

ORDINANCE NUMBER 19-04

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AMENDING SECTION 301.04, SECTION 301.05, AND SECTION 301.06 OF THE MARICOPA CITY ZONING CODE REGARDING THE TRANSPORATION CORRIDOR OVERLAY AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF.

WHEREAS, on November 4, 2014, the City of Maricopa adopted a revised version of the Maricopa Zoning Code; and

WHEREAS, the City's Planning and Zoning Commission held a public hearing on March 11, 2019, in zoning case #TXT 18-04, in the manner prescribed by law for the purpose of amending provisions of the City Zone Code regarding the Transportation Corridor Overlay; and

WHEREAS, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that amending Section 301.04, Section 301.05 and Section 301.06 of the Maricopa City Code to allow staff additional flexibility to work with developers to meet the intent of the code while still maintaining the purpose of the overlay would be in the best interest of the City of Maricopa.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Maricopa, Arizona as follows:

SECTION 1. That Section 301.04(A) of the Maricopa Zoning Code be amended to include the following:

Prohibited uses that are located outside the overlay zone yet immediately adjacent to the overlay, as determined by the Zoning Administrator, may require additional screening, landscaping of buffer to de-emphasize such use.

SECTION 2. That Section 301.05(A)(4) and Section 301.05(B)(4) be deleted in their entirety.

SECTION 3. That Section 301.06 be amended to read as follows:

Alternative Design. The Zoning Administrator may consider alternative design methods to meet the intent of this Article.

SECTION 4. To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 6. This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.

PASSED AND ADOPTED by the Mayor and Council of the City of Maricopa, Arizona, this 2nd day of April, 2019.

APPROVED:

Christian Price
Mayor

ATTEST:

Vanessa Bueras, CMC
City Clerk

APPROVED AS TO FORM:

Denis Fitzgibbons
City Attorney