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Section 18 Zoning Text Amendments

Required Private Open Space

18.35.040(E)

Current Text with Changes

E. *Outdoor Living Areas.* As part of the open space required by this code, private and common areas for outdoor living shall be provided in accordance with this section. Private areas typically consist of balconies, decks, patios, fenced yards, and other similar areas outside the residence. Common areas typically consist of landscaped areas, walks, patios, swimming pools, barbeque areas, playgrounds, turf, or other such improvements as are appropriate to enhance the outdoor environment of the development. Landscaped courtyard entries that are oriented towards a public or private street or parking area to create a welcoming entry feature are also considered common areas.

1. *Minimum Dimensions.*

a. *Private Open Space.* Private open space located on the ground level (e.g., yards, decks, patios) shall have ~~no~~ a horizontal dimension ~~of at least less than~~ 10 feet. Private open space located above ground level (e.g., balconies) shall have ~~no~~ a horizontal dimension ~~of at least less than~~ six feet.

b. *Common Open Space.* Common open spaces with a minimum horizontal dimension of 20 feet shall count towards the open space calculation. Isolated open space areas with a horizontal dimension less than 20 feet are not considered usable open space and shall not count in determining compliance with this standard.

~~2. Minimum Area Required Private Open Space.~~

a. RM and RH Districts: All units shall provide private open space to achieve a minimum area of ~~120-100~~ square feet for ground-floor units, 80 square feet for second-story units ~~and above.~~ ~~, and 48 square feet for third-floor units.~~ See Table 18.35.040, Development Standards, for minimum size of private space per unit.

b. RMHD Districts: 100 square feet per unit.



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c. The amount of outdoor living area provided for individual units may vary based on unit size and location within a project, as long as the average area per unit meets the applicable standard.

d. At the discretion of the Zoning Administrator, alternative designs may be considered in lieu of private open space provided the square footage required is determined to be applied in other open space or design aspects of the proposed development.

3. *Credit Toward Open Space Requirement for High Density Residential Subdivision.* Each square foot of private and common outdoor living area provided in a high-density residential subdivision shall count as 10 feet of open space for purposes of determining compliance with the “open space equivalent” requirement for these subdivisions. This credit also applies to high density projects not subject to the subdivision process.

Table 18.35.040 Development Standards – RM, RH, RMHP Districts

	District			Additional Regulations	#
	RM	RH	RMHP		
Lot Density Standards					
Minimum Lot Area (s/f)	7,000	7,000	2,500	MCC 18.120.150 , Manufactured home/recreational vehicle uses	
Minimum Lot Width (ft.)	60	60	45	MCC 18.120.150 , Manufactured home/recreational vehicle uses	1
Maximum Density (units/net acre)	12	24	12		
Maximum Lot Coverage	50%	50%	50%		
Building Standards					
Maximum Building Height (ft.)	36	42	15	MCC 18.120.150 , Manufactured home/recreational vehicle uses	2
Setbacks (ft.)					
Front	20	20	20	MCC 18.120.150 , Manufactured home/recreational vehicle uses	3
Interior Side	5	5	5	(A); MCC 18.120.150 , Manufactured home/recreational vehicle uses	4
Street Side	20	20	20	MCC 18.120.150 , Manufactured home/recreational vehicle uses	5
Rear	20	20	10	(A); MCC 18.120.150 , Manufactured home/recreational vehicle uses	6



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	District			Additional Regulations	#
	RM	RH	RMHP		
Building Separation	A minimum of 10 feet between buildings				
Architectural Articulation	(B)				
Building Entrances	(C)				
Location of Parking	(D)				
Other Standards					
Open Space	20% of site; (E), (H)(1)				
Private Outdoor Living Area (s/f per unit)					
Ground Floor Units	120 100	120 100	120 100	(E); MCC 18.120.150, Manufactured home/recreational vehicle uses	7
Second Floor Units, and above	80	80	N/A		
Third Floor Units	48	40	N/A		
Pedestrian Access	(F)				
Private Storage Areas	(G)				
Additional Standards					
Accessory Structures	MCC 18.80.020, Accessory building or structures				
Exceptions to Height Limits	MCC 18.80.080, Exceptions to height limits				
Fences and Walls	MCC 18.80.090, Fences and freestanding walls				
Landscaping	Chapter 18.90 MCC, Landscaping				
Lighting	Chapter 18.95 MCC, Lighting				
Off-Street Parking and Loading	Chapter 18.105 MCC, On-Site Parking and Loading				
Projections into Required Setbacks	MCC 18.80.040, Building projections into yards				
Screening	MCC 18.80.110, Screening				
Signs	Chapter 18.115 MCC, Signs				
Swimming Pools	MCC 18.80.120, Swimming pools and spas				
Visibility at Driveways	MCC 18.80.150, Visibility at intersections and driveways				

1 For development projects in RM, RH, and RMHD Districts, 60 percent of the required open space must be usable, as defined in MCC Title [17](#), Subdivisions.

Current text with Changes

Table 18.40.020 below prescribes the land use regulations for commercial districts. The regulations for each district are established by letter designations as follows:



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“P” designates permitted uses.

“C” designates use classifications that are permitted after review and approval of a conditional use permit by the planning and zoning commission.

“(#)” numbers in parentheses refer to specific limitations listed at the end of the table.

“X” designates uses that are not permitted.

Table 18.40.020 Land Use Regulations – Commercial Districts

Uses	District				Additional Regulations
	NC	GC	SC	GO	
Residential					
Multiple-Unit Dwelling	P	X	X	X	
Public and Semi-Public					
Colleges and Trade Schools, Public and Private	X	P	X	P	
Community Assembly	X	P	X	X	MCC 18.120.070 , Community assembly
Cultural Facilities	P	P	P	X	
Day Care Facility	P	X(5)	X(5)	P	MCC 18.120.080 , Day care facilities
Educational Facility, Public and Private	P	X	X	X	
Emergency Shelters and Facilities	X	P	X	X	
Government Buildings	P(6)	P(6)	P(6)	P(6)	
Hospitals and Clinics					
Hospital	C	C	C	C	MCC 18.120.130 , Hospitals and clinics
Clinic	P	P	P	P	
Public Safety Facility	P(6)	P(6)	P(6)	X	
Social Service Facility	P	P	P	P	
Commercial					
Adult-Oriented Business	X	C	C(1)	X	MCC 18.120.020 , Adult-oriented businesses
Animal Sales, Care and Services					
Animal Sales and Grooming	P	P	P	X	MCC 18.80.030 , Animal keeping
Kennels	X	P	X	X	MCC 18.80.030 Animal Keeping
Small Animal Day Care	P	P	P	X	



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Uses	District				Additional Regulations
	NC	GC	SC	GO	
Veterinary Services	X	P	P	P	
Automobile/Vehicles Sales and Services					
Automobile Rentals	X	P	P	P	
Automobile/Vehicle Repair, Minor	C	P	P	X	
Automobile/Vehicle Repair, Major	X	P	C	X	MCC 18.120.050 , Automobile/vehicle service and repair, major
Automobile/Vehicle Sales and Leasing	X	P	P	X	MCC 18.120.040 , Automobile/vehicle sales and leasing
Automobile/Vehicle Washing and Services	X	P	P	X	MCC 18.120.060 , Automobile/vehicle service stations and washing
Large Vehicle and Equipment Sales, Service, and Rental	X	P	X	X	
Service Station	C	P	P	X	MCC 18.120.060 , Automobile/vehicle service stations and washing
Banks and Financial Institutions					
Banks and Credit Unions	P	P	P	P	
Noninstitutional Banking	X	C	C	X	MCC 18.120.200 , Noninstitutional banking
Building Materials Sales and Service	X	P	P	X	
Business Services	P	P	P	P	
Commercial Entertainment and Recreation					
Banquet and Conference Centers	X	C	C	C	
Small-Scale Facility	P	P	P	X	
Large-Scale Facility	X	C	C	C	
Theaters	X	P	P	X	MCC 18.120.030 , Alcoholic beverage sales
Club or Lodge	P	P	P	P	
Commercial Kitchen	X	P	P	X	
Eating and Drinking Establishments					
Bars and Lounges	P(2)	P	P	P	MCC 18.120.030 , Alcoholic beverage sales MCC 18.120.100 , Eating and drinking uses MCC 18.120.190 , Outdoor dining and seating
Restaurants, Full Service	P	P	P	P	MCC 18.120.030 , Alcoholic beverage sales



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Uses	District				Additional Regulations
	NC	GC	SC	GO	
					MCC 18.120.100 , Eating and drinking uses MCC 18.120.190 , Outdoor dining and seating
Restaurants, Limited Service (including Fast Food)	P	P	P	P	MCC 18.120.090 , Drive-in and drive-through facilities, including fast-food facilities MCC 18.120.100 , Eating and drinking uses MCC 18.120.190 , Outdoor dining and seating
Restaurant, Take-Out Only	P	P	P	P	MCC 18.120.100 , Eating and drinking uses MCC 18.120.190 , Outdoor dining and seating
Food and Beverage Sales					
Convenience Market	P	P	P	P	MCC 18.120.030 , Alcoholic beverages MCC 18.120.280 , Food and beverage sales
General Market	P(4)	P	P	X	
Liquor Store	C	C	C	X	
Specialty Food Sales and Facilities	P	P	P	P	
Funeral Parlors and Mortuaries	P	P	P	X	
Instructional Services	P	P	P	X	
Live/Work	P(1)	P	X	X	MCC 18.120.140 , Live/work units
Lodging					
Hotels and Motels	X	P	P	P	
Maintenance and Repair Services	P(3)	P	P	X	
Qualifying-Marijuana Uses					
Dispensary Facilities	X	C	X	X	MCC 18.120.160 , Qualifying marijuana facilities
Mobile Merchants	P	P	P	P	MCC 18.120.170 , Mobile merchants
Nurseries and Garden Centers	X	P	P	X	
Offices					
Business and Professional	P(1)	P(1)	P(1)	P	
Medical and Dental	P	P	P	P	
Walk-In Clientele	P	P	P	P	
Parking Facility, Public and Private	P	P	P	P	
Personal Services					



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Uses	District				Additional Regulations
	NC	GC	SC	GO	
General Personal Services	P	P	P	P	MCC 18.120.210 , Personal services and restricted personal services
Restricted Personal Services	X	C	C	X	MCC 18.120.210 , Personal services and restricted personal services
Outdoor, Temporary, and Seasonal Sales	P	P	P	X	MCC 18.120.260 , Temporary uses
Off-Track Betting	X	C	C	X	MCC 18.120.180 , Off-track betting establishments
Retail Sales					
General Retail, Small-Scale	P	P	P	X	MCC 18.120.250 , Restricted retail uses
General Retail, Large-Scale	X	P	P	X	
Restricted Retail Uses	X	C	X	X	
Industrial					
Artist Studio and Production	P (3)	C	X	X	
Research and Development	X	X	X	C	
Storage and Warehouse					
Indoor Warehousing and Storage	X	P	X	P	
Personal Storage	X	P	P	X	
Transportation, Communication, Utility					
Bus/Rail Passenger Facilities	C	C	C	C	
Communication Facilities					
Antennas and Transmission Towers	Subject to existing regulations, including a conditional use permit if certain standards are not met or thresholds exceeded.				
Facilities within Buildings	P	P	P	P	
Recycling Facility					
Recycling Collection Facility	C	P	P	P	MCC 18.120.230 , Recycling facilities
Utilities					



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Uses	District				Additional Regulations
	NC	GC	SC	GO	
Minor	P	P	P	P	
Accessory Uses	Subject to the same permitting requirements of the principal use unless additional review is established in MCC 18.120.010 , Accessory uses				
Temporary Uses	Require a temporary use permit, unless exempt; see MCC 18.120.260 , Temporary uses				
Nonconforming Uses	Chapter 18.100 MCC, Nonconforming Uses and Structures				

- 1 Upper floors only if available.
- 2 Wine and beer sales only.
- 3 Small scale, less than 1,500 square feet.
- 4 Less than 40,000 square feet.
- 5 Permitted as an accessory use. See MCC [18.120.010](#), Accessory uses.
- 6 Outdoor storage yards are not permitted.

[Res. 21-09; Ord. 21-05 § 2; Res. 14-36 § 203.02; Ord. 14-12 § 1.]

Animal Keeping

18.80.030

Current Text with Changes

Animal keeping is subject to the following standards:

A. *Aviaries and Apiaries.*

1. Buildings or hives for apiaries may not be closer than 75 feet to any neighboring residence.
2. Pens and structures for aviaries may not be closer than 40 feet to any neighboring residence.

B. *Poultry, Bird, and Egg Farms.* Poultry, bird, and egg farms are subject to the following standards:

1. Pens, buildings, and enclosures other than open pasture may not be located closer than 200 feet to any residential, commercial, or industrial district.

C. *Livestock.* Commercial breeding, raising, training, and grazing of horses, cattle, sheep, goats, ostriches, swine and other livestock is subject to the following standards:



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1. Sites must be at least 10 acres in area.
2. Pens, buildings, corrals, and similar structures may not be closer than 200 feet to any residential, commercial, or industrial district.

D. *Urban Chickens*. The raising of chickens shall be subject to the following requirements, except in rural districts in which they do not apply:

1. No more than five hens may be kept on an individual lot.
2. Roosters shall be prohibited.
3. Chicken coops shall not be closer than 10 feet from any property line abutting, adjoining or otherwise meeting the property line of another residential lot or parcel. No separation shall be required from a property line or portion of a property line abutting, adjoining or otherwise meeting the property line of an alley, right-of-way, or common open space. Said coops shall be subject to all applicable requirements for accessory buildings, including rear and side yard setbacks, or a minimum setback of 10 feet, whichever is greater.

E. *Horses*. The keeping of horses is allowed on lots that are at least one acre in size. Up to three horses are allowed on one acre; an additional horse is permitted for each 3,000 square feet of lot area above one acre.

F. *Household Pets*. In all zoning districts except rural districts, a maximum of four dogs are allowed. These limitations do not apply to small animals kept within a residence, including cats, fish, small birds, rodents, and reptiles. Dogs confined in kennels shall not be kept closer than 20 feet from the nearest residential structure on an adjacent lot. [Res. 21-09; Ord. 21-05 § 2; Ord. 18-06 § 2; Res. 14-36 § 401.03; Ord. 14-12 § 1.]

G. Boarding and Training Kennels in the General Commercial Zoning District. Boarding shall be limited to household pets, the commercial breeding of animals shall be prohibited. Hours of operation for outdoor areas shall be limited to between the hours of 6:00 a.m. and 7:00 p.m. All indoor facilities shall be completely enclosed. All outdoor dog runs or exercise areas associated with a boarding facility shall not be located within a required landscape setback or within 100-feet of any residential use or district, whichever is more restrictive. Outdoor runs and exercise areas shall not be located within 25-feet of any buildings primary entrance on an abutting lot or suite and shall be enclosed by a minimum six-foot wall or fence.

Swimming Pool Equipment



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18.80.120

Current Text with Changes

A. Swimming pools and spas located in any zoning district must be developed in compliance with the following standards:

1. *Exclusive Use.* If located in a rural or residential district, the swimming pool or spa is to be solely for the use and enjoyment of residents and their guests, unless it is associated with a golf course or resort.
2. *Filtration Equipment.* Swimming pool or spa filtration equipment and pumps shall not be located in the front or street side yard. ~~and shall not be closer than 15 feet to the main building on an adjoining lot.~~ All **Pool/Spa filtration** equipment shall be mounted and enclosed so that its sound is in compliance with Chapter [18.110](#) MCC, Performance Standards.
3. *Pool Setbacks.* Pool setbacks from water edge to lot perimeter barrier/fence shall be a minimum of three feet from the water.

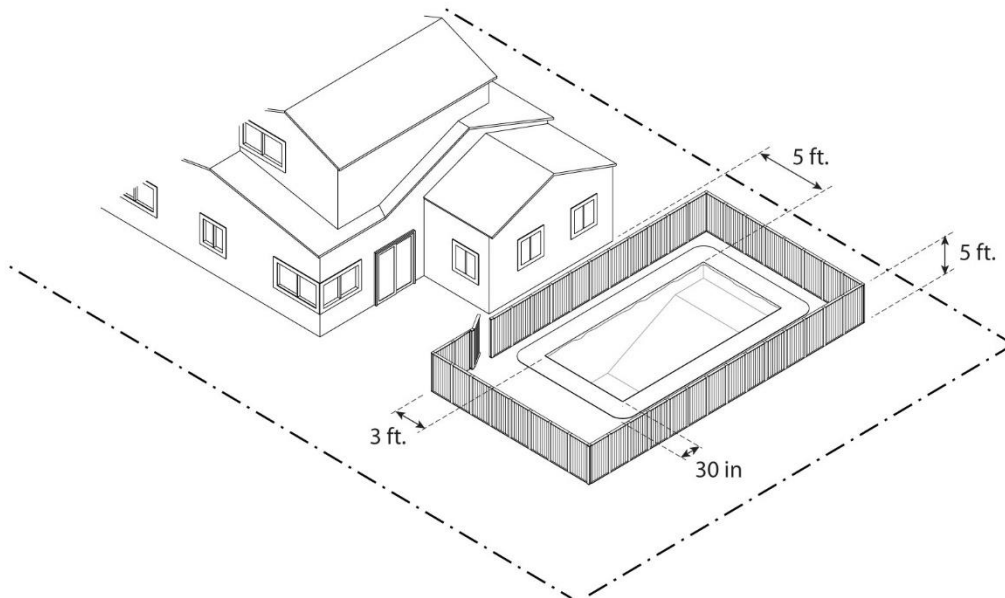


Figure 18.80.120.A.3. Pool Setbacks

4. *Enclosure.* Refer to current adopted building codes for minimum barrier requirements. [Res. 21-09; Ord. 21-05 § 2; Ord. 14-12 § 1; Res. 14-36 § 401.12.]



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Temporary Signs

18.115.120

- A. *General Criteria for Temporary Signs.* General criteria and limitations are by zoning district.
- B. Signs must be maintained in a safe condition and not cause blighting.
- C. *A-Frame, T-Frame and Banner Signs.* A-frame, T-frame and banner signs are unlawful if they do not meet the criteria and limitation set forth in the following Tables 18.115.120.B and 18.115.120.C.
1. A-frame, T-frame and banner signs are permitted in all zoning districts but may be placed in single-family residential zoning districts only in conjunction with nonresidential uses.
 2. Unless otherwise specifically allowed herein, A-frame, T-frame and banner signs must be located on the parcel or organization advertised thereon, supported by a base of sufficient weight and durability to withstand wind gusts, constructed of durable material (i.e., no paper, cardboard or similar material) and maintained in a professional manner free from fading, tearing, and tattering.
 3. A-frame, T-frame and banner signs shall not be placed in raised or painted medians, with stakes fastened to or driven into concrete, or on equestrian or multi-use trails.
 4. A-frame and T-frame signs must be placed and displayed at grade level.
 5. Off-site temporary signs must have the responsible person or owner name and contact number displayed on the sign.
 6. *Authority to Remove Unauthorized Signs.* The city's code enforcement officer may remove unauthorized signs. Unauthorized signs so removed shall be disposed of after the city provides notice to the organization, responsible person, or establishment identified by the sign. A notice shall be sent within five days of the removal notifying the organization, responsible person, or establishment to claim the unauthorized sign at a location specified in the notice within a specified time period. If unclaimed after the time period lapses, the city may dispose of the sign. If an organization, responsible person or establishment is not identified by the sign, the sign may be disposed of no sooner than five days after removal.

Table 18.115.120.A Temporary Signs: Criteria and Limitations Residential Use in Residential Zones



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Temporary Sign Type Residential	General Criteria
Maximum Number of Signs per Parcel	Maximum of one temporary sign within a five- to 10-foot setback of the right-of-way (ROW), on private property and up to four signs within five feet of the primary structure, on private property
Maximum Combined Sign Area	6 square feet
Maximum Sign Height, Freestanding	4 feet
Minimum Setback From Street Edge (must also be on private property)	5 feet
Minimum Spacing From Any Other Sign (Temporary)	10 feet
Permit Required	No
Permission of Owner Required	Yes
Allowed Within Sight Visibility Triangle	No
Movement Allowed	No
Allowed on Roof	No

Table 18.115.120.B Temporary Signs: Criteria and Limitations Nonresidential Use in Residential Zone

Temporary Sign Type Residential – Nonresidential Use	General Criteria	A-Frame and T-Frame Signs	Banner Signs	Flying Banner Signs
Maximum Number of Signs per Parcel ¹	1	Up to 10 ¹	1	1



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Temporary Sign Type Residential – Nonresidential Use	General Criteria	A-Frame and T-Frame Signs	Banner Signs	Flying Banner Signs
Maximum Sign Area	6 square feet	6 square feet	32 square feet	12 square feet
Maximum Sign Height, Freestanding ²	4 feet	4 feet	4 feet	15 feet
Maximum Sign Height, Wall Sign	4 feet	NA	8 feet	NA
Minimum Setback From Street Edge (must also be on private property) ³	10 feet 20 feet if located on State Route	10 feet 20 feet if located on State Route	10 feet	20 feet
Minimum Spacing From Any Other Sign (Temporary) ²	5 feet	5 feet	30 feet	30 feet
Permit Required	No	No	Yes	Yes
Permission of Owner Required	Yes	Yes	Yes	Yes
Allowed Within Sight Visibility Triangle	No	No	No	No
Movement Allowed	No	No	No	Yes
Allowed on Roof	No	No	No	No
Duration	Up to two hours prior to event and two hours after the event has concluded.		Signs and displays shall not be displayed for longer than 30 days for signs requiring a permit. A minimum of 14 days shall pass between each such	



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Temporary Sign Type Residential – Nonresidential Use	General Criteria	A-Frame and T-Frame Signs	Banner Signs	Flying Banner Signs
			display, <u>after which a new permit shall be required.</u>	

1 In residential zoning districts, each single-family residential lot with at least one principal structure may place up to 10 off-site temporary signs for the purpose of directing the public to a nonresidential use activity (e.g., real estate open house, garage/yard sale, estate sale). No more than one sign per turning movement within one mile from event shall be displayed. Signs shall be constructed of durable material, not exceed six square feet in area per sign and shall be maintained in good repair.

2 Not applicable to flags displayed on flagpoles.

3 Minimum sign setbacks are measured from back of curb or, in the event there is no curb, the edge of pavement.

Table 18.115.120.C Temporary Signs: Criteria and Limitations for Nonresidential Zones

Temporary Sign Type Nonresidential	General Criteria	A-Frame and T-Frame Signs	Banner Signs	Flying Banner Signs
Maximum Number of Signs per Parcel ¹	1	1	1 ^{2,3}	1
Maximum Sign Area	6 square feet	6 square feet	32 square feet	12 square feet
Maximum Sign Height, Freestanding	4 feet	4 feet	8 feet	15 feet
Minimum Setback From Street Edge (must also be on private property) ⁴	10 feet	5 feet	10 feet	10 feet
Minimum Spacing From Any Other Sign (Temporary or Permanent)	20 feet	20 feet	30 feet	30 feet



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Temporary Sign Type Nonresidential	General Criteria	A-Frame and T-Frame Signs	Banner Signs	Flying Banner Signs
Permit Required	Yes	No	Yes	Yes
Permission of Owner Required	Yes	Yes	Yes	Yes
Allowed Within Sight Visibility Triangle	No	No	No	No
Allowed on Sidewalk	Only A-frames and no more than 1/3 of the width of a sidewalk may be obstructed and must provide at least five feet of sidewalk clearance.			
Movement Allowed	No	No	No	Yes
Allowed on Roof	No	No	No	No
Duration	Sun up to sun down during hours when organization is open for inspection.		Signs and displays shall not be displayed for longer than 30 days for signs requiring a permit. A minimum of 14 days shall pass between each such display, <u>after which a new permit shall be required.</u>	

1 The combined total number of signs (including flying banner signs, A-frame signs, and T-frame signs) shall not exceed four per organization.

2 One per public street frontage.

3 Construction sites with an active building permit shall be allowed to display one banner sign per contractor until completion of the building or when a certificate of occupancy is issued. Setbacks do not apply to wall signs or signs affixed to a temporary construction fence.

4 Minimum sign setbacks are measured from back of curb or, in the event there is no curb, the edge of pavement.

Mobile Merchants



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18.120.170

Current Text with Changes

Mobile merchants shall be located, developed, and operated in compliance with the following standards:

A. *Compliance with State Licensing Requirements.*

1. It shall be unlawful for any person to operate a mobile food unit or act as a mobile food vendor without having first obtained a valid license from Pinal County Department of Health Services pursuant to A.R.S. § [36-1761](#).

B. *Permit Requirements.*

1. It shall be unlawful for a person to operate a mobile sales unit at any location within the city without obtaining a zoning permit in accordance with city permit requirements. The mobile merchant shall comply with the requirements of this title.
2. A permit issued pursuant to this title, including a renewal of a permit, is valid from the date of issuance if the mobile merchant is in compliance with this title. The permit is nontransferable.

C. *Operation Requirements.*

1. *Fire Safety and Inspection.* A mobile merchant must ensure that all mobile sales units comply with the version of the International Fire Code in effect at the time when the permit is issued, state law, and the city code relating to fire and explosion safety standards.
2. It is unlawful for any person to operate a mobile sales unit that does not meet the requirements in this section.
3. A mobile sales unit(s) shall be inspected by the city's fire division, or the mobile merchant shall provide evidence that the mobile sales unit passed a fire inspection by another city or town fire department in this state within the preceding 12 months.
4. Provide a minimum of one 15-gallon trash receptacle within 15 feet of each individual mobile sales unit for customers and employees.
5. Transport the trash from the area of operation to an authorized waste disposal location.
6. A mobile sales unit shall have adequate lighting to ensure customer safety in the vending area. Lighting shall be directed downward and away from rights-of-way and adjacent properties.



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D. *Insurance.*

1. If the mobile food unit operates an event sponsored by the city or operates on public property, including rights-of-way or property owned by the city, the mobile merchant shall obtain insurance naming the city as an additional insured in amounts as required by the city and in accordance with the requirements of A.R.S. Title [9](#), Chapter [4](#), Article [7.2](#).
2. The insurance company issuing the policy shall be authorized to issue commercial liability policies in Arizona by the Arizona Department of Insurance.
3. The policy shall designate by manufacturer's serial or identification number all mobile sales units for which coverage is granted.
4. The policy shall insure the person named in the policy and any other person using the mobile merchant with the express or implied permission of the named insured against any liability arising out of the ownership, maintenance or use of the mobile sales unit in Arizona.
5. No sales of food items in glass containers shall be permitted.
6. No vendor shall ring bells, play chimes, play an amplified musical system, or make any other notice to attract attention to its business while operating within city limits.
7. One A-frame sign shall be allowed within 10 feet of the mobile food vendor. Refer to city sign regulations for size limitations in Chapter [18.115](#) MCC.

E. *Location.* A mobile merchant shall operate a mobile sales unit only in commercial zoning districts in accordance with the city zoning code and subject to the following limitations and conditions:

1. *Residential Area.* A mobile food vendor shall not operate in an area zoned for residential use or within 250 feet of an area zoned for residential use, except:
 - a. A mobile food vendor selling only ice cream may operate on public rights-of-way in areas zoned for residential use; or
 - b. Subject to applicable laws and the city code, a mobile merchant may operate on private property in a residential area if the mobile merchant **or property owner** obtains **a Special Event Permit through the City** ~~a separate agreement with the property owner to operate a mobile sales unit~~ for a maximum of six hours within a 24-hour period on the private property.



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2. *City-Owned Property.* A mobile merchant shall only operate in a legal parking space. If the mobile food vendor desires to operate on city property other than a legal parking space in a right-of-way, the mobile food vendor shall obtain from the city:

- a. A separate licensing for use, services contract, or similar agreement, which will be entered into at the city's sole discretion and applicable law; or
- b. A special event permit or similar permission in accordance with the city code.

3. *Private Property.* A mobile merchant shall obtain written permission to use any private property where a mobile sales unit is operating and shall provide proof of such written permission on demand by the city.

Notwithstanding the permission of a person owning or having lawful control of private real property, a mobile sales unit shall not remain in one location on private property for longer than 96 consecutive hours, unless the city grants permission for a permitted event greater than four days. "One location" within this subsection means a location within a parcel of land and includes movements from different parked positions within the same parcel.

4. *Airports/Public Transit.* Mobile merchants shall not operate at any city airport or public transit facility unless the mobile merchant has entered into a separate licensing for use agreement or similar services agreement with the city, which the city will enter in its sole discretion and applicable law.

F. *Parking.* A mobile sales unit shall comply with this subsection and applicable law as it pertains to parking, unless parking is governed by a separate subsection in this title.

1. A mobile sales unit shall only operate in a legal parking space.
2. A mobile sales unit, including any semi-permanent structure used or associated with the mobile sales unit, may use no more than one legal parking space, unless the mobile merchant has a separate agreement with the city to use additional legal parking spaces or parking spaces on city property other than the right-of-way.
3. No mobile sales unit exceeding 24 feet may park diagonally in a diagonal parking space or park in any manner that occupies more than one diagonal parking space.
4. No mobile sales unit shall operate with the serving window facing street traffic.
5. A mobile sales unit shall not obstruct the movement of pedestrians or other vehicles using the sidewalk, street, alley, or other public right-of-way.



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6. A mobile sales unit shall abide by all parking regulations, including posted time limits. If there are no other time restrictions on the use of a legal parking space, a mobile sales unit shall not occupy a legal parking space for more than six hours in a 24-hour period. "Occupy" within this subsection means within 100 feet of the place in which the mobile sales unit was initially parked.

7. A mobile food unit shall not occupy a legal parking space with insufficient parking capacity as prescribed by the city zoning code and applicable law, and includes occupying a legal parking space that reduces the number of available parking spaces surrounding the area which is required for the principal use or uses of the property associated with the parking spaces as set forth in A.R.S. Title [9](#), Chapter [4](#), Article [7.2](#).

8. A mobile merchant shall not claim or attempt to establish any exclusive right to park at a particular street location, unless the parking space is part of a permitted event. [Res. 21-09; Ord. 21-05 § 2; Res. 14-36 § 410.17; Ord. 14-12 § 1.]

Wireless Facility Co-Locations – Heritage District Advisory Committee

18.130.090

Current Text with Changes

A. *Heritage District*. All proposed tower and antenna conditional use permit requests for properties located within the MU-H Mixed Use – Heritage Overlay District require review and written recommendation from the ~~Heritage District Advisory Committee~~ **Zoning Administrator or designee** to the planning and zoning commission, prior to the initial public ~~hearing~~ **meeting** for such request.

City Council

Section 18.135.020

Current Text with changes

A. *Duties and Powers Related to Zoning*. The city council shall have the duty to carry out the provisions and intent of the general plan and this code. Specifically, the city council has the powers to do the following:

1. *Appointment Powers*. The city council shall have the power to appoint and remove members of the planning and zoning commission and the hearing officer.



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2. *Initiation Powers.* The city council or planning and zoning commission shall have the power to initiate legislation and hold public meetings and public hearings on the following:

- a. General plan amendments;
- b. Zoning code map or text amendments. The city council shall have the power to initiate applications with or without owner authorizations for either zoning code map or text amendments as provided by state law; and
- c. Area specific plans.

3. *Decision-Making Powers.* The city council shall have the power to make final decisions and hold public meetings and public hearings to review and approve, continue, deny, or approve with conditions the following requests:

- a. General plan amendments;
- b. Zoning code text and zoning map amendments;
- c. ~~Preliminary and~~ Final subdivision plats pursuant to MCC Title [17](#), Subdivisions;
- d. Planned Area Development (PAD) districts and PAD plans in PAD zoning districts, and major amendments or major modifications to conditions of approved planned area development districts and plans, as defined in this code;
- e. Area specific plans; and
- f. Annexations.

4. *Appeal Powers.* Refer to Table 18.140.140.

B. The city council may prescribe, in connection with a decision noted in subsections [\(A\)\(3\)\(c\)](#) and [\(A\)\(3\)\(d\)](#) of this section, conditions of approval as the council deems necessary, in order to fully carry out the provisions and intent of the general plan and this code, pursuant to MCC [18.140.100](#), Conditions of approval. Violations of any city council condition of approval shall be a violation of this code.

C. *Appeals.* Any person aggrieved by a decision of the city council under this code may file an appeal to the Pinal County superior court within 30 calendar days after the city council has rendered its final decision, in accordance with MCC [18.140.140](#), Appeals. [Res. 23-19; Ord. 23-17 § 2; Res. 21-09; Ord. 21-05 § 2; Res. 14-36 § 501.02; Ord. 14-12 § 1.]



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Planning and Zoning Commission

Section 18.135.030

Current Text with Changes

A. *Creation and Purpose.* The planning and zoning commission is created to hold public meetings and hearings, to provide analysis and recommendations to the city council regarding general land use policies where the commission has such advisory responsibility, and to render decisions where the commission has been assigned decision-making power by this code. The purpose of the planning and zoning commission is to support creation of a desirable environment throughout the city for residents, business, and industry in areas for which it is responsible by promoting harmonious, safe, attractive, and compatible development that is in the best interest of public health, safety, and general welfare.

B. *Duties and Powers.* The planning and zoning commission shall have the duty to carry out the duties outlined in Chapter [2.15](#) MCC.

1. *Decision-Making Responsibilities.* The planning and zoning commission shall have the power to hold public meetings and public hearings to review and approve, continue, deny, or approve with conditions:

- a. Conditional use permits and modifications to such permits; and
- b. Preliminary plats.

2. *Advisory Responsibilities.* The planning and zoning commission shall hold public meetings and hearings to advise and recommend to the city council:

- a. General plan amendments and major amendments;
- b. Zoning map amendments (e.g., rezonings) for base and overlay zoning districts;
- c. Zoning code text amendments;
- d. *Repealed by Ord. 23-17;*
- e. PAD districts and PAD plans; and
- f. Area specific plans.

3. The planning and zoning commission may recommend in connection with any application such conditions as the commission deems necessary in order to fully carry out the provisions and intent of this code.

C. *Organization.*

- 1. **Number of Members.** The Commission shall have seven members, with each nominated by a member of the council.



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2. Eligibility of Members.

- a. Members must be a current city of Maricopa resident, property owner or business owner for a minimum of one year.
- b. Members must be at least 18 years of age and registered to vote in Pinal County.
- c. Members appointed to the Commission shall be a direct family member (parent, spouse, sibling or child) of a sitting member of council unless there are not sufficient applicants for the position.

3. Term of Members.

- a. A member's tenure shall be coterminous with the term of office of the nominating member of council.
- b. Members shall continue to serve until their successor is approved by a vote of council.
- c. In the event of death, resignation, or removal of a member, a vacancy will be declared and the nominating member of council shall be informed of the vacancy and allowed to begin the selection process for a new member.

4. Resignations or Removal of Members.

- a. Members will notify the nominating member of council of their intent to resign their appointed prior to the end of their term.
- b. Any member may be removed by a majority vote of council.
- c. Any member who is absent for three (3) consecutive meetings or is absent to any four meetings over a six-month period, without contacting the chairperson, shall be considered as having resigned his/her position.

1. ~~The provisions of Chapter 2-15 MCC shall apply for the composition, number, and qualifications of the planning and zoning commission.~~

3. Hearings of the planning and zoning commission shall be scheduled at a time and place as declared by the planning and zoning commission. Special meetings of the commission may be called by the chairperson, or by any three members of the planning and zoning commission. Meetings shall be open to the public, with only such exceptions as may be permitted by state law with respect to executive session, and public input shall be permitted in all public meetings on matters before the commission. The public shall be given an opportunity to testify orally or in writing. The minutes of its proceedings showing the vote of the body, records of the commission's deliberations, and other official actions shall be kept by the city clerk as a public record.

4. The planning and zoning commission shall adopt rules of procedure consistent with the provisions of the city code for the conduct of its business and procedure.



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5. A quorum consists of four members of the planning and zoning commission. The concurring vote of the majority of the quorum of the planning and zoning commission shall be necessary to act on any matter on its agenda. In the event that planning and zoning commission members are not sufficiently available to make a quorum, there shall be no meeting. Robert's Rules of Order shall govern any other motion.

6. The development services director, or a designated representative, shall serve ex officio as secretary of the planning and zoning commission.

D. *Appeals*. Planning and zoning commission recommendations to the city council are not final decisions. Any person aggrieved by a final decision of the planning and zoning commission may file an appeal to the city council in accordance with MCC [18.140.140](#).

Neighborhood Meetings and Notifications

18.140.050

Current Text with Changes

A. *Purpose*. The purpose of a neighborhood meeting is to provide a means for the applicant, surrounding residential neighbors, and registered neighborhood and homeowners' association representatives to review a preliminary project and solicit input and exchange information about the proposed project prior to public hearings. Spanish-speaking and ASL interpreters shall be provided at the neighborhood meeting, if requested prior to the meeting scheduled. This preliminary meeting is intended to result in an application that is responsive to neighborhood concerns and to expedite and lessen the expense of the review process by avoiding needless delays, appeals, remands or denials. The applicant is responsible for all costs associated with the neighborhood meeting.

B. *Applicability*. A neighborhood meeting is required for the following types of applications:

1. Conditional use permits;
2. Variances;
3. Planned area development;
4. Major modification to an approved plan or condition of approval (when original approval requires neighborhood meeting);
5. Annexation requests;
6. Zoning map amendments; and
7. General plan map amendments.



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C. *Meeting Schedule.* The applicant is required to hold one meeting prior to the first public hearing on an application for a specific site, but may hold more if desired. The required meeting shall be held at least 15 days and not more than 90 days before the first public hearing on the application. Meetings held more than 90 days before the first public hearing shall be required to hold an additional neighborhood meeting. Neighborhood meetings shall not occur until after any required preliminary review meeting and consultation with the planning division staff.

D. *Meeting Location.* Neighborhood meetings shall be held at a location near the proposed development site. The meeting shall be held on a weekday evening or weekends at any reasonable time and in a publicly accessible location.

E. *Application Submittal.*

1. The neighborhood notice and meeting materials must be submitted with the project application(s) to the development services department, unless otherwise deferred by the zoning administrator to a later date. At a minimum, the following materials must be submitted:

- a. A narrative discussing the proposed time, place and location within the city of the neighborhood meeting;
- b. A list of names and addresses, labeled, stamped envelopes of all the property owners within the target area, and a notarized affidavit by the applicant that the list of names and addresses is accurate, current and complete;
- c. A list of names and addresses of all other interested parties who have requested that they be placed on a notification list maintained by the city clerk;
- d. A notification letter written in both English and Spanish, including a general explanation of the substance of the proposed application; the date, time and place within the city scheduled for a neighborhood meeting and for all other city meetings; and the city and applicant contacts;
- e. An eight-and-one-half-inch by 11-inch reduction of the proposed neighborhood sign; and
- f. The applicant's schedule for completion of the neighborhood meeting.

2. The zoning administrator or their designee shall be responsible (a) to review and approve all notification materials, neighborhood meeting location, a brief description of the property change and a land map; (b) to notify the applicant to proceed with the neighborhood meeting; and (c) for mailing the property owner notifications provided by the applicant.



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F. *Notification Requirements.* Notice of the neighborhood meeting shall be provided at least 15 calendar days prior to the neighborhood meeting by the applicant in the following manner:

1. *Mailed Notice.* Written notice shall be mailed to all owners and occupants within 600 feet of the subject property, or a larger area as determined by the zoning administrator, and to such other persons as the economic and community development department, or authorized designee, determines to be other potentially affected citizens.
2. *Posted Notice.* Notice shall be provided on the proposed site. The sign shall be waterproof and have a minimum size of 24 inches by 36 inches for all Variances, Temporary Use Permits and Conditional Use Permits ~~(36 inches by 48 inches)~~ and a 4-foot by 8-foot sign for all General Plan Amendments, for Planned Area Developments, Zoning Code Amendments, and Development Review Permits, and general plan amendments) with all All information on the sign shall be evenly spaced and organized in a readable manner. The number of signs and the sign shall be placed on the property in a location of the sign shall be determined by the zoning administrator or authorized designee.
3. *Electronic Notice.* Where applicable and not in violation of state law, notice may be provided by electronic means such as emailed notice, posted notice on the city's website, or other means determined by the zoning administrator. This type of notice may be substituted for advertised notice. Any persons or organizations may request that electronic notice be substituted for mailed notice through a request to the zoning administrator. Electronic notice cannot be substituted for certain legislative actions, such as rezoning
4. *Contents of Notices.* All notices shall contain information about the proposal, project description, time, date, location of neighborhood meeting and subsequent city meetings for review and approval (if available), the availability of Spanish-speaking and ASL interpreters upon request, the names and telephone numbers citizens may call with questions and issues, and applicant and city of Maricopa contacts, including name and telephone number.

G. *Meeting Summary.* The applicant shall submit to the development services department 10 calendar days before the first public hearing on the matter a written summary of the issues and discussions from the meeting and the meeting notes. This report will be attached to the development services department's public hearing report and, at a minimum, include the following information:

1. Details of techniques the applicant used to involve the public, including:
 - a. Date(s) and location of meeting;



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- b. Content, dates mailed, and numbers of mailings, including letters, meeting notices, newsletters, maps and other publications;
 - c. A copy of the sign-in sheet from the neighborhood meeting which shall include attendee signatures, physical property address, date and the following language: "This sign-in sheet is intended to serve as proof that public input was pursued. Your personal information will not be used for solicitation purposes.";
 - d. A photograph of the posted neighborhood meeting sign showing the date and time at which the photo was taken; and
 - e. A newspaper clipping of the legal advertisement as published in the newspaper of general circulation in the city or the electronic notice if allowed as set forth in subsection (F)(4) of this section.
2. A summary of 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 concerns, issues and problems expressed during the process; and
- c. Concerns, issues and problems the applicant is unwilling or unable to address and why. [Res. 21-09; Ord. 21-05 § 2; Res. 14-36 § 502.05; Ord. 14-12 § 1.]

Public Hearing Notification

18.040.060(C)(3)

Current Text with Changes

A. *Purpose.* This section is intended to provide the public information about upcoming public hearings on land use issues and to provide property owners and interested organizations that may be impacted by a project of a pending action on a land use application. Public hearings shall be preceded by public notice in accordance with this section and state law.

B. *Applicability.* Notice is required for all applications that require a public hearing before the city council, planning and zoning commission, board of adjustment, hearing officer, or zoning administrator.

1. When multiple applications are under review for the same project, the city may simultaneously issue notice for multiple applications. The requirement that provides for greater notice shall apply.



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2. The zoning administrator may require additional notification if necessary to meet the requirements of this code and the A.R.S.

C. *Notification Requirements.* Notification shall be provided in the following manner:

1. *Mailed Notice.* The applicant shall mail notices provided by the applicant by first class mail, in both English and Spanish.

a. Time period:

i. Public hearings: Not less than 15 or more than ~~30~~ 45 days before the date of the public hearing.

b. Recipients:

i. The applicant, the owner, and any occupant of the subject property; and

ii. All property owners of record and tenants of property within a minimum 600-foot radius of the subject property.

c. *Notification List.* The applicant shall provide a list of property owners and occupants within the prescribed area of notification and shall sign an affidavit verifying that the list has been prepared in accordance with the procedure outlined in this section.

i. *Property Owner Notice.* The last known name and address of each property owner as contained in the records of the Pinal County Assessor shall be used;

ii. *Tenant Notice.* The address of the residential and commercial tenants shall be determined by visual site inspection or other reasonably accurate means;

iii. All neighborhood and community organizations that have previously filed a written request for notice of projects in the area where the site is located; and

iv. Any person or group who has filed a written request for notice regarding the specific application.

2. *Newspaper Notice.* The development services department shall review the notice prior to the applicant publishing in at least one newspaper of general circulation in the city.

a. Time period: At least 15 days before the date of the public hearing.

3. *Posted Notice.* Notice shall be provided on the proposed site. The sign shall be colored and waterproof and have a minimum size of 24-inches by 36-inches for all Variances, Temporary



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Use Permits, and Conditional Use Permits and a 4-foot by 8-foot sign for all General Plan Amendments, Planned Area Developments, and Development Review

Permits. ~~with all~~ All information on the sign shall be evenly spaced and organized in a readable manner. ~~The size of the poster may be increased by the zoning administrator.~~ The sign shall include the proposal, project description, time, date, location of neighborhood meeting, the names and telephone numbers of citizens may call with complaints and applicant and city contacts, including name and telephone number. The number of signs

~~sign shall be placed on the property in a~~ and the location shall be determined by the ~~development services department~~ Zoning Administrator or authorized designee.

- a. Time period: At least 15 days before the date of the public hearing.
- b. Size requirements: 24 inches by 36 inches.

4. *General Plan and Zoning Code Amendments.* All notification procedures outlined in A.R.S. §§ 9-462.03 and 9-462.04 must be met. Any general plan or zoning code amendments must meet the following requirements:

- a. *Newspaper Notice.* Notice shall be provided by a “display ad” covering not less than one-eighth of a full page in a newspaper of general circulation in the city (A.R.S. § 9-462.04(A)(5)).
- b. *Posted Notice.* If there is no newspaper of general circulation published or circulated in the city, then notice shall be posted on the affected property and in at least 10 public places in the municipality. The posted notice shall be printed in such a manner so that the following are visible from a distance of 100 feet: the word “zoning,” the present zoning district classification, the proposed zoning district classification, and the date and time of the hearing (A.R.S. § 9-462.04(A)(1)).

5. *Electronic Notice.* Notice will be provided by electronic means such as emailed notice, posted notice on the city’s website and social media, or other means determined by the zoning administrator. This type of notice may be substituted for advertised notice. Any persons or organizations may request that electronic notice be substituted for mailed

notice through a request to the zoning administrator. Electronic notice shall not substitute for any notification required by state law.

D. *Contents of Notice.* All notices shall include the following information:

1. The location of the real property, if any, that is the subject of the application;



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2. A general description of the proposed project or action;
3. The names of the applicant and the owner of the property that is the subject of the application;
4. The location and times at which the complete application and project file, including any environmental review, if required, may be viewed by the public;
5. A statement that any interested person or authorized agent may appear and be heard;
6. A statement describing how to submit written comments;
7. The date, time, location, and purpose of the public hearing;
8. The identity of the hearing body or officer; and
9. For city council hearings, the planning and zoning commission recommendation, if any.

E. *Failure to Receive Notice*. Notwithstanding the notice requirements of this section, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the actions of the city for which the notice was given.

F. *Summary of Notification Requirements*. Table 18.140.060 summarizes the notification requirements under this code for each application or action, including the type of notice, the notice requirement and the applicable projects for which such notice is required.

Temporary Use Permits

18.150.080

Current Text with Changes

This section establishes a process for review and approval of certain uses that are intended to be of limited duration of time and will not permanently alter the character or physical facilities of the site where they occur.

A. *Applicability*. Uses for which a temporary use permit is required are established in Chapter [18.120](#) MCC, Standards for Specific Uses.

B. *Permit Procedures*.



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1. *Application.* Any person may apply to the zoning administrator for approval of a temporary use not more than 90 days and not less than 45 days before the use is intended to begin accompanied by payment of the required fee.
 2. *Required Findings.* The zoning administrator may approve an application for a temporary use permit to allow a temporary use for a period of time, only upon making all of the following findings:
 - a. The proposed use will not unreasonably affect or have a negative impact on adjacent properties, their owners and occupants, or the surrounding neighborhood, and will not in any other way constitute a nuisance or be detrimental to the health, safety, peace, comfort, or general welfare of persons residing or working in the area of such use or to the general welfare of the city;
 - b. The proposed use is consistent with a land use permitted by the present zoning district within which the site is located, or a land use considered permitted by a zoning district listed in the general plan as being consistent with the general plan land use designation of the site;
 - c. The proposed use will not unreasonably interfere with pedestrian or vehicular traffic or circulation in the area surrounding the proposed use, and will not create a demand for additional parking that cannot be safely and efficiently accommodated by existing parking areas; and
 - d. Appropriate controls are in place that will ensure the premises will be kept clean, sanitary, free of litter, and all circulation and parking surfaces will include a suitable dust-controlled surface.
- C. *Conditions of Approval.* In approving a temporary use permit, the zoning administrator may impose reasonable conditions deemed necessary to achieve the findings for a temporary use permit listed above, including but not limited to:
1. Regulation of vehicular ingress and egress and traffic circulation;
 2. Regulation of dust-controlled surfaces;



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3. Regulation of lighting;
4. Regulation of hours, total number of events/duration for the permit, and other characteristics of operation;
5. Submission of final plans to ensure compliance with conditions of approval;
6. Requirement of a public hearing held by the zoning administrator for his/her approval;
7. Requirement of bonds or other guarantees for cleanup or removal of structure or equipment; and
8. Such other conditions as the zoning administrator may deem necessary to carry out the intent and purpose of this chapter.

D. *Public Notification.* Notice of the proposed temporary use permit shall be posted on the subject property for a period of 15 days. Notice shall also be mailed to property owners within ~~300~~ 600 feet of the property boundaries proposed for the temporary use, in accordance with [18.140.050\(F\)\(1\)](#) and [\(F\)\(3\)](#). Additional notification may be required at the zoning administrator's discretion.

E. *Effective Dates.*

1. *Permit Period 45 Days or Less.* A temporary use permit issued for 45 days or less shall become effective on the date the permit is approved by the zoning administrator.
2. *Permit Period More than 45 Days.* A temporary use permit for more than 45 days shall become effective seven days from the date the permit is approved by the zoning administrator. [Ord. 14-12 § 1; Ord. 19-05 § 4; Ord. 14-12 § 1; Res. 14-36 § 504.08.]

PAD Procedures

18.180.030

Current Text with Changes



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- A. *Applications*. Applicants for a PAD development shall be required to submit, for city approval, a preliminary development plan.
- B. *Rezoning*. Any rezoning necessary for the development of a PAD shall be processed prior to or in conjunction with an application for a preliminary plat.
- C. *Decision-Making Body*. A PAD District must be adopted by the city council in accordance with the public notice and review procedures of MCC [18.175.030](#). A public hearing before the planning and zoning commission and city council is required, and the planning and zoning commission shall make a recommendation to the city council prior to city council consideration.
- D. *Procedure*. See Chapter [18.140](#) MCC for notification and hearing procedure.
- E. *Review Procedures*.
1. *Rezoning*. An application for rezoning to a PAD District shall be processed as an amendment to the zoning map and shall include a PAD plan.
 2. *PAD Plan*. The PAD plan shall be accepted and processed as a part of and in the same manner as an amendment to the zoning map, although additional information is required to be submitted in order to determine that the intent of this title, MCC Title [17](#), Subdivisions, and the general plan will be fulfilled. A PAD plan is defined as the documents accompanying a PAD rezoning application and may include, but not limited to: a land use plan, a phasing plan, an open space and landscaping plan, engineering documentation and reports, a narrative explaining the proposal and expressing the design and character of the proposed development, development standards and uses, and any other documentation and imagery intended to support the proposed development being requested as identified in MCC [18.180.030\(D\)](#). Once approved, the conditions of approval become a part of the PAD plan, unless otherwise specified.
 3. *Preliminary Subdivision Plat*. A PAD may be submitted, processed, and reviewed prior to or concurrently with the submission of a preliminary subdivision plat application pursuant to MCC Title [17](#), but no permits may be issued unless or until the PAD has been approved and a final plat has been approved and recorded with the Pinal County Recorder's Office.



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F. *Initiation.* An amendment to reclassify property to a PAD District shall be initiated by a property owner or authorized agent or a motion of the planning and zoning commission or the city council. If the property is not under a single ownership, all owners must join the application, and a map showing the extent of ownership shall be submitted with the application.

G. *Application Content.* An application for a PAD, made on the prescribed form, shall be filed with the development services department, accompanied by the required fee. Applications shall contain all of the following:

1. *Legal Description.* A legal description of the site and a statement of the gross number of acres, or square feet if less than one acre, contained therein.
2. *Title Report.* A title report not more than 60 days old verifying the description and the ownership of the property.
3. *Project Narrative.* A generalized narrative describing the location of the site, its total acreage, and the existing character and use of the site and adjoining properties; the concept of the proposed development, including proposed uses and activities, proposed residential densities if appropriate, and the general conformance of the proposed PAD to the general plan.
4. *Development Schedule.* A development schedule, including anticipated timing for commencement and completion of each phase of development, tabulation of the total number of acres in each separate phase and percentage of such acreage to be devoted to particular uses, and an indication of the proposed number and type of dwelling units and open space by phase of development, if applicable.
5. *Maps and Diagrams.* Maps, diagrams, and other graphics necessary to establish the physical scale and character of the development and demonstrate the relationship among its constituent land uses, buildings and structures, public facilities, and open space. These graphics shall at a minimum indicate:



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- a. A map showing the perimeter boundaries of the project site, the ownership, the location and dimensions of any existing property lines and easements within the site, and all uses and structures within a ~~300~~ **600**-foot radius of the project area boundaries;
 - b. Demonstration that development is in conformity with the Maricopa Parks, Trails and Open Space Master Plan, the city's most current adopted transportation plans, and the general plan, including but not limited to circulation of proposed movement of vehicles, goods, and pedestrians within the district and to and from adjacent areas, streets and driveways, sidewalks and pedestrian ways, transit stops, and off-street parking and loading areas;
 - c. A site plan indicating existing and proposed uses, location and dimension of buildings and structures, gross floor area of existing and proposed structures, identification of structures to be demolished or removed;
 - d. A detailed tabulation of the proposed number of lots, the lot dimensions, maximum building coverage including height(s), minimum setbacks, landscaped areas, and parking spaces provided and required;
 - e. A master outdoor lighting plan for all areas of the proposed development, including but not limited to pedestrian travel areas; and
 - f. A master signage plan, including the size and location of all proposed signs and deviations from the sign code if applicable.
6. *Open Space and Landscaping Plan.* An existing and proposed open space and landscaping plan including landscape concept and type of plant materials, recreation area, parking, service and other public areas used in common on the property and a description of intended improvements to and responsible party of the open space area maintenance, such as the HOA or city (if expressly agreed to by city).
7. *Other Information.* All provisions required by Chapter [18.60](#) MCC and any other information deemed necessary by the zoning administrator to ascertain if the project meets the required findings for a PAD plan. [Ord. 20-11 §2(510.03); Res. 20-31.]



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[Res. 22-37; Ord. 22-18 § 2.]

The Maricopa City Code is current through Ordinance 23-37, and legislation passed through June 6, 2023.

Section 17.30 Subdivision Regulations.

17.20.050 Preliminary plat approval.

The preliminary plat approval stage involves the resubmission of the preliminary plat to address the TAC comments. Included in this stage is the review of the resubmitted plans, reports, and required studies and acceptance of the preliminary plat. The applicant shall provide the city with all information essential to determine the character and general acceptability of the proposed development.

A. Preliminary Plat Resubmission.

1. The applicant shall resubmit submittal items of the preliminary plat and each sheet/exhibit and all other required or requested supporting data to the city (see the city of Maricopa Submittal Requirement Checklist submittal details).
2. Preliminary plats that correctly contain all of the information requested or required by the TAC, as determined by the city, shall be scheduled for planning and zoning commission for review.
3. Incomplete or incorrect resubmittals could cause delays in a preliminary plat being presented to the planning and zoning commission. Scheduling of the case for commission hearing shall be determined by the zoning administrator and shall be dependent upon adequacy of data presented, completion of processing, and other legalities that may be required if the subdivision involves rezoning, PAD and other land use exceptions.
4. As a prerequisite to the commission hearing for any preliminary plat or **PAD** a neighborhood meeting may be required to be conducted by the applicant; if determined by the zoning administrator to be necessary. The purpose of the meeting is to provide information to the adjacent property owners and citizens.
5. ~~The applicant shall notify all landowners, adjoining or adjacent to, the boundaries of the proposed development, the city of Maricopa, and any neighborhood associations on record with the city by first class mail no less than 30 days prior to the scheduled commission meeting.~~



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6. The applicant shall submit documentation of the attendees and minutes of the meeting(s) to the zoning administrator. All meeting(s) shall be held within the city of Maricopa corporate limits.

7. An applicant has six months from the date of the TAC meeting, or six months from the date of receipt of later comments, in which to resubmit said plans. All applications need to be actively pursued to a decision. If the city has completed any and all appropriate reviews and no activity has occurred for the continued processing of the application on behalf of the applicant for at least six months, the application will be considered inactive, deemed to be withdrawn, and the file will be closed. Thirty days prior to the inactive date, staff will notify the applicant in writing of the impending action. The applicant may submit a written request for the application to remain active along with an explanation for the inactivity. The director may grant an extension for up to six months for good cause if there is reasonable belief that the application will be actively pursued during the extension period. Failure to resubmit plans which address all of the TAC comments, or subsequent redline comments, within this deadline shall cause the application to be null and void and fees will not be refunded.

8. An applicant shall be required to submit a new preliminary plat application, including fees and another review of the subdivision by the TAC if the resubmittal is not in substantial conformance to the original submittal. Substantial nonconformance is considered to be, but not limited to, the following:

- a. An increase in the number of lots or units.
- b. A change in the size or configuration of the development parcel.

17.30.030 General Site Design Standards

A. Regardless of the density of the individual developments, single-family residential subdivisions, and condominium or multifamily subdivisions shall be required to provide the following: open space, buffering to adjacent developments, landscaping, and physical connections to adjacent neighborhoods and to the community open space network and/or the city of Maricopa's green belt and trail system.

B. Commercial and industrial subdivisions shall be subject to all the requirements set forth in MCC Title [18](#), Zoning, and shall be designed according to the same principles governing the design of residential developments; namely, buildings shall be located according to topography; factors such as drainage, noise, odor, and surrounding land uses considered in siting buildings; sufficient access shall be provided;



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adverse impacts buffered; and landscaping provided. In addition, the following standards shall apply to commercial and industrial subdivisions:

1. Commercial and industrial lots/developments that back up to an existing or designated residential land use shall provide a landscaped open space buffer strip adjacent to the common property line to allow for a trail system and to mitigate any adverse effects to the residential neighborhood from a permitted commercial or industrial use. In the event that a landscape buffer equal to the required space already exists, it shall not be required. See MCC Title [18](#), Zoning, for further detail.
2. The planning and zoning commission and the city council may impose special requirements with respect to the design, construction and installation of the public utilities, street, curb, gutter and sidewalk.
3. All community street sign and stop sign poles shall be designed with a decorative style that compliments the overall character of the community unless otherwise accepted by the Zoning Administrator.

C. Those portions of the community open space network adjacent to, or within, the area proposed for development, whether residential, commercial, or industrial shall be incorporated by that development. Construction of the open spaces, trails, and trail amenities shall be the responsibility of the applicant and shall be part of the subdivision improvements. These trails shall be part of a tract and maintained by a homeowners/property owners association as designated by the applicant during the final plat approval unless the open space and/or trail has been accepted, by the city of Maricopa, into the city park system for maintenance responsibilities. Dedication of a trail and/or trailhead to a local land trust, established for the purpose of trail development and maintenance, may also be acceptable.

D. When the intersection between a multi-use trail and an arterial and/or collector roadway is unavoidable the roadway shall be designed with a center median at the location where the trail intersects the roadway so that the trail users are protected from a potential conflict with the vehicular traffic (see Figure 1). The minimum dimensions of these center medians will depend upon the type of multi-use trail that the road bisects. Alternative methods may be considered if approved by the city engineer and the zoning administrator. Refer to the Design Standard Manual for further detail.



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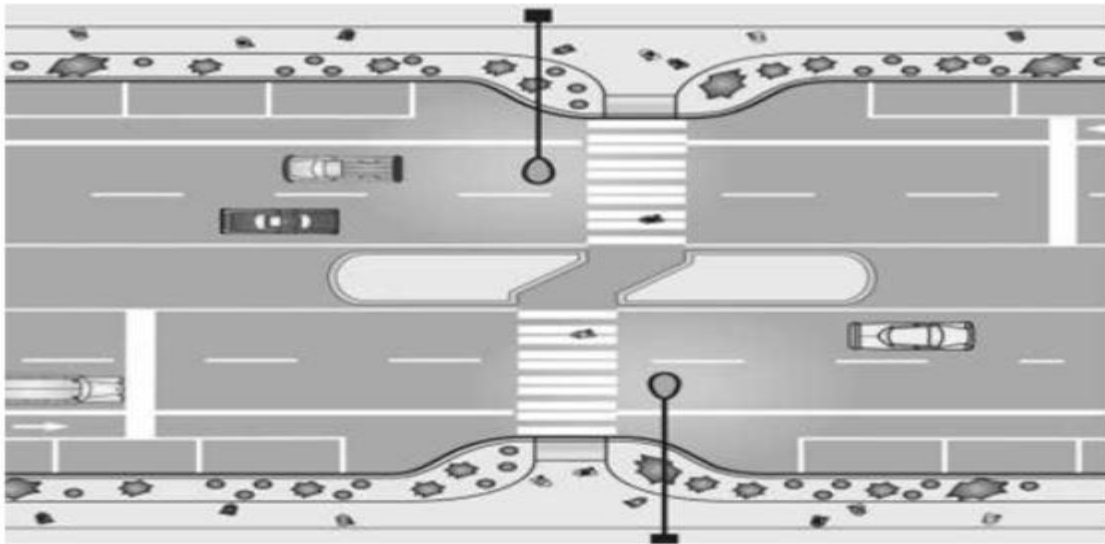


Figure 1. Pedestrian Center Median

E. Tracts or parcels of land proposed for subdivision development that are adjacent to an Indian Reservation shall provide an adequate buffer to the Indian community as determined by the zoning administrator. [Ord. 20-11 §2(14-6-3); Res. 20-31.]

Landscape Requirements

17.30.050

Current Text with Changes

A. *General Requirements.* When different land uses are adjacent to each other, landscaping is one method of minimizing the impact and establishing a transition between them. Plant materials can filter air, curtail erosion, provide shade and maintain privacy.

1. Preserve existing trees deemed healthy, salvageable, and significant located outside of the proposed roadway pavement, within retention/detention basins, adjacent to a preexisting watercourse, or within the proposed subdivision open space areas shall be preserved in accordance with the approved landscape plan.
2. Landscape plant materials, in addition to the healthy cacti and trees retained on site, should consist of drought-tolerant indigenous plant materials and species listed in the landscape



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regulations of the Arizona Department of Water Resources Pinal A.M.A. Plant List or similar document.

3. Through the life of the development (residential and commercial), replacement of dead trees and required landscaping shall be perpetually provided by the homeowners/property owners association as designated by the applicant during the final plat approval or the individual property owner and shall be completed within three months from the date that the association or the property owner is notified by the city.

4. *Landscape and Open Space Requirements.*

a. At preliminary plat, a preliminary landscape and open space plan shall provide overview of landscape theme and integration of open space for the proposed development. Note the source of water for irrigation.

b. At final plat, an improvement plan submittal will require full details for construction of landscape and open space designs (as detailed in the Design Standards Manual). This plan shall show all required plant materials location, include a plant list/palette table (list species, size, quantity, and spacing specifications). Irrigation plans shall be included with the landscape plans.

5. Landscape maintenance responsibility shall be clearly identified for all landscaped areas, including common area tracts and within the public rights-of-way. Identify responsible parties avoiding ambiguity, such as the individual property owner immediately adjacent or the homeowners association as designated by the applicant during the final plat approval.

B. *Neighborhood (Subdivision) Entry Monuments.* In order to enhance the appearance and help identify subdivision entrances, subdividers shall provide landscaping, identification signage and textured pavement at the entryways on at least one major access point to the subdivision to provide a sense of arrival.

1. Landscaping at entryways should be designed to visually enhance all arrival points. Clustering of trees, shrubs, and ground covers should accent focal points and provide variety to streetscape



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(Figure 4). Trees along the streets shall consist of drought tolerant indigenous plant materials and species listed in the landscape regulations of MCC Title [18](#), Zoning.

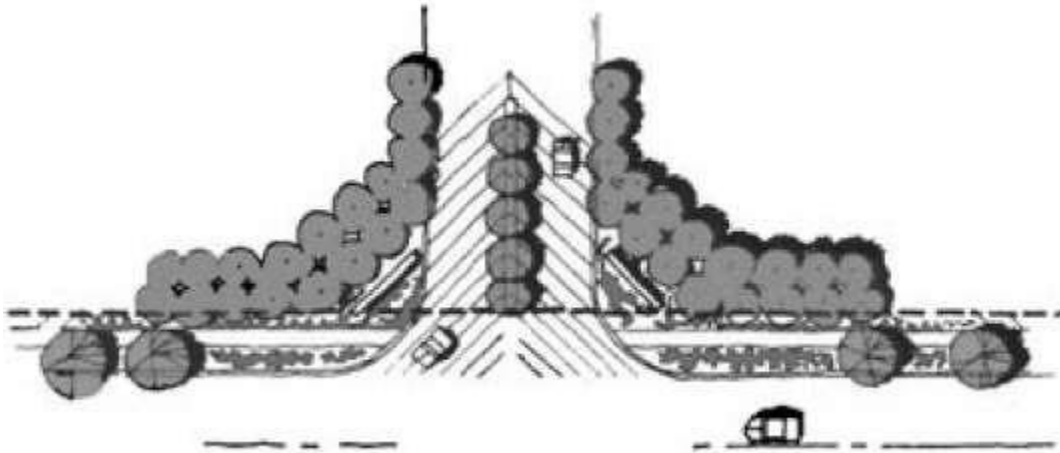


Figure 4. Landscaping at Entryways

2. Signage shall be attractively designed and submitted along with the required landscape plans for approval. Signs shall be integrated to complement the streetscape and landscaping frontages using a decorative monument base. Soft lighting shall be provided to provide a clear image of the subdivision name. Monument signs shall not exceed those allowed and outlined in MCC Title [18](#), Zoning.

3. Textured entryway drives (such as decorative stone, stamped concrete or brick) may be incorporated into access points from any collector or arterial frontages (Figure 5).



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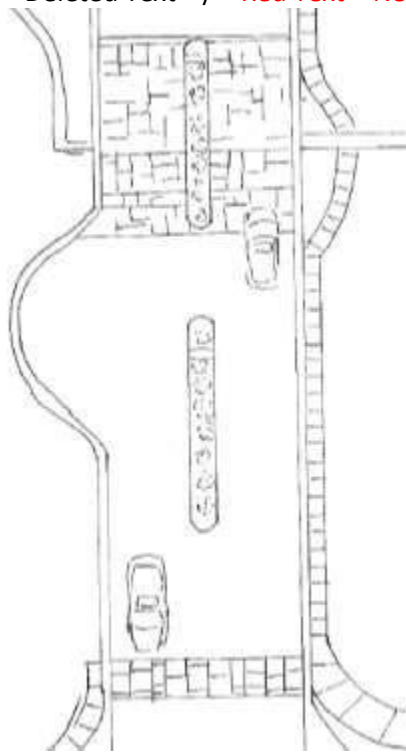


Figure 5. Textured Entryway Drives

C. *Wall/Fencing Requirements.* In order to enhance the appearance of the community, through access paths between neighborhoods rather than individual subdivisions are desired.

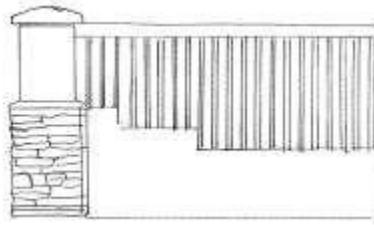
1. *Single and Multiple Residential Standards.*

a. The use of solid view-obscuring perimeter walls along the boundary of the subdivision is not permitted except where specifically indicated on the final plat and approved by the economic and community development director. Perimeter walls adjacent to the community open space system shall be view-fences. External orientation of the subdivision to the surrounding arterial, collector and local streets (depending on the project density) as well as adjacent residential development is strongly encouraged and should limit the need for solid view-obscuring perimeter walls

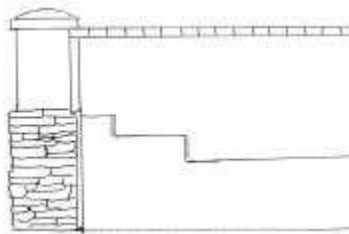


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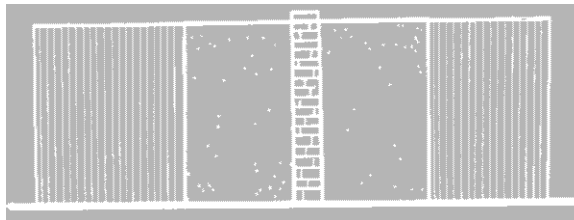
- b. Openings in the perimeter view-fence are required at the end of abutting interior cul-de-sac streets and along the community trail system, if applicable, to provide the desired connectivity to the community.



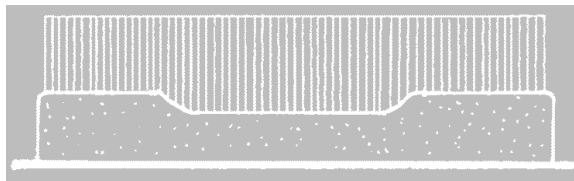
Wrought Iron View Wall



Masonry Theme Wall With Accent



Solid Wall and Ornamental Iron Combination



Solid Wall and Ornamental Iron Combination



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Figure 6. Residential View Walls and Fences (illustrative only)

- c. Vegetative screening is encouraged, in addition to walls and fencing, when a residential subdivision is adjacent to a neighborhood commercial development.

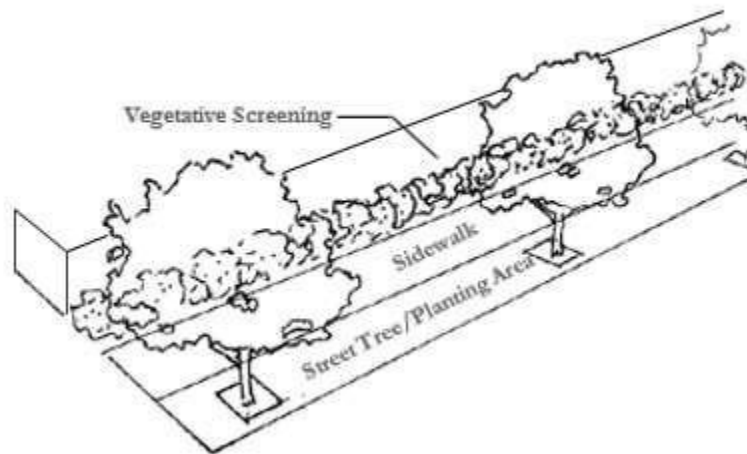


Figure 7. Vegetative Street Screening

- d. A solid wall is required when a residential subdivision is adjacent to an existing industrial development or land zoned for future industrial use.
- e. In the cases where a solid wall is used solely, or in combination with view-fencing, the solid portion shall be decoratively treated (split face, single-score, fluted, etc.) on all sides visible to the public to match the residential product architectural style and design (Figures 8 and 9). Any other decorative material accent – or plain block with a finished treatment – stone or brick veneer, should be used on portions of walls exposed to open areas.



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Figure 8. Split Face Block Wall



Figure 9. Fluted Concrete Block Wall Texture

- f. Walls shall be off-set and/or undulating with decorative stone or masonry pillars with decorative capping ~~pillars~~ at a minimum of 100 feet apart ~~and~~ with a different finish than the wall infill between the pillars that adds visual interest. A low planter wall with landscaping may be built on the public street side of the perimeter wall, in lieu of or in combination with the required decorative pillars. An alternative design that meets the intent of the City Code may be reviewed and approved by the Zoning Administrator.



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g. Wire mesh no higher than the top rail may be used when in conjunction with a pipe rail or corral style fencing but not as a standalone fencing material. Pipe rail and corral style fencing shall not be higher than four feet. The use of slat-filled chain link fences shall be prohibited.

2. *Commercial and Industrial Standards.* When solid view-obscuring perimeter walls are necessary or required they shall be decoratively finished (with materials such as rod iron, stone, tile, etc.) on all sides visible to the public to match the commercial and/or industrial product architectural style and design.
[Ord. 20-11 §2(14-6-5); Res. 20-31.]

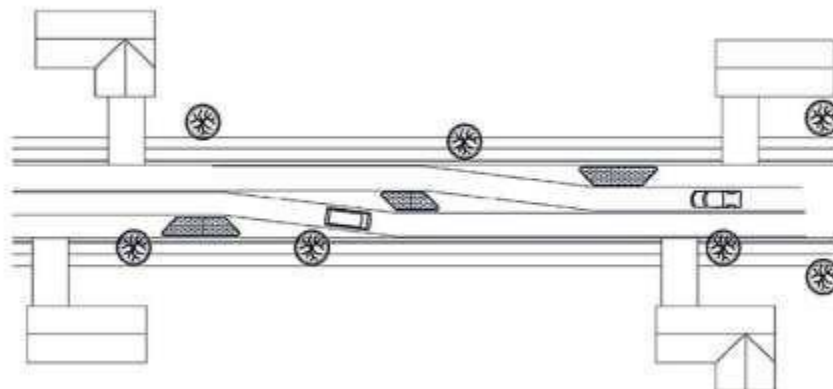
Street Location and Arrangement

17.30.070

Current Text with Changes

A. The road system shall be designed and constructed to city public street standards and specifications and ~~to~~ permit the safe, efficient, and orderly movement of traffic and pedestrians; meet the needs of present and future population served; have a simple and logical pattern; respect natural features and topography, provide multi-modal connectivity throughout residential and retail uses, and present an attractive streetscape.

B. In residential subdivisions, the road system shall be designed to serve the needs of the greater neighborhood. Streets in excess of one-thousand linear feet, shall incorporate traffic calming methods, such as but not limited to chicanes and bulb outs (Figure 11) should be used as defined by the Institute of Traffic Engineers (ITE) and as required by the city engineer.



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Figure 11. Chicane

- C. There shall be no development of roadways built to principal or arterial standards unless and until that roadway and roadway alignment is shown within the latest Maricopa Transportation Plan of the city. Street layout shall provide for the continuation of such streets per the latest Transportation Plan of the city or as determined by the city engineer.
- D. Adjacent to a railroad or limited access highway right-of-way the development of either open space or a street running parallel to the railroad or limited access highway shall be provided for the use of, and to act as a buffer to, the intervening residentially zoned property along with a protective barrier that must be approved by the city engineer.
- E. Certain proposed streets, as designated by the city engineer, shall be extended to the subdivision boundary to provide future connection with adjoining unsubdivided lands.
- F. Local streets shall be so arranged as to discourage cut through vehicular traffic, while still allowing for pedestrian connectivity. Pedestrian connections shall be provided from buildings to common areas, sidewalks, trails, and to other buildings or portions of the development.
- G. Subdivision design should provide convenient pedestrian access via sidewalks to transit stops shaded with structures or landscaping along major or collector streets. Refer to the Design Standards Manual for bus pullout and shelter design details.
- H. Where a proposed subdivision of medium density residential development abuts or contains an existing or proposed arterial or collector right-of-way, a nonbuildable landscaped tract equaling at least 25 feet in depth should be platted with nonvehicular access easements along the arterial or collector right-of-way. The exception to this would be for rural, estate, and low density residential developments where frontage onto collector roadways may be desirable and/or encouraged.
- I. Streets shall be so arranged in relation to existing topography as to produce desirable lots of maximum utility, streets of reasonable gradient, and the facilitation of adequate drainage.



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J. Where private streets are approved, such streets shall be constructed to city public street standards and specifications and shall be placed into specific street tracts of land. Statements shall be contained on the plat and in both the deed restrictions and the homeowners association by-laws that those streets are declared private subject to an easement authorizing use by emergency and public service vehicles and utilities, and remain the permanent responsibility of the homeowners association as designated by the applicant during the final plat approval. If at any time the streets are dedicated to, and accepted by the city, the streets must first be developed to the current standards specified by the city at the time of dedication.

K. Alleys may be required in commercial and industrial subdivisions or may be desired in residential developments to facilitate rear loading garages. Where needed, and approved by city council, they shall be a minimum of 24 feet in width for commercial and industrial and a minimum of 20 feet in width for residential alleyways. See the Design Standards Manual for further detail. [Ord. 20-11 §2(14-6-7); Res. 20-31.]

