

Title 18 Zoning, Chapter 18.205, Sec. 18.205.020 List of Definitions

Abutting means the condition of two adjoining properties having a common property line or boundary, including cases where two or more lots adjoin only at a corner(s).

Accessory building or structure means a detached subordinate building or structure, the use of which is customarily incidental to that of the main building or to the main use of the land, and which is located in the same or a less restrictive zone, and on the same lot or parcel of land with the main building or use.

Accessory use means a use customarily incidental to, related and clearly subordinate to a principal use established on the same lot or parcel of land, which accessory use does not alter said principal use nor serve property other than the lot or parcel of land on which the principal use is located. “Appurtenant use” means the same as accessory use.

Adequate public facility-related terms. *See Article 402, Adequate Public Facilities (Not recommended by the Task Force).*

Adequate means meeting the established minimum standards in this Code and all other applicable policies of the City.

Capacity means the maximum demand that can be accommodated by a Public Facility.

Public facilities includes roads, water, wastewater, drainage, parks and open space, and school facilities.

Adjacent means directly abutting, having a boundary or property line(s) in common or bordering directly, or contiguous to.

Adjoining means two or more lots or parcels of land sharing a common boundary line, or two or more objects in contact with each other. Lots or parcels of land which touch at corners only shall not be deemed adjoining.

Administrative Review means the process by which the Community Development Department reviews submitted Regulating, streetscape, site and/or building plans to determine compliance with this regulating document and design guidelines.

Adult means a person who is 18 years of age or older.

Aggrieved person means any person who, in person or through a representative, appeared at a City public hearing in conjunction with a decision or action appealed or who, by other appropriate means prior to a hearing, informed the local government of the nature of his or her concerns or who, for good cause, was unable to do either.

Airport-related terms.

Aircraft means any contrivance, now known or hereafter invented, for use or designed for navigation of or flight in the air, including helicopters, fixed-wing aircraft and gliders.

Airport means any area of land designed and set aside for the landing and taking off of aircraft.

Noise sensitive uses means single unit or multiple unit housing, office buildings, hotels, motels, hospitals, nursing homes, places of worship, libraries, public and private schools and day care centers.

Runway means a defined area on an airport prepared for landing and takeoff of aircraft along its length. The runway includes any proposed runway or runway extension as shown on any approved airport planning document.

Alley means a public or private right-of-way less than 30 feet wide which affords a means of vehicular access to the side or rear of properties abutting a street or highway.

Alteration means any change, addition or modification that changes the exterior architectural appearance or materials of a structure or object. Alteration includes changes in exterior surfaces, changes in materials, additions, remodels, demolitions, and relocation of buildings or structures, but excludes ordinary maintenance and repairs.

Apex means the highest point of a sign as measured from the point on the ground where its structure is located, or, if no sign structure is present, from the point on the ground directly below the sign itself.

Arcade means a Private Frontage conventional for Retail use wherein the Facade is a colonnade supporting habitable space that overlaps the Sidewalk, while the Facade of the First Story remains at the Frontage Line.

Arterial Street means a general term designating streets of major significance to the community, including section line and major streets and State and County highways, that are designed to carry substantial volumes of traffic, providing a system for citywide through-traffic movement.

Article means an Article set out in this Code, unless another Code or statute is mentioned.

Artist means an individual engaged in the creation of art or crafts that require artistic skill. Examples of individuals typically engaged in this work include, but are not limited to, woodworkers, potters/ceramicists, costume makers, set designers, stained-glass makers, glassblowers, textile artists and weavers, jewelry makers, painters, fine art printmakers, photographers/filmmakers, leather workers, metal workers, musical instrument makers, model makers, papermakers, installation artists, sculptors, video artists, and other makers of art and crafts.

Approval authority means the official or decision-making body granted authority to approve a permit or other entitlement for development or use under the terms and regulations of this Code. Also referred to as the "Decision-making authority".

Assisted living facility means a residential care institution intended for occupancy by persons of advanced age or limited ability for self-care, which may provide food, transportation, recreation, or other services to the residents thereof, and which is licensed by the Arizona Department of Health Services to perform supervisory care, personal care, or custodial care services. The term shall include boarding houses, dormitories, apartments, and similar multiple-residence living arrangements when operated as an assisted living facility as defined herein, but shall not include group homes for the handicapped, adult care homes, nursing homes, hospitals, or hotels.

Automobile parking space, compact means any permanently maintained space, having a width of not less than eight feet and a length of not less than 15 feet, so located and arranged as to permit the storage of a passenger automobile of compact size.

Automobile parking space, standard means any permanently maintained space, having a width of not less than eight and one-half feet and a length of not less than 18 feet, so located and arranged as to permit the storage of a passenger automobile of standard size.

Automobile storage space means “automobile parking space.”

Avenue means a Thoroughfare of high vehicular capacity and low to moderate speed, acting as a short distance connector between urban centers, and usually equipped with a landscaped median.

Awning means an ancillary lightweight structure of wood, metal, or canvas, cantilevered from a building facade and providing shade to the fenestration and spatial containment to the pedestrian.

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

Base district means a rural, residential, commercial, mixed use, industrial, open space, public or institutional zoning district established under the 200 Series of this Code.

Basin, detention means stormwater storage facility that temporarily stores surface runoff and releases it at a controlled rate through a positive outlet. A detention basin and park may be joined to serve both recreational needs and as a water storage facility.

Basin, drainage means a geographical area that contributes surface runoff to a particular concentration point. The terms “drainage basin”, “tributary area” and “watershed” are used interchangeably.

Basin, Retention: A storm water storage facility that stores surface runoff. Stored water is infiltrated into the subsurface or released to the downstream drainage system or watercourse (via gravity outlet or pump), or evaporated after the storm event. A retention basin and park may be joined to serve both recreational needs and as a water storage facility.

Berm means an earthen mound, either natural or man-made.

Bicycle lane means a paved area located within a street right-of-way and within the pavement section that is designated for bicycle or other non-motorized traffic.

Block means an aggregate land area circumscribed by Thoroughfares.

Block Face means the aggregate of all the Principal Frontage Lines, or alternatively the building Facades, on one side of a Block.

Board of Adjustment means the Board of Adjustment of the City of Maricopa.

Body piercing means the creation of an opening in the human body for the purpose of inserting jewelry or other decoration, including the piercing of an ear, lip, tongue, nose, or eyebrow. “Body piercing” does not include piercing an ear with a disposable, single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear.

Buffer area means an area of land, including landscaping, berms, walls and fences but not building setbacks, that is located between land uses of different character or density and is intended to mitigate negative impacts of the more intense use on residential or vacant parcels.

Buildable means a lot or parcel that has the area, shape, slope, street frontage, or other attribute in order for a permitted use, based on the lot or parcel's Zoning District, to be developed, without the need for any variance from this Code.

Building means any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals, chattels or property of any kind.

Building, enclosed means a building enclosed on all sides.

Building setback line means the required minimum distance, as prescribed by this Code, between the property line and the closest point of any building or structure.

Building site means a lot or parcel of land occupied or to be occupied, by a main building and accessory buildings together with such open spaces as are required by the terms of this title and having its principal frontage on a street, road, highway, or waterway.

Canopy means the extent of the outer layer of leaves of an individual tree or group of trees.

Canopy Density means the general permeability of a Tree Canopy to light as a characteristic of branch number and structure; Canopy Density can either be Full (>50%) or Open (<50%).

Canopy Shape means the general shape of the outer layer of leaves of an individual tree as structured by the tree's branches.

Carport means an accessory structure that is roofed but permanently open on at least two sides and maintained for the storage of motor vehicles.

Centerline means the centerline established by the City Engineer for any proposed or dedicated public way.

Changed plans means any changes in physical design, site layout, lot sizes and patterns, building footprints, elevations or siting, drainage, utilities, or roadway locations on a development plan. Changes in architectural materials and finishes, lighting fixtures, or a planting palette are not considered plan changes.

Child means a person under 18 years of age.

Chord means a straight line joining two points on a curve.

City means the City of Maricopa, Arizona.

City Council is the City Council of the City of Maricopa.

Civic means the term defining not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, religious, and municipal parking.

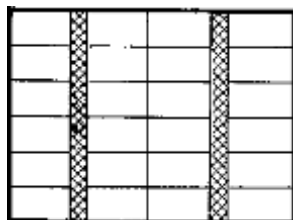
Civic Building means a building operated by not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking, or for use approved by Development Services. A Civic Building is owned by a municipal or governmental body.

Civic Space means an outdoor area permanently dedicated for public use. Civic Space types are defined by the combination of certain physical constants including the relationships among their intended use, size, landscaping and surrounding buildings.

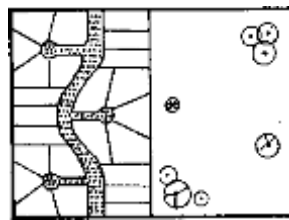
Civic Sub-District means a designation for public sites dedicated for Civic Buildings and/or Civic Space.

Clearance means the height above the walkway, or other surface if specified, of the bottom edge of an element.

Cluster development means development pattern that concentrates development in specific areas on a site rather than distributed evenly throughout a parcel as in conventional lot-by-lot development with the remaining portion of the site retained as natural open space or parks.



Conventional Lots



Clustered Lots

Code, Zoning means Chapter 16 of the City of Maricopa Municipal Code.

Co-location means the location of two or more wireless communications facilities owned or used by more than one public or private entity on a single support structure or otherwise sharing a common location. Co-location shall also include the location of wireless communications facilities with other facilities such as buildings, water tanks, light standards, and other utility facilities and structures.

Commercial vehicle means any vehicle currently registered as such with the State Department of Motor Vehicles or equivalent out-of-State or Federal agency and is used primarily in the conduct of a business as opposed to private family or individual use.

Commission means the Planning & Zoning Commission of the City of Maricopa.

Committee means the Technical Advisory Committee, the Heritage District Committee, or any other committee as established by the City Council of the City of Maricopa.

Communication equipment building means a building that houses operating electrical and mechanical equipment necessary for the conducting of a public utility communications business, with or without personnel.

Community facilities include, but are not limited to government buildings, libraries, hospitals, local businesses, parks, and historic sites.

Common Yard means a planted Private Frontage wherein the Facade is set back from the Frontage Line. The yard is visually continuous with adjacent yards.

Complete application means an application accompanied by the required fees and deposits and all of the information, including plans, written materials, specifications, reports and other documents that are required to be submitted for review and approval of an entitlement for development or use under the terms and regulations of this Code.

Conditional approval means an affirmative action by the Commission or Council indicating that approval will be forthcoming with satisfaction of certain specified conditions or stipulations.

Construction means construction, erection, enlargement, alteration, conversion or movement of any building, structures, or land.

Coordinated Frontage means a condition where the landscape and paving of Public Frontage and Private Frontage are coordinated as a single, coherent design.

Corral fence means a structure consisting of vertical posts with horizontal connectors, so constructed that 75 percent or more of the vertical surface is open. Corral fences do not include chain link fences.

Council means the City Council of the City of Maricopa.

County means Pinal County, Arizona.

Court means an open space enclosed wholly or partly by buildings or circumscribed by a single building.

Courtyard means a building placed within the boundaries of its Lot to create a private Courtyard, while internally defining one or more private patios.

Cultivar means a cultivated variety of Street Tree; deliberately selected for its desirable physical characteristics.

Cultural facility means a facility engaged in activities to serve and promote aesthetic and educational interest in the community that are open to the public on a regular basis. This includes performing arts centers for theater, music, dance, and events; spaces for display or preservation of objects of interest in the arts or sciences; libraries; museums; historical sites; aquariums; art galleries; and zoos and botanical gardens. This does not include schools or institutions of higher education providing curricula of a general nature.

Day means any day, Monday through Friday, that is not a Federal, State, or local holiday.

De novo means “anew” or “from the beginning.” When used in hearings, new testimony can be taken and new information considered, rather than relying only on the information in the record.

Density means the number of dwelling units per unit of land area.

Density, gross means the number of dwelling units per gross unit of land area.

Density bonus means a density increase over the otherwise maximum allowable residential density provided in this Code.

Department means the Development Services Department of the City of Maricopa.

Developer (*See also Subdivider*) means a person, firm, partnership, joint venture, trust, syndicate, association, corporation, limited liability company, or other legal entity who desires to improve or otherwise engage in any development of property within the City of Maricopa, including the owner of the property; except that an individual serving as agent for such legal entity is not a developer.

Development means any manmade change to improved or unimproved real estate, including but not limited the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill or land disturbance (excluding disturbance from agriculture related grading).

Development agreement means an agreement between the City and any person having a legal or equitable interest in real property for the development of such property and which complies with the applicable provisions of Arizona Revised Statutes for such development agreements.

Development Review Permit means a permit required for uses or developments identified in 200 Series – Base Zoning Districts, 300 Series – Overlay Districts, and/or any other section of this Code that requires Development Review.

Director means the director of the Development Services Department and the Planning & Zoning Division of the City of Maricopa, acting either directly or through authorized agents.

Disabled person means a person who: (1) has a physical or mental impairment which substantially limits one (1) or more of such person’s major life activities; (2) has a record of having such an impairment; or (3) is regarded as having such an impairment. However, “disabled” shall not include current illegal use of or addiction to a controlled substance (as defined in Section 102 of the Controlled Substance Act [21 United States Code 802]).

District means a portion of the City within which certain uniform regulations and requirements apply to development and land uses, or various combinations thereof apply under the provisions of this Code. Also referred to as “Zoning Districts”.

Domestic animal is an animal which is commonly maintained in residence with humans.

Dooryard means a private Frontage type with a shallow setback and front garden or patio usually with a low wall at the Frontage Line to effectively buffer residential quarters from the sidewalk while removing the private yard from public encroachment.

Driveway means an accessway that provides vehicular access between a street and the parking or loading facilities located on an adjacent property.

Duplex means a building with two (2) side by side units on a Lot with a share wall of the building.

Dwelling unit means a room or suite of rooms including one and only one kitchen, and designed or occupied as separate living quarters for one family, as defined below.

Easement means a portion of land created by grant or agreement for specific purpose; an easement is the right, privilege or interest which one party has in the land of another.

Edgeyard means a building placed within the boundaries of its Lot to create an Edgeyard around the building, with Setbacks on all sides.

Effective date means the date on which a permit or other approval becomes enforceable or otherwise takes effect, rather than the date it was signed or circulated.

Effective Turning Radius means the measurement of the turning radius at a corner taking parked cars into account.

Elevation means an exterior wall of a building not along a Frontage Line.

Emergency means a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services.

Encroach means to break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a Setback, into the Public Frontage, or above a height limit.

Engineer means the City Engineer of Maricopa or their designated representative.

Engineering department means the Engineering Division of the Development Services Department of the City of Maricopa.

Equipment cabinet or enclosure means a cabinet or structure used to house equipment associated with a wireless communications facility.

Facade means the exterior wall of a building exposed to public view or that wall viewed by persons not within the building. The portion of any exterior elevation of a building extending vertically from the grade to the top of a parapet wall or eave, and horizontally across the entire width of the building elevation.

Factory-built building means a residential or nonresidential building including a dwelling unit or habitable room thereof which is either wholly or in substantial part manufactured at an off-site location to be assembled on site, except that it does not include a manufactured home, recreational vehicle or mobile home as defined in the Manufactured Home/Recreational Vehicle Regulations chapter of this Code.

Family means one or more persons living together as a single nonprofit housekeeping unit and sharing common living, sleeping, cooking and eating facilities. Members of a "family" need not be related by blood but are distinguished from a group occupying a hotel, club, fraternity or sorority house.

Feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

Fence means an artificially-constructed barrier of any material or combination of materials erected to enclose or screen an area of land.

Figure means any graphic representation noted as "Figure" within this Code, that is used to illustrate and exemplify certain standards and regulations contained within the language of this Code.

Fill means soil, rock, or other material, deposited at a location by man that raises the grade at that location.

Finished grade means the final grade and elevation of the ground surface after grading is completed and in conformance with the approved grading plans.

Floodplain means low lands adjoining the channel of a river, stream or watercourse, lake or other body of water, which have been or may be inundated by floodwater, and those other areas subject to flooding. A floodplain may be that area further defined by the Drainage Policy of the City of Maricopa and as shown

on Federal Emergency Management Agency (FEMA) flood insurance rate maps (FIRM) or an approved flood control study.

Floor area means the total floor area in a building (including basements, mezzanines, interior balconies, and upper stories or levels in a multistory building) unless otherwise stipulated; e.g., “ground” floor area.

Floor area ratio means the numerical value obtained through dividing the aboveground gross floor area of a building or buildings located on a lot or parcel of land by the total area of such lot or parcel of land.

Forecourt means a Private Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back.

Foster home means a dwelling maintained by an individual or individuals having care or control of one but not more than six minor children, other than those related by blood, marriage, or adoption or those who are legal wards of such individuals, which is licensed by the Arizona State Department of Economic Security.

Foster home, group means a foster home suitable for the placement of more than six but not more than ten minor children which is licensed by the Arizona Department of Economic Security.

Frontage, building means the exterior building wall of a ground floor business establishment on the side or sides of the building frontage and/or oriented toward a public street, highway or parkway.

Frontage, Space means the area between a building Facade and the vehicular lanes of a Thoroughfare, inclusive of its built and planted components. Frontage is divided into Private Frontage and Public Frontage.

Frontage Line means a Lot line bordering the Public Frontage and where minimum Lot Width is measured. Facades facing Frontage lines define the public realm and are therefore more regulated than the Elevations facing other Lot Lines.

Frontage, street or highway means that portion of a lot or parcel of land which borders a public street, highway or parkway. **Garage** means a building or portion of a building that is enclosed and roofed and designed for the storage of motor vehicles.

Gallery means a Private Frontage conventional for Retail use wherein the Facade is aligned close to the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk.

General Plan means the General Plan of the City of Maricopa, and all elements thereof.

Glare means the effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, such as to cause annoyance, discomfort or loss of visual performance and ability.

Goosneck Lighting means a down-lit illumination of signage set on an outpost usually attached to a wall or post.

Grade means the approved grade of a lot or parcel of land at the time such lot or parcel is created, except when excavation is proposed. When excavation occurs after the lot or parcel is created, the grade of the excavated area shall be the grade after the excavation.

Green means a Civic Space type available for unstructured recreation, spatially defined by landscaping.

Greenway means an Open Space Corridor in largely natural conditions which may include trails for bicycles and pedestrians.

Green Building means a whole systems approach to the design, construction and operation of buildings that substantially mitigates the environmental, economic, and social impacts of conventional building practices. Green building practices recognize the relationship between the natural and built environments and seek to minimize the use of energy, water and other natural resources and provide a healthy, productive indoor environment.

Gross floor area means the sum of the gross areas of the floor or floors of a building or buildings.

Handicapped person means a person who: (1) has a physical or mental impairment which substantially limits one (1) or more of such person's major life activities; (2) has a record of having such an impairment; or (3) is regarded as having such an impairment. However, "handicapped" shall not include current illegal use of or addiction to a controlled substance (as defined in Section 102 of the Controlled Substance Act [21 United States Code 802]).

Hardscape means part of a building's grounds consisting of structures, such as plazas, retaining walls and sidewalks, made with materials such as concrete and sidewalk pavers.

Hazardous materials includes any substance characterized as flammable solids, corrosive liquids, radioactive materials, oxidizing material, highly toxic materials, poisonous gases, reactive materials, unstable materials, hypergolic materials and pyrophoric material and any substance or mixture of substances which is an irritant, a strong sensitizer or which generates pressure through exposure to heat, decomposition or other means, or as otherwise defined by law.

Health Department means the Pinal County Health Department.

Hearing Officer means the Hearing Officer of the City of Maricopa, or his or her designee.

Height, when referring to a building, tower, or any other structure, means the vertical distance measured from the natural grade level to the highest point of the structure directly above the natural grade when such structure is not located in a platted subdivision. If the structure is located in a platted subdivision, the height shall be the vertical distance measured from the finished grade as shown on the subdivision grading plans or finished grade as shown on the individual lot's grading plan (whichever is lower) to the highest point of the structure directly above the finished grade.

Heritage District means the area also known as Old Town, the original town site of the community, including older neighborhoods and agricultural, commercial and industrial land generally located in the northwest area of the City of Maricopa. This area also is referred to as the “Redevelopment District Area” and “Redevelopment Area”.

Heritage District Advisory Committee means the committee created under this Code to act in an advisory capacity in all matters concerning development in the City’s Heritage District.

Heritage District Design Guidelines means the architectural design guidance for residential, commercial and industrial development and commercial/industrial signage in the Heritage District, which has been adopted by the City Council. These guidelines show how new development and new signs should be designed to fit into and improve the built environment; they apply to all development in the Heritage District Redevelopment Project Area.

Highway means any expressway, freeway, major, secondary, or limited secondary highway.

Illegal nonconforming building or use means any use of land or building that does not have the currently required permits and was originally constructed and/or established without permits required for the use at the time it was brought into existence.

Illegal nonconforming use and development-related definitions

Abandoned means a use that has ceased or a structure that has been vacated for a time period as specified in this Code. Abandonment does not include temporary or short-term interruptions to a use or occupancy of a structure during periods of remodeling, maintaining, or otherwise improving or rearranging a facility.

Illegal nonconforming building or use means a building or use that does not conform to one or more of the provisions of this Code and did not lawfully exist on the effective date of applicable sections of this Code.

Nonconforming building or structure means any building or structure that was lawfully established and in compliance with all applicable Codes and laws at the time the ordinance codified in this Code or any amendment thereto became effective, but which, due to the application of this Code or any amendment thereto, no longer complies with all the applicable regulation and standards of development in the Zone in which it is located.

Nonconforming lot means a lot, the area, dimensions, or location of which was lawful prior to the effective date of this Code, or any amendment thereto, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the Zoning District.

Nonconforming sign means a sign that lawfully existed prior to but which fails by reason of such adoption or amendment to conform to all of the standards and regulation of this Code.

Nonconforming use means a use of a structure or land that was lawfully established and maintained, but which does not conform with currently applicable use regulations for the district in which it is located by reason of adoption or amendment of this Code or amendment thereto or by reason of annexation of territory to the City.

Improvement plan is a term defined in the Subdivision Ordinance that means a set of plans setting forth the profiles, cross-sections, details, specifications, and instructions and procedures to be followed in the construction of public or private improvements in the City of Maricopa that are prepared and bear the seal of an Arizona - Registered Land Surveyor, Engineer, Architect or Landscape Architect in accordance with the approved preliminary plat, and zoning stipulations, and in compliance with standards of design and construction that are to be approved by the City Engineer, other City Departments, the applicable County Departments, and all applicable utilities.

Improvement standards means a set of regulations and exhibits setting forth the details, specifications and instructions to be followed in the design and construction of required improvements.

Irrigation facilities means laterals, ditches, conduits, pipes, gates, pumps, and allied equipment necessary for the supply, delivery, and drainage of irrigation water and the construction, operation, and maintenance of such.

Kitchen means any room or space used, or intended or designed to be used for cooking or the preparation of food.

Lamp means any source created to produce optical radiation (i.e. "light"), often called a bulb or tube.

Landscape means vegetation and irrigation, hardscape, public art or a combination thereof that may be calculated as open space (refer to the definition of *Open Space*).

Landscaping means the planting, configuration and maintenance of trees, ground cover, shrubbery and other plant material, decorative natural and structural features (walls, fences, hedges, trellises, fountains, sculptures), earth patterning and bedding materials, and other similar site improvements that serve an aesthetic or functional purpose.

LEED® means the "Leadership in Energy and Environmental Design" green building rating system developed by the U.S. Green Building Council.

Licensee means the adult, firm, partnership, association, corporation, county, city or other public agency having the authority and responsibility for the operation of a licensed community care facility.

Light Court means a Private Frontage type that is a below-grade entrance or recess designed to allow light into basements.

Lighting, exterior means any equipment or fixture located or used to provide illumination of outdoor areas, objects or activities.

Lighting fixture means light fixtures including but not limited to the lamp, pole, post, ballast, reflector, lens diffuser, shielding, electrical wiring, and other necessary or auxiliary components.

Lighting system means all exterior man-made lighting sources, associated infrastructure and controls on a site.

Liner Building means a building specifically designed to mask a Parking Structure from a Frontage.

Live-Work, Building means a Mixed-Use unit consisting of a Commercial and Residential Use. The Commercial Use may be anywhere in the unit. It is intended to be occupied by a business operator who lives in the same structure that contains the Commercial activity. (Syn: shophouse)

Longitudinal means a type of pavement marking with lines set parallel to the Public Frontage, repeating in a sequence across the entire width of the vehicular lanes of a Thoroughfare to demarcate a pedestrian Crosswalk.

Lot-related definitions

Lot means a single piece of property having frontage on a publicly dedicated and accepted street or a private road approved and accepted by the City and which has been established by a plat, recorded subdivision or otherwise established by some legal instrument of record which is described and denoted as such.

Lot area means the area of a horizontal plane within the lot lines of a lot but not including any area in a public right of way.

Lot, corner means a lot located at the intersection of two or more streets.

Lot coverage means the percentage of the area of a lot that is occupied by all buildings or other covered structures using the roof outline for all outer dimensions excluding overhangs less than 2.5 feet..

Lot depth means the horizontal length of a straight line connecting the midpoints of the front and rear lot lines; 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 10 feet.

Lot, flag means a lot or parcel of land taking access by a strip, owner of which lot or parcel of land has fee-simple title to said strip extending from the main portion of the lot or parcel of land to the adjoining parkway, highway or street.

Lot, interior means a lot or parcel of land other than a corner lot.

Lot, key means 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.

Lot Layer means a range, 1 – 3, of depth of a Lot within which certain elements are permitted.

Lot line means a line dividing one lot from another or from a street or any public place.

Lot line, front means, in the case of an interior lot, a line separating the lot from the street right-of-way. In the case of a corner lot, the narrower of the two (2) lot lines adjoining a street right-of-way.

Lot line, rear means a lot line which is opposite and most distant from the front lot line: accept that in the absence of a rear lot line as is the case of the 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 10 feet..

Lot line, side means any lot boundary line that is not a front lot line or a rear lot line.

Lot line, street side means a side lot line of a corner lot that is adjacent to a street.

Lot, reversed corner means a corner lot, the parkway, highway or street side lot line of which is substantially a continuation of the front lot line of a lot or parcel of land which adjoins the rear lot line of said lot.

Lot, through means a lot having a part of opposite lot lines abutting two streets, and which is not a corner lot, also known as a “double frontage lot”. On such lot, both lot lines are front, except that where a non-access easement has been established on such a lot, the front lot line shall be considered as that lot line most distant front the lot line containing the non-access easement.

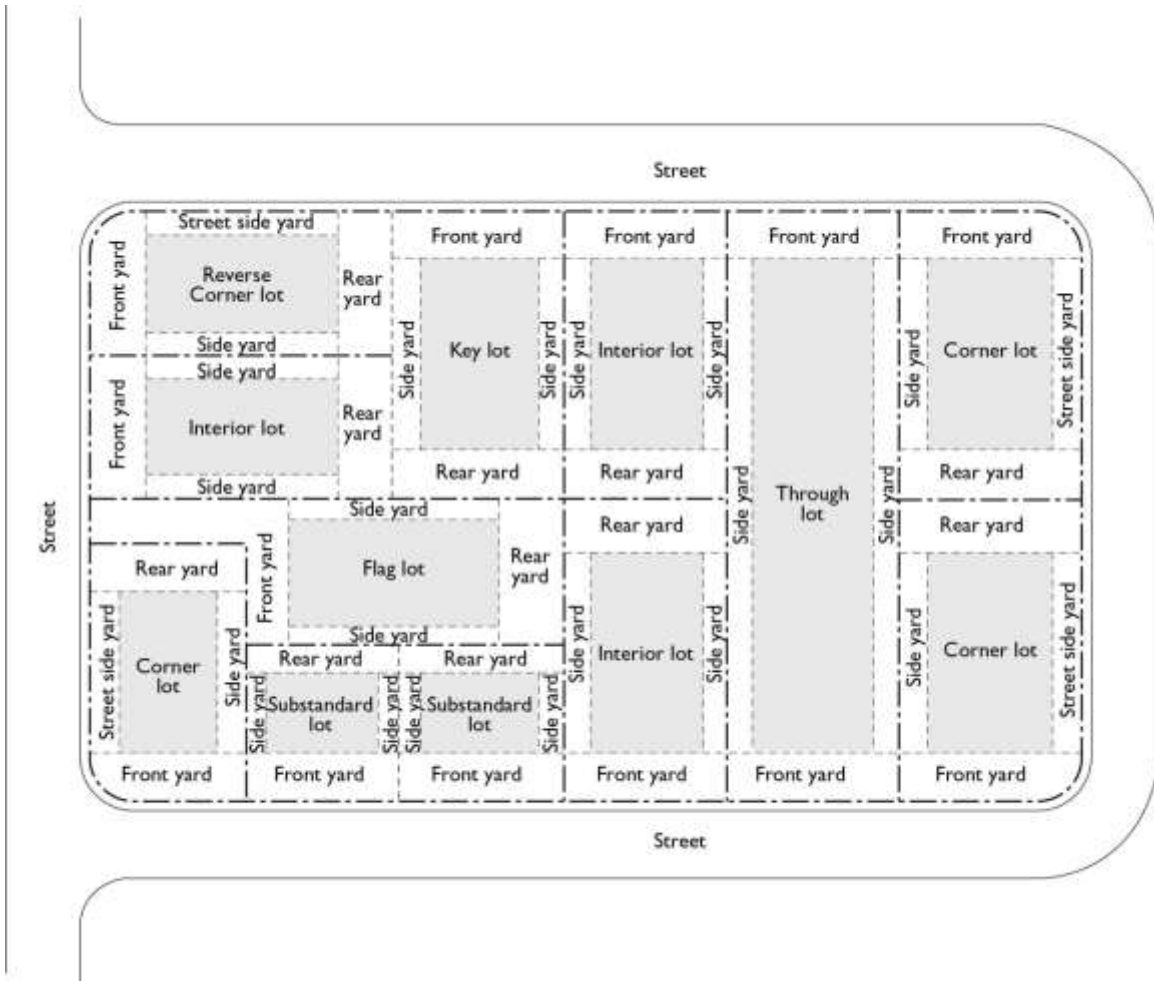


FIGURE 602.2: LOT AND YARD TYPES

Lot width means 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 setback line on a line parallel to the street or street chord. For lots on the inside of the curve of a street, the distance between side lot lines measured 30 feet behind the required minimum front yard setback line on a line parallel to the street or street chord.

Main Civic Space means the primary outdoor gathering place for a community. The Main Civic Space is often, but not always, associated with an important Civic Building.

Maintenance and repair means the repair or replacement of nonbearing walls, fixtures, wiring, roof or plumbing that restores the character, scope, size or design of a structure to its previously existing, authorized, and undamaged condition.

Major Development Review Permit means a permit required for all new and modified buildings or structures, or for alterations to a building or structure that results in over 5,000 additional gross square

feet, façade alterations that encompass more than 10 percent of the surface area, or as otherwise required in this Code.

Manufactured home means a structure transportable in one or more sections which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, is built on a permanent chassis, and is designed to be used as a dwelling, with or without a permanent foundation, when connected to utilities. This term does not include recreational vehicles.

Manufacturing means the process of creating a finished product by fabrication or from raw materials, especially by means of a larger scale industrial operation.

Massage and massage services means any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, manipulation, or stimulating the external parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances, with or without supplementary aids such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations.

Master Outdoor Lighting Plan means a plan that is required for a PAD application that shows the locations and specifications for all proposed lighting for all areas of the proposed development, including but not limited to pedestrian travel areas.

Master plan development (M.P.D.) is a term used in the City of Maricopa Subdivision Ordinance that refers to a mandatory plan for any development that is 320 or more contiguous acres and/or will be a multi-phased development of a large or complicated development application which provides information and graphics meeting the requirements of the Zoning Code and an overall master plan meeting the requirements of Chapter 17, Subdivision Ordinance, for the purpose of implementing an integrated development scheme for all phases of the proposed development.

Master Signage Plan means a plan that is required for a PAD application that shows the size and location of all proposed signs.

Medical Marijuana terms.

Medical marijuana means of all the parts of the genus cannabis whether growing or not, and the seed of such plants that may be administered to treat or alleviate a qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition.

Medical Marijuana Infusion (or manufacturing) facility means a facility that incorporates medical marijuana (cannabis) by the means of cooking, blending, or incorporating into consumable/edible goods.

Allowable amount of marijuana means a qualifying patient may have 2 ½ ounces of usable marijuana, and if the patient is authorized to cultivate marijuana, the patient may grow up to 12 marijuana plants contained in an enclosed locked facility.

Enclosed Locked Facility means a closet, room, greenhouse, or other enclosed area equipped with locks or other security devices that permit access only by a cardholder.

Cardholder means a qualifying patient, a designated caregiver or a nonprofit medical marijuana dispensary agent who has been issued and possesses a valid registry identification card as defined in A.R.S. Section 36-2801.2.

Medical Marijuana Qualifying Patient means a person who has been diagnosed by a physician as having a debilitating medical condition as defined in A.R.S. Section 36-2801.13.

Microcell facility means a wireless communication facility serving a single carrier and consisting of an antenna no larger than four feet in height or, if tubular, no more than six feet long and four inches in diameter comprised of a networked set of antennas that are connected with each other and to a wireless service source, such that a one or more high-power antennas that serve a given area are replaced by a group of lower-power antennas to serve the same geographic area.

Minor Development Review Permit means a permit required for all new and modified buildings or structures, or for expansions to a building or structure that results in an increase less than 5,000 gross square feet or 20 percent of the existing building area, alter more than 10 percent of the surface area of the exterior portion of any façade, or as otherwise required in this Code.

Mixed-use development means a building or group of buildings developed for residential uses that are integrated with non-residential uses such as, but not limited to, office, retail, service, commercial, public, or entertainment, in a compact urban form.

Natural grade means the undisturbed natural surface of the land, including washes.

Net acres means the total acreage of a tract or parcel of land exclusive of the area existing or required for arterial or collector street right-of-way dedications and school/public site reservations. When calculating residential net acres within a Master Plan Development (M.P.D.) any multi-unit, commercial or industrial land use must be excluded in addition to those uses listed above.

Newspaper, general circulation means a newspaper published for the dissemination of local or telegraphic news and intelligence of a general character, which has a bona fide subscription list of paying subscribers, and has been established, printed, and published at regular intervals in the State, County or City.

Non-chartered financial institution means a business, other than a State or Federally chartered bank, credit union, mortgage lender or savings and loan association, that offers check cashing services and loans for payment of a percentage fee. Specifically included are check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and payday loan businesses that make loans upon

assignment of wages received. Excluded are retail uses in which a minimum of 70 percent of the floor area of the store is devoted to the display or sale of merchandise.

Notice of Action means an administrative notice sent to an applicant, which describes the action taken, including any applicable conditions, and lists the findings that were the basis for the decision.

Notice of Decision means an administrative notice sent to an owner or occupant of a property subject to the abatement of nuisance provisions of this Code describing a decision made by a responsible official.

Notice of Order means an administrative notice sent to the property owner and occupant of a property on which a use, structures, or building exists that is deemed to be in violation of this Code, or any nuisance as defined in this Code. The Notice specifies the exact violation or nuisance that has been identified, a date by which the nuisance must be corrected, provisions regarding re-inspection and any fees that may apply, and the name and contact information of the Code Enforcement Officer or designee.

Nursery means an establishment primarily engaged in retailing nursery and garden products—such as trees, shrubs, plants, seeds, bulbs, and sod—that are predominantly grown elsewhere. These establishments may sell a limited amount of a product they grow themselves. Fertilizer and soil products are stored and sold in packaged form only.

Occupancy, change in means the discontinuance of an existing use and the substitution therefore of a use of a different kind or class.

Occupant means the person occupying or having custody of a structure or premises as a lessee or other.

Off-site means not located within the area of the property to be developed.

On-site means located on the lot, parcel or property that is the subject of discussion.

Open space means any parcel or area of land or water, natural or improved and set aside, dedicated, designated, or reserved for the use and enjoyment of all the residents of the development or the public in general. Open space does not include vacant or undeveloped lots, bike lanes or sidewalks attached to the back of the curb.

Open Space and Trails Master Plan means the City of Maricopa Parks, Trails and Open Space Master Plan as adopted by the City Council.

Open space, common means a shared open space intended for the exclusive use of the occupants of a residential building.

Open space, private means an open space intended for the exclusive use of the occupants of a dwelling unit.

Open space, public means an open space area conveyed or otherwise dedicated to a municipality, municipal agency, State or County agency, or other public body for recreational or conservational uses.

Open space, useable is a term defined in the Subdivision Ordinance that means land which can be enjoyed by people. This could include landscaped or hardscaped plazas, paseo and promenades, fountains and sitting areas meant to provide an open park like atmosphere. Also natural areas, landscaped buffers, landscaped retention basins if designed in accordance with specific open space standards, playgrounds, golf courses, bicycle trails (but not bike lanes), pedestrian trails (not residential sidewalks), trail heads and parks.

Outbuilding means a secondary building usually located toward the rear of the same Lot as a Principal Building such as a garage, carport, or workshop and may include an Accessory Unit.

Outdoor Display Case means a sign consisting of a lockable metal or wood framed cabinet with a transparent window or windows, mounted onto a building wall or freestanding support. It allows the contents, such as menus or maps, to be maintained and kept current.

Outdoor entertainment or outdoor activities include any type of live entertainment or recreational activity taking place in a location visible to public view and not within an enclosed building.

Outside display means the placement of goods, equipment, merchandise or exhibits at a location visible to the public view, other than within a building.

Outside storage means the storage of goods, equipment or materials outside of a building for any purpose other than outside display.

Overlay District mean a zoning district that modify the regulations of base districts for a specific purpose.

Owner means the person indicated on the records of the Pinal County Assessor, or other official body, as the owner of record of the property in question.

Parcel of land means a contiguous quantity of land, owned by or recorded as the property of a person.

Parking lots or parking buildings means readily accessible areas within structures or surface parking areas, exclusive of aisles, driveways, ramps and columns, maintained exclusively for the parking of vehicles, not including areas for the parking or storage of commercial vehicles.

Park Strip means the section of the Public Frontage accommodating Street Trees and other landscape, Public Infrastructure, and Public Furniture.

Parks means a public/private tract of land that contains a mix of active and passive recreation facilities including for example but not limited to tot lots, defined and improved play fields and/or sport court areas, and/or other recreational components, and picnic/seating/shade areas that are landscaped/hardscaped in a pleasing manner.

Passage means a pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through long Blocks and connect rear parking areas to Frontages.

Path means a pedestrian way traversing a Greenway or rural area, with landscape matching the contiguous Open Space, ideally connecting directly with the urban Sidewalk network.

Paver means a masonry block of various material and/or size.

Pedestrian oriented use means a land use intended to encourage walking customers and which, generally, does not limit the number of customers by required appointments or otherwise excluding the general public.

Pedestrian way means a public walk dedicated entirely through a block from street to street and/or providing access to a school, park, recreation area, trail system, or shopping area.

Permit means any Administrative Use Permit, Conditional Use Permit, Development Review Permit, Final Development Review Permit, Temporary Use Permit, Zoning Permit, license, certificate, approval, or other entitlement for development and/or use of property as required by any public agency.

Permitted use means any use allowed in a Zoning District and subject to any restrictions applicable to that Zoning District.

Person means any individual, firm, co-partnership, joint adventure, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, syndicate, this and any other city, county, municipality, district, or other political subdivision, or any other group or combination acting as a unit.

Phasing Plan means a schedule of development required by the Subdivision Ordinance if a project is to be developed in phases.

Planned Area Development (PAD) is a term used in the City of Maricopa Subdivision Ordinance that means a development with a minimum of 30 but less than 320 acres total, all of which must be contiguous, in which flexibility can be sought in the zoning standards, in order to encourage cluster development or more creativity and sustainable design, thereby providing usable open spaces within and about the development and enhancing the residential character of the City. Planned Area Developments shall be subject to Planning Commission review and recommendation and City Council approval.

Planning & Zoning Commission means the Planning & Zoning Commission of the City of Maricopa.

Planter means a three (3) foot deep recessed soil bed provided for the planting of Street Trees and kept open to air and water flow through landscaping or permeable Pavers.

Planting Technique means the prescribed method for planting Streets Trees; either in a continuous Planter or Tree Pit.

Plasma center means any facility used in the collection, storage, or distribution of liquid blood plasma.

Plat means a map that provides for changes in land use or ownership. See City of Maricopa Subdivision Ordinance for additional definitions related to specific types of plats (e.g. preliminary plat, final plat, recorded plat and reversionary plat).

Plaza means a Civic space type designed for Civic purposes and Commercial activities in the more urban Sub-Districts, generally paved, spatially defined by buildings, and internal to or part of a Block.

Pocket Park means a Civic Space type of limited size available for unstructured recreation and may be designed as a playground; normally located internal to a Block.

Porch and Fence means a facade is set back from the frontage line with an encroaching porch appended. The porch should be within a conversational distance of the sidewalk while a fence at the frontage line maintains the demarcation of the yard.

Pre-existing means in existence prior to the effective date of this Revised Code.

Preliminary meeting means an initial meeting between developer and municipal representatives that affords developer the opportunity to present their proposals informally and discuss the project and address any items of controversy or requirements before the preliminary plat is submitted.

Preliminary Review means an administrative mechanism that is intended to acquaint a prospective applicant or applicant's representative(s) with the requirements of this Code, the General Plan and other relevant city policies and regulations.

Primary Frontage means the Private Frontage designed to bear the address and Principal Entrance(s) of a building.

Principal Building means the main building on a Lot.

Principal Entrance means the main point(s) of access for pedestrians into a building or unit within a building.

Principal use means a use that fulfills a primary or predominant function of an establishment, institution, household, or other entity and occupies at least 70 percent of the gross floor area .

Private access way means a private way of access dedicated as a tract to one or more lots or air spaces, which is owned and maintained by an individual or group of individuals and has been improved in accordance with City standards and plans approved by the City Engineer.

Private Frontage means the first Lot Layer and the Facade of a building.

Private street means real property recorded as improved roadway for pedestrian and motor vehicle traffic, constructed and maintained by private parties.

Project means any proposal for a new or changed use or for new construction, alteration, or enlargement of any structure that is subject to the provisions of this Code.

Public Frontage means the area between the edge of the vehicular lanes of a Thoroughfare and the Frontage Line of private Lots and Civic Spaces.

Public Furniture means items provided by City of Maricopa for public use.

Public Lighting means a type of Public Infrastructure necessary for the illumination of Public Frontages and Thoroughfare intersections.

Public street means real property dedicated for, and recorded as, public right-of-way for pedestrian and motor vehicle traffic, having a minimum width of 30 feet, and more typically having a minimum width of 50 feet. The term shall not include public right-of-way designated for limited access freeways or public alleys.

Qualified applicant means the property owner, the owner's agent, or any person, corporation, partnership or other legal entity that has a legal or equitable title to land that is the subject of a development proposal or is the holder of an option or contract to purchase such land or otherwise has an enforceable proprietary interest in such land.

Reasonable accommodation means any deviation requested and/or granted from the strict application of the city's zoning and land use laws, rules, policies, practices and/or procedures.

Rear Lane means a vehicular way located to the rear of Lots providing access to service areas, parking and Outbuildings and containing utility easements. Rear Lanes may be lightly paved to Driveway standards. The streetscape consists of gravel or landscaped edges, has no raised Curb, and is drained by percolation.

Recorder means the Recorder of Pinal County.

Recreational vehicle (RV) means a vehicle-type unit which is one of the following:

1. A portable camping trailer mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle and unfold for camping.
2. A motor home designed to provide temporary living quarters for recreational, camping, or travel use and built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle.
3. A park trailer built on a single chassis, mounted on wheels, and designed to be connected to utilities necessary for operation of installed fixtures and appliances, and having a gross trailer area of not less than 320 square feet and not more than 400 square feet when it is set up, except that it does not include fifth wheel trailers.
4. A travel trailer mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, of a size or weight that may or may not require special highway movement permits when towed by a motorized vehicle and having a trailer area of less than 320 square feet. This type includes fifth wheel trailers.

Redevelopment area plan means the City of Maricopa Redevelopment District Area Plan adopted by the City Council. This plan applies to the Old Town area, also known as the Heritage District.

Regulating Plan means a map or set of maps showing the Sub-Districts, Thoroughfares, and Block Lengths subject to regulation under the Maricopa Station Overlay District.

Renovation, exterior facade means a resurfacing of an existing building frontage so that the facade and signs are integrated into one unit.

Responsible party means a person charged with a civil violation of this Code.

Review authority means the body responsible for making decisions on zoning and related applications.

Right-of-way means any public or private access way required for ingress or egress, including any area required for public use pursuant to any official plan; rights-of-way may consist of fee title dedications or easements.

Road means an open way used for the passage of vehicles, and includes alleys, streets and highways.

Roadway easement means a recorded conveyance to the public over a described area for roadway related uses.

Roof area means that portion of a lot or parcel covered by the roof structure of all buildings, excluding the eaves and overhangs, but including covered porches, patios and carports.

Room, habitable means a room in a building commonly used for sleeping, living, cooking or dining purposes, excluding closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage space, cellars, utility rooms, and similar spaces.

Rowhouse means a single or multi-unit building that shares a party wall with another of the same type and a Facade along 100% of the Frontage Line.

Screening means a wall, fence, hedge, informal planting, or berm, provided for the purpose of buffering a building or activity from neighboring areas or from the street.

Section means a section of this Zoning Code, unless some other Code or statute is mentioned.

Service provider means any authorized provider of wireless communications services.

Setback means the area between a property line and a building or structure which must be kept clear or open and clear of certain structures.

Shared Parking means accounting for parking spaces that are available to more than one Function.

Shopfront means a commercial store entrance aligned close to the frontage line with the entrance on sidewalk. It is commonly equipped with cantilevered shed roof or an awning.

Sidewalk means a paved, surfaced, or leveled area, paralleling a street and used as a pedestrian walkway.

Sign means any letters, figure, symbol, emblem, logo, object, or display or any combination thereof, designed or used to identify, attract attention to, advertise, or communicate information.

Sign-related terms.

Sign, A-frame means a form of temporary sign constructed of two panels to form a point and resembling the shape of the letter “A”. Also known as a ‘sandwich board’ sign.

Sign, Address means a sign, generally applied to a building wall, that displays a building’s address.

Sign, animated means any sign or part of a sign which changes physical position by any movement, rotation or undulation or by the movement of any light used in conjunction with a sign such as blinking, traveling, flashing or changing degree of intensity of any light movement other than burning continuously.

Sign, awning or canopy means a sign on a traditional canvas awning and/or a sign on the edge of a structural canopy that is otherwise permitted by this Code.

Sign, band means a sign that is attached flat on the exterior front, rear or side wall of any building or other structure. (Syn: wall-mounted sign, fascia sign)

Sign, bandit means a sign that is temporary and made of cardboard or foam board which is mounted on angle iron or wooden stake.

Sign, banner means a temporary sign of fabric, plastic, or other light pliable material not enclosed in a rigid frame.

Sign, blade means a sign mounted on the building Facade, projecting at a 90-degree angle.

Billboard (see “Off-site sign”).

Bulletin board means a sign which identifies a non-commercial institution or organization, on site, which contains the name of the institution or organization and associated individuals and general announcements of events or activities at the institution, or similar messages of general public interest.

Sign, business means a sign that attracts attention to a business or profession conducted on site, or to a commodity or service sold, offered or manufactured on site, or to an entertainment offered on site.

Sign, community means the “City of Maricopa Welcome Signs” and the integrated public service club(s) sign.

Comprehensive Sign Plan means a sign plan submitted under the guidelines of Section 409.15, intended to provide for the establishment of signage criteria that are tailored to a specific development location, and which may vary from specific Ordinance provisions.

Sign, construction means a temporary sign, limited to the period of construction, erected on a premises of an existing construction project, and designating the architect, contractor, designer, engineer, financier, or name and nature of the project.

Sign, directional means signs limited to directional messages, which do not contain identification or advertising copy, which aid the flow of pedestrian and vehicular traffic as well as providing directional information relating to points of interest, institutions, facilities and districts.

Sign, directory means a sign listing the names, uses, and/or locations of the various businesses or tenants within a building or a multi-tenant development, but not for the purpose of advertising products, goods, or services.

Sign, fascia means a sign permanently affixed to a horizontal piece covering the joint between the top of a building wall and the projecting eaves of a roof.

Fixed balloon means any air or gas filled inflatable object ground mounted or attached by a tether to a fixed place.

Sign, freestanding monument means an identification sign on its own self-supporting permanent structure, detached from supportive elements of a building on a base which has an aggregate width of at least 50 percent of the width of the sign and shall include the street address.

Sign, garage sale means a temporary sign advertising a temporary garage sale.

Sign, gasoline fuel price means a changeable copy sign advertising gasoline fuel prices only.

Sign, identification means a sign that includes, as copy, only the name of the business, place, facility, organization, building, or person it identifies and shall include the street address which shall be positioned on the side of the building that it is addressed from.

Sign, illuminated means a sign with the surface artificially lighted; either internally or externally. If externally illuminated the fixture shall be fully shielded and directed downward.

Sign, interior display means any poster, cut-out letters, painted text or graphic or other text or visual presentation placed within one foot behind a window pane, and is placed to be read from the exterior of a building. This does not include any item of merchandise normally displayed within a show window of a merchant.

Sign, kiosk means a city-provided, informational sign providing directional information to single unit and multi-unit residential developments, commercial developments, local businesses, not-for-profit agencies, and community facilities.

Sign, marquee means a sign that is usually defined as any movie-type marquee with changeable copy. Marquee signs are considered permanent signs. A marquee is defined as a permanent canopy structure constructed of rigid materials that are attached to and supported by the building and that projects over the entrance to a building.

Sign, menu board means a sign displaying the bill of fare of a restaurant.

Sign, nameplate means a sign that identifies a resident's or home's name and address or the name of a farm, ranch, or commercial ranch. Such signs may be shingle, building, wall, or archway-mounted signs. Includes "billboards."

Sign, nonconforming means a sign lawfully erected and maintained prior to the adoption of this Code that does not conform with the requirements of this Code.

Sign, off-site means a sign located outside the legal description of the property that directs attention for a commercial purpose to a business, commodity, service, entertainment, product or attraction that is not sold, offered, or existing on the property where the sign is located.

Sign, on site means a sign which is either constructed or approved by the property owner that is located within the legal description of the property.

Sign, open house directional means a sign used to advertise the sale of a house and direct traffic to the house for sale.

Sign, pole means a sign that is supported by a pole and otherwise separated from the ground by air. Such as monument signs, pole signs are separate from a building.

Sign, political means a temporary sign which supports any candidate for public office or urges action for or against any other matter on the ballot of primary, general, or special elections.

Sign, portable means a temporary sign not affixed to a structure or ground mounted on a site. It rests on the ground and consists of two sign faces, i.e. but not limited to A-frame signs.

Sign, projecting means a sign attached to a building or other structure and extending in whole or in part more than 14 inches beyond the building or other structure.

Sign, reader panel means a sign designed to permit immediate change of copy using individual letters, such as electronic or digital in nature.

Sign, real estate means a sign advertising for sale, lease, auction or rent of the property or building upon which it is located.

Sign, roof means a sign erected on, above, or over the roof of a building so that it projects above the highest point of the roofline, parapet, or fascia.

Sign, sidewalk means a movable freestanding sign typically double-sided, placed at the entrance to a business (i.e. sandwich board, A-frame sign).

Sign, under canopy means a sign suspended from, and located entirely under a covered porch, covered walkway, or an awning and is anchored or rigidly hung to prevent the sign from swinging due to wind movement.

Sight visibility triangle means the area of visibility on a street corner to allow for safe operations of vehicles, pedestrians, and cyclists in the proximity of intersecting streets, rail lines, sidewalks, and bicycle paths.

Single Family Residential Design Guidelines means the City of Maricopa Single Family Residential Design Guidelines adopted by the City Council.

Single household means any number of related, or up to five unrelated, persons living as the functional equivalent of a traditional family, whose members are an interactive group of persons jointly occupying a single dwelling unit, including the joint use of and responsibility for common area, and sharing household activities and responsibilities (e.g. meals, chores, household maintenance, expenses, etc.). and where, if the unit is rented, all adult residents have chosen to jointly occupy the entire premises of the dwelling unit, under a single written lease with joint use and responsibility for the premises of the dwelling unit rather than the landlord or property manager.

Square means a Civic Space designed for unstructured recreation and Civic purposes, circumscribed by Thoroughfares, spatially defined by building Frontages, and consisting of Paths and/or Sidewalks, lawn and trees, formally disposed.

Site Plan Review means a process exercised under the prior Zoning Code, which provided a review and approval procedure for all non-single family residential construction or development proposals.

Stand means a structure for the display and sale of products with no space for customers within the structure itself.

Stealth facility means any commercial wireless communications facility that is designed to blend into the surrounding environment by means of screening, concealment, or camouflage. The antenna and supporting antenna equipment are either not readily visible beyond the property on which they are located, or, if visible, appear to be part of the existing landscape or environment rather than identifiable as a wireless communications facility.

Story means the portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the roof above. "Story" includes a basement, but not a cellar.

Stoop means a Private Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy, with an exterior stair and landing at the entrance.

Street means a public or private right-of-way, other than a highway or alley, whose function is to carry vehicular traffic and/or provide vehicular access to abutting property.

Street-related terms.

Street, arterial provides a high level of mobility for City-wide through traffic movement. They are typically spaced at one-mile or greater intervals, have limited access, and no on-street parking. The locations of arterial streets are designated in the Maricopa General Plan.

Street, collector means the collector streets provide mobility and access and link the arterial and local roadways as well as allowing access to adjacent properties.

Street, cul-de-sac means a local street having one end permanently terminated in a vehicular turnaround, or an equally convenient form of turning, and backing areas as may be recommended by the City Engineer.

Street, frontage or highway means that portion of a lot or parcel of land which borders a public street, highway or parkway.

Street, local means streets that provide for direct access to residential or other abutting land and serve local traffic movement with connections to roadways of higher classification.

Street, private means any road or street that is not publicly owned and maintained providing access to lots or units over a common parcel, primarily by the owners or occupants of the common parcel, and necessary service and emergency vehicles, but from which the public may be excluded.

Street, screen means freestanding barrier built along the Frontage Line, or coplanar with the Façade to mask a parking lot from a Thoroughfare, provide privacy to a sideyard, and/or strengthen the spatial definition of the public realm. These are opaque and may be a combination of materials, landscaping, and/or architectural structures.

Structural alteration means any change of the supporting members of a building, such as bearing walls, columns, beams or girders, floor joists, ceiling joists, or roof rafters.

Structure means anything constructed or erected which requires a fixed location on the ground, or is attached to something having a fixed location on the ground.

Sub-District means one of several areas on the Zoning Map regulated as part of the Heritage Overlay District. Sub-Districts are administratively similar to the land use zones in conventional codes, except

that in addition to the usual building use, Density, height, and Setback requirements, other elements of the intended habitat are integrated, including those of the private Lot and building and Public Frontage.

Subdivider (*See also Developer*) means a person, firm, corporation, partnership, limited liability company, association, syndicate, trust, or other legal entity that files the application and initiates proceedings for a subdivision in accordance with the provisions of Chapter 14, Subdivision Ordinance, and statutes of the State of Arizona, except that an individual serving as agent for such legal entity is not a developer; and said developer need not be the owner of the property as defined by this Code. The City Council may itself prepare or have prepared a plat for the subdivision of land under municipal ownership.

Subdivision means improved or unimproved land or lands divided for the purpose of financing, sale, lease, or conveyance whether immediate or future, into four or more lots, tracts or parcels of land; or, if a new street is involved, any such property which is divided into two or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into two or more parts. “Subdivision” also includes any condominium, cooperative, community apartment, townhouse, patiohome, or similar project containing four or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon.

A. *“Subdivision” does not include the following:*

1. The sale or exchange of parcels of land between adjoining property owners if such sale or exchange does not create additional lots.
2. The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership.
3. The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil, or gas leases.

Swimming pool means a contained body of water used for bathing or swimming purposes either above or below ground level with the container being 18 or more inches in depth at any point, and/or wider than eight feet at any point measured on the long axis.

Technical Advisory Committee means the committee created under this Code to act in an advisory capacity to the Planning & Zoning Commission regarding all development applications and applications for subdivision plats and improvements.

Technical review means the detailed review of proposed preliminary plats, by the Technical Advisory Committee, for compliance with City Codes, Ordinances, Standards, or conditions of approval by the Commission or City Council. Other utilities and public agencies are invited to review the plat as it relates to their conditions of service or need.

Telecommunications-related terms.

Alternative Tower Structure means, any existing or proposed vertical structure that is designed to contain a wireless communication antenna including but not limited to clock towers, bell

steeple, light pole, ball field light, wind mill, and similar alternative mounting structures that may be used to attach antennas and towers to minimize impact (see also *Stealth*).

Antenna means any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

Antenna, alternative tower mounted means an antenna mounted on a water tower, street, utility pole, sign, or structure of similar character.

Antenna, amateur radio means a ground-, building-, or tower-mounted antenna operated by a federally licensed amateur radio operator as part of the Amateur Radio Service and as designated by the Federal Communications Commission (FCC).

Antenna, building or structure-mounted means antenna mounted to a building, rooftop equipment screen, or structure that transmits or receives electromagnetic signals.

Antenna, direct broadcast satellite service (DBS) means an antenna, usually a small home receiving dish, designed to receive direct broadcast from a satellite.

Antenna, ground-mounted means any antenna that is not mounted on a pole, a structure, or the roof or wall of a building.

Antenna, multipoint distribution services (MDS) means an antenna designed to receive video programming services via multi-point distribution services, including multipoint, multichannel distribution services, instructional television fixed services, and local multipoint distribution services.

Antenna, roof-mounted means an antenna directly attached or affixed to the roof of an existing structure.

Antenna, satellite means any antenna used to receive and/or transmit radio or television signals from orbiting communications satellites.

Antenna, satellite earth station means an antenna designed to receive and/or transmit radio frequency signals directly to and/or from a satellite.

Antenna, television broadcast service (TVBS) means an antenna designed to receive only television broadcast signals.

Antenna structure means an antenna array and its associated support structure, such as a mast or tower (not including a suspended simple wire antenna), that is used for the purpose of transmitting and/or receiving electromagnetic signals, including but not limited to radio waves and microwaves.

Antenna structure, freestanding means an antenna structure or mast that is not attached to any part of a building, fence, or other such structure. Freestanding antenna structures include communications towers, wooden utility poles, and concrete and steel monopoles. If the total height of the structure, including the antenna, is at least 17 feet high, it shall be treated as a monopole.

Antenna structure, monopole means an antenna structure, often tubular in shape, usually made of metal, reinforced concrete, or wood and which is at least 17 feet in height. A monopole may also be an alternative tower structure that is designed to replicate a tree or other natural feature.

Array means one or more rods, panels, discs or similar devices used for transmission or reception of radio frequency (RF) signals through electronic energy, which may include omni-directional antenna (whip), directional antenna (panel) and parabolic antenna (dish).

Close Mount means the antenna and appurtenances are designed in a manner to reduce the visual impact of the facility by tightly clustering the devices or equipment(s).

Existing Structure means light poles, power poles, flagpoles, buildings and any other similar vertical structures which are placed within the City.

FAA means the Federal Aviation Administration.

FCC means the Federal Communications Commission.

Mobile Antenna(s) also known as Cell on Wheels (COW) or temporary antenna means a mobile cell site that consists of a cellular antenna tower and electronic radio transceiver equipment maybe located on a truck or trailer, designed to be a temporary part of a cellular network.

Pre-existing towers and pre-existing antennas means any tower or antenna for which a building permit has been properly issued prior to the effective date of this Code, including permitted towers or antennas that have not yet been constructed, so long as such approval is current and not expired.

Readily visible means an object that can be identified as a wireless telecommunications facility when viewed with the naked eye.

Related equipment means all equipment ancillary to the transmission and reception of voice and data via radio frequencies. Such equipment may include, but is not limited to, cable, conduit, and connectors.

Site means the physical location upon which wireless telecommunications facilities are located. Unless otherwise stated in this Code, "site" shall be limited to the area occupied by a single tower and its accompanying ground- or roof-mounted equipment.

Stealth means man-made trees, clock towers, palm trees, faux wind mills and water towers, chimneys and similar structures to design mounting structures that camouflage or conceal the presence of antennas and towers.

Tower means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio, and similar communication purposes, including monopole towers. The term includes, but is not limited to, radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, stealth towers and alternative tower structures. The term also includes the structure and any support thereto.

Utility means a private business organization, subject to governmental regulation, that provides an essential commodity or service, such as water, electricity, transportation, or communication, to the public.

Terminal means any facility designed or intended to be used for the receiving or discharging of passengers or cargo and providing for the temporary or permanent storage of the conveyance vehicle. Terminals include train terminals, airports, bus terminals, freight terminals, harbor terminals, or any combination of the above commonly referred to as multipurpose terminals.

Terminated Vista means a location at the axial conclusion of a Thoroughfare. A building located at a Terminated Vista designated should be designed in response to its unique position at a visual termination point.

Theater means an enclosed building used for public assembly and/or entertainment, including sports events, theatrical performances, concerts and recitals, circuses, stock shows and conventions. "Theater" includes auditoriums.

Townhouse means a building on its own separate lot containing one dwelling unit that occupies space from the ground to the roof, and is attached to one or more other townhouse dwelling units by at least one common wall. Townhouse shall also mean patio home.

Transect means a cross-section of the environment showing a range of different habitats. The Transect of human habitat types used in this Code is divided into four Transect Zones. These zones describe the physical form and character of a place, according to the Density and intensity of its land use and Urbanism.

Transparent or non-opaque means any surface, screen, window, wall, or other structural element through which objects can be clearly seen by the human eye.

Transverse means a type of pavement marking consisting of two (2) parallel lines set perpendicular to the Public Frontage extending across the entire width of the vehicular lanes of a Thoroughfare to demarcate a pedestrian

Triplex means a building with three (3) side by side units on a Lot with a shared wall of the building.

U.S.C. & G.S. means the United States Coast and Geodetic Survey.

U.S.A.C.O.E. means the United States Army Corp of Engineering.

Use means and includes construction, establishment, maintenance, alteration, moving onto, enlargement and occupation. Wherever this title prohibits the “use” of any premises for any purposes, such premises and any building, structure or improvement on such premises shall not be used, occupied, altered or improved for such purpose, and no building, structure or improvement on such premises shall be erected, constructed, established, maintained, allowed to remain, altered, moved onto or enlarged which is designed, arranged or intended to be occupied or used for such purpose.

Use, abandoned means a use that has ceased or a structure that has been vacated for a time period as specified in this Code. Abandonment does not include temporary or short-term interruptions to a use or occupancy of a structure during periods of remodeling, maintaining, or otherwise improving or rearranging a facility.

Use permit means discretionary permit, such as an “Administrative Use Permit” or “Conditional Use permit”, which may be granted by the appropriate City of Maricopa approval authority to provide for the accommodation of land uses with special site or design requirements, operating characteristics, or potential adverse effects on surroundings, which are not permitted as of right but which may be approved upon completion of a review process and, where necessary, the imposition of special conditions of approval by the permit granting authority.

Utility services means service to the public of water, sewer, gas, electricity, telephone and cable television. The foregoing shall be deemed to include facilities and appurtenances to the above uses but shall not include public utility treatment and generating plants or offices.

Variance means a discretionary mechanism for relief from certain dimensional and performance standards in this Code where the strict application will deprive the property owner of privileges enjoyed by similar properties because of the subject property’s unique and special conditions. The Board of Adjustment has the power to grant variances to the extent necessary to overcome such practical difficulty or unnecessary hardship as may be established in accordance with the provisions of this Code.

Vehicle, inoperative means any motor vehicle that cannot be operated lawfully on a public street or highway for any reason other than the lack of current vehicle registration, or that cannot be moved under its own power.

Valance means the portion of an awning that hangs perpendicular to the Sidewalk.

View fencing (view fence) means fencing that is constructed in such a manner as to achieve 80 percent overall openness.

Visible means capable of being seen (whether or not legible) by a person of normal height and visual acuity walking or driving on a public road.

Wall means any exterior surface of a building or any part thereof, including windows.

Waiver of Claim for Diminution in Value means an administrative mechanism requiring applicants to submit a Waiver of Claims for Diminution in Value pursuant to the Arizona Revised Statutes, §§ 12-1131 through 12-1138.

Walkway means the section of the Public Frontage dedicated exclusively to pedestrian activity.

Warehousing means a business in which goods or merchandise are stored as a principle activity, including shipping or distribution activities

Waste transfer facility means a facility that operates as a materials recovery, recycling and solid waste transfer operation providing solid waste recycling and transfer services for other local jurisdictions and public agencies that are not located within the City of Maricopa. The facility sorts and removes recyclable materials (including paper, metal, wood, inert materials such as soils and concrete, green waste, glass, aluminum and cardboard) through separation and sorting technologies to divert these materials from the waste stream otherwise destined for landfill.

Watercourse means any lake, river, stream, creek, wash, arroyo, or other body of water or channel having banks and bed through which waters flow at least periodically.

Wheel stop means a physical barrier sufficient in size to prevent the movement of automobiles or other vehicles over or past such barrier.

Wireless communications facility means personal wireless service facilities including but not limited to facilities that transmit and/or receive electromagnetic signals for cellular radio telephone service, personal communications services, enhanced specialized mobile services, paging systems, and related technologies. Such facilities include antennas, microwave dishes, parabolic antennas, and all other types of equipment used in the transmission or reception of such signals; telecommunication towers or similar structures supporting said equipment; associated equipment cabinets and/or buildings; and all other accessory development used for the provision of personal wireless services. These facilities do not include radio and television broadcast towers and government-operated public safety networks.

Workforce housing means the base price of the housing is affordable, according to the Federal Department of Housing and Urban Development, for either homeownership or rental, and that it is occupied, reserved, or marketed for occupancy by households with a gross income that is greater than 50 percent but does not exceed 80 percent of the median gross household income for households of the same size within the City of Maricopa, as determined by the latest U.S. Census information.

Yard, front means a yard extending across the full width of the lot or parcel of land. On corner lots, the front yard shall be located across the narrower frontage of the lot.

Yard, rear means a yard extending across the full width of the lot or parcel of land.

Yard, side corner means a yard bounded by an alley, highway or street, extending from the required front yard, or the highway line on which the property fronts where no front yard is required, to the required rear yard or to the rear lot line where no rear yard is required.

Yard, side interior means a yard extending from the required front yard, or the highway line on which the property fronts where no front yard is required, to the required rear yard or to the rear lot line where no rear yard is required on other than a corner side yard.

Yield Street means a characterizing a Thoroughfare that has two-way traffic but only one effective travel lane because of parked cars, necessitating slow movement and driver negotiation.

Zone means a district classification established by the Zoning Code of the City of Maricopa that limits or permits various and specific uses.

Zoning Administrator means the Zoning Administrator for the City of Maricopa or their representative.

Zoning clearance means the approval by the Zoning Administrator of a plan that is in conformance with the Zoning Code of the City of Maricopa.

Zoning Code means Chapter 16 of the City of Maricopa Municipal Code.

Zoning Map means an official map adopted by the City Council depicting zoned land within the City depicting how the zoning regulations for base districts and overlay districts apply throughout the City.