
3. For failure to maintain any natural drainage system or any drainage easement, tract, channel or common area created pursuant to this Regulation;

4. For failure to obtain the required Drainage Clearance or final drainage inspection approval prior to obtaining a final Certificate of Occupancy for permits issued to construct residential, commercial, industrial, educational, institutional, and multi-family dwelling units;
5. For failure to obtain the required floor/stemwall/foundation elevation inspection approval prior to securing a final building inspection for a single family dwelling including mobile/manufactured home, additions thereto or accessory buildings;
6. For any owner (builder/developer) to fail to correct any deficiencies noted at the time of the final drainage inspection. A Final drainage inspection approval shall be obtained within ninety (90) days of the date of notice of such deficiencies or final Building Inspection, and/or occupancy of the dwelling unit, whichever is the longer period;
7. For performing or authorizing work and for failure to correct any deficiencies noted at the time of final drainage inspection if the property is not compliant with the requirements of this section.

905.8.4. Violation Removal

1. If the property owner fails to remove fill material, rubbish, trash, weeds, filth, debris or any other obstruction that the Drainage Administrator determines obstructs, retards or diverts a natural or improved drainage system, after 30 days written notice from the Drainage Administrator to remove or abate the condition, the Drainage Administrator may, remove or cause the removal of the fill material, rubbish, trash, weeds, filth or debris upon the Director's determination that failure to remove or abate the condition constitutes a threat to the public health, safety or welfare.
2. The charge for the removal shall be billed to the property owner and collected by the County Attorney by use of all appropriate legal remedies, including but not limited to a lien against the property for the costs of removal plus attorneys fees and costs of collection.
3. The determination that the condition constitutes a hazard to the public health, safety or welfare may be appealed in the same manner as appeals from decisions of the Drainage Administrator as set forth in Article 905.6 above and such appeal shall be filed within 30 days of receipt of the written notice from the Drainage Administrator.
4. The Drainage Administrator shall be under no affirmative duty pursuant to this Article to either identify violations or undertake their removal. Removal pursuant to this section is discretionary with the Drainage Administrator.

5. The property owner shall be liable for any damages caused by failure to remove or abate the condition.

Article 905.9. Dedications

The Board of Supervisors may require, as a condition of issuance of a drainage clearance or waiver, dedication, or the use to the County or the Flood Control District of land necessary for construction of area drainage facilities to be constructed in accordance with a master drainage plan or development drainage plan if the need for the facility emanates at least in part from the proposed development. The amount of land required shall be proportionate to the amount of runoff contributed by a parcel to the total runoff calculated for the master drainage plan or development drainage plan.

Article 905.10. Warning & Disclaimer of Liability

The degree of protection from drainage related flooding due to storm water runoff required by this Ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Compliance with this Regulation does not ensure complete protection from drainage related flooding and is not to be taken as a warranty. Greater storms may occur or the water damage hazard may be increased by man-made or natural causes such as silting of channels and canals, pipe and culvert openings restricted by debris, natural erosion or man-made obstructions or diversions. This Regulation does not imply that land uses will be free from drainage related flooding or flood damage. This Regulation shall not create liability on the part of Maricopa County or any officer or employee thereof for any flood damages that may result from reliance on this Regulation or any administrative decision lawfully made there under.

Section 906. Renewable Energy Systems

Article 906.1. Purpose:

Promote efficient implementation of small-scale renewable energy systems, while setting practical guidelines for such implementation that are respectful of the neighborhood context within which such systems may occur.

Article 906.2. General provisions:

- 906.2.1.** Renewable energy systems, other than utility-scale electrical generating stations, are allowed as an accessory use within any zoning district, subject to the provisions of Article 906.3.

- 906.2.2.** Utility-scale concentrating solar power (CSP) generating facilities or photo-voltaic solar generating facilities of any output capacity are allowed as either a primary or accessory use within the IND-2 zoning district subject to the development standards of that district and provided that any water consumed during the production of electricity by the generating facility is supplied from a “renewable water source” as defined by this Ordinance.

Article 906.3. Development Standards:

906.3.1. Location on the Lot

Renewable energy systems may be located on the lot in a manner consistent with any accessory structure in the respective zoning district in which the lot is located.

906.3.2. Lot Coverage

1. Photo-voltaic solar panels and concentrating solar collectors associated with renewable energy systems shall not constitute an increase to lot coverage or rear yard coverage unless the panel(s)/collector(s) and supporting structure(s) in and of itself constitutes a building as defined in Chapter 2 herein. In which case, the panel(s)/collector(s) shall contribute to the overall lot coverage of the lot, and if located in the rear yard, the panel(s)/collector(s) shall contribute to the rear yard coverage of the lot. Lot coverage and rear yard coverage for photo-voltaic solar panels and concentrating solar collectors shall be calculated as enumerated in Article 906.4.1 below.
2. Small wind generating systems shall not constitute an increase to lot coverage or rear yard coverage.

906.3.3. Height Limitations

1. Renewable energy systems located within single-family, two-family, and multi-family zoning districts shall not exceed the height regulations of the zoning district in which the property is located.
2. Renewable energy systems in other than single-family, two-family, and multi-family zoning districts shall not exceed the height regulations for the zoning district in which the property is located unless the system is appurtenant to a building, in which case the provisions of Article 811.2 shall apply.
3. Ground-mounted equipment associated with renewable energy systems, other than solar panel(s)/collector(s) or wind turbines and their supporting structures, which is located within a lot’s side yard shall not exceed six (6) feet in height and shall be screened from view to a height

equal to that of the equipment, or in the case of a commercial application, placed within a cabinet that is not taller than six (6) feet.

906.3.4. Alternatives to wall, buffer, and landscaping requirements for industrial districts may be approved by the Planning and Development Department as part of a POD application for a utility-scale solar generation, BESS, or other renewable energy system project based on the use's low visibility from public view, remote location, or where wall, buffer, or landscaping alternatives would be consistent with the character of the surrounding area.

906.3.5. Exemption for Certain Off-Grid Solar Panels

Off-grid photo-voltaic solar panels which serve only a single electrical fixture or appliance, such as low-voltage landscape lighting or similar, are exempt from the provisions of this section. Photo-voltaic solar panels that are not in proper working order are subject to the provisions of Article 906.6 herein.

Article 906.4. Measurements:

906.4.1. If a solar panel(s)/collector(s) associated with a renewable energy system is deemed to constitute a building as articulated in Article 906.3.2(1) above, the lot coverage and rear yard coverage shall be calculated based on the aggregate horizontal area of the solar panel(s)/collector(s), regardless of angle to the sun or method of installation.

906.4.2. The height of a renewable energy system shall be measured relative to the highest point of the system or supporting structure, whichever is higher. In the case where a solar array tracks the sun's movement across the sky, the height shall be measured relative to the array's most vertical position.

906.4.3. Setbacks to renewable energy systems involving solar shall be measured relative to the edge of the solar panel(s)/collector(s), or supporting structure, whichever is closest to the property line from which the setback is being measured.

906.4.4. The height of a renewable energy system involving wind technology shall be measured relative to the top of the blade sweep at a point where the blade is in its most vertical position, or to the top of the supporting structure, whichever is taller.

906.4.5. Setbacks to renewable energy systems involving wind technology shall be measured relative to the blade sweep at a point where the tip of the blade, or edge of the supporting structure, is closest to the property line from which the setback is being calculated.

Article 906.5. Access to Sunlight and Wind:

The owner or future owners of a property onto which a renewable energy system is installed assumes all risk associated with diminished performance of said system caused by any present or future adjacent structure or landscaping that may interfere with the system's ability to produce power at its rated capacity, regardless of when that adjacent structure or landscaping is constructed or installed.

Article 906.6. Dilapidation:

Any renewable energy system, including utility scale operations, which becomes inoperable shall, at the owner's expense, be made operational or shall be removed from the property within one (1) year of the date the system became inoperable.

Section 907. Community Residences and Recovery Communities**Article 907.1. Purpose:**

Setting a framework by which community residences and recovery communities may locate and operate, and, as warranted, offering a reasonable accommodation to allow a community residence or recovery community as required by the Federal Fair Housing Act to locate within the minimum 1,200 foot spacing distance, to allow a community residence to operate when no state license or certification is available, or to allow a community residence to exceed the maximum ten residents.

Article 907.2. General Provisions:

907.2.1. Community residences are permitted in all zoning districts except for C-O and C-S, subject to the provisions and standards outlined in this Section.

907.2.2. Recovery communities are permitted in R-3 and R-4 zoning districts via a Special Use Permit. Recovery communities are permitted in R-5, C-1, C-2, C-3, IND-1, IND-2 and IND-3 zoning districts subject to the provisions and standards outlined in this section.

Article 907.3. Standards:

The following standards shall apply as specified to Community Residences and Recovery Communities:

907.3.1. Location:

1. Except as required by state law, a community residence is permitted in all zoning districts where residences are permitted when it will be located at least 1,200 linear feet from the closest existing community residence, group care facility or recovery community as measured from the nearest lot line of the proposed community residence to the nearest lot line of the closest existing community residence, group care facility or recovery community and complies with the other provisions in Section 907.
2. Except as required by state law, a recovery community is permitted in certain zoning districts where multiple-family housing is permitted when it will be located at least 1,200 linear feet from the closest existing community residence, group care facility or recovery community as measured from the nearest lot line of the proposed recovery community to the nearest lot line of the closest existing community residence, group care facility or recovery community and complies with the other provisions in Section 907.
3. A reasonable accommodation may be granted in accordance with Article 907.3.7 to locate within 1,200 feet of the closest existing Community Residence or Recovery Community.
4. Approval of a community residence or recovery community application confers a protection period of one year which allows the owner to obtain a Certificate of Occupancy, ADHS licensure and/or certification as required in Article 907.3.4. The protection period prevents other owners from establishing a community residence or recovery community within 1,200 feet of the lot line of the subject property. A single administrative extension of the protection period of 180 or fewer days may be granted at the discretion of the Zoning Inspector or their designee upon evidence of progress towards receiving a Certificate of Occupancy and licensure. Upon expiration of the protection period, other property owners may apply for and receive a protection period, which may preclude establishment of a community residence or recovery community on the subject property.

907.3.2. Maximum Number of People:

1. No more than ten unrelated individuals including live-in staff will occupy the community residence.
2. A reasonable accommodation to exceed ten occupants may be granted in accordance with Article 907.3.7.1.a.
3. No more than three staff per shift may occupy the residence at one time. The number of total staff shall not exceed the number of residents living in the community residence.

907.3.3. Characteristics of Occupants:

1. Residents shall not be adjudicated.

907.3.4. Licensure:

1. No community residence or recovery community shall receive a Certificate of Occupancy until the owner or its operator has been or will be issued:
 - A. The license or certification that the State of Arizona requires to operate the proposed community residence or recovery community within 1 year of the establishment of a community residence or recovery community protection period by the Maricopa County Planning and Development Department; or
 - B. Provisional certification by the Arizona Recovery Housing Association and then permanent certification within 180 days of the date or which provisional certification was granted; or
 - C. A “conditional” Oxford House Charter within 30 days of the date on which the first individual occupies the Oxford House and a “permanent” Oxford House Charter within 180 days after the “conditional” charter was issued; or
 - D. When neither the State of Arizona nor the Arizona Recovery Housing Association does not offer a license or certification a proposed community residence, and a reasonable accommodation has been issued in accordance with Article 907.
2. A reasonable accommodation may be granted for a community residence in accordance with Article 907.3.7.1.c. to operate when no state license or certification is available.
3. Upon application to establish a community residence or recovery community, the community residence or recovery community and/or its operator shall provide documented evidence that it has applied for any licensure the State of Arizona requires, for certification by the Arizona Recovery Housing Association, for an Oxford House Charter.
4. Upon termination, revocation, nonrenewal, or suspension of its license or certification, a Community Residence or Recovery Community must be closed within 60 calendar days, and the operator of the Community Residence or Community Residence must return residents to their families or relocate them to a safe and secure living environment.

907.3.5. Annual Documentation:

1. The operator or owner of a community residence or recovery community shall provide to the Zoning Inspector or their designee a copy of its renewed license, certification, or Oxford House Charter within ten

business days of the annual anniversary of being granted zoning approval. Failure to maintain annual documentation shall be immediate grounds to deem the community residence or recovery community and/or its operator in violation of the Zoning Ordinance.

907.3.6. Ownership:

1. Any license or permit issued by the Department for a community residence or recovery community Maricopa County is assigned to the owner of record or to the principal or chief executive officer of the legal entity in possession of the property.
2. Any license or permit issued by the Department for a community residence or recovery community is not transferable and does not run with the land.

907.3.7. Reasonable Accommodation:

1. The Zoning Inspector or their designee may grant a reasonable accommodation for reasons particular to the proposal of a community residence or recovery community under one or more of the following circumstances when it is found that the specified standards are met:
 - A. A community residence or recovery community is proposed to be located fewer than the required 1,200 linear feet of an existing community residence or recovery community may be granted reasonable accommodation to locate where proposed when it is found that the applicant has demonstrated by a preponderance of the evidence that all of the following standards are met:
 1. The proposed community residence or recovery community is separated from the closest existing community residence or recovery community by an interstate, freeway, canal, or other right-of-way at least 300 feet wide; or the proposed community residence will not interfere with the use of neighbors without disabilities as role models and the normalization and community integration of the residents of the closest existing community residence or recovery community, and that the presence of other community residences and/or recovery communities will not interfere with the normalization and community integration of the residents of the proposed community residence or recovery community; and
 2. The proposed community residence in combination with any existing community residences and/or recovery communities will not alter the residential character of the surrounding neighborhood by creating an institutional atmosphere or by creating or intensifying an institutional atmosphere or de facto

social service district by clustering community residences and/or recovery communities on a block face or concentrating them in a neighborhood.

- B. Except as required by state law, a reasonable accommodation to house more than ten unrelated individuals in a community residence may be approved only when it is found that the applicant has demonstrated by a preponderance of the evidence that all of the following standards are met:
 - 1. The proposed number of residents greater than ten is necessary to ensure the therapeutic and/or financial viability of the proposed community residence; and
 - 2. The proposed community residence will emulate a biological family and operate as a functional family rather than as a boarding or rooming house, nursing home, short term rental, continuing care facility, hotel, detoxification center, treatment center, rehabilitation center, institutional use, group care facility, or assisted living facility that does not comport with the definition of “community residence,” or any other nonresidential use; and
 - 3. Allowing the requested number of residents in the proposed community residence will not interfere with the normalization and community integration of the occupants of any existing community residence or recovery communities and the use of neighbors without disabilities as role models.
- C. When the State of Arizona does not offer a license or certification for the type of community residence proposed and the population it would serve, the Arizona Recovery Housing Association does not offer certification, or the proposed community residence is not eligible to be granted an Oxford House Charter, a reasonable accommodation may be issued only when it is found that the applicant has demonstrated by a preponderance of the evidence that all of the following standards are met:
 - 1. The proposed community residence will be operated in a manner essentially similar to that of a licensed or certified community residence; and
 - 2. Staff who reside and/or work at the community residence will be adequately trained in accordance with standards typically required by state licensing or certification for a community residence; and

3. The community residence will emulate a biological family and be operated to achieve normalization and community integration; and
4. The rules and practices governing how the community residence operates will actually protect the residents from abuse, exploitation, fraud, theft, neglect, insufficient support, use of illegal drugs or alcohol, and misuse of prescription medications.

907.3.8. Violation:

1. When a community residence or recovery community and/or its operator is unable to comply with the conditions set forth in 907.3.1., 907.3.2., 907.3.3., 907.3.4, 907.3.5. and 907.3.6. above, it shall be deemed to be in violation of the Zoning Ordinance, its occupants must be relocated to safe and secure housing, and the community residence or recovery community must be vacated within 30 days of being found responsible at hearing.

Chapter 10 | Use Regulations

Section 1001. Special Uses

Article 1001.1. Special Uses:

The Board of Supervisors may authorize as a Special Use any of the uses as identified in the Use Table in any zoning district unless otherwise specified in this Section:

- 1001.1.1.** Runways/airstrips, helipads/heliports and other landing areas provided that the OFZ or RPZ as defined in Chapter 8, Section 811, Article 811.3. should be located entirely on the same lot or parcel as the runway or landing strip. In any instance where any portion of the OFZ or RPZ of a runway or landing strip extends beyond the lot or parcel of property containing the runway or landing strip, written consent or aviation easements must be obtained from all property owners in which the OFZ or RPZ may wholly or partially lie.
- 1001.1.2.** Group care facilities and hospitals and institutions of an educational, religious, charitable or philanthropic nature, homes for the aged, nursing homes, convalescent homes and community residences or recovery communities that do not meet the requirements of Article 907.3 and other group care facilities including for adjudicated residents.
- 1001.1.3.** Public riding and boarding stables, subject to the following requirements:
 - 1. Buildings housing animals shall be setback from all property lines a distance of not less than 100 feet.
 - 2. There shall be no variance or waiver from this requirement except by unanimous vote of all members of the Board of Supervisors.
- 1001.1.4.** Travel trailer or recreation vehicle (RV) parks provided that:
 - 1. Each travel trailer or RV space shall have an area of not less than 1,250 square feet and a width of not less than 25 feet. Only one travel trailer or RV shall be placed on each space.
 - 2. Travel trailers, RVs and accessory structures shall be located to provide a minimum setback of not less than five feet from all space lines. Accessory structures shall not be permitted in overnight parks on travel trailer or RV spaces.
 - 3. The location of mobile homes on travel trailer or RV spaces shall be prohibited.

4. The minimum distance between a travel trailer or RV and any building in the same travel trailer park shall be ten feet.
5. Each travel trailer or RV space shall set back from lot lines in common with street lines a distance of not less than 20 feet and from all other lot lines a distance of not less than ten feet.
6. The front yard and street side yard areas shall be landscaped in accordance with a landscape and irrigation plan approved by the zoning inspector. When a fence of less than six feet is proposed, the landscape plan shall include adequate trees to provide screening of the park.
7. The travel trailer or RV park shall be screened from surrounding lots by a solid fence or wall of not less than three and one half feet or more than six feet in height when located in a front yard or street side yard and by a solid fence or wall six feet in height when located in any other yard. Screen walls shall be located on the interior edge of the required front and street side yard areas.
8. Service buildings to house toilet, bathing and other sanitation facilities and utilities shall be provided as required by the Maricopa County Health Code. Said facilities, if required, shall be completed prior to use of the park.
9. Minimum distances or setbacks required herein shall be the shortest of horizontal dimensions measured from the nearest portion of the sidewall of a travel trailer or RV including pullouts, tip-outs, or portable affixed awnings.
10. Destination park/spaces shall require the issuance of a building permit prior to the use of the park/space by a travel trailer or RV.

1001.1.5. Home occupations, cottage industry that do not meet the conditions of Article 603.9 in Rural Zoning Districts or in Single-Family Zoning Districts provided the entrepreneur shall reside in the dwelling on the property in which the business operates.

1. The recommendation of the Commission may consist of additional reasonable requirements including but not limited to the following:
 - A. The number of non-resident employees, clients, customers or students visiting the site.
 - B. The hours of operation.
 - C. Deliveries to the site.
 - D. The types of materials used in the business.

- E. The types and amounts of materials, products and services sold by the business.
- F. The types and amounts of materials manufactured by the business.
- G. The types, amounts and locations of materials stored for use by the business.
- H. The types and sizes of vehicles used in the business.
- I. Parking requirements.
- J. Screening.
- K. Landscaping.
- L. Signs.
- M. Paved access.
- N. Lighting.

1001.1.6. Wireless Communication facilities or structures or towers which exceed the development standards specified in Chapter 9, Section 902. of this Ordinance.

1001.1.7. Farm animals (horses, cattle and other farm animals) medical clinics and surgical referral hospitals, subject to the following standards:

- 1. Animals shall not be boarded or lodged except for short periods of observation incidental to care or treatment.
- 2. Any building or corral for the keeping of animals shall maintain a minimum setback of 40 feet from any property line.
- 3. All refuse and animal wastes shall be stored within an enclosed building or within odor-proof closed containers.

1001.1.8. Billboard(s) subject to the following

- 1. The billboard(s) is a lawfully existing structure made legal-nonconforming as of December 15, 2021 with regard to the requirements of Chapter 11 of this Ordinance.
 - A. The billboard is located in a C-2, C-3, IND-2 or IND-3 zoning district.
 - B. The billboard may be modified or converted to digital display with a Special Use Permit.
 - C. If illuminated the billboard shall be digital or lighting shall be mounted at the top of the sign face so that it is directed downward and shielded so that it is only illuminating the sign face in conformance with Article 812.3.2.

- D. The Special Use Permit may be approved without an expiration date or validity period.
 - 2. For billboards subject to governmental action;
 - A. the static or digital billboard is relocated from a parcel of property, located within the perimeter boundary of Maricopa County or within the corporate boundary of a city or town located partially within Maricopa County and partially within an adjacent county, that is acquired by a public entity for public use by condemnation, purchase or dedication.
 - i. The static or digital billboard must be removed due to that governmental action.
 - ii. The public entity has not paid just compensation for the static or digital billboard.
 - iii. The standards of the C-2 Zoning District shall apply, except that the billboard shall be permitted to remain the same size and height as the original billboard to be relocated.
 - iv. No further variance to the C-2 standards may be granted by either the Board of Supervisors or the Board of Adjustment.
 - v. Billboards may not locate in residential zoning districts; however, they may locate in rural zoning districts.
- 1001.1.9.** Recovery communities in the R-3 and R-4 districts proposed to be located at least 1,200 linear feet from the closest recovery community or community residence and licensed by State of Arizona or certified by the Arizona Recovery Housing Association when all of the following standards are met. A reasonable accommodation may be issued to locate within 1,200 linear feet of the closest recovery community or community residence under Article 907.3.7.1.a.
- 1. The proposed recovery community will not interfere with the normalization and community integration of the residents of any existing community residence or recovery community and that the presence of other community residences and/or recovery communities will not interfere with the normalization and community integration of the residents of the proposed recovery community; and
 - 2. The proposed recovery community, alone or in combination with any existing community residences, recovery communities, or congregate living facilities will not alter the residential character of the surrounding neighborhood by creating an institutional atmosphere or by creating or intensifying a de facto social service district by clustering community

residences, recovery communities, or congregate living facilities on a block or concentrating them in a neighborhood; and

3. The proposed recovery community will be compatible with the residential uses allowed as of right in the zoning district; and
4. The proposed recovery community, alone or in combination with any existing community residences and/or recovery communities will not alter the residential stability of the surrounding neighborhood.

1001.1.10. Special Event Venues (indoor/outdoor uses):

1. Special event venues subject to the following standards:
 - A. The subject property shall be greater than 3 acres in size (except for modifications and renewals of a special use permit previously approved prior to December 10, 2025).
 - B. The subject property shall provide at least 0.5 dust-proofed parking spaces per 1 attendees permitted.
 - C. All event parking shall occur on-site.
 - D. Maricopa County Code Enforcement staff shall be granted access to the entirety of the property through the duration of the event to investigate complaints received.
 - E. Maricopa County Environmental Services staff shall be granted access to inspect food and beverage service at any point during operating hours.
 - F. Fire and medical vehicles shall have adequate access to property frontage and to event attendees. Within the required narrative of the Special Use Permit, an applicant shall, in detail, specify how evacuation procedures will occur in emergencies.
 - G. The Board may set conditions of approval they deem necessary to promote the general health and welfare of the community.

Article 1001.2. Submittals:

Before permitting any of the above uses, precise plans together with a supporting statement or narrative as to the proposed use of the buildings, structures and premises, shall be submitted to the Board of Supervisors. These plans and a supporting statement or narrative shall be referred to the Commission for its review, report, and recommendation and for public hearing. No application shall be scheduled for hearing by any board or commission acting pursuant to the “Maricopa County Zoning Ordinance (MCZO)”, unless and until all fees and fines owed to the Department as a

result of any activity or inactivity attributable to the property that is the subject of the application are brought current and paid in full or any amounts owed pursuant to an agreement of compliance are current, as the case may be. This requirement shall not be waived by the Board/Commission. Notice and procedure for public hearing shall conform to the procedures prescribed in Chapter 3, Section 301. thereof.

Article 1001.3. Variations Of Standards And Requirements:

The recommendation of the Commission may include variations of the standards and requirements of the underlying zoning district..

Article 1001.4. Nonconforming Use:

Any use that the Board of Supervisors has authorized as a Special Use, existing at the time this Ordinance or amendments thereto become effective, shall be considered a nonconforming use unless such use has been established as a Special Use as herein provided.

Article 1001.5. Amendments:

Major Amendments shall be processed in the same manner as the initial plans and supporting statement of proposed use per 303.9.6. Minor Amendments shall be processed in the same manner as proscribed in MCZO 303.9.7.

Section 1002. Temporary Uses

The uses, buildings and structures permitted in this Section shall be established and maintained so as to provide minimum interference with the use and enjoyment of neighboring uses, buildings and structures and to ensure public health, safety and convenience.

Article 1002.1. Purpose:

1002.1.1. The provisions of this article are based on the recognition of buildings, structures and uses which, because of their unique characteristics:

1. Should not be permitted on a permanent or long-term basis but which may be either necessary or desirable for a limited period of time; provided, however, a temporary use may be approved, even where such use may be appropriate on a permanent or long-term basis, where the purpose of the temporary use permit is to allow an applicant to satisfy a plan of compliance entered into with the County to remedy a violation of this Ordinance, or
2. Requires careful regulation especially regarding location, duration of use and operation.

Article 1002.2. Temporary Uses:

Temporary Uses shall be limited to the following:

TUP – Temporary Use Permit, SC – Senior Citizen Overlay, and/or * additional information

Temporary Uses	Rural Zoning	Single Family Zoning	Multi-Family Zoning R-2, R-3, R-4	R-5	C-O	C-S	C-1, C-2 and C-3	Industrial Zoning	Additional Information
Temporary Housing	TUP	TUP	TUP	TUP			TUP	TUP	* Article 1002.2.1
Temporary Event	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	* Article 1002.2.2
Underage Occupancy	TUP/SC Only	TUP/SC Only	TUP/SC Only	TUP/SC Only					* Article 1002.2.3
Caretaker(s) Quarter	TUP	TUP	TUP	TUP			TUP	TUP	* Article 1002.2.4
Temporary Seasonal Sales	TUP			TUP		TUP	TUP	TUP	* Article 1002.2.5
Temporary Model Home Sales Complex	TUP	TUP	TUP	TUP			TUP	TUP	* Article 1002.2.6
Temporary Construction Office/Yard Complex	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	* Article 1002.2.7
Emergency Housing	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	* Article 1002.2.8
Other Uses	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	* Article 1002.2.9

1002.2.1. Temporary Housing: Temporary housing on the same lot of a permanent dwelling or use shall be authorized only in the following situations: The owner of the property is (re)constructing his own permanent dwelling on the property. This use shall be limited to a maximum time period of two years provided that the building permit for the permanent dwelling remains active.

1002.2.2. *Temporary Event:* Temporary events such as, but not limited to, circuses, carnivals, concerts, revivals, horse shows, rodeos, sales promotion events, and charity events. Any such event shall last no longer than a total of 30 days within a six-month period. No continuations shall be approved. An applicant may be required to obtain a local special event permit from a city/town or MCDOT special event permit for use of right-of-way in addition to such a temporary event permit.

1002.2.3. *Underage Occupancy:* Temporary occupancy, by reason of exceptional or unusual family situation, of a dwelling unit located in the Senior Citizen Overlay Zoning District (Chapter 7, Section 703.) by persons not in conformance with the age limitations of Chapter 7, Section 703. This use shall be limited to a maximum time period of two years. This use shall only be permitted upon issuance of a Temporary Use Permit. The requirement to obtain a Temporary Use Permit for this use shall not apply to any resident who is a qualified individual with disabilities per the definition of disability in Chapter 2.

1002.2.4. *Caretaker(s) Quarters:* An additional detached accessory dwelling unit for caretaker(s) may be permitted, provided that all of the following conditions are met:

1. The additional dwelling unit may be a recreational vehicle. It may not be a site built (permanent) structure.
2. The justification for the caretaker shall not be merely those activities associated with the normal responsibilities of a resident to maintain his property, including the care of a limited number of farm animals. An unusual condition(s) must exist which requires the on-site residency of a caretaker to perform the duties identified. Said condition(s) shall be identified as part of the Temporary Use Permit application. An unusual condition(s) may consist of:
 - A. Documented extended absences from the property by the occupant(s) of the principal residence.
 - B. Medical condition(s), when documented by a notarized statement from a physician. In the case of a medical caretaker, the caretaker or the recipient of the care may live in either the principal residence or the additional permitted residence (caretaker's quarters).
 - C. Other similar conditions as determined by the zoning inspector.
3. Only one additional dwelling unit shall be permitted on any property by approval of a Temporary Use Permit.

1002.2.5. *Temporary Seasonal Sales:* Temporary seasonal sales operations provided that the following conditions are met:

1. Any such use shall be limited to 30 days and shall not be renewed. Temporary use permits for this type of use shall be permitted not more than four times during any calendar year.
2. The site shall be cleared of all indications that such a use occurred within ten days of the termination of the Temporary Use Permit.
3. The parking requirements of Chapter 8, Section 802 shall not apply to this use. However, approved access and adequate safe parking shall be required as a condition of approval.

1002.2.6. *Temporary Model Home Sales Complex:* A model home sales complex that does not meet the requirements outlined in Article 601.

1002.2.7. *Temporary Construction Office/Yard Complex:* Temporary off-site construction yard and construction office complex that does not meet the requirements outlined in Article 603.8.

1002.2.8. *Emergency Housing* Emergency housing for parcels affected by fire, explosion, act of God, or act of the public enemy, as determined by the zoning inspector on a case-by-case basis.

1002.2.9. *Other Uses:* Other uses not listed here, as determined by the zoning inspector, which may be appropriate as temporary uses as outlined in Article 1002.2. Temporary Use Permits for these uses shall be processed in accordance with Article 1002.3.

Article 1002.3. *Temporary Use Permit Regulations:*

All Temporary Use Permits shall be subject to the following regulations:

1002.3.1. Application Requirements:

1. Regulations identified for the zoning district in which the proposed Temporary Use is located shall apply. Any such regulation may be varied by the Planning and Zoning Commission.
2. Application procedures and informational requirements for a Temporary Use Permit and its renewal shall be established by the zoning inspector. The application shall provide all information needed by the Planning and Zoning Commission, should a written letter of opposition be filed.
3. Upon acceptance of a complete application for a new Temporary Use Permit, the subject property shall be posted with a "Notice of Application" for a ten-day period. If a written letter of opposition is received within

the ten-day posting period, the request for a Temporary Use Permit shall be placed on the Agenda of the first available Planning and Zoning Commission Hearing for Resolution and noticed in accordance with Chapter 3, Section 301., Article 301.4.2. If no written letter of opposition is received within the posting period, then a Temporary Use Permit may be approved by the zoning inspector.

1002.3.2. *Approval of Temporary Use Permit:* A Temporary Use Permit shall only be approved provided that:

1. The proposed use does not create adverse impacts on surrounding property or residents. The zoning inspector or the Planning and Zoning Commission may only approve such a proposed use by stipulating additional requirements, provided that said stipulations substantially reduce all adverse impacts on surrounding property or residents.
2. The Temporary Use Permit shall be approved for a period of time not exceeding the authorized limits in Chapter 10, Section 1002, Article 1002.2. The time period for a Temporary Use Permit shall commence upon issuance of a Building Permit, its renewal date, or upon determination of the Planning and Zoning Commission or zoning inspector.
3. In a rental lease situation, the Temporary Use Permit shall be approved for a time period not exceeding the duration of the lease, excluding options.
4. The permit for the Primary Use has been issued for any Temporary Use Permit requested under Chapter 10, Section 1002, Article 1002.2.1.
5. Upon approval, a Temporary Use Permit shall be issued to the applicant. This permit shall indicate the nature of the use approved, its expiration date, and must be on visible display by the applicant on the property. Failure to meet this display requirement shall result in revocation of the Temporary Use Permit if issued a Zoning Citation.
6. No application shall be scheduled for hearing by acting pursuant to the “Maricopa County Zoning Ordinance (MCZO)”, or administratively approved unless and until all fees and fines owed to the Department as a result of any activity or inactivity attributable to the property that is the subject of the application are brought current and paid in full or any amounts owed pursuant to an agreement of compliance are current, as the case may be. This requirement shall not be waived by the board/commission.

1002.3.3. *Extension of Temporary Use Permit:* The duration of a Temporary Use Permit shall only be extended by the Planning and Zoning Commission. Upon

application, the Commission may grant a one-time only extension of the duration of any Temporary Use Permit for up to two years (except a temporary event or seasonal sales), provided that all other requirements for the Temporary Use Permit must be met and the applicant presents justification to the Commission of unusual or exceptional circumstances not of the applicant's own creation. Further, any such request for extension must be applied for prior to expiration of the current Temporary Use Permit.

1002.3.4. *Denial, Termination, or Expiration of Temporary Use Permit:* Denial, termination or expiration of a Temporary Use Permit shall occur as follows:

1. Denial of a Temporary Use Permit by the zoning inspector, for a reason other than the Temporary Use Permit has or will exceed its authorized time frame (Chapter 10, Section 1002, Article 1002.2.) may be appealed to the Planning and Zoning Commission upon submittal of an appropriate application and must be filed within ten days of any such decision by the zoning inspector. Any appeal by the applicant shall be placed on the Agenda of the first available Planning and Zoning Commission Hearing for Resolution and noticed in accordance with the Commission's procedures for Temporary Use Permits.
2. Any Temporary Use Permit remains in effect only as long as those conditions regarding the use of the property and control of the use (lease or ownership) remain as originally approved.
3. Upon denial, expiration, or termination of a Temporary Use Permit, the Temporary Use shall cease. Furthermore, any temporary or mobile structures shall be removed within ten days of said expiration or termination and any required physical alterations to principal or accessory buildings or structures should be issued permits within ten days and shall be completed and finalized within 30 days of said expiration.

Section 1003. Exempted Uses

This Ordinance shall not prevent, restrict or otherwise regulate the use or occupation of land or improvements for railroad, mining, metallurgical, grazing or general agricultural purposes, if the tract/s concerned is/are five or more contiguous commercial acres in size (Note: One Commercial acre = 36,000 square feet).

Article 1003.1.

Property is not exempt from the Maricopa County Zoning Ordinance and/or Building Safety Ordinance unless and until the Maricopa Planning and Development Department has approved an exemption for that property. In

order to secure exemption, an applicant shall submit a zoning clearance application, including site plan and other reasonable supporting documentation.

Article 1003.2.

Unless the zoning inspector determines otherwise, only uses classified by the Maricopa County Assessor's Office may be exempted via an approved exemption for a property. All other uses are subject to zoning ordinance requirements for the zoning district.

Article 1003.3.

Only property classified by the Maricopa County Assessor's office or the Arizona Department of Revenue as property used for one of the purposes enumerated in the first paragraph of this Section is eligible for exemption under this section. If property has been so classified, and Maricopa County Planning and Development has issued an approved exemption for the property, the property is exempt from the Maricopa County Zoning Ordinance and/or Building Safety Ordinance, unless the Planning and Development Director or their designee independently determines that all or part of the property is not used primarily for one or more of the purposes enumerated in the first paragraph of this section.

Article 1003.4.

Any structures built under an exemption that do not meet the underlying zoning district and/or Building Safety Ordinance standards shall be required to comply with said standards if, at a future date, the exemption is no longer applicable.

Section 1004. Nonconforming Uses

Article 1004.1. Continuing Existing Uses:

Unless an earlier date is specified in this Ordinance any building or structure that was existing, or any use of land that was lawfully existing, as of January 1, 2000 or as of the effective date of subsequent amendments to this Ordinance may continue even though such use, building or structure does not conform to the regulations of this Ordinance or amendments thereto for the zoning district in which it is located, provided the size, shape and configuration of the parcel remains unchanged since January 1, 2000.

Article 1004.2. Discontinuance of Nonconforming Uses:

1004.2.1. In the event that a nonconforming use of land, building or structure is discontinued and considered abandoned for a period of 12 consecutive months, any future use thereof shall be in conformity with the regulations of this Ordinance.

1004.2.2. In the event that a nonconforming use of land, building or structure is destroyed by fire, explosion, act of God or act of the public enemy to the extent of 75% of its value, according to the appraisal thereof by competent appraisers, then and without further action by the Board of Supervisors, the future use thereof shall from and after the date of such destruction, be subject to all the regulations of this Ordinance or amendments thereto for the zoning district in which such future use is located.

Article 1004.3. Expansion of a Nonconforming Use:

A nonconforming use of land, building or structure shall not be enlarged, extended, reconstructed or structurally altered unless such enlargement, extension, reconstruction or structural alternation and further use of such property conform with the regulations of this Ordinance for the zoning district in which such property is located, except that a nonconforming business use may expand if such expansion does not exceed 100% of the floor area of the original business.

Article 1004.4. Change Of Nonconforming Use:

If no structural alterations are made, any nonconforming use of land, building or structure may be changed to another nonconforming use provided the proposed use is of the same or more restricted classification as evidenced by a finding and resolution of record by the Board of Adjustment having jurisdiction.

Section 1005. Relief from Development Standards Due to Government Action**Article 1005.1. Government Action:**

When a government action results in a building, lot, parcel or tract of land not meeting the requirements of this ordinance:

1. For an undeveloped lot, parcel or tract of land, the government action shall alter the development standards to the extent alteration is necessitated by the government action.

2. For a lot, parcel or tract of land that has already been developed as of the time of the government action, the government action shall alter the development standards (including setback requirements) applicable to any improvements already constructed as well as subsequent improvements.

Chapter 11 | Sign Regulations

Section 1101. General Signage Regulations

Article 1101.1. Purpose

The purpose of this Chapter is to promote public safety, create an attractive business climate, and enhance the physical appearance of the community through a comprehensive system of reasonable, and consistent sign standards and requirements based on aesthetics and not content of the sign.

These regulations are intended to:

1. Enable the identification of places of residence and business.
2. Permit the communication of information necessary for the conduct of commerce.
3. Encourage signs that are appropriate to the zoning district in which they are located and consistent with the category of use to which they pertain.
4. Regulate signs in a manner so as to not interfere with, obstruct vision of, or distract motorists, bicyclists or pedestrians, from their ability to see traffic signals, road hazards, and other motorists, bicyclists, or pedestrians.
5. Require signs to be constructed, installed, and maintained in a safe and satisfactory manner.
6. Comply with the Outdoor Light Control Provisions as outlined in this Ordinance.

Article 1101.2. Exemptions [All Zoning Districts]:

The following signs are permitted in all zoning districts and exempt from the regulations of this Chapter:

1. Signs on mailboxes that display the name of the occupant and/or address on which the property is located.
2. Integral decorative or architectural features of buildings or works of art, as long as the features do not contain moving parts, lights, or logos.
3. Bulletin boards.
4. Signs associated with agri-business on property classified with an agricultural exemption.
5. Public service signs, not exceeding two (2) square feet in area, placed in

the interior of an establishment's building window or glass door, such as "open or closed," "vacancy," "will return," "no smoking," and other noncommercial messages; placed on the property; warning the public against trespassing, danger from animals, and road hazards.

6. Signs that constitute an integral part of a vending machine, and/or similar facilities, provided the sign does not interfere with the sight visibility triangle (SVT) areas.
7. Flags, badge, emblem or insignia of any government or governmental agency, or of any civic charitable, religious, patriotic, fraternal, or similar organization, provided the sign does not interfere with any sight visibility triangle (SVT) areas.

Article 1101.3. General Sign Regulations [All Zoning Districts]:

The regulations set forth in this Article further define, outline, or supplement, as the case may be, the zoning district regulations appearing elsewhere in this Ordinance. In the event of a conflict between regulations, the more restrictive applies.

1101.3.1. Freestanding and projecting signs may be double-faced.

1101.3.2. When the two faces of a double faced sign have identical dimensions, the calculation of the overall area of the sign of a double faced sign shall include only one of the faces.

1101.3.3. Sign Lighting: signs may be indirectly illuminated provided that the lighting is in compliance with the provisions as set forth in this Ordinance.

1. No flashing or blinking illumination shall be employed. Lighting shall be so installed as to avoid any glare or reflection into any adjacent property or into a street or alley.
2. If located in a Rural or Residential zoning district, no sign shall be lit between 10:00 p.m. and 6:00 a.m.
3. Electronic message displays shall contain at least one photo sensor, and each sensor shall:
 - A. be designed to continually operate in direct sunlight; and
 - B. be situated to measure ambient light; and
 - C. be contained in a waterproof enclosure which shall allow easy access to the photo sensors; and
 - D. allow light sensing; and

- E. be located in an enclosure that environmentally protects the components of the EMD; and
 - F. be capable of dimming all pixels of the sign collectively to compensate for surrounding ambient light levels.
 - 4. The EMD display light output shall be as follows:
 - A. limited to a maximum brightness level of 300 Nits between dusk and dawn and
 - B. no more than 0.3 foot candles above ambient light at all times, as measured using a foot candle meter at a preset distance depending on sign size. Measuring distances shall be as follows:
 - i. 0-100 square foot sign to be measured from 100 feet from the source
 - ii. 101-300 square foot sign to be measured 150 feet from source
 - 5. Signs lit with fluorescent or exposed neon or similar tube type illumination shall not increase the ambient light condition between sunset and sunrise that existed before installation of the sign.
 - 6. The lighting source of on-site signs externally illuminated shall not be visible from any adjacent residential zoning district.
- 1101.3.4.** Any sign using plastic zip track or other method of replaceable lettering shall have a secured cover.
- 1101.3.5.** No sign may be placed within the street right of way, clear zone distance and sight visibility triangle or any location where such sign presents a traffic hazard or otherwise poses a threat to the traffic or pedestrian safety.
- 1101.3.6.** No movable, animated or audible signs are permitted. Electronic message displays (EMD) shall not be considered as animation.
- 1101.3.7.** Roof signs shall not be permitted in any zoning district.
- 1101.3.8.** Minimum Display Time: Level 1 and 2 Electronic Message Displays (EMD) shall not change message more than once every eight (8) seconds.
- 1101.3.9.** Permanent signs, other than Residence Identification signs, in Rural and Residential Zoning Districts shall require a construction permit and zoning clearance.
- 1101.3.10.** Maintenance of signs:
 - 1. All signs and all components thereof, including supports, braces, and anchors, shall be kept in a state of good repair.

2. Any sign that no longer correctly directs or exhorts any person, advertises a bonafide business, lessor, sign company owner, product, or activity or is damaged, is in disrepair or is vandalized and not repaired within thirty (30) days of the damaging event, or within thirty (30) days of the issuance of a permit for the repair if a permit is required, shall not be permitted in any zone.
3. Any party having control of a sign shall remove any sign that has not been used to display or support a message during any thirty (30) day period. Failure to remove such sign within thirty (30) days shall be considered a violation of this ordinance. A sign carrying a message advertising the sign owner's company shall be deemed a valid message, however simply the availability of the sign for lease shall not be deemed to be "used to display or support a sign or message" for purposes of this section.

1101.3.11. Directory Signs shall be permitted in all districts:

Development Standards - Directory signs:

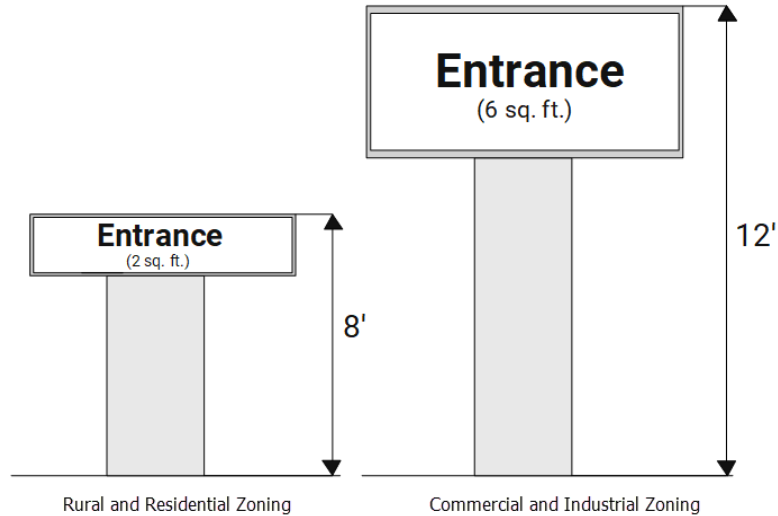
1. Shall be a freestanding standing monument sign with a base of at least eighteen (18) inches in height and a maximum sign area of eighteen (18) square feet.
2. Shall not exceed six (6) feet in height.
3. Shall contain no more than the maximum area of two (2) square feet for each business listed on the sign plus four (4) square feet for the name of the building or complex.
4. Shall not be included in calculating the total aggregate area for signage permitted on a parcel or lot for the approved use.
5. Shall not exceed one (1) directory sign for each driveway or entrance into a Business Park or complex.

1101.3.12. Directional Signs shall be permitted in all districts:

Development Standards - Directional Signs:

1. Shall not exceed the following area:
 - A. In Rural and Residential zoning districts, two (2) square feet.
 - B. In Commercial and Industrial zoning districts, six (6) square feet.
2. Shall not exceed the following height limitations:
 - A. In Rural and Residential zoning districts, eight (8) feet.
 - B. In Industrial and Commercial zoning districts, twelve (12) feet.
3. May be located in or project into required yards, but the sign shall not be located in or project into any right-of-way, street or alley.

4. Shall not be included in the calculation of the total permitted permanent identification area of the permitted total aggregate area of wall signs or the maximum number of freestanding signs as set forth in the provisions in this Ordinance.



1101.3.13. Light Pole Banners shall be permitted in all zoning districts:

1. Shall not be located in the public right-of-way.
2. May be single sided or double sided.
3. The structure on which the banner is mounted shall be permanent and shall not exceed eighteen (18) feet in height.
4. Mounted in a pedestrian way the bottom of the banner shall be a minimum of 9' from the ground. Mounted along driveways a minimum of fourteen (14) feet from ground level.
5. May be displayed year around, but shall be maintained free of any tears or frays.
6. Shall not exceed eighteen (18) sq. ft. 30" x 60".

Article 1101.4. Temporary Signs:

Temporary signs provide an important medium through which individuals may convey a variety of noncommercial and commercial messages. However, if left completely unregulated, temporary signs can become a threat to public safety as a traffic hazard and detrimental to property values and overall public welfare as an aesthetic nuisance.

These regulations are intended to balance the rights of individuals to convey

messages through temporary signs and the right of the public to protect the public health, safety, and welfare; reduce traffic and pedestrian hazards; protect property values by minimizing the possible adverse effects and visual blight caused by temporary signs; promote economic development; and ensure the fair and consistent enforcement of the temporary sign regulations specified below.

1101.4.1. Temporary Signs shall be permitted in all zoning districts:

Development standards - Temporary signs shall not:

1. Exceed the following:
 - A. In Rural and Residential zoning districts, exceed eighteen (18) square feet in area.
 - B. In any zoning district, exceed twelve (12) feet in height.
2. Be placed on a property in excess of 180 days provided that signs per Articles 1101.4.5, 1101.4.6 and 1101.4.7 may remain in excess of 180 days but shall be removed from the property within fourteen (14) days after the sign's purpose has been fulfilled. If the sign is expected to be in place longer than 180 days shall be secured to the ground and maintained in good repair.
3. In Commercial zoning districts, exceed the area allowed for permanent on-site signage: 1103.2.2.1 for wall signs and 1103.2.4.1 for freestanding signs.
4. In Industrial zoning districts, exceed the area allowed for permanent on-site signage: 1104.2.2.1 for wall signs and 1104.2.3.1 for freestanding signs.
5. If in association with a Commercial or Industrial business be permitted unless associated with a temporary event or there is a pending, or simultaneously filed application for a permanent sign permit.

1101.4.2. Shall not be illuminated.

1101.4.3. Temporary signs shall be included with a Temporary Use Permit (TUP) when associated with special event(s).

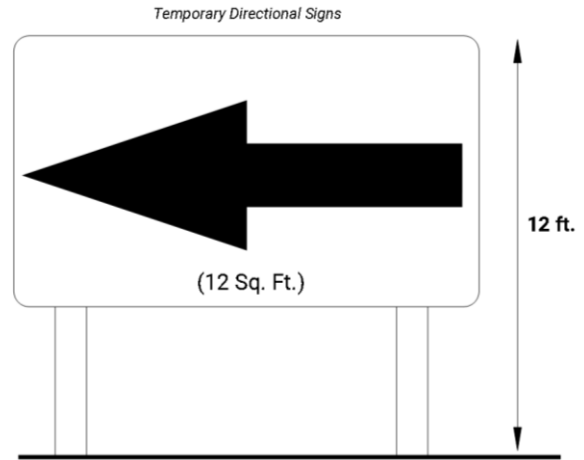
1101.4.4. Signs advocating a position for or against a candidate for public elective office or a public question are permitted provided each sign shall:

1. Not be displayed earlier than sixty (60) days prior to an election.
2. Be placed only on private property and not within in public rights-of-way, intersection "sight triangles", or roadway clear zones.

3. Be removed within thirty (30) days after the specific election to which they refer.
4. Comply with all other requirements for temporary signs.

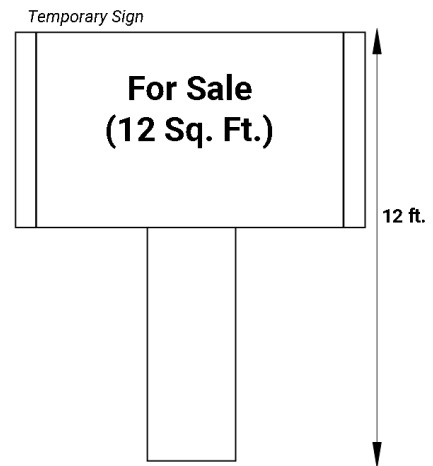
1101.4.5. Temporary Directional Signs:

1. Shall not exceed twelve (12) square feet in area.
2. Shall not exceed one (1) sign for each entrance and one (1) sign for each exit.
3. May be located in or project into required yards, but shall not be located in or project into any right-of-way, street or alley.

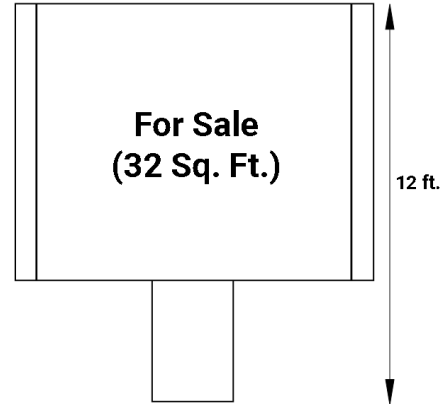


1101.4.6. Temporary Signs Pertaining to the Sale or Lease of Land:

1. Sign area shall not exceed:
 - A. For properties containing a total land area less than 1 acre, six (6) square feet.
 - B. For properties containing land area of at least one (1) acre but not more than five (5) acres, twelve (12) square feet.



- C. For properties containing land area greater than five (5) acre, thirty-two (32) square feet for the first five (5) acres and an additional fifteen percent (15%) over the maximum allowable sign area for each additional five (5) acres but in no event shall any sign exceed one hundred fifty (150) square feet.



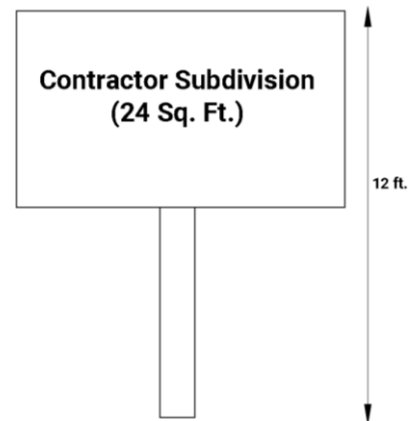
- D. Any sign in excess of thirty-two (32) square feet in area shall require a construction permit and zoning clearance.
2. All signs pertaining to sale or lease of land shall be located on the property to which it pertains and the number shall be limited to one (1) sign on each street frontage.
- A. For condominiums, the siting of the sign shall be on common grounds.
- B. For master planned communities, the sign must be located within the boundary of the master planned community to which it pertains.
3. No sign pertaining to sale or lease of land shall be located in or project into required yard, or any street or alley.
4. Shall include the property address and contact information.

1101.4.7. Temporary Signs Identifying the Contractors and Subcontractors, Engaged in the Construction or Repair of a Building or Buildings:

Development Standards: temporary signs identifying the contractors and subcontractors, engaged in the construction or repair of a building or buildings:

1. Shall not exceed twenty-four (24) square feet in area.
2. Shall be located on the property to which it pertains and the number shall be limited as follows:

Temporary Sign for Contractor or Subcontractor



- A. Rural and Residential zoning districts may have one (1) per lot.
- B. Commercial and Industrial zoning districts may have one (1) for each tenant.
- 3. May be located in or project into required yards, but the sign shall not be located in or project into any right-of-way, street or alley.

1101.4.8. Any sign not specifically listed as permitted shall be prohibited.

Section 1102. Rural and Residential Zoning Districts

Article 1102.1. Specific Rural and Residential Signage Regulations:

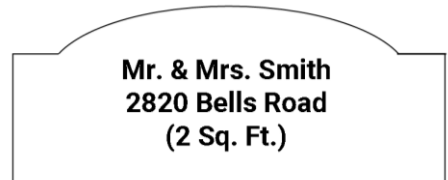
Development standards: All Rural and Residential zoning districts

- 1. Signs in Rural and Residential zoning districts shall not be located in or project into any required yard, public rights-of-way, street or alley.
- 2. A sign shall only be located on the property to which it pertains.
- 3. No sign area shall exceed twenty-four (24) square feet unless otherwise stated herein.
- 4. No variable message signs shall be permitted except as set forth in Article 1102.5.

ARTICLE 1102.2. Rural and Residential Identification Signs

Development standards: Identification signs

- 1. Shall not exceed two (2) square feet in area.
- 2. Shall not exceed eight (8) feet in height.
- 3. Shall be limited to one (1) sign for each dwelling unit.



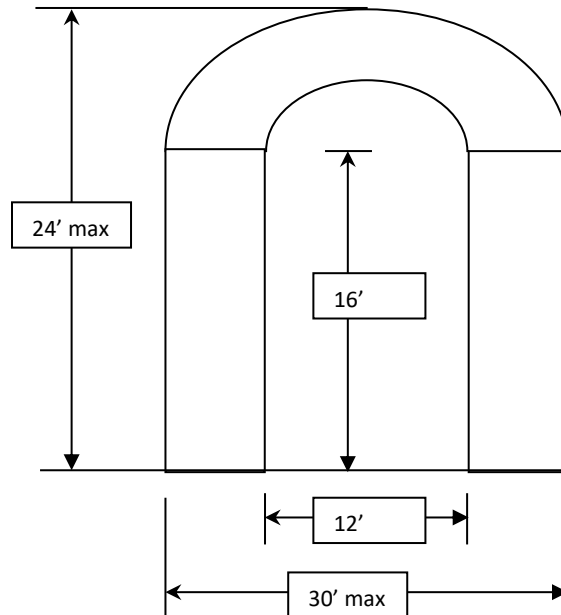
Article 1102.3. Entry Features

Entry features over driveways to a residence, ranch or farm are permitted subject to the following:

- 1. The entry feature shall be over a driveway, and limited to one entry feature per parcel;
- 2. The entry feature shall not contain lighting fixtures.
- 3. The entry feature shall observe a maximum height of 24', a maximum

width of 30', and the structural support components shall be no greater than 3' in diameter or 3' square.

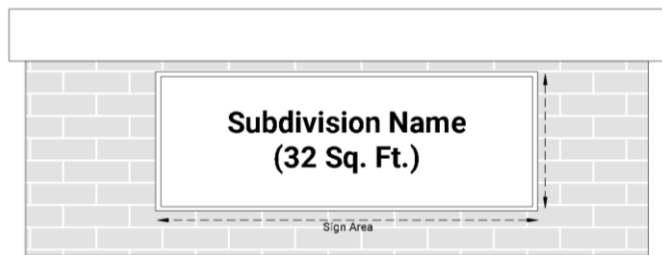
4. The entry feature shall observe a minimum opening of 12' in width and 16' in height;
5. Any signage incorporated into the entry feature shall be a maximum of 24 square feet, shall be contained within the exterior dimensions of the entry feature, and shall not obstruct the minimum opening dimensions prescribed in Article 1102.3.4 above.



Article 1102.4. Perimeter Wall Signs:

1102.4.1. Development standards: Perimeter Wall Signs

1. Shall not exceed thirty-two (32) square feet in area.
2. Shall not exceed six (6) feet in height.
3. Shall only be located at entry points of the subdivision, church, school and/or public building.
4. The number shall not exceed two (2) for each entrance.

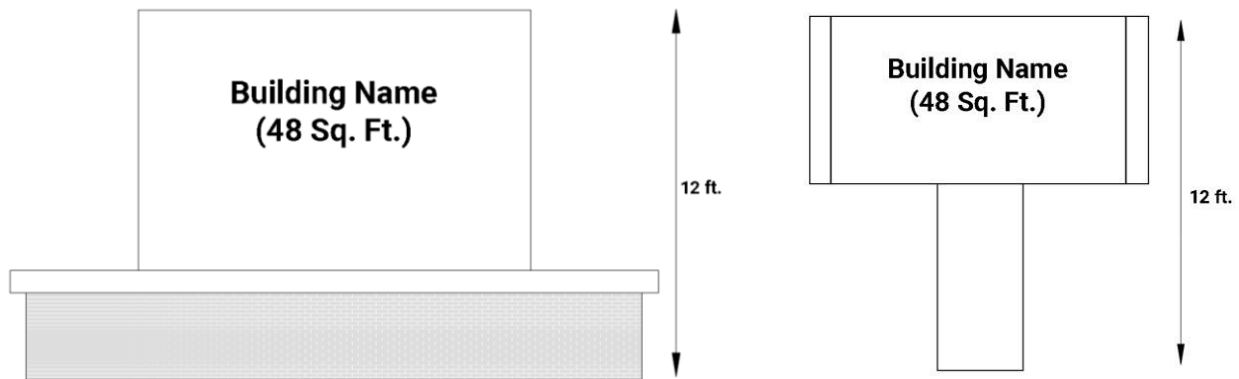


1102.4.2. Shall have a base equal to or greater than half the width of the sign.

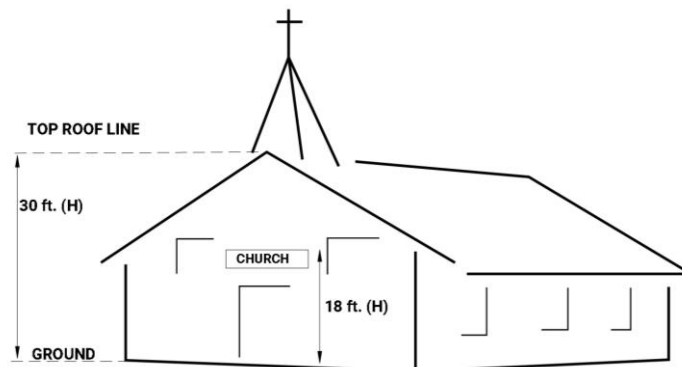
Article 1102.5. Signs Identifying Apartment Complexes, Churches, Schools, Care Facilities, Public Utility Buildings and Facilities, Publicly Owned or Operated Properties, Libraries, Museums and Community Buildings:

1102.5.1. Development standards: signs identifying apartment complexes, churches, schools, care facilities, public utility buildings and facilities, publicly owned or operated properties, libraries, museums and community building buildings:

1. Such signs may be placed flat against a wall of a building, perimeter wall sign or sign may be freestanding.
2. No sign shall exceed forty-eight (48) square feet in area.
3. Sign height shall not exceed
 - A. For freestanding signs twelve (12) feet.



- B. For wall signs **Eighteen (18) feet**



4. No more than one (1) freestanding sign shall be permitted for each entrance and each sign shall be located proximate to an entrance.

5. Any sign may be located in a required yard, but shall not conflict with a sight-visibility triangle.

1102.5.2. Freestanding signs may have a fixed or variable message.

1102.5.3. No EMD sign shall be permitted in Rural and Residential zoning districts other than Level 1 signs identifying apartment complexes, churches, schools, care facilities, public utility buildings and facilities, publicly owned or operated properties, libraries, museums and community buildings.

Section 1103. Commercial Zoning Districts

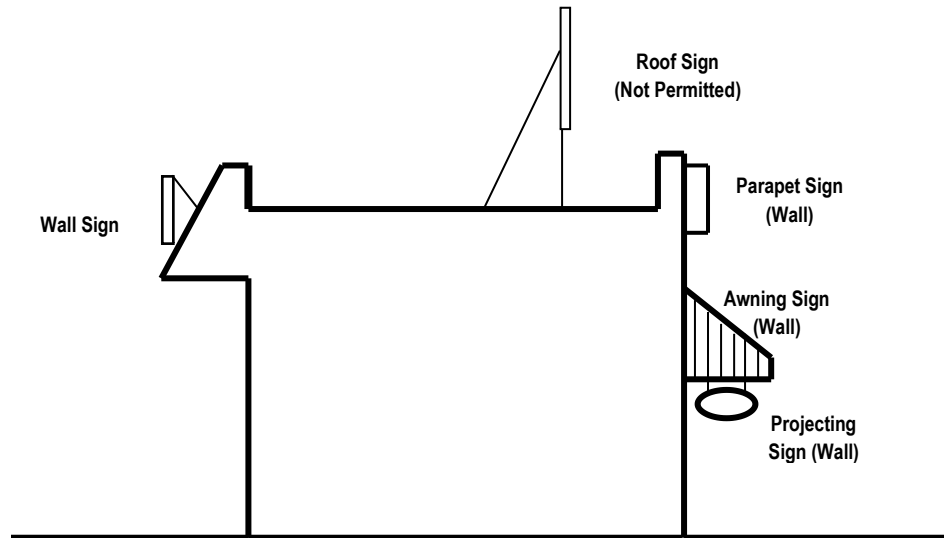
Article 1103.1. Commercial Signage Regulations:

1. Except for Freeway Pylon signs and off-site signs (billboards) in accordance with Section 1104, signs permitted in a commercial zoning district, may be located in a required yard, but shall not conflict with a sight-visibility triangle nor be located in or project into any public rights of way, street or alley.
2. Signs shall be oriented as follows:
 - A. Signs permitted in a commercial zoning district other than full-animation EMD (level 4) electronic signs shall be oriented to the business street frontage or to common use parking lots, courtyards, or pedestrian ways on which the business fronts or takes access.
 - B. Full-animation EMD (level 4) electronic signs shall be oriented to pedestrian traffic and common use parking lots, courtyards or pedestrian ways and shall not be oriented to any street frontage.
3. On-site signs may have a fixed or variable message. Electronic Message Display (EMD) signs are permitted as follows:
 - A. C-1 & C-O zoning district: Level 1 and Level 2 electronic message display sign;
 - B. C-2 & C-3 zoning district: Level 1 through 3 electronic message display sign;
 - C. C-S zoning district: Levels 1 through 4 electronic message display sign.

Article 1103.2. On-Site Signs

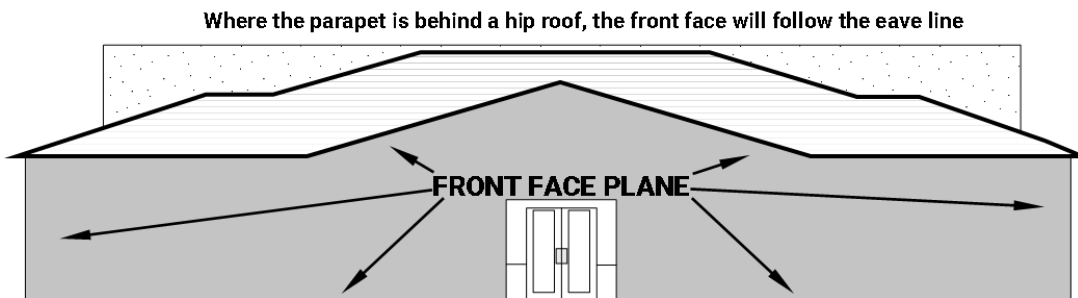
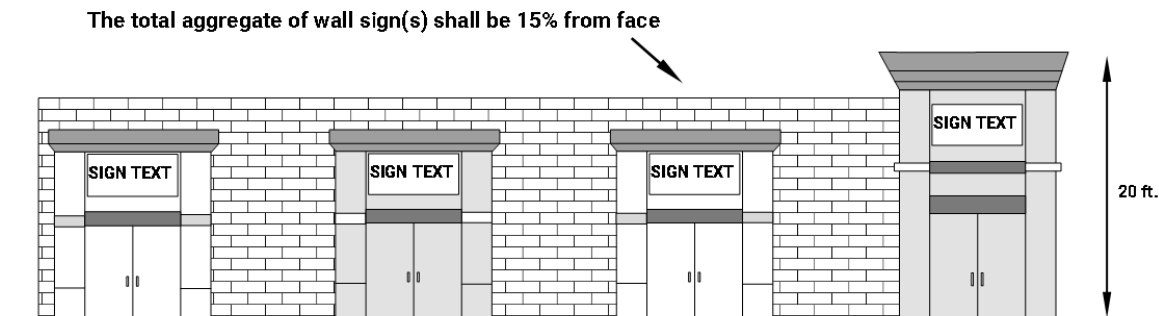
Shall be permitted subject to the following development standards:

1103.2.1. Wall Signs:

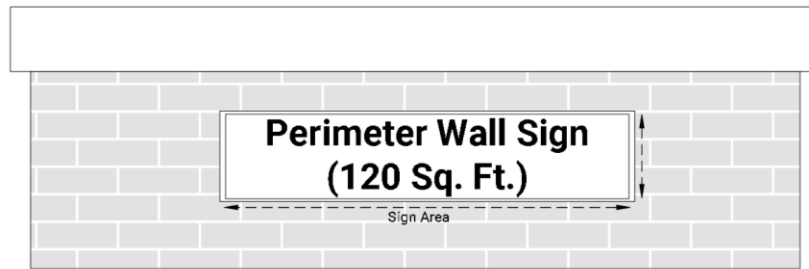


1. Sign Area

- A. The total aggregate area of all wall signs on a property shall not exceed fifteen percent (15%) of the front face plane of a building frontage .
- B. Front face plane is measured as a vertical plane from the ground to top of parapet or eave line of pitched, or mansard roof. Where a parapet is behind a hip roof, shall follow the eave line.



2. Sign height shall not exceed a maximum of twenty (20) feet.
3. Perimeter Wall Signs:
 - A. Shall be considered permanent, affixed to the wall and not temporary signage.
 - B. The sign shall have a border to clearly define the sign area.
 - C. Shall only be permitted on a wall directly fronting on an arterial, secondary or local street.
 - D. Shall be included in the total aggregate area of all wall signs and must not exceed fifteen (15) percent of one (1) face/plane of the wall.
 - E. Area shall not exceed 120 sq. ft.
 - F. Height shall not exceed wall height.



1103.2.2. Service Station Signs:

1. Canopy signs shall be fixed and contain only the business and or logo.
2. The maximum number of signs per canopy shall be two (2).
3. For any one (1) side of the canopy the maximum sign area shall, not exceed twenty-four (24) square feet.
4. No part of the sign shall project from a canopy wall a distance greater than twelve (12) inches.
5. The total area of canopy signs shall be included in calculation of total sign area permitted.



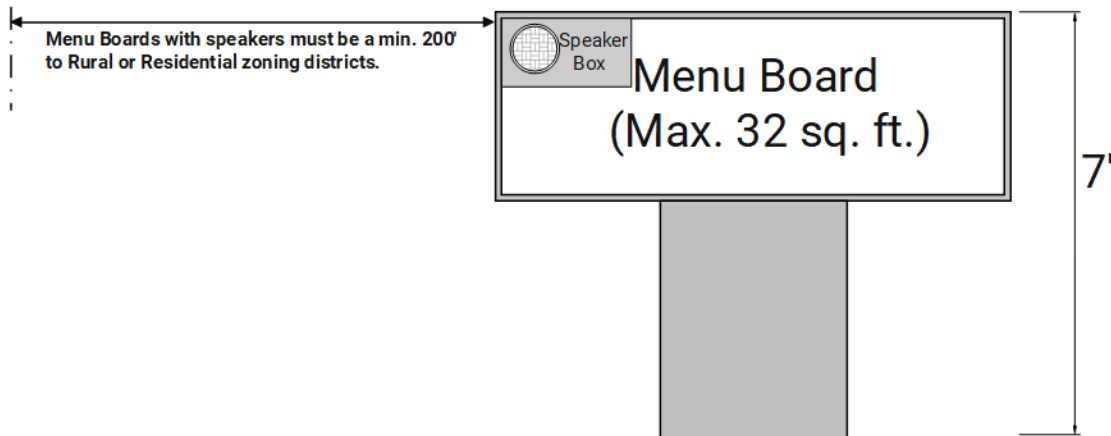
1103.2.3. Freestanding Signs, including center identification signs:

1. Shall not exceed one-hundred twenty (120) square feet in sign area.
2. Sign height:
 - A. Shall not exceed twenty-four (24) feet:
 - B. Any sign within two-hundred (200) feet of a Rural or Residential zone or a mobile home subdivision, unless developed for non-residential use, shall not exceed twelve (12) feet in height. However, for each five (5) feet beyond the two-hundred (200) feet as described in the previous section, the maximum may increase one (1) foot to a maximum height of twenty-four (24) feet.
3. Permitted number: one (1) sign per driveway not to exceed two (2) per street frontage.
4. In C-2 and C-3 zoning districts, the sign may be a moving, rotating or revolving sign, but no sign shall rotate faster than seven (7) revolutions per minute.

1103.2.4. Menu- Boards For Drive-Thru Restaurants:

1. Shall not exceed two (2) preview menu boards and two (2) ordering menu boards per business.
2. Shall not exceed thirty-two (32) square feet.
3. Shall not exceed seven (7) feet in height.
4. Shall be screened by a wall or landscaping so the sign is not visible from the street.

5. Containing speakers shall not be located any closer than two-hundred (200) feet to a Rural or Residential zone. At the discretion of the Zoning Inspector or their designee, an exception may be administratively granted if it is demonstrated that soundproofing and/or sound absorption techniques have been implemented in the design of the boards such that it is not a nuisance to Rural and Residential zones.

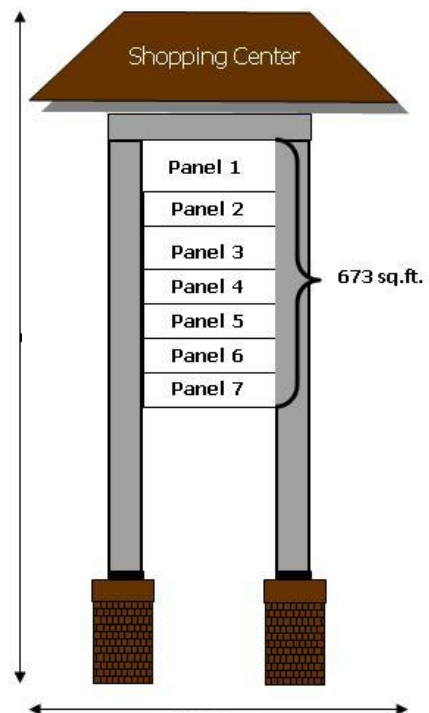


1103.2.5. Freeway Pylon Signs shall be permitted in the C-S and C-2 Zoning Districts only:

Development standards: Freeway Pylon Signs:

1. Shall not exceed sixty-five (65) feet in height unless designed in such a way as to accommodate Wireless cellular panel antennas in which case sign height shall not exceed eighty (80) feet.

Any Wireless communication antenna shall be architecturally integrated into the sign structure to have a seamless appearance. The associated ground equipment or shelter shall be entirely screened from view by a screen wall matching the sign structure base or the subject property commercial development design. The associated equipment area shall not exceed 600 square feet.



2. Shall not exceed a 2.5-to-1 ratio of height-to-width.
3. Shall not exceed fifty percent (50%) of the gross area of the sign structure per face.
4. Shall not be included in the calculation of the total number of freestanding or wall signs permitted.
5. Shall provide at the base a setback of not fewer than twenty (20) feet from any property line.
6. Shall provide, at the base, a landscape area extending to a minimum of four (4) feet beyond the perimeter section of the sign structure at its widest point.
7. Only Level 1, 2, and 3 electronic message displays (EMD) are permitted and Level 4 EMD are prohibited.

1103.2.6. A-Frame (Sandwich Board) shall be permitted in C-1 and C-2 and C-S zoning districts. A-Frame signs:

1. Shall not be allowed in public rights-of-way. Shall be placed on a private sidewalk directly in front of the associated establishment.
2. Shall be placed a maximum distance of two (2) feet from the wall of the building.
3. Shall not obstruct the sidewalk and complies with any applicable provisions of the Americans with Disabilities Act.
4. Shall not exceed twelve (12) sq. ft. in area 36" (w) X 48" (l).
5. Shall be removed at the close of business and only displayed during regular business hours.
6. Shall not include windblown devices including balloons may not be attached or otherwise made part of the sign.
7. Shall not exceed one (1) per business or tenant.
8. Shall be non-illuminated.
9. Shall require a zoning clearance.
10. Shall contain no off-site advertising.
11. Shall be professionally made and constructed of durable weather-resistant materials and maintained in good condition.

Article 1103.3. Off-Site Advertising Signs (Billboards) [C-2 and C-3 Zoning Districts Only]:

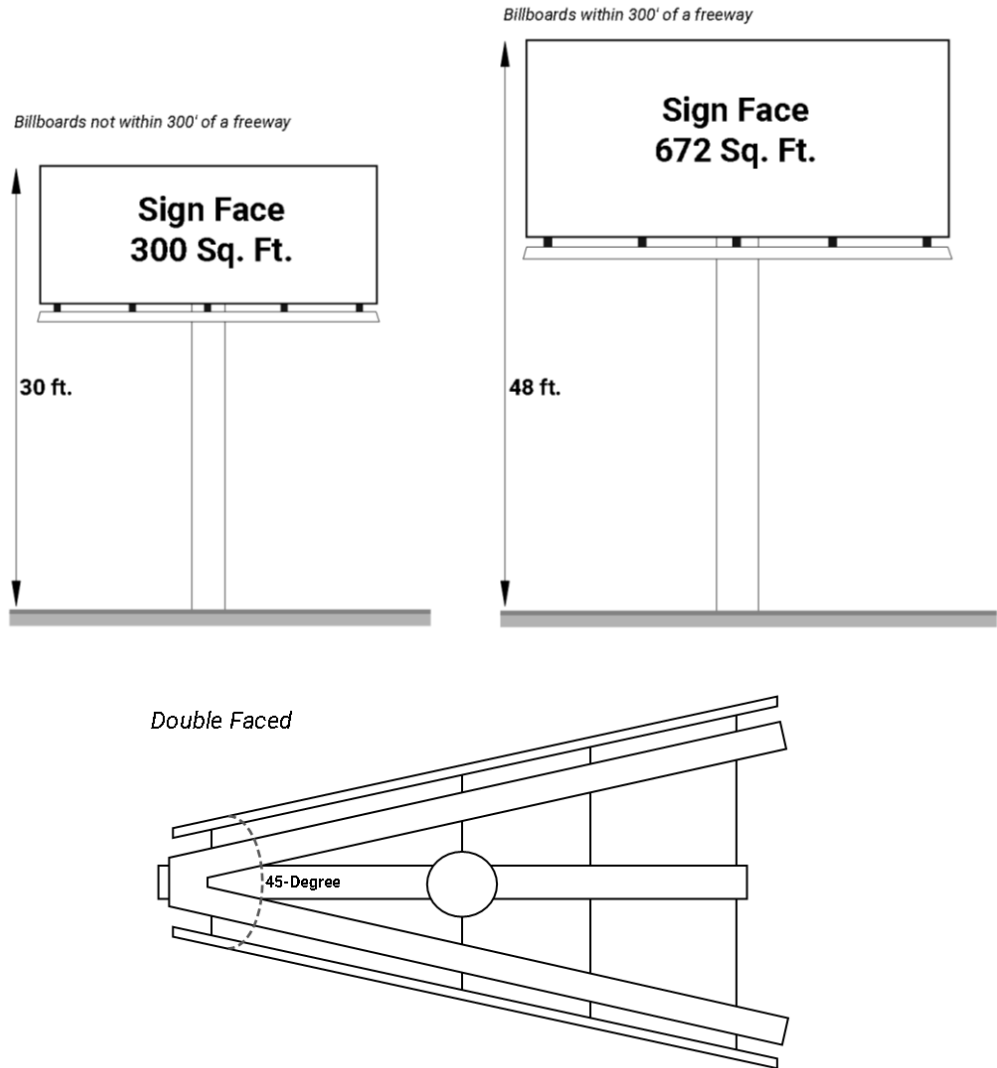
1103.3.1. Static and digital billboards shall be permitted uses in the C-2 and C-3 zoning districts subject to the following conditions:

1. Separation Distance:
 - A. Distance from other static and digital billboards:
 - i. When either an existing or proposed static or digital billboard is located 3 miles or greater from the boundary of any incorporated city or town, it shall maintain a radial separation distance from any other static or digital billboard of 3,000 feet. Measurement shall be from the vertical edge of the sign face closest to the sign face of the structure to which is being measured. Measurement shall not cross any freeway.
 - ii. When either an existing or proposed static or digital billboard is located fewer than 3 miles from the boundary of any incorporated city or town, it shall maintain a radial separation distance from any other static or digital of 1,000 feet. Measurement shall be from the vertical edge of the sign face closest to the sign face of the structure to which is being measured. Measurement shall not cross any freeway.
2. Setback Requirements: There shall be no setback from any property line, except as follows:
 - A. No billboard shall be erected located within 100 feet of any residential zoning district boundary or a parcel boundary of a residential use in a rural zoning district, whether or not separated by a public right-of-way. This shall be measured from the vertical edge of the sign face closest to the zoning district boundary line of a residential zoning district.
 - B. No illuminated or digital billboard shall be located within 150 feet of a residential zoning district boundary or a parcel boundary of a residential use in a rural zoning district (refer to Chapter 8, Section 812). This shall be measured from a vertical edge of the sign face closest to the parcel/lot line of a residential use in a rural zoning district.
 - C. No billboard shall be located within 500 feet from the vertical edge of the sign face closest to the parcel/lot line of any park, school or roadside rest area.

3. No billboard(s) shall have features that emit sound or be audible in any manner.
4. No billboard(s) shall be located in or within 660 feet of a Scenic Corridor Overlay Zoning District.
5. No billboard(s) shall be located on any property located within any Maricopa County Scenic Corridor.
6. Development Standards:
 - A. Static billboards located greater than 300 feet from the vertical edge of the sign face closest to the edge of a pavement for an existing freeway travel lane (not the edge of right-of-way):
 - i. Shall be limited to 30 feet in height inclusive of all billboard embellishments, lighting, and attachments.
 - ii. Shall be limited to 300 square feet in sign face area. The maximum square footage may be exceeded by up to 10% by use of billboard embellishments.
 - B. Static and digital billboards located within 300 feet from the vertical edge of the sign face closest to edge of a pavement for an existing freeway travel lane (not the edge of right-of-way):
 - i. Shall be limited to 48 feet above adjacent grade or elevation of the main travel lanes of a freeway immediately adjacent to the billboard or subject property (whichever is greater but not to exceed 70 feet), inclusive of all billboard embellishments and attachments, excluding additional 3 feet for top-mounted lighting fixtures.
 - ii. Shall be limited to 672 square feet in sign face area. The maximum square footage of sign area may be exceeded by up to 20% by use of billboard embellishments.
7. A billboard may be double-faced or “V” shaped, provided the “V” shape is designed so that there is no greater than fifty-four (54) inches between faces at the apex and the angle between the faces of the sign is no greater than 45 degrees.

Billboards	Sign Face (Square Feet)	Billboard Embellishments
Not within 300 Feet of a freeway	300*	10%
Within 300 Feet of a freeway	672*	20%

* this maximum square footage applies separately to each side of a double-faced billboard



8. Any modifications to a billboard within the Military Airport and Ancillary Military Facility Overlay Zoning District shall require a new Use Compatibility and Consistency Determination (UCCD) pursuant to Section 710.
9. All lighting shall adhere to Article 812.3.2 of the Maricopa County Zoning Ordinance.
10. General provisions applicable to digital billboards:
 - A. Digital billboards shall be permitted if:
 - i. Located fewer than 3 miles from the vertical edge of the sign face closest to the scaled corporate limit of a city or town.

- ii. If within 300 feet of and oriented towards an existing freeway's main travel lanes. Orientation to the freeway's main travel lanes shall be determined as the sign face being most closely aligned to a 90-degree angle to the freeway's main travel lanes rather than to any existing, proposed or planned freeway on or off ramps, frontage/access roads or proximate surface streets.
- B. Digital billboards shall include optical down angled LED's, and horizontal louvers (as well as vertical louvers if within 500 feet of a residential zoning district boundary or a residential use in a rural zoning district) extending past the diode at a minimum of .480" to minimize light trespass.
- C. Network time shall be made available on all digital sign faces to federal, state, and local public safety agencies for emergency messaging. Such messages shall override all copy for one hour and shall then be displayed for no fewer than eight seconds in every minute as long as needed.
- D. Digital billboards shall adhere to the provisions of Article 1101.3 of this Chapter, except that from 11:00 p.m. until sunrise all digital billboard illumination shall be extinguished, and all digital billboards shall be equipped with an automatic device to assure compliance. These illumination requirements shall not be applicable to the display of any Amber Alert or other governmental emergencies, or for other emergency situations as determined by the Zoning Inspector. Further, in the event of an electronic malfunction the sign shall be shut off until repairs have been made to restore the electronic messaging system.
- E. Display time shall not change-message more than once every 8 seconds. There shall be no animation, flashing, blinking or moving lights. In the transition between copy changes, there shall be no sense of movement from one image to the next.
- F. Dimmers on all digital billboards shall be set in the evening hours (from sunset to 11:00 p.m.) not to exceed 300 nits.
- G. The digital billboard shall have an automatic turn-off mechanism in case of malfunction.
- H. All lawfully existing static billboards on December 15, 2021 that become non-conforming due to Ordinance amendment on said date may not be modified or converted to digital unless brought into conformance with all requirements of this Ordinance; with the exception, that support columns may be relocated a maximum of 20 feet from the existing location, and or replace upward lighting with downward lighting as stated in 812.7.1.

11. A legal non-conforming static billboard that does not meet all requirements of this Article may be modified or converted to digital with approval of a Special Use Permit in accordance with Article 1001.1.21 of this Ordinance.
12. Nothing contained in this Ordinance shall affect the existing rights of any property granted a deviation by legislative or quasi-judicial action of Maricopa County.

Section 1104. Industrial Zoning Districts

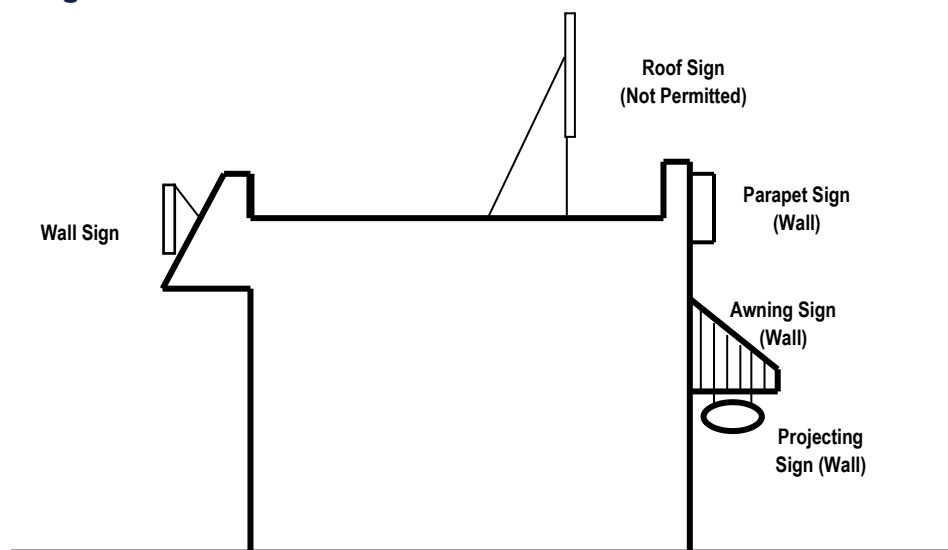
Article 1104.1. Industrial Signage Regulations:

- 1104.1.1.** Signs permitted in an industrial zoning district, may be located in required yard, but shall not be located in or project into any street or alley.
- 1104.1.2.** Shall be oriented to the business street frontage or to common use parking lots, courtyards, or pedestrian ways on which the business fronts or takes access.
- 1104.1.3.** On-site signs may have a fixed or variable message.
- 1104.1.4.** On-site signs may be Level 1, 2, and 3 electronic message displays (EMD). Level 4 EMD are prohibited.

Article 1104.2. On-Site Signs

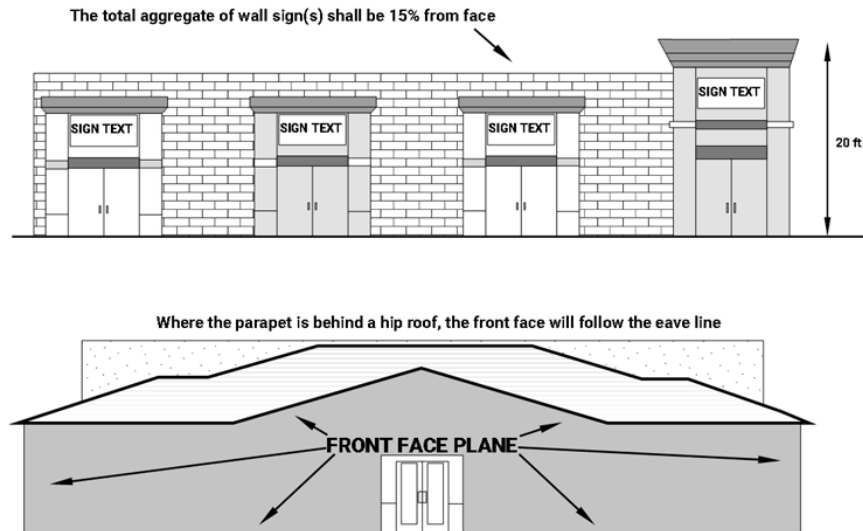
Shall be permitted subject to the following development standards:

1104.2.1. Wall Signs:



1. Sign Area

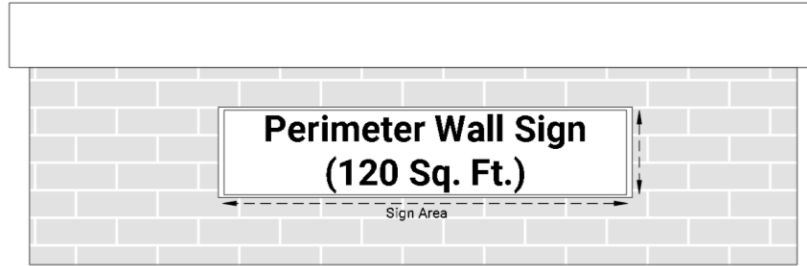
- A. The total aggregate area of all the wall signs on a property shall not exceed fifteen percent (15%) of one (1) front face/plane of a single/multi-tenant building, or wall plane of an individual business frontage where more than one (1) tenant occupies the building.
- B. Front face plane is measured as a vertical plane from the ground to top of parapet or eave line of pitched, or mansard roof. Where a parapet is behind a hip roof, shall follow the eave line.



2. Sign height shall not exceed a height of twenty (20) feet.

3. **Perimeter Wall Signs:**

- A. Shall be considered permanent, affixed to the wall and not temporary signage.
- B. The sign shall have a border to clearly define the sign area.
- C. Shall only be permitted on a wall directly fronting on an arterial, secondary or local road.
- D. Shall be included in the total aggregate area of all wall signs and must not exceed a maximum of fifteen (15) percent per building face/plane.
- E. Area shall not exceed 120 sq.ft.
- F. Height shall not exceed wall height.



1104.2.2. Freestanding Signs, including Center Identification signs:

1. Shall not exceed one-hundred fifty (150) square feet in sign area.
2. Shall comply with the following height standards:
 - A. Not exceed twenty-four (24) feet provided:
 - B. Any signs within two-hundred (200) feet of a Rural or Residential zone or a mobile home subdivision, unless developed for non-residential use, shall not exceed twelve (12) feet in height. However, for each five (5) feet beyond the two-hundred (200) feet, the maximum may increase one (1) foot to the maximum height of twenty-four (24) feet.
3. Permitted number: one (1) sign per driveway entrance or driveway but in no event shall signs be located closer to each other than 200 feet. Each such sign shall be located proximate to a driveway entrance.
4. May be a moving, rotating or revolving sign, but no sign shall rotate faster than seven (7) revolutions per minute.

Article 1104.3. Off-Site Advertising Signs (Billboards) [Ind-1, Ind-2 and Ind-3 Zoning Districts Only]

- 1104.3.1.** Off-site advertising signs (billboards) shall be a permitted use in the IND-1, IND-2 and IND-3 zoning districts subject to all requirements set forth in Article 1103.3.1.

Section 1105. Overlay Zoning District

Article 1105.1. Wickenburg Scenic Corridor:

Development standards for signs in the Wickenburg Scenic corridor:

1105.1.1. Class 3: All Class 3 signs shall:

1. Be kept to minimum size and height required for reasonable exposure of said signs; however no sign shall exceed twelve (12) feet in height.

2. Be setback from the property line as follows:
 - A. None for a sign not in excess of eight (8) feet in height.
 - B. A minimum of fifteen (15) feet for any sign greater than eight (8) feet in height but not in excess of ten (10) feet in height.
 - C. A minimum of twenty (20) feet for any sign greater than ten (10) feet in height but not in excess of twelve (12) feet in height.
3. Not exceed a maximum of one (1) freestanding sign.
4. Be of materials and colors that are muted and compatible with the desert environment to reduce visual contrast, heat gain and glare.
5. Contain no more than three (3) different colors. One (1) of which shall match the principal building color.

Article 1105.2. Highway 74 Scenic Corridor:

Development standards for signs in the Highway 74 Scenic Corridor shall:

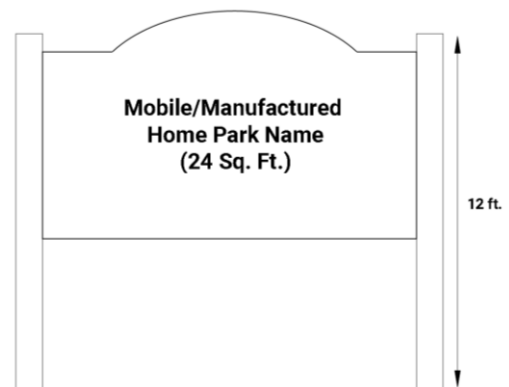
1. Not exceed a maximum of two (2) freestanding monument signs for each development at each approved entrance, except
 - A. There shall be no signs on an individual single family home lot.
2. Be made of durable material and be designed to be consistent with the architectural treatment of the building they relate to and overall character of the site.
3. Be, for non-residential uses, consistent with the underlying zoning district regulation.

Section 1106. Mobile/Manufactured Home Parks

Article 1106.1. General Sign Standards:

Development standards for signs in Mobile/Manufactured Home Parks:

- 1106.1.1.** Shall not exceed twenty-four (24) square feet in sign area.
- 1106.1.2.** May be illuminated in accordance with the provisions set forth in this Ordinance.
- 1106.1.3.** Shall not exceed twelve (12) feet in height.



- 1106.1.4.** May be located in or projected into required yards, but shall not be located in or projected into any street or alley.
- 1106.1.5.** Shall be permitted only if it shall be located on the property to which it pertains.
- 1106.1.6.** Shall be limited to not more than one (1) sign on each street upon which the Mobile/Manufactured Home Park has a major access.

Zoning District	Signage Category/Type ¹	EMD ²	Maximum Area	Maximum Height	Maximum Number
All Rural and Residential Zoning Districts	On-Site Permanent Signs				
	Directional	No	Two (2) SF	Eight (8) feet	One (1) for each entrance and one (1) each exit
	Churches, schools, public utility buildings and facilities, publicly owned or operated properties, libraries, museums and community buildings	Yes [level 1]	Forty-eight (48) SF	Wall eighteen (18) feet Freestanding twelve (12) feet	One (1) for each entrance
	Identification	No	Two (2) SF	Eight (8) feet	One (1) per dwelling unit
	Entry features	No	Twenty-four (24) SF	Twenty-four (24) feet	One
	Subdivisions signs	No	Thirty-two (32) SF	Six (6) feet	Two (2) per entrance
	Directory	No	Eighteen (18) SF w/ two (2) SF for each business and four (4) SF for the name of complex	Six (6) feet	One (1) per driveway or entrance
	Temporary Signs				
	Temporary- directional	No	Twelve (12) SF	Twelve (12) feet	One (1) for each entrance and one (1) for each exit
	Temporary- other	No	Eighteen (18) SF	Twelve (12) feet	No
	Temporary - pertaining to sale of land	No	Six (6) SF (<= 1 ac. Of land) Twelve (12) SF (1-5 ac. Of land) Greater than five acres refer to article	Twelve (12) feet	One for each street frontage
	Temporary - identifying the contractors and subcontractors, if any, engaged in the construction or repair of a building	No	Twenty-four (24) SF	Twelve (12) feet	One (1) per lot

Zoning District	Signage Category/Type ¹	EMD ²	Maximum Area	Maximum Height	Maximum Number
Commercial					
All Commercial Zoning Districts	On-Site Permanent Signs				
	Fuel canopy	Yes [change panel only]	Not to exceed 24 SF	Base zoning district	Two (2) per canopy
	Directory	No	Eighteen (18) SF w/ two (2) SF for each business and four (4) SF for the name of complex	Six (6) feet	One (1) per driveway or entrance
	Directional	No	Six (6) SF	Twelve (12) feet	One (1) for each entrance and one (1) each exit
	Freestanding	Yes	One-hundred twenty (120) SF	Twenty-four (24) feet	One (1) per driveway not to exceed two (2) per street frontage
	Menu boards for drive-thru	Yes	Thirty-two (32) SF	Seven (7) feet	One (1) preview and two (ordering)
	Wall	Yes	15% of building face/ plane	Twenty (20) feet	One (1) per business/tenant
C-S & C-2 only	Freeway Pylon	Yes	50% of gross area of structure	Sixty-five (65) feet	
C-2 & C-3 only	Off-Site Permanent Signs (Billboards)	Yes, with limitations	Six-hundred seventy-two (672) sf/three-hundred (300) SF	Forty-eight (48) feet/thirty (30) feet	One (1) per 1,000 ft ¹ /3,000 ft
All Commercial Zoning Districts	Temporary Signs				
	Temporary- directional	No	Twelve (12) SF	Twelve (12) feet	One (1) for each entrance and one (1) for each exit
	Temporary -political –candidates	No	Twelve (12) SF	Twelve (12) feet	No
	Temporary - pertaining to sale of land	No	Six (6) SF (<= 1 ac. Of land) Twelve (12) SF (1-5 ac. Of land) Greater than five acres refer to article	Twelve (12) feet	One (1) for each street frontage
	Temporary - identifying the contractors and subcontractors, if any, engaged in the construction or repair of a building	No	Twenty-four (24) SF	Twelve (12) feet	One (1) per tenant
Tup may be required	Temporary commercial signs	No	Follow the ordinance for permanent wall and freestanding sign area	Twelve (12) feet	One (1) per tenant

Zoning District	Signage Category/Type ¹	EMD ²	Maximum Area	Maximum Height	Maximum Number
Industrial					
All Industrial Zoning Districts	On-Site Permanent Signs				
	Directional	No	Six (6) SF	Twelve (12) feet	One (1) for each entrance and one (1) each exit
	Directory	No	Eighteen (18) SF w/ two (2) SF for each business and four (4) sf for the name of complex	Six (6) feet	One (1) per driveway or entrance
	Freestanding	Yes	One-hundred fifty (150) SF	Twenty -four (24) feet max	One (1) per driveway not to exceed two (2) per street frontage
	Wall	Yes	15% front face plane of store frontage	Twenty (20) feet	One (1) per business/tenant
IND 2 & IND-3 only	Off-Site Permanent Signs (Billboards)	Yes, with limitations	Six-hundred seventy-two (672) sf/three-hundred (300) SF	Forty-eight (48) feet/thirty (30) feet	One (1) per 1,000 ft ¹ /3,000 ft
All Industrial Zoning Districts	Temporary Signs				
	Temporary - directional	No	Twelve (12) SF	Twelve (12) feet	One (1) for each entrance and one (1) for each exit
	Temporary - political candidates	No	Twelve (12) SF	Twelve (12) feet	No
	Temporary - pertaining to sale of land	No	Six (6) SF (<= 1 ac. Of land) Twelve (12) SF (1-5 ac. Of land) Greater than five acres refer to article	Twelve (12) feet	One (1) for each street frontage
	Temporary - identifying the contractors and subcontractors, if any, engaged in the construction or repair of a building	No	Twenty-four (24) SF	Twelve (12) feet	One (1) per tenant
TUP may be required	Temporary industrial	No	Follow the ordinance for permanent wall and freestanding sign area	Twelve (12) feet	One (1) per tenant

¹ Other restrictions and criteria may apply – See the referenced Article for more information

² Electronic Message Displays

Chapter 12 | Violation, Penalty & Enforcement

Section 1201. Violation, Penalty and Enforcement

Article 1201.1. Purpose:

This chapter identifies what constitutes a violation of this Ordinance, establishes penalties and remedies, and authorizes enforcement procedures.

Article 1201.2. Zoning Inspection and Enforcement

1201.2.1. Duties: The enforcing officer of this Ordinance shall be the Zoning Inspector, and it shall also be the duty of the Sheriff of Maricopa County and of all officers of said County otherwise charged with the enforcement of law to enforce the provisions of the Ordinance. , The Zoning Inspector:

1. Shall receive applications for zoning clearance as required by this Ordinance.
2. May examine premises for which zoning clearances have been requested.
3. May make necessary inspections to secure compliance with the provisions of this Ordinance.
4. Shall, when requested by the Board of Supervisors, or when the interests of Maricopa County so require, make investigations in connection with any matter referred to in this Ordinance and render written reports thereof.
5. Shall further issue such notices or orders as may be necessary for the purpose of enforcing compliance with the provisions of this Ordinance.
6. May, upon verification of a violation of this Ordinance by the enforcing officer, record notice of violation against the property. A recorded notice of violation shall run with the land and shall constitute notice to all persons or entities thereafter acquiring interest in the property. Failure to record a notice of violation shall not affect the validity of the notice as to persons who received the notice. When the property is brought into compliance, a satisfaction of notice of violation shall be recorded.

1201.2.2. The Zoning Inspector may adopt rules and procedures consistent with this Ordinance for the implementation thereof.

1201.2.3. The Zoning Inspector shall keep records of applications for zoning clearances, of inspections made, of reports rendered, and notices or orders issued and shall retain of all documents in connection with zoning clearances for such time as may be required by law.

1201.2.4. Any permit issued that is in conflict with this Ordinance shall be null and void as if never issued.

Section 1202. Violation

Article 1202.1.

It shall be unlawful to erect, construct, reconstruct, alter or use any building or structure within a zoning district without first obtaining a building permit.

Article 1202.2.

It shall be unlawful to erect, construct, reconstruct, grade, alter or use any land within a zoning district in violation of any regulation or any provision of any Ordinance pertaining thereto.

Article 1202.3.

Any violation of this ordinance shall constitute a public nuisance.

Section 1203. Penalty

Article 1203.1. Criminal:

Any person, firm, or corporation determined to be in violation of any such Ordinance or any part thereof, is guilty of a **class 2 misdemeanor**. Each and every day during which the illegal erection, construction, reconstruction, alteration, maintenance or use continues is a separate offense.

Article 1203.2. Civil:

Any person, firm, or corporation determined to be in violation of this Ordinance or any part thereof, is subject to civil penalties. Each and every day during which any erection, construction, reconstruction, grading, alteration, maintenance or use continues in violation of this Ordinance is a separate offense. Authority to apply civil penalties is granted in ARS § 11-815.(D). Civil penalties shall not exceed the amount of the maximum fines established by statute for a class 2 misdemeanor. If an alleged violator is served with a notice of violation, the alleged violator is not subject to a criminal charge arising out of the same facts.

Article 1203.3. Other Remedies:

If any building or structure is, or is proposed to be, erected, constructed, reconstructed, altered, maintained or used or any land is altered or is proposed to be used in violation of any Ordinance, regulation, or provision enacted or adopted by the Board of Supervisors under ARS Title 11 Chapter 6 County Planning and Zoning, the Board of Supervisors, County Attorney, Zoning Inspector, or any adjacent or neighboring property owner who is specially damaged by the violation, in addition to the other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action or proceedings to prevent, abate or remove the unlawful erection, construction, reconstruction, alteration, maintenance or use.

Section 1204. Enforcement**Article 1204.1. Withholding of Permits:**

The Zoning Inspector shall withhold the issuance of any and all permits when it appears that the proposed erection, construction, reconstruction, alteration, maintenance or use does not fully conform to all Ordinances, regulations, and provisions enacted or adopted by the Board of Supervisors under ARS Title 11 Chapter 6 County Planning and Zoning.

Article 1204.2. Criminal:

The Zoning Inspector, in consultation with the County Attorney, is authorized to develop any rules, procedures, processes and forms necessary to implement criminal proceedings under any ordinance, regulation, or provision enacted or adopted by the Board of Supervisors under ARS Title 11 Chapter 6 County Planning and Zoning. The County cannot pursue criminal prosecution of a violation case that was initially opened, and pursued under the civil process. This does not restrict the County from pursuing criminal prosecution through a new violation case that is opened and pursued exclusively through the criminal process.

Article 1204.3. Civil:

The Board of Supervisors hereby establishes the position of Hearing Officer to hear and decide all civil proceedings established by any Ordinance, regulation, or provision enacted or adopted by the Board of Supervisors under ARS Title 11 Chapter 6 Planning and Zoning.

1204.3.1. Notice

The zoning inspector shall cause the notice to be personally served on the alleged violator at least five days before the hearing. A notice served upon the alleged violator other than by personal service shall be served at least thirty days prior to the hearing in accordance with ARS Title 11, Chapter 6 including, but not limited to, service via mail and posting on site.

The notice shall include information regarding the alleged violator's right to be represented by counsel or other designated representative and that failure of the alleged violator to provide timely written notification of an election to be represented by counsel or other designated representative constitutes a waiver of that right.

1204.3.2. Discovery, Subpoena Power

1. No pre-hearing discovery, subpoena for the production of documents or to compel the appearance of a witness shall be permitted except by order of the Hearing Officer.
2. The Subpoenas shall be served and, on application to the superior court, enforced in the manner provided by law for the service and enforcement of subpoenas in civil matters made upon properly filed Motion.

1204.3.3. Continuance

The Hearing Officer may, upon any motion of any party or on its own motion, continue the hearing for a period not exceeding 60 days, if it appears that the interests of justice so require. Absent extraordinary circumstances, no hearing shall be continued by the Hearing Officer without notice to both parties. The Hearing Officer shall cause all parties to be notified in writing of the new hearing date.

1204.3.4. Conduct of Hearing

1. All testimony shall be given under oath or affirmation administer by the Hearing Officer. The Hearing Officer may call and examine witnesses, including the respondent. No person may be examined at a hearing except by the Hearing Officer, the respondent, the respondent's representative, the Zoning Inspector or County Attorney.
2. The Arizona rules of evidence shall not apply before the Hearing Officer. This is not to be construed as abrogating any statutory provision relating to privileged communications.
3. The order of proceedings shall be as follows:

- A. Presentation of the case for the County.
 - B. Presentation of the case, if any, by the respondent.
 - C. Presentation of rebuttal by the County where appropriate.
 - D. Closing argument by Respondent.
 - E. Closing argument by County.
4. The proceedings shall be recorded. A record of the proceedings may be made by a court reporter, provided by the respondent at the respondent's expense.
 5. If no witness for the County other than the respondent appears at the time set for the hearing, the Hearing Officer shall either dismiss the complaint or, for good cause shown, continues the hearing to another date.
 6. If the respondent fails to appear personally or through representative at the time set for the hearing. If it appears from the face of the complaint that the respondent is in active military service, no default judgment may be entered. In such case, the hearing officer may notify the respondent's commanding officer, if known, of the respondent's failure to appear.
 7. The Hearing Officer shall close the hearing. They shall enter a written order following the hearing.

1204.3.5. Civil Penalties

If the respondent is found to be a responsible for a violation of the zoning ordinance, the Hearing Officer shall impose a non-compliance penalty and daily non-compliance penalties in accordance with statute. The Hearing Officer shall not provide a time period by which the respondent shall bring the property into compliance with the MCZO during with no civil penalty shall accrue.

1204.3.6. Right to Appeal

Immediately following the Hearing Officer's written order and judgment, the Hearing Officer shall deliver to the respondent a written notice of his right to appeal to the Board of Adjustment. Such notice shall state that a right to appeal exists, the applicable time limit, and the location and manner of filing the notice of appeal, and shall refer the respondent to the rules governing the appeal process to the Board of Adjustment.

1204.3.7. Record on Appeal

Review of the Hearing Officer's determination by the Board of Adjustment shall be limited to the record of proceedings before the Hearing Officer . The Board of Adjustment may request from Staff any and all evidence presented at the hearing. No new evidence shall be taken. The record of proceedings shall include a copy of the recording of the hearing.

1204.3.8. Notice of Review

Upon receipt of the record from the Hearing Officer, the Board of Adjustment Recording Secretary shall place the appeal on the Board of Adjustment's Agenda and shall mail the parties written notice of the time and place of the hearing. The notice shall be mailed not fewer than 5 days prior to the meeting at which the matter will be heard.

1204.3.9. Review of Hearing

The review shall be limited to an administrative review only. After consideration of the appeal and review of the record the Board of Adjustment may affirm the action of the hearing officer or decide that some procedural error existed and remand for further proceedings.

1204.3.10. Appeal to Superior Court

Judicial review of the Board of Adjustment's decision shall be pursuant to Arizona revised Statutes Title 12, Chapter 7, Article 6.

Article 1204.4. Zoning Clearance:

It shall be unlawful to construct, alter, repair or improve, remove or demolish, or to commence the creation, construction, alteration, removal or demolition of a building, structure or use without first filing with the Zoning Inspector an application for and obtaining a Zoning Clearance, except that such clearance shall not be required for:

1. A non-habitable accessory building or structure that is a single story and no greater than 200 square feet in floor area.
2. Fences or walls with an overall maximum finished height of eight (8) feet or less, including gates across streets, unless said fence:
 - A. Is part of a pool barrier;
 - B. Serves to retain soil greater than 18 inches, as measured vertically from finished grade;
 - C. Is associated with any hillside development;
 - D. Is used as a corral;

- E. Is the primary use of the property, or
 - F. Is on a corner lot abutting a key lot.
3. For project that consists solely of the grading and/or paving of a recorded ingress/egress easement located within a non-hillside area or a hillside roadway area which was disturbed prior to October 4, 2001, the Department shall only require a Zoning Clearance for the area located within the boundaries of the easement. To demonstrate entitlement to this exception, the applicant shall provide a copy of the recorded easement and, if applicable, shall verify that any hillside roadway disturbance existed prior to October 4, 2001. In the event a grading and paving project involves an ingress/egress easement over land located within undisturbed hillside or within hillside disturbance that occurred after October 4, 2001, the applicant shall demonstrate compliance with the Hillside Regulations as outlined in Section 901 of this Ordinance.
 4. A Drainage Clearance may be required even when a Zoning Clearance is not.

Article 1204.5. Limitation Of The Zoning Clearance:

A Zoning Clearance shall not be issued for any building or structure on any lot or parcel unless the owner of the subject lot or parcel guarantees access to Maricopa County personnel and appropriate emergency service providers for the purposes of building inspections, zoning enforcement and the provision of emergency services and any and all public utilities servicing the site. An owner or his agent, by signing an application for a building permit, guarantees such access.

Article 1204.6. Expiration Of Zoning Clearances:

- 1204.6.1.** Any Zoning Clearance authorized under the terms of this Ordinance shall expire and be considered void under the following circumstances:
1. **One-hundred eighty** (180) days from the effective date of the Zoning Clearance provided the use or authorized building construction to accommodate the use have not actually commenced.
 2. If the Building Permit (for which the Zoning Clearance issuance was a requirement) expires for any reason.
 3. If the provisions of this Ordinance, under which the Zoning Clearance was originally issued, are amended such that the use would not meet the amended provisions, provided the construction or use has not actually commenced under valid Building Permit issuance, and provided a minimum of One-hundred eighty (180) days actually elapsed since the issuance of the Zoning Clearance.

- 1204.6.2.** If a Zoning Clearance is expired, it shall be necessary to re-apply for a new Zoning Clearance in accordance with Planning and Development Department requirements, which shall be reviewed under the Ordinance provisions in effect at the time of the re-application.

Article 1204.7. Development Review:

Prior to the issuance of a permanent Certificate of Occupancy for all buildings to be occupied by the public and/or a permanent final inspection for construction of a single-family residence or duplex, construction and/or development within the unincorporated area shall be in compliance with all conditions and plans approved by the Board of Supervisors, Board of Adjustment, and Zoning Clearances issued by staff. The Zoning Inspector shall enforce this section in the following manner:

- 1204.7.1.** Enforce all conditions of approval by the Board of Supervisors or the Board of Adjustment.

- 1204.7.2.** Withhold authorization for a permanent Certificate of Occupancy or permanent final inspection for any construction or development that has not complied with the conditions or plans approved by the Board of Supervisors, Board of Adjustment, and/or staff in the issuance of Zoning Clearances for Building Permit purposes. The Zoning Inspector may authorize the Chief Building Official to issue a permanent Certificate of Occupancy or permanent final inspection without posting the bond required in Chapter 12, Section 1204., Article 1204.7.3. Said authorization may only be given if:

1. The value of the incomplete site improvements is less than \$5,000;
2. No hazard to public health, safety and welfare would result; and
3. Written confirmation by the owner that he or she will complete the required site improvements within a stated and acceptable time frame has been provided.

Failure to complete the improvements as indicated in writing shall be treated as a zoning violation in accordance with Sections 1201 through 1203 of this Ordinance.

- 1204.7.3.** Allow a temporary Certificate of Occupancy for all buildings to be occupied by the public or a temporary final inspection if a financial guarantee in the form of a bond is provided to the County. An acceptable bond would be payable to the County in the full amount of the improvement(s) yet to be completed. The Bond must specify a date for the completion of the

improvement(s), which shall be no later than one year from the date of issuance. The term of the bond shall be as approved by the Zoning Inspector and may be extended for an additional year upon application. If the work is not done by the specified date, the County will cash the bond and deposit the funds in the County's General Fund. In addition, the County has the authority to require the owner to complete the improvements or vacate the structure until the improvements are complete. Notwithstanding any of the above, the Zoning Inspector may deny a temporary occupancy when he has determined that a hazard to public health, safety, or general welfare may result.

Article 1204.8. Compliance and Settlement Agreements

The Zoning Inspector is authorized to enter into a compliance or settlement agreement with a responsible party to (i) establish a plan and deadlines to bring a property into compliance with this Ordinance; and (ii) compromise noncompliance fines, daily noncompliance fines and investigative fees with or without a payment schedule provided that the total accumulated amount does not exceed One Hundred Thousand (\$100,000.00 Dollars). A compliance or settlement agreement may be executed at any stage of the code enforcement process. Nothing contained in an agreement shall be construed as authorizing the continued violation of the ordinance.

Chapter 13 | Fees

Section 1301. Purpose

Article 1301.1. Purpose:

To consolidate in one location in the Ordinance all regulations relating to fees, fines and penalties. This Article establishes the amounts and types of fees, fines and penalties to be charged.

Fee Type	Description (per offense & conviction)	Minimum Fee by Use	Minimum Fee by Use
		<i>Single Family</i>	<i>All Other Uses</i>
Civil Fines	Initial	\$100	\$300
	Initial Non-compliance	\$200	\$500
	Daily Non-compliance	\$20	\$30
	Recurrence	\$300	\$500
Criminal Fines		Class 2 MISDEMEANOR	Class 2 MISDEMEANOR
Investigation Fee	Charged when compliance achieved by administrative means	Amount equal to permit or application fee	Amount equal to permit or application fee

Section 1302. Fees

Article 1302.1. Fees:

The following fees shall be charged with no provision for refund:

FEE TYPE	FEE
Plan of Development	\$1,200 + \$100 per acre or portion there of Maximum Fee – \$50,000
Zoning Change with overlay	\$3,000 + \$100 per acre or portion there of Maximum fee - \$50,000
Zone Change	\$1,200 + \$100 per acre or portion there of Maximum Fee - \$50,000
Special Use Permit	\$3,000 + \$100 per acre or portion there of - Maximum fee - \$50,000
Special Use Permit and Military Compatibility Permit	\$3,000 + \$100 per acre or portion thereof Maximum Fee - \$50,000
Request for Use Compatibility and Consistency Determination (UCCD)	\$50 per UCCD request

Text Amendments	\$1,000 per Section Maximum Fee - \$5,000
Change to zoning case in process	\$100 for each occurrence in process
Comprehensive Plan Amendments, Development Master Plans and Major Development Master Plan Amendments	\$2,000 + \$20 per acre or portion there of Maximum fee - \$100,000
Minor Development Master Plan Amendments	\$1,500 + \$10 per acre or portion there of Maximum fee - \$30,000
Minor Amendments to approved Site Plans for Special Use Permits, Plans of Development, and Unit Plans of Development	\$750 + \$100 per acre or portion there of Maximum fee - \$5,000
Modification of Stipulation	\$500 per stipulation Minimum fee - \$1,000 Maximum fee - \$5,000
Major Amendments to approved Site Plans for Special Use Permits, Plans of Development, and Unit Plans of Development	Charged same as original application fee
Zoning Clearance	Residential - \$100 Commercial - \$250
Continuance of public hearing: An additional fee shall be charged for any continuance of a public hearing granted by the Commission at the request of a petitioner or petitioner's representative.	\$250
Pre-application meeting fee	\$350
Re-initiation of a license administratively denied due to time	\$50

Grading and Drainage Fee Schedule

Grading and Drainage provisions for Maricopa County, Arizona

The following fees shall be charged for the processing of plan reviews, drainage clearances, appeals, drainage variances, and performance bonds with no provision for refund. In accordance with Article 905.3.3.7 of the Drainage provisions for Maricopa County, the Drainage Administrator may adopt directives for the effectuation of this fee schedule.

Planning And Zoning

Area Master Plans (Including Development Master Plans)

(If concurrent review of DMP, and Plats, lower fee is waived) Up to 640 Acres	\$6,000
Plans over 640 Acres	+ \$10 / ac.

Maximum Total	\$80,000
Plan Amendments (for which a Drainage Review is required by Planning Services) up to 640 Acres	\$3,000
Plans over 640 Acres	+ \$5 / ac
Maximum Total	\$40,000
Zoning Case and UPD Review (without precise plan entitlements)	\$60
Plan of Development Review (with precise plan entitlements) including Special Use plans (except SFR Special uses)	\$1,000
	+ \$500 ac
Maximum Total	\$11,000
Minor Amendment to a Plan of Development including Special Use plans (except SFR special uses) Including Billboards, WCF or Cellular Sites, and non-livable buildings on Sites disturbing less than 1 acre	\$650
SUP – Modification of Stipulations	\$60
Special Use plan for Single Family Residential (SFR) – Including Modification of Stipulations or Amendments	\$210
Subdivisions	
Subdivisions - Preliminary Plats	\$2000 + \$200/ac
Maximum Total	\$34,000
Subdivisions - Final Plat	\$1000 + \$25/ac
Maximum Total	\$10,000
Re-Plat for Note Corrections or Easement Adjustments without Drainage Impacts	\$60
Other Corrections	\$1,000 + \$25 ac
Maximum	\$10,000

Development Construction Plans	
Commercial & Industrial Sites and Uses, Multi-family Residential, Subdivision	
Infrastructure, Schools, Golf Courses and Other Recreational Facilities,	
Non-Exempted Municipal, Special Districts, Churches, and all other precise plans	\$2,000 +\$250 ac
Maximum	\$42,000
Inspections for Permits on Precise Plans ¹ with In-Progress Inspections Required	+ \$250 ea.
Inspections for Permits on Precise Plans ¹ with a Final Inspection / As-builts Required	+ \$350
Failed Inspection Fee	+ \$350
Modification to Issued Permits on Precise Plans ¹	\$2,000 + \$125 ac
Maximum Total	\$22,000
With Additional Inspections Required for Modified Permits on Precise Plans ¹	+ \$250 ea.
Minor Accessory Construction On Precise Plans ²	\$400
With Final Inspection (Required)	+\$250
Total	\$650
Failed inspection fee for Minor Accessory Construction	+ \$250
Modification to issued Permits for Minor Accessory Construction	\$250
With Additional Inspections Required for Modified Minor Accessory Construction	+ \$250
Major Accessory Construction On Developed Commercial Sites ³	\$5,000
With Additional Inspections Required for Major Accessory Construction	+ \$250 ea.
With a Final Inspection/ As-builts Required	+ \$350
Failed Inspection Fee for Major Accessory Construction	+ \$250
Modification to Issued Permits for Major Accessory Construction	\$2500
With Additional Inspections Required for Modified Major Accessory Construction	+ \$250
Residential Site/Drainage Plans	
Subdivision lots, Custom lots, Rural Single Family	
Approved by Administrative Review	\$60
Approved by Site Inspection	+\$150
With an In-Progress Inspection Required	+\$150

With Final Inspection Required	+\$150
Maximum Total	\$510
Approved by Engineering Review	\$360
With Pre-Issuance Site Inspection (Required)	\$150
Minimum Total	\$510
With Drainage Report Required for Engineering Review	+\$240
With an In-Progress Inspection Required	+\$150
With Final Inspection Required	+\$150
Maximum Total	\$1050
Failed Inspection for Residential Permits	\$150
Additional and Concurrent Permits for Engineering Review	+ \$30 ea
In-Progress Inspection Required for Additional and Concurrent Permits	+\$150
Multi-Parcel Projects	+ \$150/ parcel
Modification to Issued Permits	\$250
Modification to Issued Permits on Multi-Parcel Projects	+ \$75/ parcel
New SFR in Approved Subdivision – Expedited Process	
Lots Approved for Expedited Permit Process with Certified Pad Elevation	\$60
Final Inspection Required	+ \$150
Other Fees	
Drainage Review Board Cases (Variances and Appeals)	
Commercial and Subdivision	\$1,000
All Other Sites	\$250
Board of Adjustment	\$100

Consultations with County Staff (On-site or at County Offices)	
SFR	\$150
Commercial	\$300
Complex Projects	\$350
Work begun or completed without a permit	
Residential (violation case opened before permit initialization)	\$500
Residential (voluntary compliance without a violation case opened)	\$250
Commercial including subdivisions (with or without open violation case opened)	Fees Doubled
Pre-Application review and meetings	\$350

¹ Commercial & industrial sites and uses, multi-family residential, subdivision infrastructure, schools, golf courses and other recreational facilities, non-exempted municipal, special districts, churches, and all other precise plans.

² Sites must have an established primary use, be developed in substantial conformance with the drainage regulations, and the construction activity must disturb less than one acre. Minor accessory construction includes, but is not limited to, signs, accessible ramps, propane tanks, trash enclosures, non-livable and accessory buildings, as defined in Section 201.

³ Sites must have an established primary use, be developed in substantial conformance with the drainage regulations, and the construction activity must disturb less than 5 acres.

Section 1303. Fees for Appeals

Article 1303.1. Appeals:

The following fees shall be charged for the filing of an appeal concerning the interpretation or administration of this Ordinance with no provision for refund:

Fee Type	Fee
Article I. Appeal of Determination of Zoning Inspector	\$300
Article II. Appeal of a license administratively denied due to time	\$150

Section 1304. Application Fees for Variance

Article 1304.1. Application Fees for Variance:

The following fees shall be charged for the filing of an application for any Variance to the regulations of this Ordinance with no provision for refund:

Fee Type	Fee
Residential Variance	\$250 + \$50 for each additional request
Non-Residential Variance	\$750 + \$100 for each additional request
Blanket Variance	\$750 + \$100 for each additional request
Continuance of Public Hearing when requested by applicant prior to the hearing.	\$250

Section 1305. Temporary Use Permits

Article 1305.1. Use Permits:

The following fees shall be charged with no provision for refund:

Fee Type	Min fee by use
Residential Temporary Use Permit	\$250
Non-residential Temporary Use Permit	\$750

Section 1306. Outstanding Fees And Fines

Article 1306.1.

No application shall be scheduled for hearing by any board or commission acting pursuant to the “Maricopa County Zoning Ordinance (MCZO)”, or administratively approved unless and until all fees and fines owed to the Department as a result of any activity or inactivity attributable to the property that is the subject of the application are brought current and paid in full or any amounts owed pursuant to an agreement of compliance are current, as the case may be. This requirement shall not be waived by the Board of Adjustment/Planning and Zoning Commission.

Section 1307. Other License Fees

Article 1307.1. Other License Fees:

The following fees shall be charged:

Fee Type	Fee
Re-Initiate Application for License Administratively Denied due to Time	\$50
Pre-Application Meeting (Non-Residential)	\$350
Pre-Application Meeting (Single-Family Residential)	\$50
Pre-Application Meeting (Single-Family Residential with Violation)	\$150
Change to an Application for a License in Progress	\$50
Application Added to an Application for a License in Progress	\$50

Chapter 14| Index & Appendices

Section 1401. Ordinance Update and Amendments

December 10, 2025, Maricopa County Zoning Ordinance Update. File a Public Records Request to view the November 15, 2023 version for previous language and text amendments.