

CHAPTER 16 - ZONING CODE¹

ARTICLE 16-1 ADOPTION OF ZONING CODE

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Section 16-1-1 Title and Purpose.

This chapter may be cited and referred to collectively as the Maricopa Zoning Code. The purpose of this chapter is to conserve and promote the public health, safety and welfare through the regulation of the use of buildings, structures and land and to secure for the citizens of the City of Maricopa the social and economic advantages of an orderly and efficient use of land, and to provide logical procedures for the achievement of this purpose.

Section 16-1-2 Authority and Jurisdiction

Authorization for the city to adopt zoning regulations is given in the Arizona Revised Statutes, Section 9-462.01 et. seq., as amended.

Section 16-1-3 Rules and Definitions

The following rules and definitions shall be used when interpreting the provisions of this Chapter and the Zoning Code adopted thereby. If the definitions provided herein conflict in any way with the definitions of the code adopted in sections 16-1-4 and 16-1-5 herein, the definitions set forth in this Section shall prevail.

- A. All references in the Zoning Code to the "Board of Supervisors" shall mean the City Council of the City of Maricopa.
- B. All references to the Commission or Planning Commission of Pinal County shall mean the City Council of Maricopa or the Maricopa Planning and Zoning Commission, if the same be established by Ordinance by the City Council.
- C. All references in the Zoning Code to the "County Attorney" shall mean the City of Maricopa City Attorney.
- D. All references to the "Clerk of the Board of Supervisors" shall mean the City Clerk.
- E. All references to the "County Engineer" shall mean the City Engineer or other person appointed by the City Council to fulfill such duties pending the permanent appointment of a City Engineer.
- F. All references to "County Officials" shall mean City Officials for the City of Maricopa.

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- G. All references to “County” or “Pinal County” (in all its various grammatical forms) shall mean the City of Maricopa, as amended to fit the grammatical context.
- H. All references in the Zoning Code to a “county road” or similar roadway shall mean a public street or roadway within the City of Maricopa.
- I. All references to the Pinal County Zoning Ordinance and Map shall mean the City of Maricopa Zoning Code and Map.
- J. All references to the “unincorporated portions of Pinal County” shall mean property within the incorporated City of Maricopa.
- K. All references to the County Zoning Inspector shall mean the City of Maricopa Zoning Administrator or other person appointed by the City Council to fulfill such duties pending the permanent appointment of a Zoning Administrator.
- L. Any and all references to Arizona Revised Statutes, Title 11 shall be read as if referring to the corresponding authority, if any, contained in A.R.S. Title 9.
- M. All references to the “County Treasurer” shall mean the City Treasurer or Finance Director.

Section 16-1-4 Adoption of Zoning Code and Map

A. Adoption of Maricopa Zoning Code.

That certain document entitled and known as “Pinal County Zoning Ordinance,” as amended and in effect as of June 1, 2004, is hereby adopted as the Maricopa Zoning Code and made a part of this chapter the same as though said code was specifically set forth in full herein, with changes and amendments to the code as set forth in subsection C. At least three copies of said code shall be maintained as a public record. Said copies shall be filed in the office of the city clerk and kept available for public use and inspection.

B. Adoption of Maricopa Zoning Map.

That certain document known as the Maricopa Zoning Map is hereby adopted and made a part of this chapter as though said map was set out or copied at length herein. The Zoning Map is located in the office of the City Clerk and shall be maintained as a public record. At all times, a copy of the Map shall be maintained within the city and kept available for public use and inspection.

Amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 05.09 and PAD 05.07, signed by the Mayor and City Clerk, which is attached to Ordinance No. 05-12 and declared a part thereof.²

The Official Supplementary Zoning Map for Zoning Case ZON 05.09 and PAD 05.07 is adopted subject to compliance with the following conditions to said rezoning:

1. That Eagle Wing be developed in conformance with the City’s zoning requirements consisting of CR-3 (Single Family Residential), CR-2

² Amended Section 16-1-4(B)

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(Single Family Residential), CB-2 (General Business), CI-1 (Industrial), and TR (Transitional) uses.

2. That Eagle Wing, which is within the Small Area Transportation Study boundaries, be developed in accordance with all recommendations of the final Implementation Plan as approved by the City.
3. That owner/applicant, at the time of Preliminary Plat, submit a Traffic Impact Analysis for the proposed development to be approved by the Director of Public Works or City Engineer.
4. That applicant work with the City to ensure land use concerns with regard to the City's General Plan are incorporated in to the development of Eagle Wing to the best of its ability.
5. That all roadway improvements including traffic signals, drainage and infrastructure improvements be in accordance with the current City Standards and/or subsequent standards that are developed by the City, as approved by the Director of Public Works or City Engineer and installed by the developer.
6. That, if the proposed impact fees are adopted by the City, developer shall pay the impact fees in accordance with the City Code, as amended from time to time.
7. That at the time of Preliminary Plat, applicant shall submit and secure all required applications, plans, supporting document submittals, approvals and permits from the applicable and appropriate Federal, State, County and Local regulatory agencies; and no Preliminary Plat shall be larger than what can be Final Platted and recorded within a two (2) year time period.
8. That minimum Front Yard setbacks shall be 20' from back of sidewalk and 10' to livable on all CR-3 Single Residence Lots.
9. That prior to Preliminary Plat approval, applicant/owner shall provide written verification from the Maricopa Fire District that fire hydrant location and applicable fire service concerns/ issues have been resolved to the satisfaction of the Fire District.
10. That applicant shall ensure that a minimum of fifteen percent (15%) of the approved Eagle Wing remains in useable open space.
11. That the Eagle Wing PAD shall be limited to an overall density not to exceed 3.5 units per gross acre, except that the mixed use parcels may have up to 20 units per acre if they develop as multifamily.
12. That applicant shall submit landscape plans to the City for review and approval prior to Final Plat approval.
13. That developer/owner shall continue to work with the City to develop the Maricopa Trail & Park Plan and shall incorporate the approved Maricopa Trail and Park Plan into the overall design of the Eagle Wing PAD and developer/owner shall be responsible for the construction of the improvements of those portions of the Maricopa Trail and Park Plan within the overall PAD.

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14. That developer shall continue to work with the City and other landowners within the flood plain area of the Santa Rosa Wash to develop an agreement as to the specific improvements, timing of construction, and proportionate cost share of the improvements and development of the Santa Rosa Wash portion of the Maricopa Trail and Park Plan.
15. That prior to Final Plat approval, a document giving notice of the existence of agricultural uses and concentrated animal feeding operations (“CAFO”) acceptable to the City Attorney shall be submitted to the Planning Department; that the document shall describe the uses in separate paragraphs, shall state that the residential units are located in an area that may be impacted by the potential visual and physical impacts of the existing agricultural uses and CAFO’s that are within close proximity to the development, shall include a place for the purchaser’s signature acknowledging the notice, and shall be made part of the closing documents and purchase contracts for each residential units sold in the developable areas.
16. That prior to Preliminary Plat, applicant shall provide written verification from the Maricopa Unified School District #20 and the Casa Grande Unified School District that applicable school concerns/issues have been resolved to the satisfaction of the School District.
17. That all property included in the legal description of Eagle Wing be subject to a Declaration of Restrictions and Covenants acceptable to the City which shall, among other things, provide for: formation of a single “master” property owner’s association, assessment of all members of the master association for the cost of maintaining all common areas, and specific notice of surrounding land uses; and approval of the Declaration shall be obtained from the City Planning Department prior to the recordation of the first plat for any portion of the planned development.
18. That if features of archeological or historical interest are encountered or unearthed during construction, that developer stop work in the immediate vicinity of such feature, protect it from damage or disturbance and report promptly to the City; and developer shall not resume construction in the immediate vicinity of the feature until it is advised by the appropriate jurisdictional authorities that study or removal of the feature or features have been completed.
19. That applicant shall provide a written statement from the Arizona State Historical Preservation Office that there are no cultural, archeological or historical resources evident on the site at the present time and said written statement shall be provided to the Planning Department as part of the documentation required to process any Final Plat for the Eagle Wing Master Planned Development.
20. That any major amendment to the PAD shall be processed by the City’s Planning Department as a new application in accordance with City Regulations; and a major amendment shall be defined as including, but not limited to: a 10% deviation in parcel size, alteration for the height, coverage, square footage, external appearance, or use of any building or structure; any significant or substantial rearrangements of such buildings or structures; any change in the residential units’ density, ownership

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pattern, or significant lot dimensions; any alteration of landscaped areas, public access spaces, recreation area, or other amenities; any change in phasing or timing; any alteration to the utilities to be provided to the PAD. The Planning Department shall, in cases of question, determine whether a change shall be designated as major or minor.

21. That applicant work with the City in encouraging proposed developments within Eagle Wing to adhere to the comprehensive design guidelines established through its PAD request; and design guidelines shall be submitted to the Planning Department for review and approval by the Planning and Zoning Commission.
22. That applicant develop the above-described property in accordance with its application and supporting submittal documents approved by the City.
23. That applicant is to continue working with the Ak-Chin Indian Community, City of Maricopa, Pinal County, and adjacent industrial properties to establish an appropriate buffer between the Eagle Wing development and existing land uses.

Amended by adopting the Official Supplementary Zoning Map for PAD 05.09 Eagle Shadow MPD Amendment, signed by the Mayor and City Clerk, which is attached to Ordinance 05-13 and declared a part thereof.³

PAD 05.09 Eagle Shadow MPD Amendment and the Official Supplementary Zoning Map for PAD 05.09 Eagle Shadow MPD Amendment is adopted subject to compliance with the following conditions to said rezoning:

1. That Single Family Residential (CR-3) zoning be removed from parcel "A" and Parcel "B" and replaced with Transitional (TR) zoning and that the applicant shall submit a revised Land Use Plan exhibit reflecting this change.
2. That development of Eagle Shadow shall be in conformance with the City's zoning requirements consisting of CR-3 (Single Family Residential), CR-2 (Single Family Residential), CB-2 (General Business), and TR (Transitional) uses.
3. That applicant shall work with the City to ensure land use concerns with regards to the City's General Plan are incorporated in to the development of Eagle Shadow to the best of its ability.
4. That Eagle Shadow, which is within the Small Area Transportation Study boundaries, shall be developed in accordance with all recommendations of the final Implementation Plan as approved by the City.
5. That, if the proposed impact fees are adopted by the City, developer shall pay the impact fees in accordance with the City Code, as amended from time to time.

³ Amended Section 16-1-4(B)

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6. That owner/applicant, at the time of Preliminary Plat, shall submit a Traffic Impact Analysis for the proposed development to be approved by the Director of Public Works or City Engineer.
7. That all public roadway and infrastructure improvements shall be in accordance with the current City Standards and/or subsequent standards that are developed by the City, as approved by the Director of Public Works or City Engineer and installed by the developer.
8. That developer/owner will coordinate with the City's Public Works Department in addressing circulation between this proposed PAD and adjacent PAD's both current and proposed.
9. That a letter of map revision from FEMA is required in order to remove this property from the flood plain and eliminate any potential flooding risk.
10. That at the time of Preliminary Plat, the applicant shall submit and secure all required applications, plans, supporting document submittals, approvals and permits from the applicable and appropriate Federal, State, County and Local regulatory agencies.
11. That prior to Preliminary Plat approval, the applicant/owner shall provide written verification from the Maricopa Fire District that fire hydrant location and applicable fire service concerns/ issues have been resolved to the satisfaction of the Maricopa Fire District.
12. That applicant shall ensure that a minimum of fifteen percent (15%) of the approved Eagle Shadow Master Planned Community remains in useable open space.
13. That the Eagle Shadow PAD shall be limited to an overall density not to exceed 3.5 units per acre; except that the TR (Transitional) parcels may have up to 20 units per acre if they develop as multifamily.
14. That since this development is within the area of the Maricopa Trail & Park Plan comments of compliance on overall design from the Parks, Recreation and Libraries Director prior to Final Plat approval must be received.
15. That applicant shall submit landscape plans to the City for review and approval prior to final plat approval.
16. That prior to Preliminary Plat, applicant shall provide written verification from the Maricopa Unified School District #20, the Casa Grande Elementary School District and the Casa Grande High School district that applicable school concerns/issues have been resolved to the satisfaction of the School District.
17. That off street parking for parks not adjacent to school sites shall be provided in a location to be determined with final design subject to approving agency review.
18. That all of the property included in the legal description of Eagle Shadow be subject to a Declaration of Restrictions and Covenants acceptable to the City which shall, among other things, provide for: formation of a

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single “master” property owner’s association, assessment of all members of the master association for the cost of maintaining all common areas, and specific notice of surrounding land uses; and approval of the Declaration shall be obtained from the City Planning Department prior to the recordation of the first plat for any portion of the planned development.

19. That applicant/owner grant an Agricultural Spray Easement to adjacent farm owners/operators and that said Agricultural Spray Easement be referenced in the recorded CC&R’s and referenced in the notes section on the preliminary and final PAD plat(s).
20. That prior to Final Plat approval of the Eagle Shadow PAD, a document giving notice of the existence of agricultural uses acceptable to the City Attorney shall be submitted to the Planning Department, and such document shall describe the uses in separate paragraphs, shall include a place for the purchaser’s signature acknowledging the notice, and shall be made part of the closing documents and purchase contracts for each residential unit sold in the developable areas.
21. That any major amendment to the PAD shall be processed by the City’s Planning Department as a new application in accordance with City Regulations; A major amendment shall be defined as including, but not limited to: alteration for the height, coverage, square footage, external appearance, or use of any building or structure; any significant or substantial rearrangements of such buildings or structures; any change in the residential units’ density, ownership pattern, or significant lot dimensions; any alteration of landscaped areas, public access spaces, recreation area, or other amenities; any change in phasing or timing; any alteration to the utilities to be provided to the PAD. The Planning Department shall, in cases of question, determine whether a change shall be designated as major or minor.
22. That applicant work with the City in encouraging proposed developments within the Eagle Shadow Master Planned Community to adhere to the comprehensive design guidelines established through its PAD request.
23. That applicant develop Eagle Shadow in accordance with its application and supporting submittal documents approved by the City.
24. The applicant is to continue working with the Ak-Chin Indian Community, City of Maricopa, Pinal County, and adjacent industrial properties to establish an appropriate buffer between Eagle Shadow development and existing land uses.
25. That applicant include a location for a place of worship within the Eagle Shadow Master Plan Community.

Amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 05.05 and PAD 05.05, signed by the Mayor and City Clerk, which is attached to Ordinance 05-14 and declared a part thereof.⁴

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The Official Supplementary Zoning Map attached thereto is adopted subject to compliance with the following conditions to said rezoning:

1. That applicant ensure that 45' wide lots are the minimum for the San Travasa Development.
2. That written verification be submitted to the City from the Ak-Chin Indian Community stating that their concerns have been addressed in relation to the existing cotton gin located within the center of the San Travasa Development and which is owned by the Ak-Chin Indian Community.
3. That detached sidewalks be provided for on both sides of collector streets and on at least one side of all other streets.
4. That applicant submit to the City preliminary water and sewer designs for the San Travasa Development in accordance with the design standards as a preliminary assessment of the designs for conformance to the area Master Water and Sewer Plans. This submittal shall include preliminary elevations for the commercial parcels and a benchmark for the development.
5. That prior to City Council approval, applicant submit to the Planning Department its Residential Development Standards referencing lot sized, lots widths and setbacks for each housing type/product and that applicant submit a list of residential land uses and a breakdown on the ratio of lot sizes and percentages.
6. That applicant submit for review and approval its Commercial Architectural Design Standards prior to commercial development.
7. That half arterial street improvements be constructed on Farrell Road.
8. That the right-of-way on the Maricopa-Casa Grande Highway be widened to four (4) lanes.
9. That applicant work with the City to ensure land use concerns with regards to the City's General Plan are incorporated into the San Travasa Development to the best of its ability.
10. That the San Travasa Development, which is within the Small Area Transportation Study boundaries, be developed in accordance with all recommendations of the final Implementation Plan as approved by the City.
11. That applicant/owner shall pay the impact fees in accordance with the City Code, as amended from time to time.
12. That applicant/owner, at the time of Preliminary Plat, submit a Traffic Impact Analysis for the proposed development to be approved by the Director of Public Works or City Engineer.
13. That all roadway and infrastructure improvements be in accordance with the current City standards and/or subsequent standards that are

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developed by the City and approved by the Director of Public Works or City Engineer.

14. That developer/owner coordinate with the City's Public Works Department in addressing circulation between this proposed PAD and adjacent PADs both current and proposed.
15. That a letter of map revision be obtained from FEMA which removes the above-described property from the flood plain and eliminates any potential flooding risk.
16. That at the time of Preliminary Plat, applicant submit and secure all required application, plans, supporting document submittals, approvals and permits from the applicable and appropriate Federal, State, County and Local regulatory agencies.
17. That prior to Preliminary Plat approval, applicant/owner provide written verification from the Maricopa Fire District that fire hydrant location and applicable fire service concerns and issues have been resolved to the satisfaction of the Fire District.
18. That applicant ensure that a minimum of twenty percent (20%) of the approved San Travasa Development remains in useable open space.
19. That the San Travasa PAD be limited to an overall density not to exceed 3.5 units per gross acre, except that the mixed use parcel may have up to 20 units per acre if developed as multifamily.
20. That comments of compliance on overall design be received from the Parks, Recreation and Libraries Director prior to Final Plat approval.
21. That applicant submit landscape plans to the City for review and approval prior to the Final Plat approval.
22. That prior to Preliminary Plat, applicant provide written verification from the Maricopa Unified School District #20 and the Casa Grande Union High School District that applicable school concerns and issues have been resolved to the satisfaction of said School Districts.
23. That off street parking for parks not adjacent to school sites shall be provided in a location to be determined with final design subject to approving agency review.
24. That all property included in the legal description of the San Travasa application be subject to a Declaration of Restrictions and Covenants acceptable to the City which shall, among other things, provide for: formation of a single "master" property owner's association, assessment of all members of the master association for the cost of maintaining all common areas, and specific notice of surrounding land uses; and approval of the Declaration shall be obtained from the City Planning Department prior to the recordation of the first plat for any portion of the planned development.
25. That applicant/owner grant an Agricultural Spray Easement to adjacent farm owners/operators and that the Agricultural Spray Easement be

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referenced in the recorded CC&Rs and referenced in the notes section on the preliminary and Final Plat for the San Travasa Development.

26. That prior to Final Plat approval of the San Travasa PAD, a document giving notice of the existence of agricultural uses acceptable to the City Attorney be submitted to the Planning Department. The document shall describe the uses in separate paragraphs, shall include a place for the purchaser's signature acknowledging the notice, and shall be made part of the closing documents and purchase contracts for each residential unit sold in the San Travasa Development.
27. That any major amendment to the PAD be processed by the City Planning Department as a new application in accordance with City Regulations; and a major amendment shall be defined as including, but not limited to: a ten percent (10%) deviation in parcel size; alteration for the height, coverage, square footage, external appearance, or use of any building or structure; any significant or substantial rearrangements of such building or structures; any change in the residential units' density, ownership pattern, or significant lot dimensions; any alteration of landscaped areas, public access spaces, recreation area, or other amenities; any change in phasing or timing; any alteration to the utilities to be provided to the PAD. The Planning Department shall, in cases of question, determine whether a change shall be designated as major or minor.
28. That applicant work with the City in encouraging proposed developments within San Travasa to adhere to the comprehensive design guidelines established through its PAD request.
29. That applicant develop the above-described property in accordance with its application and supporting submittal documents approved by the City.

Amended by changing the zoning of the property described in Zoning Case ZON 05.06 and PAD 05.06 and Ordinance 05-16, on approximately 486.7 acres from GR, General Rural Zoning District and designating 28.43 acres as CR-3, Single Family Residential, and 458.27 acres as CR-1, Single Family Residential, signed by the Mayor and City Clerk, and declared a part thereof.⁵

1. Further, those conditions of approval imposed by the City Council as part of Case ZON 05.06 & PAD 05.06 are hereby expressly incorporated into and adopted as part of the said Ordinance by this reference.

Amended by changing the zoning of the property described in Zoning Case ZON 05.13, on approximately 45.5 acres as **set forth in Ordinance 06-01**, from County zoning CI-2, Industrial Zone to City zoning CI-2, Industrial Zone, signed by the Mayor and City Clerk, and declared a part thereof.⁶

⁵ Amended Section 16-1-4(B) Ordinance 05-16 Adopted 12/20/05

⁶ Amended Section 16-1-4(B) Ordinance 06-01 Adopted 01/17/06

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1. Further, those conditions of approval imposed by the City Council as part of Case ZON 05.13 are hereby expressly incorporated into and adopted as part of the said Ordinance by this reference.

Amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 05.12 and PAD 05.14, changing the described property as **set forth in Ordinance 06-03** on approximately 617.2 acres, from CI-2, Industrial to PAD, CR-3, Single Family Residential, TR, transitional and CB-1, Commercial, signed by the Mayor and City Clerk, and declared a part thereof.⁷

1. Further, those conditions of approval imposed by the Maricopa City Council as part of Case ZON 05.12 and PAD 05.14 are hereby expressly incorporated into and adopted as part of the said Ordinance by this reference.

Amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 05.11 and PAD 05.12, changing the described property **as set forth in Ordinance 06-05** on approximately 326.43 acres from GR, General Rural to PAD, CR-3 and CR-4, Single Family Residential and CB-2, General Commercial, signed by the Mayor and City Clerk, and declared a part thereof.⁸

1. Further, those conditions of approval imposed by the Maricopa City Council as part of Case ZON 05.11 and PAD 05.12 are hereby expressly incorporated into and adopted as part of the said Ordinance by this reference.

Amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 05.14 and PAD 05.15, changing the described property **set forth in Ordinance 06-10** on approximately 2,179 acres from CR-1, CR-2, CR-3, CR-4, CB-1, CB-2, CB-2 SR, PAD Overlay to CR-2, CR-3 (Single Family Residential), CR-4 (Multi-Family Residential), CR-5 (Multi-Family Residential), TR (Transitional Zoning), CB-2 (Commercial) and SR (Golf Course) PAD, signed by the Mayor and City Clerk, and declared a part thereof.⁹

1. Further, those conditions of approval imposed by the Maricopa City Council as part of Case ZON 05.14 and PAD 05.15 are hereby expressly incorporated into and adopted as part of the said Ordinance by this reference.

Amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 06.01 and PAD 06.01, changing the described property **set forth in Ordinance 06-16** on approximately 278 acres from GR (General Rural) to CR-3 (Single Family Residential) PAD, signed by the Mayor and City Clerk, and declared a part thereof.¹⁰

7	Amended Section 16-1-4(B)	Ordinance 06-03	Adopted 03/21/06
8	Amended Section 16-1-4(B)	Ordinance 06-05	Adopted 04/04/06
9	Amended Section 16-1-4(B)	Ordinance 06-10	Adopted 08/01/06
10	Amended Section 16-1-4(B)	Ordinance 06-16	Adopted 11/09/06

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1. Further, those conditions of approval imposed by the Maricopa City Council as part of Case ZON 06.01 and PAD 06.01 are hereby expressly incorporated into and adopted as part of the said Ordinance by this reference.

Amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 07.03, changing the described property **set forth in Ordinance 07-07** on approximately 313 acres from Pinal County Zoning CI-2 (Industrial Zone) to City Zoning CI-2 (Industrial Zoning), signed by the Mayor and City Clerk, and declared a part thereof.¹¹

1. Further, those conditions of approval imposed by the Maricopa City Council as part of Case ZON 07.03 are hereby expressly incorporated into and adopted as part of the said Ordinance by this reference.

Amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON 06.06, changing the described property **set forth in Ordinance 07-09** on approximately 10 acres from General Rural (GR) to City Zoning CI-2 (CB-2), signed by the Mayor and City Clerk, and declared a part thereof.¹²

1. Further, those conditions of approval imposed by the Maricopa City Council as part of Case ZON 06.06 are hereby expressly incorporated into and adopted as part of the said Ordinance by this reference.

C. Amendments to the Maricopa Zoning Code.

1. Delete **Section 201** in its entirety.
2. Delete the language of **Section 301a** in its entirety.
3. Delete the language of **Section 303** in its entirety and replace with the following language:

As specified in A.R.S. §9-462.01(G), this Ordinance shall not be read to prevent or restrict agricultural composting, as defined in A.R.S. §9-462.01(G)(1), on farmland that is five or more contiguous acres and that meets the notification requirements set forth in A.R.S. §9-462.01(G).

4. Amend **Section 304** by replacing the reference to A.R.S. §11-830 with A.R.S. §9-462.02(A), and by replacing the language "100%" to read "50%."
5. Amend **Section 436b** by deleting the reference to §11-1001.
6. Amend the definition of Nonconforming Use contained in **Section 453** by deleting it in its entirety and replacing it with the following language:

Non-Conforming Use: Any use of building or of land that legally existed before its current zoning or land use category designation and has been maintained continuously since the time the applicable regulations governing the land

11 Amended Section 16-1-4(B) Ordinance 07-07 Adopted 04/09/07

12 Amended Section 16-1-4(B) Ordinance 07-09 Adopted 05/01/07

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changed and does not conform to the regulations as to use for the district in which it is situated.

7. Delete the definition of SUBDIVISIONS contained in **Section 465a** and replace it with the following language:

Subdivision:

1. 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, patio home, or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon.
 2. "Subdivision" does not include the following:
 - a. The sale or exchange of parcels of land between adjoining property owners if such sale or exchange does not create additional lots.
 - b. The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership.
 - c. the leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil, or gas leases.
8. Amend **Section 502** by deleting the references to Map B and Map C.
9. Amend **Section 1601b** by replacing the first line with the following language: Advertising sign or structure, subject to Article 22
10. Amend **Section 1601g** by replacing the language "any county road or any street or route shown on the adopted Map of Major Thoroughfares and Proposed Routes (Map C, Section 502)" with "any public street."
11. Amend **Article 5, Article 20 and Article 20-B** by deleting all references to the word "mobile."
12. Amend **Article 21**, "Off-street Parking and Loading, Public Garages, and Filling Stations" by repealing current Article 21 in its entirety¹³ and replacing said Article with new Article 21, "Parking Regulations and Standards", as follows¹⁴:

ARTICLE 21- PARKING REGULATIONS and STANDARDS

Sec. 2100 **PURPOSE.** The purpose of this Article is to establish minimum standards for the provisions of adequate off-street parking, loading and maneuvering spaces for the uses permitted by this Ordinance in a manner which is safe, efficient, convenient and visually attractive. These

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As established in Ordinance Number 04-09

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Amended Article 21

Ordinance 05-08

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regulations shall apply to new construction and expansion of or changes to existing uses permitted by this Ordinance. The regulations set forth in this Article shall supplement any zoning district regulations set forth elsewhere in the Zoning Code

Sec. 2101 GENERAL REGULATIONS.

- A. All required parking and loading spaces and maneuvering areas shall be provided on the same parcel or lot as the principal structure wherever possible. A contiguous lot may be used for parking purposes if incorporated into the development site for the exclusive use of providing the required parking and the lot is properly zoned for parking purposes.
- B. All vehicular egress from parking lots to public right-of-way shall be by forward motion only, except in the case of a single residence fronting on a local street.
- C. Parking spaces for commercial and industrial uses shall not be located in the front yard setback or a side yard setback when adjacent to a residential zoning district.
- D. No part of any vehicle may overhang into a public sidewalk or within five (5) feet of a street curb where no sidewalk exists.
- E. Tandem arrangement of required parking spaces is prohibited. For purposes of this provision, "tandem arrangement" shall mean parking spaces arranged one behind the other, such that one car will be unable to exit the parking space if a second car has parked in the tandem space behind it.
- F. The parking, keeping, or storage of commercial rated vehicles in a residential zoning district is prohibited with the exception of (i) recreational vehicles; (ii) commercial rated vehicles in single residence zoning districts classified as "rural" under Section 501 of the Zoning Code; or (iii) in other residential zoning districts during times where the owner of the commercial rated vehicle is on call and the vehicle is reasonably necessary to perform the job for which the owner is on call. For purposes of this provision, "commercial rated vehicle" shall mean a motor vehicle or combination of motor vehicles used to transport passengers or property if the motor vehicle either:
 - (1) Has a gross combined weight rating of twenty-six thousand one or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than ten thousand pounds.
 - (2) Has a gross vehicle weight rating of twenty-six thousand one or more pounds.
 - (3) Is a school bus.
 - (4) Is a bus.
 - (5) Is used in the transportation of materials found to be hazardous for the purposes of the hazardous materials transportation act (49 United States Code sections 5101 through 5127) and is required to be placarded under 49 Code of Federal Regulations section 172.504.

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- G. A commercial vehicle parked on residential lots or parcels 1 acre or larger shall be subject to the following conditions:
 - a. The vehicle shall be parked behind the rear wall plane of the main building on the lot or parcel;
 - b. The vehicle shall be parked no closer than ten (10) feet from any property line;
 - c. The vehicle shall be screened from view from streets and abutting property by a solid fence or landscaping.
- H. A commercial vehicle parked on residential lots or parcels less than 1 acre in size shall be subject to the following conditions:
 - a. The vehicle shall not be parked in the required front or street side setback area; and
 - b. The vehicle shall be screened from view from streets and abutting property by a solid fence or landscaping.

Sec. 2102 IMPROVEMENTS.

- A. Required parking spaces, parking lot area, loading spaces, maneuvering areas, driveways, and fire lanes shall be paved with asphalt, concrete, paving stones, or a similar material approved by the City to a sufficient thickness to withstand repeated vehicular traffic, except in the single residence zoning districts classified as "rural" under Section 501 of the Zoning Code.
- B. All required off-street parking spaces shall be connected with a public street, or by an approved private street, by a paved driveway, of not less than twenty (20) feet in length, within the property line; except in the single residence zoning districts classified as "rural" under Section 501 of the Zoning Code.
- C. All off-street parking lots shall be screened from street view, with a three (3) foot high screen wall, landscaping, a landscaped berm or a combination thereof. Parking lots shall be landscaped in accordance with the regulations of this Article and those regulations for the specific zoning district or land use found elsewhere in the Zoning Code or the Maricopa City Code.
- D. A six (6) inch vertical separation method, such as but not limited to a concrete curb, shall be required between any parking lot area and landscape area to protect the landscaped area and control vehicular circulation.

Sec. 2103 REQUIRED PARKING SPACES BY USE TYPE.

- A. The number of parking spaces required to be provided for uses permitted in the Zoning Code are specified in Table A below.
- B. In calculating the total number of required off-street parking spaces, fractional amounts shall be rounded up to the nearest whole number if the fraction is 0.5 or greater.
- C. The number of parking spaces required for uses not listed shall be determined by the Zoning Administrator and approved through the site plan process.
- D. In the case of mixed uses, the total requirement for off-street parking spaces shall be the sum of the various uses computed separately. Cumulative parking space requirements for mixed-use occupancies may be reduced by the Zoning

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Administrator if it is determined that peak requirements of the mixed-use occupancies occur at different times.

- E. For purposes of this Section, "G.F.A." is used to represent Gross Floor Area, which shall mean the sum of the gross horizontal area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage. Gross floor area shall not include: (a) underground parking space; (b) exterior balconies; or (c) uncovered steps.

TABLE A - REQUIRED PARKING SPACES

LAND USE	REQUIRED VEHICLE PARKING	RECOMMENDED SPECIAL PARKING
Residential Uses		
Single Residence, detached dwellings	2 spaces: dwelling	N/A
Multiple Residence: Efficiency One (1) bedroom units Two (2) bedroom units and larger Town homes and Condominiums	1 space: unit plus * 1.5 spaces: unit plus * 2 spaces: unit plus * 2 spaces: unit plus *	N/A

*One (1) visitor space per ten (10) units must be provided. At least one (1) parking space per multiple residence unit must be covered and assigned to a unit.

Institutional Uses		
Churches: Main assembly (fixed seating) Main assembly (without fixed seating) Classroom and other buildings	1 space: 4 seats 1 space: 100 sf. of G.F.A. 1 space: 300 sf. of G.F.A.	1 bicycle: 20 vehicle spaces
Hospitals	1 space: 400 sf. of G.F.A.	1 bicycle: 20 vehicle spaces
Elementary Schools & Jr. High Schools	1 space: classroom; <u>plus</u> 1 space: 600 sf. G.F.A.	1 bicycle: 10 students
High Schools, Trade Schools & Colleges	1 space: each employee <u>plus</u> 1 space: 300 sf. G.F.A.	1 bicycle: 20 students

LAND USE	REQUIRED VEHICLE PARKING	RECOMMENDED SPECIAL PARKING
Commercial Uses		
Commercial Amusement -Outdoors: golf courses driving ranges miniatures golf courses, batting cages, amusement parks, water slides	4 spaces: hole <u>plus</u> 1 space: 200 sf G.F.A. clubhouse 1 space: each tee space 1 space: 500 sf of outdoor recreational area plus ancillary indoor use	N/A N/A 1 bicycle: 10 vehicle spaces

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Commercial Amusement - Indoors: amusement center/ arcades skating rinks and dance clubs theaters bowling alleys billiard hall	1 space: 100 sf G.F.A. 1 space: 100 sf G.F.A. 1 space: 6 seats 4 space: lane 2 spaces: table	1 bicycle: 10 vehicle spaces 1 bicycle: 20 vehicle spaces 1 bicycle: 20 vehicle spaces 1 bicycle: lane 1 bicycle: table
Parks (public or private)	30 spaces: athletic field 1 bicycle: 10 vehicle spaces	
Parks (public or private) without adjoining accessible parking lots	35 spaces: athletic field 6 spaces: volleyball 6 spaces: basketball court 2 spaces: tennis court 1 bicycle: 10 vehicle spaces	
Health clubs, gymnasiums	1 space: 100 sf G.F.A.	1 bicycle: 20 vehicle spaces 1 motorcycle: 10 vehicle
Medical & Dental Offices, Clinics	1 space: 200 sf G.F.A. <u>plus</u> 1 space: 2 employees	1 bicycle: 20 vehicle spaces 1 motorcycle: 10 vehicle
General, Professional & Civic Offices	1 space: 300 sf G.F.A.	1 motorcycle: 10 vehicle 1 bicycle: 20 vehicle spaces
Retail sales, personal services, banks, & grocery stores. Shopping center & the associated retail and service stores; if the anchor tenant is a minimum of 60,000 sf.	1 space: 200 sf G.F.A. 1 space: 300 sf G.F.A.	1 bicycle: 20 vehicle spaces 1 motorcycle: 10 vehicle 1 large vehicle: 10 vehicles
Hotels, Motels, and Bed & Breakfast	1 space: room plus ancillary use requirements	1 motorcycle: 20 vehicle 1 large vehicle: 10 vehicles
Restaurants, Bars & Cocktail Lounges	1 space: 75 sf G.F.A. and outdoor seating area	1 motorcycle: 10 vehicle
Restaurants with drive-through facilities	1 space: 100 sf G.F.A.	1 bicycle: 20 vehicle spaces 1 motorcycle: 10 vehicle spaces 1 large vehicle: 10 vehicle
Mortuary/Funeral Home	1 space: 75 sf G.F.A. used for public assembly	N/A
General auto repair, car wash, service station, lube shops	1 space: 375 sf G.F.A. display plus 1 space: employee	1 motorcycle: 10 vehicle
Outdoor Sales: plant nursery, building supplies, RV & boat sales, and automobile sales	1 space: 375 sf G.F.A. display plus 1 space: employee	N/A
Swamp Meet, Farmers Market	1 space: 100 sf G.F.A. sales area	1 bicycle: 20 vehicle spaces

LAND USE	REQUIRED VEHICLE PARKING	RECOMMENDED SPECIAL PARKING
Industrial Uses		
Manufacturing, Assembly, Production	1 space: 600 sf G.F.A.	1 motorcycle: 20 vehicle

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Wholesale Sales, Warehouse & Freight Movement	1 space: 900 sf G.F.A.	1 motorcycle: 20 vehicle
Waste Related Uses	1 space: employee	1 motorcycle: 20 vehicle
Mini-warehouse/self storage facility	4 space plus 2 spaces for manager's quarter	N/A

Sec. 2104 *PARKING SPACE/MANEUVERING DIMENSIONS*

- A. Large Vehicle Parking: Certain uses may be required to install large vehicle parking spaces for trucks, boat and recreational vehicles. Minimum dimension standards for large vehicle spaces shall be twelve (12) feet wide by forty-five (45) feet long. Said spaces shall be clearly marked for customer use.

- B. Disabled Parking: All off-street parking areas, other than for single residence uses, shall include reserved spaces for use by disabled persons. Disabled parking, which shall be subject to A.R.S. § 28-882 et. seq., shall be provided at a rate in compliance with the Building Code of the City of Maricopa, as adopted by Chapter 7 of the City Code. Notwithstanding anything in the Building Code, minimum dimension standards for disabled parking shall be as follows:
 - 1. Single space: Sixteen (16) feet wide by twenty (20) feet long. The space shall be prominently striped at eleven (11) feet width of space plus a five (5) foot access aisle.

 - 2. Double space: Twenty-seven (27) feet wide by twenty (20) feet long. The space shall be striped at eleven (11) feet width of each space plus a five (5) foot access aisle between the spaces.

- C. Standard Parking: The standard parking space shall be a minimum of nine (9) feet wide by eighteen (18) feet long unless specified otherwise by this Ordinance.

- D. Parallel Parking: A parallel parking space shall be a minimum of nine (9) feet wide by twenty-two (22) feet long unless specified otherwise by this Ordinance.

- E. Motorcycle Parking: The standard parking space shall be a minimum of five (5) feet wide by nine (9) feet long and perpendicular to the street or drive aisle.

- F. Loading Space: There shall be provided on the same lot with each commercial building and industrial building or structure adequate space for off-street loading, unloading and the maneuvering of commercial vehicles. There shall be no loading or unloading of commercial vehicles on the public street. Off street maneuvering space shall be provided so that no backing onto or from a public street is required. The loading space shall be a minimum of twelve (12) feet wide by forty-five (45) feet long and a minimum of fourteen (14) feet in height. A reduced loading space dimension may be approved by the Zoning Administrator on a case-by-case basis.

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- G. Driveway and Aisle Dimensions: Every parking facility shall be provided with one or more access driveways. The minimum dimensional standards for driveways shall be as follows:
1. Commercial: The minimum width for one-way enter/exit and aisle shall be 12'. The minimum width for two-way enter/exit and aisle shall be 24'. Additional aisle width may be required depending upon the angle degree of the parking stalls.
 2. Industrial: The minimum width for one-way enter/exit and aisle shall be 16'. The minimum width for two-way enter/exit and aisle shall be 32'
- H. Loading docks, service bays, or service windows shall not front onto an arterial or collector roadway
- I. Applicants shall be required to differentiate on applications the different type of customer parking provided.
- J. Required parking spaces shall be permanently marked.

Sec. 2105

PARKING LOT LANDSCAPE REQUIREMENTS

- A. Amount Required. In parking lots, at least ten (10%) percent of the interior parking area shall be landscaped, exclusive of perimeter landscaping and frontage landscaping. For every eight (8) required parking spaces, or portion thereof, a minimum of one (1) tree and two (2) shrubs shall be provided within the interior of the parking area. Trees located in the interior of the parking area shall have a clear trunk of at least five (5) feet and shrubs located in the interior of the parking area a maximum height of three (3) feet for adequate visibility.
- B. Location. Landscape areas shall be located and designed in such a manner as to break up the expanse of the parking area, better define parking circulation, and provide shade and comfort. The required landscaping shall be located in protected areas such as along walkways, in centrally located protected islands, at the ends of parking aisles, or between parking spaces. Landscape areas should contain a minimum of twenty-five (25) square feet and should have a minimum width of five (5) feet.
- C. Irrigation of Parking Lot Landscaping. All right-of-way street frontage, perimeter and interior parking area landscaping shall be provided with a pressurized, underground irrigation system.
- D. Maintenance of Landscaping. The maintenance of all required landscaping, whether located on the property or within the adjoining right-of-way frontage shall be the responsibility of the property owner.

-----End of Article 21-----

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13. Article 22 of the Maricopa Zoning Code is hereby amended by repealing current Article 22 "Signs, Billboards, Name Plates, and Other Outdoor Advertising" in its entirety and replacing said Article with a new Article 22, entitled "Article 22 - Sign Provisions," (previously established as a public record by City of Maricopa Resolution 09-56).¹⁵

ARTICLE 22 - SIGN PROVISIONS

SEC. 2201 PURPOSE:

The purpose of this Article is to establish comprehensive provisions that will eliminate confusing, distracting and unsafe signs; establish reasonable regulations to promote economic vitality for local businesses and services; and enhance the visual environment of the City of Maricopa.

SEC. 2202 INTENT:

The intent of these provisions is to maximize establishment identification, minimize visual clutter, and maintain a high quality of signs throughout the City of Maricopa.

SEC. 2203 DEFINITIONS:

For the purpose of this Article the following words, terms and phrases shall have the following meanings and as may be prescribed in Article 4 of this Ordinance:

Animated sign: 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.

Awning or Canopy sign: A sign on a traditional canvas awning and/or a sign on the edge of a structural canopy that is otherwise permitted by this Ordinance.

Bandit sign: A sign that is temporary and made of cardboard or foam board which is mounted on angle iron or wooden stake.

Banner sign: A temporary sign of fabric, plastic, or other light pliable material not enclosed in a rigid frame.

Billboard: Same as "Off site sign".

Bulletin board: 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.

Business sign: 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.

Community sign: Are the "City of Maricopa Welcome Signs" and the integrated public service club(s) sign.

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

¹⁵

Amended by Ordinance 09-08 Adopted October 20, 2009

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Comprehensive sign plan: A sign plan submitted under the guidelines of Section 2208(E), 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.

Construction sign: 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.

Directional sign: 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.

Directory sign: 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.

Fascia sign: 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: Any air or gas filled inflatable object ground mounted or attached by a tether to a fixed place.

Freestanding monument sign: 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 fifty (50%) percent of the width of the sign and shall include the street address.

Garage sale sign: A temporary sign advertising a temporary garage sale. Refer to regulations in Section 2206(J).

Gasoline fuel price sign: A changeable copy sign advertising gasoline fuel prices only.

Identification sign: 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.

Illuminated sign: A sign with the surface artificially lighted; either internally or externally. If externally illuminated the fixture shall be fully shielded and directed downward.

Interior display sign: Any poster, cut-out letters, painted text or graphic or other text or visual presentation placed with one (1) foot behind a window pane, and is placed to be read from the exterior of a building. This does include any item of merchandise normally displayed within a show window of a merchant.

Kiosk sign: A city-provided, informational sign providing directional information to single family and multi-family residential developments, commercial developments, local businesses, not-for-profit agencies, and community facilities.

Marquee sign: 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.

Menu board sign: A sign displaying the bill of fare of a restaurant.

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Nameplate sign: 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.

Nonconforming sign: A sign lawfully erected and maintained prior to the adoption of this Ordinance that does not conform with the requirements of this Ordinance.

Off site sign: 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.

On site sign: A sign which is either constructed or approved by the property owner that is located within the legal description of the property.

Open house directional sign: A sign used to advertise the sale of a house and direct traffic to the house for sale.

Pole sign: 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.

Political sign: 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.

Portable sign: 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.

Projecting sign: A sign attached to a building or other structure and extending in whole or in part more than fourteen (14) inches beyond the building or other structure.

Reader panel sign: A sign designed to permit immediate change of copy using individual letters, such as electronic or digital in nature. The use of an electronic/digital panel sign is prohibited in Residential Zoning Districts and only allowed in Commercial and Industrial Zoning Districts.

Real estate sign: A sign advertising for sale, lease, auction or rent of the property or building upon which it is located.

Right-of-way: The right of passage over the property of another.

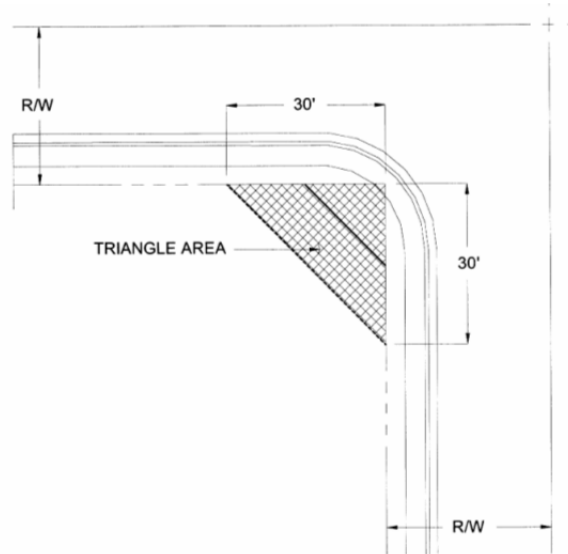
Roof sign: A sign erected on, above, or over the roof of a building so that it projects above the highest point of the roofline, parapet, or fascia.

Under canopy sign: 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.

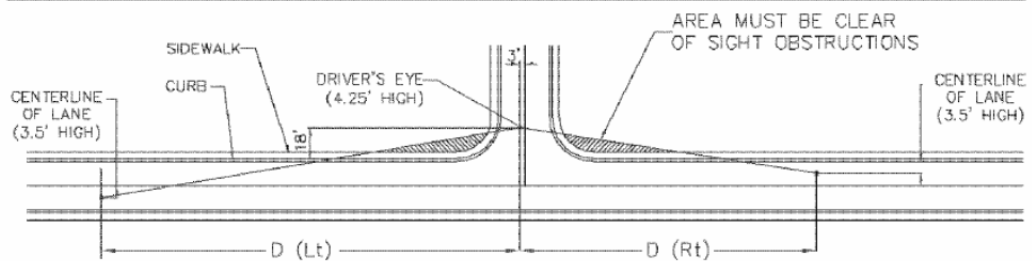
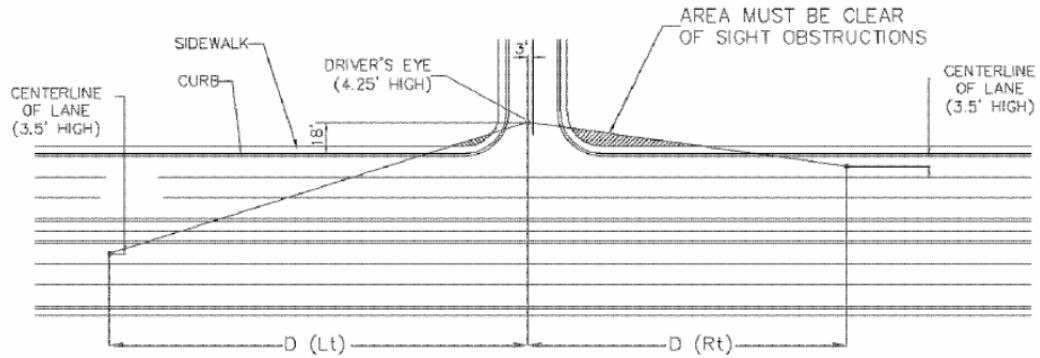
Sight visibility triangle: The area of visibility on a street corner to allow for safe operations of vehicles, pedestrians, and cyclists in the proximity of intersecting streets, rail lines, sidewalks, and bicycle paths. Please see below for sight visibility restrictions.

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For corners:



For driveways:



TRAFFIC SPEED (MPH)	20	25	30	35	40	45	50	55	60
D (Lt)	225	280	335	390	445	500	555	610	665
D (Rt)	195	240	290	335	385	430	480	530	575

PER AASHTO - 2001

Sign: Any object, display, structure, or device (copy: including but not limited to letters, words, numerals, figures, symbols, pictures, outline, character, color, illumination, trademark, logo, or any part or combination) used for visual communication which is intended to attract the attention of the public by providing identification, advertising or directional information for a specific business, service, product, person, organization, place or building and is visible from the public rights-of-way or other properties i.e. wall signs, under canopy signs, single business monument sign, individual sign panel on a multi-tenant

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monument sign, (which may require structural permit from the Building Safety Division) temporary banner, portable signs, etc.

The term "sign" shall also mean and include any display of one or more of the following; single or multiple colored bands, stripes, patterns, trademark, logo, outlines or delineations displayed for the purpose of commercial identification or attraction.

The term "sign" shall not include any national or state flags, window displays, athletic score boards or the official announcement or signs of government.

Sign walker: A person, who wears, holds or balances a sign that conveys a commercial message, including a costume sign.

Special sign permit: A sign that is otherwise prohibited in this Ordinance yet is approved by the Planning and Zoning Commission.

Temporary sales event: Any temporary promotional sign used to advertise special sales, new products or services, or promotions of a business, and may include but not limited to A-frames, balloons, banners, flags, and pennants.

Temporary sign: A sign of a non permanent nature advertising a special event, sale, product or service.

Vehicle sign: A sign mounted, painted or otherwise placed on a trailer, truck, automobile or other vehicle so parked or placed so that the sign thereon is visible from a highway, public street or right-of-way and is so parked primarily for the purpose of displaying advertising signage.

Wall sign: A sign fastened to or painted on the exterior wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign.

Window sign: A permanent sign affixed to the exterior of a window so as to attract the attention of persons outside the building.

SEC. 2204 GENERAL SIGN REGULATIONS:

- A. The regulations, requirements, and provisions set forth in this Article shall apply to all signs erected, placed, or constructed within the City of Maricopa. This includes all signage in an approved Comprehensive Sign Plan, wall signs, under canopy signs, monument signs, individual sign panel on a multi-tenant monument sign, (which may require a structural permit from the Building Safety Division) temporary banners and as deemed necessary by the Zoning Administrator or his/her designee.
 1. Sign permits and a zoning clearance shall be required for all signs except those signs specified in Section 2210. The City of Maricopa sign permit number shall be affixed to the sign. The City of Maricopa shall issue a sign permit only if the proposed sign, construction, alteration, re-erection, maintenance and location of the sign comply with these regulations.
 2. All signs shall be structurally designed, constructed, erected and maintained in accordance with all applicable provisions and requirements of the City of Maricopa adopted codes and Ordinances.
 3. All signs and sign structures, conforming and nonconforming, shall be maintained in good order, repair, and appearance at all times so as not to constitute a danger or hazard to the public safety or create visual blight as determined by the Zoning Administrator.

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4. Signs shall not be located in a manner that interferes with pedestrian or vehicular travel, or poses a hazard to either pedestrians or vehicles, or within the specified sight visibility triangle.
 5. Signs shall not be located within or projecting over any public street, right-of-way, or other public property, except for City of Maricopa approved kiosk sign structures, under canopy signs and projecting signs as permitted by this Ordinance. The City of Maricopa may install signs on its own property to identify public buildings and uses, to provide necessary traffic control and directional information.
 6. Signs directly facing residential districts shall not be illuminated.
 7. The source of the sign's illumination, except neon illumination, shall not be visible from any street, sidewalk, or adjacent property. This shall not preclude the use of neon sign elements that shall be limited to use within the Commercial Zoning Districts only.
 8. There shall be no visible angle iron supports, guy wires, braces or secondary supports except in the case of under canopy signs. All sign supports shall be an integral part of the sign design.
 9. Where there is a conflict between these regulations and other City of Maricopa regulations or a Comprehensive Sign Plan the more restrictive shall apply.
 10. Signage within approved Planned Area Developments or Master Planned Developments (residential or non-residential) may deviate only from the requirements governing the total aggregate sign area and sign dimensional requirements of this article provided the PAD or MPD has an approved Comprehensive Sign Plan, and all proposed signage within the PAD or MPD is in compliance with an approved Comprehensive Sign Plan.
 11. Signs and/or banners shall not be placed in such a manner that they obstruct city required informational, traffic or safety signs.
 12. The overall building height is inclusive of any signs projecting above the building or roofline.
 13. The Planning and Zoning Commission shall have the authority to review and recommend issuance of a Special Sign Permit for signs which are designed into and are part of an integrated architectural feature of a building where the provisions of this Ordinance would otherwise prohibit such signs. In making such findings, the Commission shall determine that the overall signage in such a request shall not undermine the sign area and height standards provided in this Ordinance. Final approval of such request for said Special Sign Permit shall be made by the Planning and Zoning Commission.
 14. All lighting for signage shall be in conformance with the adopted City of Maricopa codes.
- B. **“Sign Area”** is defined and shall be measured as follows:
1. Sign copy mounted or painted on a background panel or area distinctively painted, textured or constructed as a background for the sign copy shall be measured as that area within the outside dimensions of the background panel or surface. The base of a freestanding monument sign shall not be calculated as sign area unless said base contains signage (see definition of a sign).
 2. Sign copy mounted as individual letters and/or graphics against a wall, fascia, or other structure that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy shall be measured as a sum of the smallest rectangle that will enclose each word, grouping of such letters, words, or graphics in the total sign copy.

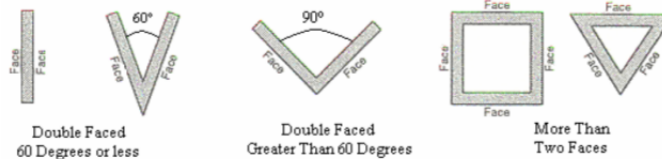
ZONING CODE



SIGN AREA

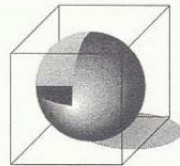
3. Multi-face signs shall be measured as follows:
- A double faced sign shall be considered as one (1) sign when determining the sign area, provided both faces are parallel and the distance between faces does not exceed two (2) feet or the interior angle between the two (2) sign faces is forty-five (45) degrees or less. If the interior angle is greater than forty-five (45) degrees, the sign area shall be the sum of the area of the two (2) faces and shall be considered as two (2) signs.
 - Where a sign has three (3) or more faces the area of the sign shall be calculated as the total sum of the area of all faces and shall be considered as three (3) signs.

Top Views



MULTI-FACE SIGNS

- Where a sign is a spherical, free-form, sculptural or other non-planar sign the sign area shall be fifty (50%) percent of the sum of the area of the sides of the smallest polygon that will encompass the sign structure.



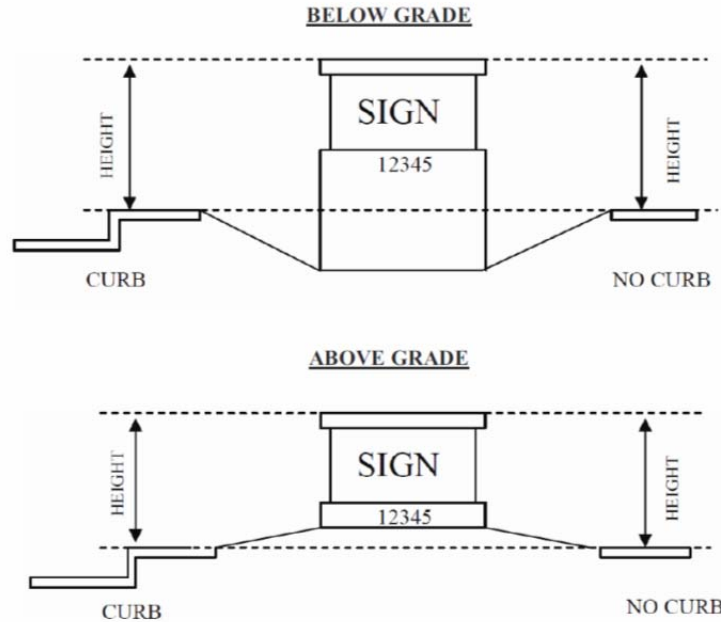
NON-PLANAR SIGNS

4. The aggregate sign area for all signs on a lot or parcel shall be the sum of the areas of all the signs except, the area for the following:
- Directional signs, assisting in the flow of traffic, which do not exceed an area of three (3) square feet or a height of three (3) feet and do not include advertising or logos.
 - Street address wall signs, which do not exceed an area of two (2) square feet.
 - Signs necessary for safety, which do not exceed an area of two (2) square feet or height of three (3) feet.
 - For sale, lease or rent signs.

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C. **“Sign Height”** is defined and shall be measured as follows.

1. The height of a freestanding monument sign shall be measured as the vertical distance from the top of the highest element of the sign or sign structure to the top of the curb or sidewalk, or the street grade of the nearest adjacent roadway where no curb exists. The height of any monument base or other structure erected to support or ornament the sign, above curb, sidewalk or street grade, shall be measured as part of the sign height.



2. Wall or fascia sign height shall be measured as the vertical distance to the top of the sign or sign structure from the base of the wall on which the sign is located.

SEC. 2205 PERMITTED PERMANENT SIGNS:

A. **“Residential Districts”**: For all signs within the residential Zoning Districts (including single and multi-family) the following shall apply. Additionally, any residential district that has an approved PAD or MPD may apply for a Comprehensive Sign Plan. Refer to Section 2208(E).

1. Single Residence Uses:

- a. May be illuminated or non-illuminated.
- b. Two (2) nameplate signs may be permitted per lot or parcel.
- c. Within the “CR-1A”, “CR-1”, “CR-2”, “CR-3”, “CR-4”, and “CR-5” Zoning Districts a total aggregate area of four (4) square feet may be permitted.
- d. Within the “CAR”, “SR”, “SR-1”, “SH”, “GR”, “GR-5”, and “GR-10” Zoning Districts a total aggregate area of twelve (12) square feet may be permitted.

2. Multi-Family Uses:

- a. Within the “CR-4”, “CR-5”, and “TR” Zoning Districts.
- b. One (1) nameplate sign may be permitted per unit.

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- c. Nameplate sign area shall not exceed a total aggregate area of two (2) square feet.
 - d. Building number or letter signs for multiple building developments shall be in compliance with Fire Department requirements and shall not be counted as part of the aggregate sign area.
 - e. A maximum of two (2) freestanding monument identification signs with an aggregate area of twenty-four (24) square feet may be permitted per development. The maximum height shall be five (5) feet. Signs should be located near the main entrance(s) and may include only the name of the development and the street address.
3. **Non-residential Uses:** Examples of non-residential uses in a residential zone include, but are not limited to, assembly uses, schools, public buildings, assisted living facilities (with more than five (5) persons receiving care) and farms; but do not include home occupations.
- a. One (1) wall mounted sign per lot or parcel not exceeding thirty-two (32) square feet in area shall be permitted. The sign may include only the name of the facility, organization or development and the street address.
 - b. Additionally, any complex/single building development in excess of 15,000 square feet (gross floor area) may submit a Comprehensive Sign Plan to be reviewed and approved by the City of Maricopa. Refer to Section 2208(E).
 - c. One (1) freestanding monument sign per lot, not exceeding thirty-two (32) square feet in area nor a height of five (5) feet, may be permitted. The sign may include only the name of the facility, organization or development and shall include the street address.
4. **Subdivision Entry/Identification Signs:**
- a. A wall or monument sign may be permitted at no more than two (2) of the entryway(s) of a subdivision. The signage shall be integrated to complement the streetscape and landscaping frontages. A maximum aggregate area of no more than forty-eight (48) square feet per subdivision nor more than one sign on each side of the entry, if wall mounted, may be permitted. Backlit signs are preferred; using external spot lights to light signage is strongly discouraged. All lighting shall be in conformance with the adopted City of Maricopa codes.
 - b. The maximum height shall be five (5) feet. The sign copy may include only the name of the development and the street address.
5. **Reader Panel Signs:**
- a. Assembly uses may use up to one-half ($\frac{1}{2}$) of the allowed freestanding monument sign area for a reader panel.
6. **Total Signage:**
- a. Single Residential Uses: Maximum of two (2) nameplate signs per lot or parcel may be permitted.
 - b. Multi-Family Uses: Only one (1) nameplate sign per individual unit or dwelling may be permitted. A maximum of two (2) freestanding monument signs per development may be permitted.

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- c. Non-Residential Uses: Maximum of two (2) signs per lot or parcel may be permitted. If located on a corner lot a maximum of two (2) wall signs, one (1) per public street frontage, and one (1) monument sign may be permitted.
- B. **“Commercial and Industrial Districts”**: For all signs within the Commercial and Industrial Zoning Districts of “TR”, “CB-1”, “CB-2”, “CI-B”, “CI-1”, and “CI-2”, the following regulations shall apply. Additionally, any complex of two (2) or more businesses or any single building development in excess of 5,000 square feet (gross floor area) may submit a Comprehensive Sign Plan and any single building development in excess of 25,000 square feet shall be required to submit a Comprehensive Sign Plan to be reviewed and approved by the City of Maricopa.
1. **Wall or Building Signage:**
 - a. The sign area for any one (1) business or individual tenant shall not exceed one and a half (1 ½) square foot for each two (2) linear feet of street or store frontage with the maximum not to exceed thirty-two (32) square feet.
 - b. Single buildings/businesses with less than 25,000 square feet (gross floor area) are allowed one (1) wall or building sign per business.
 - c. Single buildings/businesses with two (2) street frontages are allowed one (1) wall sign per street frontage.
 - d. Signage shall not extend horizontally a distance greater than fifty (50%) percent of the width of the building wall on which it is displayed.
 2. **Freestanding or Monument Signage:**
 - a. One (1) freestanding identification sign shall be permitted per development and may include only the name of the business and shall include the address.
 - b. The sign shall not exceed six (6) feet in height.
 - c. For a single tenant building the sign area shall not exceed one and a half (1 ½) square foot for each two (2) lineal feet of street frontage with the maximum not to exceed thirty-two (32) square feet.
 - d. If street frontage is not available then the allowable sign area may be based on the lineal foot of store frontage at a ratio of one (1) square foot of signage for each five (5) linear feet of store frontage.
 - e. For multiple building developments or commercial centers one (1) sign may be permitted for every three hundred thirty (330) feet of street frontage for the entire development with a maximum of two (2) signs per street frontage if applicable. The individual buildings within the development and/or the pad sites within the commercial center shall not be considered as separate developments. The minimum distance between two (2) signs on the same street frontage shall be three hundred thirty (330) feet. Each sign may be a maximum of forty-eight (48) square feet in area and may be either a center identification sign or a multi-tenant identification sign.
 3. **Directory & Directional Signs:**
 - a. One (1) directory sign per complex entrance may be used when useful to identify the location of various buildings, offices or businesses within a complex. A directory sign may be internally illuminated, externally illuminated or non-illuminated and have a

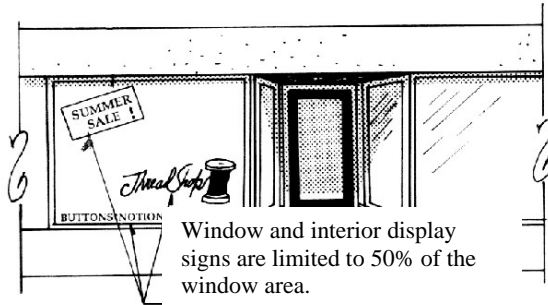
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maximum area of six (6) square feet and a maximum height of six (6) feet and shall not be included in calculating the total aggregate area for signage allowed on a parcel or lot or for a particular business.

- b. One (1) directional sign may be used for each entrance and exit to or from a parking area or drive-thru lane provided that the sign is limited to three (3) square feet in area and four (4) feet in height. A directional sign may be double faced and shall contain no business identification, advertising copy, or logo.

4. Window and Interior Display Signage:

- a. The total aggregate area of all window and interior display signs shall not exceed fifty (50) percent of the total area of the windows through which they are visible.



Window and interior display signs are limited to 50% of the window area.

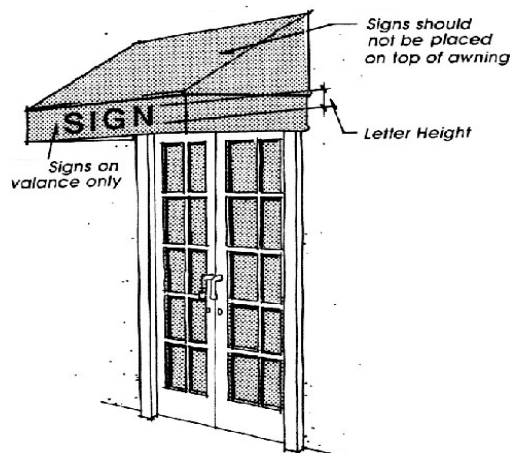
25% of the window area.

5. Flags:

- a. Flag poles shall not exceed eighty (80) feet in height, measured from the top of grade to top of pole.
- b. No more than one (1) United States, one (1) State of Arizona, one (1) foreign national flag or one (1) corporate flag shall be flown on any one site with a maximum of three (3) poles per site.
- c. Any flag flown in conjunction with the United States or State of Arizona flag shall be flown beneath them and shall not exceed them in size.
- d. United States and State of Arizona flags shall be maintained with flag etiquette.

6. Awning Signs:

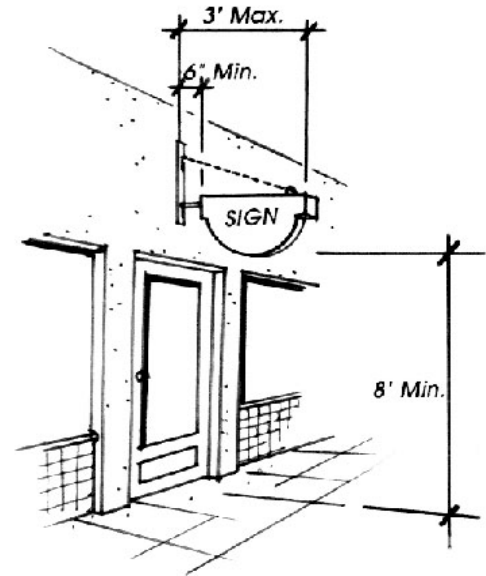
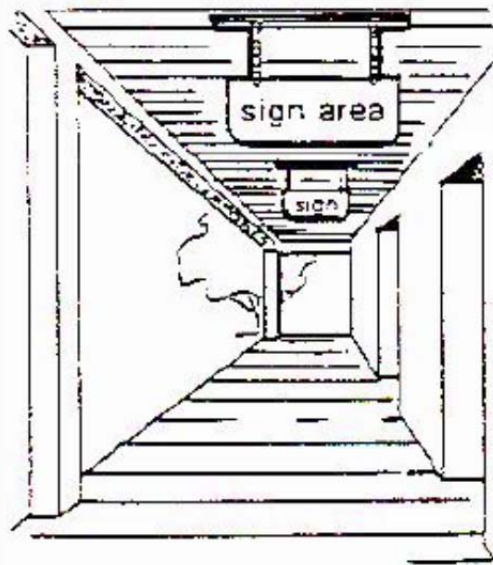
- a. A maximum of twenty-five (25) percent of the front face area of the awning may be used for signage.
- b. Signage shall be specific to the tenant.



7. Under Canopy Signs and Projecting Signs:

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- a. One (1) under canopy sign or projecting sign which is designed and oriented primarily for the aid of pedestrians may be allowed per primary business and shall be located immediately adjacent to the business it identifies.
- b. Shall have an eight (8) foot minimum clearance between the bottom of the sign and the sidewalk.



- c. Projecting and under canopy signs shall not project less than six (6) inches nor more than three (3) feet from the building wall or building face.
- d. Under canopy signs shall have a maximum area of three (3) square feet.
- e. Projecting signs for each ground floor business, on a street, shall not exceed one (1) square foot for each linear street frontage of business, up to a maximum of fifteen (15) square feet.
- f. Sign shall be specific to the primary tenant.
- g. A wall or fascia sign is not permitted if a projecting sign is used to identify the business on the same wall.

8. Menu Boards:

- a. Each drive-through lane and/or drive-in restaurant may be permitted one (1) preview board and one (1) ordering menu board. These boards may be freestanding or wall-mounted; located not less than forty-five (45) feet from the street property line and the front of the board shall not be visible from the public street.
- b. Maximum sign area shall not exceed forty-eight (48) square feet and shall not be included in calculating the total aggregate area for signage allowed on a parcel or lot or for a particular business.
- c. The sign shall not exceed six (6) feet in height.

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- d. Menu boards fronting roadways shall be screened with a decorative wall and/or landscaping.

9. Price Signs and Canopy Signs: (For gasoline service stations only)

- a. One freestanding sign per street frontage on which the service station has frontage; but not including freeway or interstate frontage.
- b. Maximum sign area for a price sign shall not exceed twelve (12) square feet.
- c. Maximum sign height for a freestanding sign shall not exceed six (6) feet. (see “sign height” definition)
- d. One (1) canopy sign per street frontage.
- e. Maximum sign area of canopy sign shall not exceed twelve (12) square feet per sign.
- f. Price sign can not be located on the canopy or building.

10. Total Signage:

- a. The combination of all of the above types and styles of allowed signage shall be included in calculating the total aggregate sign area; except where specifically excluded or otherwise exempted by this Ordinance. For corner buildings or developments only the main entrance frontage shall be measured when determining the allowable signage.
- b. The combined total aggregate sign area of all signs for any one (1) business in the “TR” and “CB-1” Zoning Districts shall not exceed seventy-five (75) square feet.
- c. The combined total aggregate sign area of all signs for any one (1) business in “CI-B”, “CI-1”, and “CI-2” Zoning Districts shall not exceed eighty (80) square feet.
- d. The combined total aggregate sign area of all signs for any one (1) business in the “CB-2” Zoning District shall not exceed one-hundred (100) square feet.

C. “Parks and Open Space District”: For all signs within the “Open Space District” – “OS” or “Public Parks”, the following shall apply:

1. Wall Sign:

- a. One (1) wall mounted sign per lot or parcel not exceeding six (6) square feet in area may be permitted. The sign may include only the name of the facility or development and the street address.

2. Freestanding Sign:

- a. One (1) freestanding sign per entrance not exceeding twelve (12) square feet in area nor a height of five (5) feet may be permitted. The sign may include only the name of the facility or development and shall include the street address.

3. Directional or Informational Signage:

- a. Signs shall be non-illuminated.

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- b. Signs shall not exceed twelve (12) square feet in area or six (6) feet in height.

4. **Scoreboards:**

- a. No advertising shall be affixed to the rear of the scoreboard directly facing a road way or residential Zoning Districts.

5. **Banners:**

- a. Sign shall be one sided and may only be displayed on park fences facing internal to the park.

- D. **“Government Signage”:** For all City of Maricopa Facilities (City of Maricopa Facilities include but are not limited to City Hall, Libraries, Fire Stations, Community Centers, Police Stations, City Parks etc.) The following regulations shall apply.

1. **Wall or Building Signage:**

- a. Sign shall not exceed one and a half (1 ½) square foot for each two (2) linear feet of street or building frontage with the maximum not to exceed thirty-two (32) square feet.
- b. Signage shall not extend horizontally a distance greater than fifty (50%) percent of the width of the building wall on which it is displayed.
- c. Only one (1) wall or building sign per facility.
- d. City of Maricopa may submit a Comprehensive Sign Plan. Refer to Section 2208(E).

2. **Freestanding or Monument Signage:**

- a. One (1) freestanding identification sign shall be permitted per city facility and may include only the name of the facility and the address.
- b. The sign shall not exceed six (6) feet in height.

SEC. 2206 TEMPORARY SIGNS:

A. **“Banners Pennants and Displays for Grand Openings”:**

1. For home builder signs please refer to Section 2206(G).
2. Banners, pennants, and other promotional displays (A-frames, balloons, banners, flags, etc) for temporary sales events may be permitted within the Commercial, Residential, Multi-Family and Industrial Zoning Districts. A business may request such signs and displays a maximum of eight (8) times per year for a maximum period of thirty (30) consecutive days on each occasion. A minimum of fourteen (14) days shall pass between each such display. Such signs and displays shall be removed immediately upon termination of the sale that they advertise or after the thirty (30) day period, whichever occurs first. Special requests for temporary sales event shall be submitted for review and approval by the Zoning Administrator or his/her designee.
3. Written approval must be obtained, from the Zoning Administrator, or his/her designee, prior to the installation of any temporary sales event or grand opening banners, pennants, signs, balloon, or other promotional displays.

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4. Banners and pennants shall be displayed only on the building and not within the parking area, perimeter landscape, or some other area of the development.
 5. The maximum banner size shall be four (4) feet by eight (8) feet or thirty-two (32) square feet and shall be limited to one (1) per street frontage for the business.
 6. No pennant, banner or promotional display shall be placed on or above the roof of any building.
 7. Promotional displays shall be located on the premises to which they pertain and shall not be placed in the public right-of-way or attached to any street light, traffic signal pole, or utility pole.
 8. Promotional displays in forms of balloons shall be subject to the following safety standards:
 - a. Balloons shall be securely fastened.
 - b. Balloons shall not project above the building roofline.
 - c. Balloons shall not project no more than fifteen (15) feet above grade when a building is not present.
 9. New Business Identification Banners:
 - a. Allowed from the date of issuance of a Certificate of Occupancy for the business until the date of the installation of a permanent sign.
 - b. Interim banners shall not exceed thirty-two (32) square feet and be placed upon the building wall of the business.
 - c. Allowed to be displayed for a period of ninety days (90) with a renewal for an additional forty-five (45) days contingent upon the approval of a new permanent sign application.
 - d. All temporary signs shall be marked to show permit number and expiration date.
- B. "Special Events":**
1. **Off-Site Event/Directional Signs:**
 - a. A sign plan shall be required in conjunction with the Special Event Permit. Said sign plan shall show the proposed location, placement, and size of all off-site event/directional signs.
 - b. Directional signs shall be no greater than four (4) square feet and event signs shall be no greater than thirty-two (32) square feet. Said signs may be permitted within the City of Maricopa right-of-way, excluding medians, in accordance with the approved sign plan for an approved Special Event Permit and an approved Right-of-Way Permit.
 - c. Directional signs may be placed twenty-four (24) hours prior to event and event signs may be placed five (5) days prior to the event or as specified in the approved Special Event Permit request and shall be removed within forty-eight (48) hours after the conclusion of the event.

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2. Banners and Promotional Signs:

- a. Banners shall be made of cloth, nylon, or similar material.
- b. Banners may be fastened to streetlights that are specifically designed to accommodate banners. Such banners may advertise a city-authorized special event or a community wide event or a community message but not for individual businesses.
- c. Banners shall be placed five (5) days prior to the event or as specified in the approved Special Event Permit request and shall be removed within forty-eight (48) hours after the conclusion of the event.
- d. All banners shall be reviewed and approved by the Zoning Administrator or his/her designee.



C. "Political Signs":¹

1. Political signs are permitted in all zones.
2. In accordance with A.R.S. § 16-1019, political signs shall not be displayed earlier than sixty (60) days prior to an election and shall be removed fifteen (15) calendar days after the specific election to which they refer. (If a candidate is in a run-off election the sign may remain fifteen (15) calendar days after the completion of the run-off election).
3. In accordance with A.R.S. § 16-1019, political signs shall not be placed in any portion of the sight visibility triangle (see section 2203 for definition of sight visibility triangle) or right of ways (ROW) on state highways or routes, or overpasses over those state highways or routes
4. In accordance with A.R.S. § 16-1019, the total sign area permitted on any residentially-zoned lot or parcel is a maximum of sixteen (16) square feet.
5. Signs placed on any commercial or industrial property are allowed with the owner's permission. Signs shall not be higher than five (5) feet in height and shall be setback seven (7) feet from the edge of any city street, pavement or sidewalk. In accordance with A.R.S.16 § 16-1019, the maximum area of any political sign in a non-residential zoned district shall be thirty two (32) square feet.
6. In accordance with A.R.S. § 16-1019, the sign shall contain the name and telephone number of the candidate or campaign committee contact person.
7. In accordance with A.R.S. §16-1019, the sign shall support or oppose a candidate for public office or support or oppose a ballot measure.
8. In accordance with A.R.S. § 16-1019, signs shall not be placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the American with Disabilities Act (42 United States Code section 12101 through 12213 and 47 United States Code sections 225 and 611).
9. All other requirements shall adhere to A.R.S. § 16-1019, as may be amended from time to time.

¹ Amended by Ordinance 11-12 on 10/04/2011

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- D. **“Real Estate Signs”**: Signs advertising the sale, auction, and lease or renting of a building, suite, dwelling or lot shall conform to the following regulations and are exempt from the total aggregate sign area.
1. Real estate signs are permitted in all zones.
 2. In single residential Zoning Districts one (1) non-illuminated sign, located on the subject property, shall be permitted. Said sign shall not exceed six (6) square feet in area or six (6) feet in height and such signage shall be displayed upon the street frontage of subject property.
 3. For multi-family developments the real estate signs shall be placed at the dwelling unit.
 4. In Commercial Zoning Districts one (1), non-illuminated sign, located on the subject property, shall be permitted. Said sign shall not exceed twelve (12) square feet in area or six (6) feet in height.
 5. A maximum of four (4) “Open House,” “Auction,” directional signs, including any such sign on the property of the home for sale, may be posted for each home not within the public right-of-way. Each sign shall have a maximum height of three (3) feet. The signs may be posted only when a sales person is on duty at the home and for no longer than twelve (12) hours during any twenty-four (24) hour period.
 6. Not allowed in sight visibility triangle.
 7. All real estate signs shall be removed upon closing of the sale.
- E. **“Future Development Signs”**:
1. Future developments signs are allowed in all Zoning Districts and are allowed one (1) construction sign to be posted on the lot or parcel.
 2. One (1) future development sign may be posted on a lot or parcel, indicating only the name of the future business/development and the leasing information, only after the land is in escrow. The sign shall have a maximum area of thirty-two (32) square feet, however when development exceeds ten (10) acres in size the sign(s) may be increased four (4) square feet for each additional 10 acres, not to exceed ninety-six (96) square feet and a maximum height of six (6) feet. If the development is located on a corner lot or parcel then two (2) signs of the dimensions outlined above may be permitted. A letter from the property owner will be required that states the land is in escrow, giving permission for the posting of the future development sign, outlines the maintenance responsibilities and the parties responsible for the removal of the sign after the required sign permit has expired. The sign shall be limited to one (1) year with the ability to renew for one (1) additional year.
 3. In all cases, such signs shall be removed within ten (10) days following the first issuance of a Certificate of Occupancy for the project.
- F. **“Architect, Contractor and Subcontractor signs”**:
1. One (1) non-illuminated sign is allowed per contractor or subcontractor. Sign shall not exceed thirty-two (32) square feet in area and a maximum height of six (6) feet in height.
 2. Said signs shall be removed within (10) days after the function of the contractor or subcontractor on the property is complete.

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- G. **“Builder Sign Plan”**: A builder sign plan is required for each residential development prior to any Certificate of Occupancy being issued for a temporary use permit for sales trailer/model home complex. The following shall apply for the builder’s sign plan.
1. A sign permit for a builder sign plan is valid for one (1) year from the date of issuance. A builder sign plan may be renewed annually upon formal application to the City of Maricopa.
 2. All signs permitted per the builder sign plan shall be removed upon the expiration of the Temporary Use Permit.
 3. On site signage shall mean the lot(s) for the specific Temporary Use Permit. A maximum of two-hundred-forty (240) square feet of on site signage is permitted for each builder in a recorded subdivision plat. Sign area includes all on site signage including builder/real estate, model home complex signs, welcome signs, banners, awnings, and residential builder attention flags. All signs less than thirty-two (32) square feet shall be set back a minimum of ten (10) feet from the front yard lot line and shall not encroach upon sight visibility triangle. The height of any sign shall be a maximum of twelve (12) feet.
 4. No more than two (2) directional builder signs shall be allowed and no larger than ninety-six (96) square feet of sign area. Builder signs shall be limited to twelve (12) feet in height and shall be set back a minimum of ten (10) feet from the right-of-way.
 5. Residential builder attention flags are permitted, not to exceed fifteen (15) feet in height. Flags shall be spaced a minimum of forty (40) feet apart and shall be set back a minimum of five (5) feet behind the right-of-way. Maximum of three (3) flag poles allowed per lot in the Temporary Use Permit. Each flag shall have a maximum area of twelve (12) square feet may contain lettering or logo and may not be higher than fifteen (15) feet above grade.
 6. No more than one (1) flag pole for either the State of Arizona or the United States of America flag may be placed per Temporary Use Permit. Flag poles shall be limited to eighty (80) feet in height. Any flag flown in conjunction with the United States or State of Arizona flag shall be flown beneath them and shall not exceed them in size.
 7. No builder signage shall be allowed to be placed outside the recorded subdivision in which the builder is located.
- H. **“Sign Walkers”**: means a person who wears, holds or balances a sign.
1. Sign walkers shall be located thirty (30) feet from a street or driveway intersection measured from the back of the curb or edge of pavement if no curb exists.
 2. Once thirty (30) feet from the street or driveway intersection, the sign walker must stand at least five (5) feet back from the roadway, measured from the back of curb or edge of pavement if no curb exists.
 3. Sign walkers must maintain a minimum distance of twenty (20) feet from any other sign walker.
 4. Signs held by sign walkers must be held, worn or balanced at all times. At no time is a sign walker allowed to toss or throw their sign.
 5. Sign walkers shall allow a minimum distance of four (4) feet for pedestrian passage on all sidewalks and walkways.

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6. The following elements are prohibited for use on the signs held by sign walkers and on costume signs:
 - a. Any form of illumination, including flashing, blinking, or rotating lights.
 - b. Animation on the sign itself.
 - c. Mirrors or other reflective materials.
 - d. Attachments including, but not limited to balloons, ribbons and speakers.
- I. **“Portable Signs”**:
 1. Portable signs shall be allowed only in the “CB-1”, “CB-2”, “CI-1”, and “CI-2”, Zoning Districts. Signs shall be placed in a manner that does not impede or restrict vehicular, non-vehicular, or pedestrian traffic and with the property owner’s permission. No portable signs shall be allowed within the sight visibility triangle at driveways or corner intersections.
 2. Portable signs shall not exceed three (3) feet in height or eight (8) square feet in area per side and shall not exceed one (1) sign per business.
 3. Portable signs shall not be used for real estate sales.
 4. Portable signs may be located a maximum of three hundred (300) feet away from the business though still within the development/property with property owner authorization, as allowed by the zoning as specified above and a minimum of seven (7) feet from the back of the curb, or edge of pavement where no curb exists.
- J. **“Yard, Carport, or Garage Sale Signs”**:
 1. Yard, carport, or garage sale signs shall be limited to residential Zoning Districts and shall not exceed four (4) square feet per residence. Such signs shall not be up longer than three (3) consecutive days.
 2. Yard, carport, or garage sales shall be limited to no more than eight (8) sales events per calendar year.
 3. One (1) temporary, unlighted, two-sided sign shall be allowed to be placed at the residence of the sale.
 4. Up to four (4) directional signs may be placed for announcing the holding of a yard, carport, or garage sale and shall be allowed to be posted in the residential Zoning District
 5. Signs cannot be placed on public sidewalks or within the sight visibility triangle. Signs may be placed a minimum of seven (7) feet from the back of the curb, or seven (7) feet from the edge of the pavement where no curb exists.
 6. Yard, carport, or garage sale signs shall not be placed on: walls; utility poles and housings; traffic control poles or control panels; and mailboxes.
 7. The property owner of the yard, carport, or garage sale event shall be responsible of noting the name and address on the back of each sign.
- K. **“Temporary Assembly Directional Signs”**: Temporary signs for assembly facilities shall be permitted subject to the following regulations.

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1. Signs shall be no greater than three (3) feet in height and eight (8) square feet in area.
2. No more than four (4) temporary directional signs shall be allowed.
3. Signs shall be placed on private property with consent of the property owner and no closer than seven (7) feet from the back of the curb, or edge of pavement where no curb exists.
4. Prohibited locations: sight visibility triangles, fences, boulders, planters, other signs, vehicles, utility facilities, or any structure.
5. Temporary directional signs may be placed no earlier than four (4) hours prior to the service/meeting and removed no later than two (2) hours after the service/meeting.

SEC. 2207 COMMUNITY KIOSK SIGNS:

- A. **“Kiosk Signs”:** Sign panels on a City of Maricopa approved kiosk structure may be authorized for the purpose of providing directional information for single family and multi-family residential developments, commercial developments, local businesses, not-for-profit agencies, and Community Facilities. Sign panels may be single or double faced. Maximum sign height for a single sign structure (kiosk) shall be twelve (12) feet.
 1. Sign panels shall be located on designated City of Maricopa kiosk structures within the public right-of-way, or, upon finding that such location will not permit adequate directional information, kiosk structures may be approved on private property (with a sign easement designating the City of Maricopa as a third party beneficiary) with the written permission of the property owner. Such permission shall include the consent of the property owners to allow the City of Maricopa, in the event of non-compliance, to enter said property and remove the sign. A kiosk location plan shall be prepared showing the site of each kiosk and shall be submitted to and approved by the Zoning Administrator or his/her designee, prior to the acceptance of a sign permit application.
 2. Each City of Maricopa kiosk sign panel may contain only the name of the subdivision or builder or new multi-family development, commercial development, local businesses, not-for-profit agencies, community facilities, the corporate logo, and a directional arrow.
 3. No kiosk sign shall be placed within one hundred (100) feet of another except when they are on opposite sides of the same street.
 4. Any directional sign panels shall conform to colors and design standards approved by the Zoning Administrator or his/her designee.
 5. Any sign panel approved for a particular development project within the City of Maricopa shall not be changed to another project without prior approval of the Zoning Administrator or his/her designee.

SEC. 2208 SUBMITTAL AND PERMIT REQUIREMENTS:

- A. Approval of a sign permit is required for constructing or altering any non-exempt sign. A sign permit application shall be made in writing on forms provided by the City of Maricopa. The following information shall be required as part of all sign permit applications:
 1. Business owner’s name, address, telephone and fax number.

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2. Sign contractor's name, address, telephone and fax number.
 3. Inventory of all existing signs on the property showing the type and dimensions of each sign as well as a site plan showing the locations of each sign.
 4. Fully dimensioned plans and elevations showing the dimensions, design copy, and location of each proposed sign in relation to the property line(s) and public right-of-way.
 5. Plans indicating the scope and structural detail of the work to be done; including details of all connections, supports, footings, and materials to be used.
 6. Required information for an electrical permit for all signage illumination.
 7. Sign contractor and business owner shall have a current City of Maricopa business license.
- B. Two (2) copies of all information listed above in Section 2208(A) shall be submitted with the application for each sign, one (1) copy being returned to the applicant at the time the permit is issued.
- C. Before issuing any sign permit required by this Ordinance, the City of Maricopa shall collect a fee in accordance with a fee schedule established by the City Council. If work, for which a permit is required by this Ordinance, is started before a permit has been issued, the fees specified above shall be doubled. The payment of such double fee shall not relieve any persons from complying fully with the requirements of this Ordinance in the execution of the work or from any penalties prescribed herein.
- D. All signs for which a permit is required shall be subject to inspections or additional permits during various stages of construction as prescribed by the City of Maricopa Building Safety Division and the City of Maricopa sign permit number affixed to each sign.
- E. A Comprehensive Sign Plan shall comply with the standards and submittal requirements as outlined below. A Comprehensive Sign Plan is 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. The intent is to provide flexible sign criteria that promote superior design through architectural integration of the site, buildings and signs. A Comprehensive Sign Plan shall demonstrate consistency and uniformity among all signs. Additionally, all "signs" with an approved Comprehensive Sign Plan must have an approved sign permit with the City of Maricopa and any additional permits as necessary.

The requirements of a Comprehensive Sign Plan shall apply for any business and/or development within a related project even if the properties have been subdivided, applies for or is required to have a Comprehensive Sign Plan, shall be evaluated based upon the following criteria:

1. Placement. All signs shall be placed where they are sufficiently visible and readable for their function. Factors to be considered shall include the purpose of the sign, its location relative to traffic movement and access points, site features and structures. In commercial centers in which some tenants are in locations having little or no street visibility, in order to provide identification, wall signs may be placed on walls of the building in which such tenants are located, even though not a wall of the space is occupied by those tenants.
2. Quantity. The number of signs that may be approved within any development shall not be greater than that required to provide project identification and entry signs, internal circulation and directional information to destinations and/or development sub-areas, and business

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identification. Factors to be considered shall include the size of the development, the number of development sub-areas, and the division or integration of sign functions.

3. Size. All signs shall be no larger than necessary for visibility and readability. Factors to be considered in determining appropriate size shall include topography, amount of sign copy, and placement of display (location and height), lettering style and the presence of distractive influences. Specific justification must be made if a request is submitted for a free-standing or wall sign to exceed by more than twenty-five percent (25%) any maximum height standard or by fifty percent (50%) any maximum area standard allowed in the regular Ordinance.
 4. Materials. Sign materials shall be compatible with architectural and/or natural features of the project. This may be accomplished through similarity of materials for sign structures and faces, the use of complementary colors, similarity of architectural style, or the use of a consistent lettering style or copy.
 5. Context. The design of all signs should respect the context of the surrounding area and the character established by existing signage. Items to be considered include, but are not limited to, lettering style, sign placement, and architectural style.
 6. Submittal Plan three (3) copies of the following should be submitted with the sign application to be reviewed by the City of Maricopa staff and Planning and Zoning Commission. The specific submittal shall include at a minimum the following information:
 - a. Information regarding the color(s), material(s), type of sign (e.g. attached or detached), and letter samples that are for all tenant, freestanding center identification signage, directional signs, window signs and any other information deemed necessary by the City of Maricopa to adequately review the Comprehensive Sign Plan (both in a graphic and written format).
 - b. A justification letter describing the request and how the sign structure, materials, and colors are compatible with the project's building architecture. Include a list in outline form of each sign requested, both freestanding and wall, to include verbiage, area in square feet, and height.
 - c. Preliminary site/landscape plan including property boundaries and dimensions. Show adjacent street right-of-way, existing and proposed; and existing/proposed street and sidewalk improvements noted to centerline. Show location of conceptual or existing landscape concepts including trees, shrubs, ground covers, berms, and screen walls.
 - d. Show location of proposed freestanding signs including dimensions, height, materials and colors, and method of illumination. Include elevations of buildings showing wall sign locations with dimensions.
- F. **Amendments.** Applications for amendments to the Comprehensive Sign Plan shall be processed in the same way as an original application. Revisions or amendments to the Comprehensive Sign Plan shall require documentation from all tenants and/or property owners on the property prior to approval.
- G. **Minor Alterations.** Minor alterations in sign locations resulting from unexpected conditions on site may be approved by the Zoning Administrator.

SEC. 2209 DISCONTINUE/CHANGE:

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- A. Whenever the use of land or structures changes, signs including any supporting structures that do not relate to the new use or to any product or service associated with the new use, shall be removed or appropriately altered within thirty (30) days of the cessation of such use.

SEC. 2210 EXCEPTIONS:

- A. **Permits Not Required:** Sign permits are not required for the following signs provided that such signs are subject to all other provisions of this Ordinance. Note: Electric permit required for all exterior electric signs.
1. Standard sign maintenance.
 2. Yard, carport or garage sale signs.
 3. Political signs.
 4. Real Estate and Open House signs (see Section 2206(D) for regulations).
 5. Nameplate signs for individual residences.
 6. Messages painted directly on, or adhesive vinyl film affixed to, the exterior surface of existing mineral glass windows; except that the aggregate square footage of such signs shall be calculated as window signage.
 7. Signs required by a county, state or federal agency provided such signs are regulated by those agencies and signs are posted per the regulations as determined by the governing agency.
 8. Portable signs.
- B. **Exempted Signage:** The provisions of this Ordinance shall not apply to the following. (Note: Electric permits are required for all exterior electric signs).
1. Pennants or insignia of any nation, state, county, city, or school.
 2. Memorial plaques, statuary or remembrances of persons or events non commercial in nature, or building identification signs and building cornerstones when cut or carved into a masonry surface or when made of non-combustible material and made an integral part of the building or structure.
 3. Works of fine art, historic or cultural artifacts when not displayed in conjunction with a commercial enterprise that may derive direct commercial gain from such display.
 4. Temporary decorations or displays celebrating the occasion of traditionally accepted patriotic, religious or local holidays or events.
 5. Signs that are relevant to the function of the property that are not visible beyond the boundaries of the lot or parcel upon which they are located, or from any public right-of-way.
 6. Signs displayed within the interior of a building.
 7. The placement and maintenance of official traffic, fire and police signs, signals and devices and markings of the State of Arizona and the City of Maricopa or other authorized public agency, and the posting of notices as required by law.

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8. Signs displayed during recognized holidays as identification of temporary sales areas for trees and similar holiday items in conjunction with an approved Temporary Use Permit. Such signs shall be exempted only when displayed within thirty (30) days of the recognized holiday.

SEC. 2211 PROHIBITED, UNSAFE AND ILLEGAL SIGNS:

- A. **Prohibited Signs:** Any sign not specifically listed as permitted by this Ordinance is prohibited, including, but not limited to, the following:
 1. Billboards are prohibited in the City of Maricopa.
 2. Signs mounted, attached, or painted on trailers, boats, or motor vehicles primarily, or left in a location for more than twenty-four (24) hours, stored, or displayed in a manner intended to attract the attention of the public for advertising purposes. This does not prohibit the identification of a firm or its principal products on a vehicle operating during the normal course of business or being taken home.
 3. Signs attached to any utility pole or structure, streetlight, traffic signal, tree, fence, fire hydrant, park bench or other location on public property unless otherwise specifically addressed in this chapter.
 4. The use of pennants, banners, balloons, streamers, and similar displays except as permitted in Section 2206.
 5. Off site signs; except those listed in Section 2206 and Section 2207 of this Ordinance.
 6. Subdivision weekend directional signs (bandit signs).
 7. Signs displayed in a manner or locations that prevent free ingress and egress from a door, window or other exit.
 8. Signs displayed in a location in such a manner as to obstruct or interfere with an official traffic sign, signal or device, or signs that obstruct or interfere with the driver's view of approaching, merging or intersecting traffic and signs within the road medians or signs that are otherwise prohibited by this Ordinance.
 9. The use of reader panel signs except as permitted in Section 2205 of this Ordinance.
 10. Fixed balloons, as defined in Section 2203 of this Ordinance used for promotional and advertisement purposes.
 11. Signage on wireless communication facilities unless otherwise required by the City of Maricopa.
 13. Signs placed on: walls; utility poles and housings; traffic control poles or control panels; and mailboxes.
- B. **Unsafe Signs:**
 1. If the Building Official, or his designee, determines any sign or sign structure to be in an unsafe condition, he shall immediately notify, in writing, the owner of such sign who shall correct such condition within forty-eight (48) hours.

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2. If the correction has not been made within forty-eight (48) hours, the Building Official, or his/her designee, may have the sign removed if it creates a danger to the public safety or have any necessary repairs or maintenance performed at the expense of the sign owner or owner or lessee of the property upon which the sign is located.
3. Where permitted, all electric digital signs shall comply with the following requirements:
 - a. Each message displayed on an electronic sign must be static or depicted for a minimum of thirty (30) seconds.
 - b. Where text is displayed on a background, the text shall be brighter than the background, i.e., dark text shall not be displayed on a bright background.
 - c. Electronic signs may not contain animation or any flashing of lights, moving lights or any type of video.
 - d. Lighting from the sign must no exceed an intensity of 0.5 foot candles of light at the property line.

C. Illegal Signs:

1. The Zoning Administrator, or other designated City of Maricopa official, shall require removal of all illegal signs or legal signs placed in prohibited locations.

SEC. 2212 NONCONFORMING LIMITATIONS ON SIGNS:

A. Legal Nonconforming Signs:

1. Legal nonconforming sign(s) shall mean a sign which is/are lawfully existing at the time of the enactment of this Ordinance which does not conform to the regulations as specified in this Ordinance.
2. A legal nonconforming sign may continue to be utilized in association with an approved permitted use only in the manner and to the extent that it existed at the time of the adoption of this Ordinance or any amendment thereto.
3. A legal nonconforming sign may not be altered in any manner not in conformance with this Ordinance.
4. This does not apply to the normal repair, maintenance or replacing of existing copy provided that structural alterations are not required as part of the repairs, maintenance, or replacing of existing copy.
5. Any sign which becomes nonconforming subsequent to the effective date of this Ordinance, either by reason of annexation to the City of Maricopa or amendment to this Ordinance, shall be subject to the provisions of this Ordinance.
6. Notwithstanding any other provision of this article, legal nonconforming signs that are located on a parcel of property which is severed from a larger parcel of property and acquired by a public entity for public use by condemnation, purchase or dedication may be relocated on the remaining parcel without extinguishing the legal nonconforming status of that sign provided that the nonconforming sign:
 - a. Is not increased in area or height;

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- b. Remains structurally unchanged except for reasonable repairs or alterations;
- c. Is placed in the same relative position on the remaining property that it occupied prior to the relocation; and
- d. Is relocated in a manner so as to comply with all applicable safety requirements.

B. Signs For a Legal Nonconforming Use:

1. New or additional signs for a nonconforming use shall not be permitted.
2. A nonconforming sign for a nonconforming use which ceases to be used for a period of three hundred sixty-five (365) consecutive days or is suspended by a conforming use, shall be considered a prohibited sign and shall be removed or brought into conformance upon establishment of a conforming use.

C. Alteration or Removal of Nonconforming Signs:

1. A nonconforming sign structure shall not be re-erected, relocated or replaced unless it is brought into compliance with the requirements of this Ordinance; except as provided for in Section 2212(A)(5) of this Ordinance.
2. Any construction permit which invokes Certificate of Occupancy requirements shall specify and require that any nonconforming sign located within the boundaries of the development site authorized by said permit shall be brought into conformance with the provisions of this Ordinance. Provided that if the nonconforming sign is a type of sign that is prohibited under Section 2211 of this Ordinance, it shall be removed.
3. Any nonconforming sign that is allowed to deteriorate to such an extent that the cost of repair or restoration is more than fifty (50) percent of the cost of reconstruction shall either be removed or be rebuilt in full conformity with this Ordinance. Notwithstanding this provision, nonconforming signs may be repaired or replaced if the repairs or restoration are necessary due to acts of God, or the negligent act of or vandalism to the sign by a third party.

D. Signs Rendered Discontinued:

1. Sign structures which remain vacant, unoccupied, devoid of any message, or display a message pertaining to a time, event or purpose that no longer applies shall be deemed to be discontinued.
2. Any sign which is located on property which becomes vacant and unoccupied for a period of ninety (90) consecutive days shall be deemed to be discontinued.
3. A sign whose use has been deemed discontinued is prohibited and shall be removed by the owner of the sign or owner of the premises.

-----**End of Article 22**-----

14. Delete **Section 2306** in its entirety.
15. Delete **Sections 2323-2327** in their entirety.

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16. Amend **Section 2330(b)(1)** by replacing the language in (b)(1) with the following:

“A dwelling unit, transportable in one or more sections, manufactured after June 15, 1975, built to HUD standards with a HUD seal affixed, and does not include a Recreational Vehicle as defined in Sec. 456a, or a Mobile Home or Factory-Built building (modular) as defined in this section, which:”

and by adding new Subsection (E) to read:

E. Only manufactured homes completed after June 15, 1976 to standards established by the U.S. Department of Housing and Urban Development shall be allowed within the incorporated areas of the City of Maricopa.

17. Delete **Section 2330©)** in its entirety.

18. Delete **Section 2401** in its entirety and replace it with the following language:

There is hereby created, pursuant to A.R.S. §9-462.06 a Board of Adjustment. The Board of Adjustment shall consist of no fewer than five (5) and no more than seven (7) members. Until and unless a separate Board of Adjustment is actually appointed by the City Council, the City Council shall serve as the Board of Adjustment, as permitted by A.R.S. §9-462.06(A).

19. Amend **Section 2402** by deleting the phrase “regularly at least once a month and more often, if necessary, for” and replace it with “as often as reasonably necessary for the orderly”

20. Delete **Section 2705** in its entirety and replace it with the following language:

A fee schedule may be adopted by the City Council to cover expenses for the issuance of permits to erect, construct, reconstruct, inspect, alter or change the use of any building or other structure within any portion of the City of Maricopa, for any application required or services provided under this Code. Said fee schedule shall be known as the City of Maricopa Planning and Development Services Fee Schedule and may be revised by the Council as needed to keep current with rising expenses incurred for processing permits and applications required by this Code. The adoption or revision of a fee schedule shall not effect any change in the Ordinance itself.

21. Delete **Sections 2706-2710** in their entirety.

22. Amend **Section 2711** by deleting the phrase “Sheriff of Pinal County” and replacing it with the phrase “Zoning Administrator” and replace the phrase “said county” with “City of Maricopa.”

23. Amend **Section 2713** by deleting the phrase “pursuant to A.R.S. §11-808”.

24. Amend **Section 2714** by replacing all references to the Board of Supervisors with “City Council” and deleting all language after the second reference to Board of Supervisors therein.

25. Delete **Article 32** in its entirety without renumbering the remaining Sections.

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26. Amend **Section 3304** by substituting the number "28" for "27" in the second line. Section 3304 is further amended by deleting the phrase " of \$1,000.00" and replacing it with "set by resolution of the Council."
27. Delete **Section 3405** in its entirety.
28. Delete **Section 3408** in its entirety.
29. Delete **Section 3504(5)** in its entirety.¹⁶

¹⁶Amended Section 3504

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Section 16-1-5 Adoption of Light Pollution Code

- A. Adoption of Maricopa Light Pollution Code as part of Zoning Code
That certain document entitled and known as the “Pinal County Light Pollution Code,” as amended and in effect as of June 1, 2004, is hereby adopted as the Article 35 of the Maricopa Zoning Code and made a part of this chapter the same as though said code was specifically set forth in full herein, with changes and amendments to the code as set forth in subsection B. At least three copies of said code shall be filed in the office of the city clerk and kept available for public use and inspection.
- B. **Amendments to the provisions of the Light Pollution Code.**
1. Amend Section 1.02 by adding the word “City” prior to Code.
 2. Replace Section 2.01 in its entirety with the following:
A complete lighting unit consisting of a lamp or lamps and ballast(s) (when applicable) together with the parts designed to distribute the light, position and protect the lamps, to connect the lamps to the power supply for:
 1. Buildings, structures, and architectural features.
 2. Recreational areas.
 3. Parking lot lighting.
 4. Landscape lighting.
 5. Signage (advertising or others).
 6. Street lighting.
 7. Building overhangs and open canopies.
 8. Product display area lighting.
 9. Walkways
 10. Horse arenas, corrals and animal containment areas.
 3. Amend Section 2.03 by deleting the language “but shall not apply to those outdoor light fixtures installed prior to such date.”
 4. Amend Section 4.03 by deleting the language “except that landscaping may be illuminated using incandescent lamp and fixture of less than 150 watts.”
 5. Add new Section 4.04 as follows:

Mercury Vapor
The installation of mercury vapor fixtures is prohibited. Existing mercury vapor fixtures shall be removed and replaced with compliant lighting fixtures.
 6. Delete Section 5.01 in its entirety.

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7. Amend Article 8 by inserting the phrase “class one (1)” prior to the word “misdemeanor.”

Section 16-1-6 Applications for Permits and Approvals

The Zoning Administrator or Planning and Zoning Commission and its staff may require with all applications whatever data and information is deemed necessary to reasonably determine that the proposed work is in compliance with requirements of the Codes and other pertinent laws and ordinances.

Section 16-1-7 Violations and Penalties

A. Criminal Penalties

1. Any person who violates any provision of the Zoning Code shall be guilty of a class one (1) misdemeanor, punishable as set forth in this code or state law.
2. Each failure to obtain a required permit clearance, certification, review, approval or inspection shall constitute a separate violation.

B. Civil Penalties

1. Any person, or enterprise, as defined pursuant to Arizona Revised Statutes Section 13-105, who violates any provision of this chapter shall be subject to a civil penalty as an alternative method of enforcing this chapter.
2. No person shall be subject to a criminal penalty for a violation enforced under the civil penalty provisions of this section.
3. The amount of the civil penalty for the violation of this chapter shall be determined by the city magistrate, subject, however, to the directions of the city council which may, but is not required to, establish a schedule of such penalties. Said penalties shall not exceed the amount of one thousand (\$1,000) dollars for an individual or ten thousand (\$10,000) dollars for an enterprise for each offense.
4. Any person alleged to be subject to a civil penalty under this section shall be entitled to an administrative hearing regarding their liability and a review of that decision by the city council if requested in writing within seven days of the decision at the administrative hearing. The administrative hearing shall take place before the city magistrate, subject to any rules of procedure for the same as may be adopted by the city council from time to time.

C. Other Methods of Enforcement

The city council, the city attorney, the building official, or any adjacent or neighboring property owner who shall be especially damaged by the violation of any provision of this Chapter, may initiate other remedies provided by law (e.g. an injunction, writ of mandamus, abatement) or any other appropriate action, proceeding or proceedings to prevent, abate or remove such violation of this chapter.

D. Separate Offenses

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Any person, firm, corporation or other enterprise as defined above violating this chapter shall be deemed guilty of a separate offense for each and every day during which a violation of the provisions of this chapter is committed, continued or permitted.

Section 16-1-8 Conflicting Provisions

Where, in any specific case, different sections of the Zoning Code or city code specify the use of different standards, different construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general and specific requirement, the specific requirement shall be applicable.

Section 16-1-9 Severability

If any section, subsection, clause, phase or portion of this chapter, or any part of the Zoning Code adopted by reference herein, 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 portion thereof.

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Article 16-2 Planning and Zoning Commission¹⁷

16-2-1	Establishment
16-2-2	Powers
16-2-3	Duties
16-2-4	Membership
16-2-5	Term of Office
16-2-6	Nonattendance/Removal
16-2-7	Organization

Section 16-2-1 Establishment

There is hereby established, pursuant to Arizona Revised Statutes A.R.S. § §9-461.01 *et seq.*, a planning agency known as the City of Maricopa Planning and Zoning Commission ("Commission").

Section 16-2-2 Powers

The Commission is the planning agency for the City and shall have all powers necessary to enable it to fulfill its planning function in accordance with the Arizona Revised Statutes. The Commission shall provide an advisory function to assist the City Council in making decisions pertaining to amendments to the General Plan and this Ordinance, as well as applications for development approval. In no event is the Commission authorized to render a final decision approving, denying, or conditionally approving a change in the Zoning Ordinance or General Plan, or to render a final decision on an application for development approval; except as otherwise expressly authorized in this Ordinance

Section 16-2-3 Duties

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

1. To hold public hearings when necessary or when required by law.
2. To initiate, hear, review, and make recommendations to the City Council regarding applications for amendments to the General Plan or Area Specific Plans, in accordance with the provisions of this Ordinance. On an annual basis review and make recommendations to the Mayor and Council concerning the General Plan as well as plans for the development of any land outside the City's planning area, which in the opinion of the Commission, is substantially related to the planning of the City.
3. To make recommendations to the City Council on all matters concerning or relating to the creation or amendment of Zoning Ordinances, the boundaries thereof, the appropriate regulations to be enforced therein, and to undertake any other activities usually associated therewith and commonly known as "planning and zoning".
4. To initiate, hear and review applications for amendments to either the Zoning District Map and/or the text of the Zoning Ordinance, in accordance with the provisions of this Ordinance.

¹⁷ AMENDED Section 16-2

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5. To serve as the advisory body to the City Council on such matters as applications for site plan review, conditional use permits, protected development rights plans, and any other permit or review process in accordance with the provisions of this Ordinance.
6. To hear, review and decide on subdivision preliminary plats, in accordance with the provisions of the City's Subdivision Ordinance.
7. To confer and advise with other city, county, regional, or state planning agencies and commissions.

Section 16-2-4 Membership

The Commission shall consist of:

- A. The Commission consists of seven (7) members. Each Council Member shall sponsor one of the seven (7) Commission members. Each Commission member shall be nominated by the sponsoring Council Member and appointed by a majority approval of Council at a Council meeting. Such appointments shall occur within three (3) months of the seating of the sponsoring Council Member.
- B. Commission members shall be of good character, be a registered voter within the City of Maricopa and have established residency within the City of Maricopa incorporated limits for a duration of no less than one (1) year prior to their appointment. Commission members shall maintain residency within the City for the duration of the term to which they have been appointed.
- C. Commission members shall not: hold any City, County, State or Federal elected office; be employed or under contract with the City while a member of the Commission; be a member of any City standing committee or commission.
- D. Commission members shall serve at the pleasure of, the Council without compensation, except reimbursement for actual and reasonable expenditures.
- E. Commission members shall meet all requirements, technical and otherwise, as set forth in the Commission membership application.

Section 16-2-5 Term of Office

The term of office of the members of the Planning and Zoning Commission shall correspond to the election term of the sponsoring Council member. Upon expiration of the sponsoring Council member's term, Commission members shall continue to hold office until their sponsoring Council Member's successor is elected. In the event of a death, resignation, or removal from the Commission, a resident of the City may apply to be appointed by the sponsoring Council member and once approved by Council shall fill the vacancy.

Section 16-2-6 Nonattendance/Removal

Members of the Commission shall serve at the pleasure of Council and may be removed by a majority vote of Council. Any member who accumulates two successive un-excused absences

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during a calendar year from any regular or special meeting shall, unless good cause for the absences is established prior, be removed by the Council.

Section 16-2-7 Organization

- A. Officers. The Commission shall elect a chairperson and vice-chairperson from among its own members. The chairperson shall preside at all meetings and shall take such actions as necessary to preserve order and the integrity of all proceedings before the Commission. The vice-chairperson shall perform the duties of the chairperson in the latter's absence or disability.
- B. Meetings. The Commission shall hold at least one regular meeting in each month at such time and place as may be fixed by the Planning and Zoning Commission. Special meetings of the Commission may be called by the chairperson, or by any three members of the Planning and Zoning Commission. Meetings of the Commission shall be open to the public, with only such exceptions as may be permitted by state law with respect to executive session, and public input shall be permitted in all public meetings on matters before the Commission. The minutes of the proceedings, showing the vote of each member and records of its examinations and other official actions, shall be kept and filed in the Planning Office and the office of the City Clerk as a public record.
- C. Quorum. Four (4) members of the Commission shall constitute a quorum for the transaction of business. No matter may be considered by the Commission unless there are four (4) or more members present who are eligible/qualified to vote on the matter. The affirmative vote of at least the majority of the quorum present and voting shall be required to pass a motion. If a member has been present for the entire presentation of an issue that member may abstain from voting only because they have a conflict of interest or as soon as the conflict is discovered. If a member has a conflict of interest he/she shall declare said conflict of interest prior to the presentation and shall abstain from all discussion and deliberation on the matter in question. The Chairperson shall seek direction to proceed from legal council when conflict of interests is raised.
- D. Rules and Regulations. and Regulations. The Commission shall follow the general procedures of *Robert's Rules of Order* for the conduct of its meetings in the event of a procedural dispute. The Commission may make and publish by-laws to govern its proceedings and to provide for its meetings which shall not be inconsistent with the ordinances of the city and the laws of Arizona. The by-laws and any amendments thereto shall, prior to adoption, be reviewed by the City Attorney and approved by the City Council.

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Article 16-3 Zoning Annexed Land¹⁸

County zoning shall continue in effect on land previously zoned by the county and annexed by the City until City zoning is applied to the land in accordance with the provisions of this Chapter, however, in no event shall county zoning continue on the land for longer than six (6) months after annexation. Nothing contained herein shall prohibit the City from beginning the rezoning process for the land to be annexed prior to the effective date of the annexation.

¹⁸ Amended Section 16-3

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Article 16-4 Citizen Participation Requirements¹⁹

- 16-4-1 Citizen Participation Plan
- 16-4-2 Citizen Review Process
- 16-4-3 Citizen Participation Report

Section 16-4-1 Citizen Participation Plan

- A. Every application which requires a public hearing shall include a citizen participation plan which must be implemented no later than fifteen (15) calendar days prior to the first public hearing.
- B. The purpose of the citizen participation plan is to:
 - 1. Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;
 - 2. Ensure that the citizens of the City of Maricopa and adjacent property owners have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and
 - 3. Facilitate ongoing communication between the applicant, interested citizens and property owners, city staff, and elected officials throughout the application review process.
- C. The citizen participation plan is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow informed decision making.
- D. At a minimum the citizen participation plan shall include the following information:
 - 1. A narrative discussing the proposed time, place and location within the City of Maricopa of the neighborhood meeting;
 - 2. A list of names and addresses and addressed, stamped envelopes of all the property owners within the target area, as determined in subsection E below, of the subject property, with an affidavit by the applicant that the list of names and addresses is accurate, current and complete;
 - 3. A list of names and addresses of all other interested parties who have requested that they be placed on a notification list maintained by the Planning Department;

¹⁹ Amended Section 16-4

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4. A property owner notification letter including a general explanation of the substance of the proposed application, the date, time and place within the City of Maricopa scheduled for a neighborhood meeting; and the City of Maricopa and applicant contacts;
 5. An 8 ½ " x 11" reduction of the proposed neighborhood sign; and
 6. The applicant's schedule for completion of the citizen participation plan.
- E. The level of citizen interest and area of involvement will vary depending on the nature of the application and the location of the site. The target area for early notification will be determined by the applicant after consultation with the Planning Department.
- F. These requirements apply in addition to any notice provisions required elsewhere.
- G. Thirty (30) calendar days to ninety (90) calendar days prior to the public hearing, the applicant may submit a citizen participation plan and begin implementation prior to formal application at their discretion. This shall not occur until after the required pre-application meeting and consultation with the Planning Department staff.

Section 16-4-2 Citizen Review Process

- A. Prior to scheduling a public hearing before the Planning and Zoning Commission, an applicant shall submit materials including, but not limited to, the materials listed in Section 16-4-2(c)(i) below, for citizen review to the Planning Department and conduct a neighborhood meeting within the City of Maricopa.
- B. Notice of the neighborhood meeting shall be given to the Planning Department at least fifteen (15) calendar days prior to the neighborhood meeting in the following manner:
1. A written notice of application shall be mailed to all landowners of property within the target area, as determined by sub-section E of the Citizen Participation Plan Section, of the subject property, and to such other persons as the Planning Department, or authorized designee, determines to be other potentially affected citizens.
 2. A notice of neighborhood meeting shall be published once in a newspaper of general circulation published or circulated in the City of Maricopa and shall include the date, time, location and nature of the meeting.
 3. The applicant shall post the proposed site with a neighborhood meeting sign. The sign shall be colored as approved by the Planning

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Department, waterproof and have a minimum size of twenty four (24) inches by thirty six (36) inches with all information evenly spaced and organized in a readable manner. The sign shall include the proposal, project description, time, date, location of neighborhood meeting, the names and telephone numbers citizens may call with complaints and applicant and City of Maricopa contacts, including name and telephone number. The sign shall be placed on the property in a location determined by the Planning Department or authorized designee.

- C. The Planning Department or authorized designee shall be responsible (i) to review and approve the property owner notification, newspaper advertisement, neighborhood meeting sign, neighborhood meeting location, a brief description of the property change and a land map; (ii) to notify the applicant to proceed with the neighborhood meeting; and (iii) for mailing the property owner notifications provided by the applicant.
- D. Prior to holding the neighborhood meeting, the applicant shall receive written approval from the Planning Department or authorized designee.
- E. The applicant shall notify all applicable school district(s) not less than thirty (30) calendar days prior to any neighborhood meeting or public hearing on a (i) general plan amendment; (ii) new specific area plan or amendment to an existing specific area plan or (iii) rezoning request or text amendment to the Zoning Ordinance. The applicant shall provide the Planning Department with a letter from the applicable school district(s) indicating that the applicant has contacted and met with the school district(s). Such letter shall be submitted to the Planning Department not less than seven (7) calendar days prior to any public hearing on a (i) general plan amendment; (ii) new specific area plan or amendment to an existing specific area plan or (iii) rezoning request or text amendment to the Zoning Ordinance.

Section 16-4-3 Citizen Participation Report

- A. This section applies only when a citizen participation plan is required to be submitted by an applicant.
- B. The applicant shall provide a written report on the results of their citizen participation effort prior to the notice of public hearing. This report will be attached to the Planning Department's public hearing report.
- C. At a minimum, the citizen participation report shall include the following information:
 - 1. Details of techniques the applicant used to involve the public, including:
 - a. Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal;
 - b. Content, dates mailed, and numbers of mailings, including

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letters, meeting notices, newsletters, maps and other publications;

- c. Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located;
 - d. A copy of the sign in sheet from the neighborhood meeting which shall include attendees signature, physical property address, date and the following language "This sign in sheet is intended to serve as proof that public input was pursued. Your personal information will not be used for solicitation purposes";
 - e. A photograph of the posted neighborhood meeting sign showing the date and time at which the photo was taken; and
 - f. A newspaper clipping of the legal advertisement as published in the newspaper of general circulation in the City of Maricopa.
2. A summary of concerns, issues and problems expressed during the process, including:
 - a. The substance of the concerns, issues, and problems;
 - b. How the applicant has addressed or intends to address concerns, issues and problems expressed during the process; and
 - c. Concerns, issues and problems the applicant is unwilling or unable to address and why.
 3. Minutes of the neighborhood meeting(s).

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Article 16-5	Board of Adjustment²
16-5-1	Establishment
16-5-2	Powers
16-5-3	Duties
16-5-4	Membership
16-5-5	Term of Office
16-5-6	Nonattendance/Removal
16-5-7	Organization
16-5-8	Procedure
16-5-9	Fees
16-5-10	Public Hearings
16-5-11	Board of Adjustment Approval Action
16-5-12	Board of Adjustment Denial Action
16-5-13	Board of Adjustment Conditional Approval
16-5-14	Board of Adjustment Guarantees

Section 16-5-1 Establishment

There is hereby established, pursuant to Arizona Revised Statutes A.R.S. § 9-462.06, a Board of Adjustment known as the City of Maricopa Board of Adjustment ("Board"). Until a separate Board of Adjustment is appointed by the City Council, the City Council shall serve as the Board of Adjustment, as permitted by A.R.S. §9-462.06(A).

Section 16-5-2 Powers

The Jurisdiction of the Board of Adjustment shall be throughout the incorporated area of the City of Maricopa. The Board shall have the following authorities:

- A. Interpret the Zoning Ordinance when: the meaning of any word, phrase, or section is in doubt; when there is dispute as to such meaning between the appellant and the Zoning Administrator or their designee; or when the location of a zone boundary is in doubt.
- B. Authorize a reduction of the off-street parking and loading requirements of the City of Maricopa Zoning Ordinance, if it should find that in the particular case the peculiar nature of the building or premises, or an exceptional situation or condition, would mitigate the need for the parking spaces specified.
- C. Authorize variances from the strict application of the provisions of the Zoning Ordinance in cases in which the strict application of such provisions would result in the serious impairment of substantial property rights, provided the long-term interests of the community are given full consideration. The applicant at the hearing shall present a statement and adequate evidence in such form as the Board shall require satisfying, at minimum, the requirements set forth below:
 1. There exist special circumstances or conditions regarding the land, building, or use referred to in the applications which do not apply to other properties in regards to the Zoning designation of the property.
 2. The special circumstances or conditions are preexisting and are not created or self-imposed by the owner or the applicant.

² Added Article 16-5 by Ordinance 10-05 Adopted 05/04/10

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3. The Variance is necessary for the preservation of substantial property rights. Without a Variance the property cannot be used for purposes otherwise allowed within the Zoning designation. The need for adequate financial return is not a legitimate basis for a variance.
 4. The authorizing of the variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, or to the neighborhood or the public welfare.
 5. Any other requirements as defined in ARS § 9-462.06 G. 2.
- D. Act on disputed Temporary Use Permits (TUP). Such disputed TUP shall be approved, approved with conditions or denied by the Board.
 - E. Hear and decide Notice of Appeals from the decisions of the Zoning Administrator (“Notice of Appeal”).

Section 16-5-3 Duties

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

- A. To conduct public meetings and hold public hearings: as often as reasonably necessary for the orderly transaction of business; as needed to maintain compliance with all City administrative procedures, ordinances of the City and the laws of Arizona; as requested by the City Manager or his designee, or, when required by law. The BOA will convene if, and when, an appeal is made by an applicant. A variance is needed with respect to the Zoning Code, or a Temporary Use Permit is disputed
- B. Elect officers; Chairperson and Vice-Chairperson.
- C. Adopt rules and procedures necessary and/or convenient to conduct business.
- D. Keep a record of its actions, minutes of the meeting.
- E. Render a quarterly report to the City Council and the Planning and Zoning Commission; when applicable.

Section 16-5-4 Membership

The Board of Adjustment shall consist of:

- A. The Board consists of seven (7) members. Each Council Member shall sponsor one of the seven (7) Board members. Each Board member shall be nominated by the sponsoring Council Member and appointed by a majority approval of Council at a Council meeting. Such appointments shall occur within three (3) months of the seating of the sponsoring Council Member.
- B. Board members shall be of good character, be a registered voter within the City of Maricopa and have established residency within the City of Maricopa incorporated limits for a duration of no less than one (1) year prior to their appointment. Board members shall maintain residency within the City for the duration of the term to which they have been appointed.

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- C. Board members shall not: hold any City, County, State or Federal elected office; be employed or under contract with the City while a member of the Board of Adjustment; be a member of any City standing committee or commission.
- D. Board members shall serve at the pleasure of Council without compensation, except reimbursement for actual and reasonable expenditures.
- E. Board members shall meet all requirements, technical and otherwise, as set forth in the Board of Adjustment membership application.

Section 16-5-5 Term of Office

The term of office of the members of the Board of Adjustment shall correspond to the election term of the sponsoring Council member. Upon expiration of the sponsoring Council member's term, Board members shall continue to hold office until their sponsoring Council Member's successor is elected. In the event of a death, resignation, or removal from the Board, a resident of the City may apply to be appointed by the sponsoring Council member and once approved by Council shall fill the vacancy.

Section 16-5-6 Nonattendance/Removal

Members of the board shall serve at the pleasure of Council and may be removed by a majority vote of the Council. Any member who accumulates two successive un-excused absences during a calendar year from any regular or special meeting shall, unless there is a good cause for the absences is established prior, be removed by the Council.

Section 16-5-7 Organization

- A. Officers. The Board of Adjustment shall elect a chairperson and vice-chairperson from among its own members. The vice-chairperson shall perform the duties of the chairperson in the latter's absence or disability. The chairperson shall have the following powers:
 - 1. Preside at all meetings, and take such actions as necessary to preserve order and the integrity of all proceedings before the Board of Adjustment.
 - 2. Administer oaths and take evidence
- B. Meetings. The Board of Adjustment shall meet as may be necessary to fulfill their duties. Meetings of the Board shall be open to the public, with only such exceptions as may be permitted by state law with respect to executive session. Public input shall be permitted in all public meetings on matters before the Board. The minutes of the proceedings, showing the vote of each member and records of its examinations and other official actions, shall be kept and filed in the office of the City Clerk as a public record. City will provide support staff including: Zoning Administrator, Attorney, BOA Secretary for taking Minutes, and other staff as necessary
- C. Quorum. Four (4) members of the Board shall constitute a quorum for the transaction of business. No matter may be considered by the Board unless there are four (4) or more members present who are eligible/qualified to vote on the matter. The affirmative vote of at least the majority of the quorum present and voting shall be required to pass a motion. If a member has been present for the entire presentation of an issue that member may abstain from voting only because they have a conflict of interest. If a member has a conflict of interest he/she shall declare said conflict of interest prior to the presentation or as soon as the conflict is discovered and shall abstain from all discussion and

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deliberation on the matter in question. The Chairperson shall seek direction to proceed from legal council when conflict of interests is raised.

- D. Rules and Regulations. The Board shall follow the general procedures of *Robert's Rules of Order* for the conduct of its meetings in the event of a procedural dispute. The Board may make and publish by-laws to govern its proceedings and to provide for its meetings which shall not be inconsistent with the ordinances of the City and the laws of Arizona. The by-laws and any amendments thereto shall, prior to adoption, be reviewed by the City Attorney and approved by the City Council.

Section 16-5-8 Procedure

- A. All applications for, Variance(s) shall be made by the owner or their representative to the Board of Adjustment in the form of a written application. Said applications shall be made on forms provided by the Development Services Department, shall be filed with the Development Services Department and shall be accompanied by all necessary information as indicated by the application and evidence satisfactory to the Board of Adjustment, of the ability and intention of the applicant to proceed with actual construction or location of use in accordance with said plans within six (6) months after approval.
- B. All Temporary Use Permit (TUP) Dispute requests shall be made by a property owner within the notification area as set forth in the City of Maricopa Zoning Ordinance and shall be submitted to the City of Maricopa Development Services Department, over the counter, within the ten (10) day posting period as defined by the City of Maricopa Zoning Ordinance. The dispute shall be written and submitted to the City of Maricopa Development Services Department by hand delivery prior to 5:00 PM on or prior to the last regular business day in which the ten (10) day posting period expires; which ever occurs first. Requests submitted by mail via carrier, email or phone call shall not constitute a formal Temporary Use Permit Dispute and will not be accepted for consideration. The following must be included within the dispute letter:
1. Name, address and signature of the disputer.
 2. Date of dispute.
 3. Reason for dispute of the Temporary Use Permit.
 4. Address of disputed Temporary Use Permit.
 5. Name of Business and/or property owner, Temporary Use Permit Case Number; example: "TUP00.00."
 6. Any other information as requested by the Board of Adjustment, the City of Maricopa Zoning Administrator or their designee.

Note any dispute which does not meet the above criteria shall not be accepted by the City of Maricopa

- C. A Notice of Appeal of a Zoning Administrator Decision(s) to the Board of Adjustment may be submitted by person(s) aggrieved or by an officer, department, board, or bureau of the City of Maricopa affected by the decision of the Zoning Administrator. All Notice of Appeals shall be filed with the Development Services Department in the following manner:

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1. A Notice of Appeal of a Zoning Administrator Decision must be filed with the Development Services Department, submitted over the counter, within thirty (30) days of receipt of the written decision by the Zoning Administrator and/or the approval or denial by the City Council. Such Notice of Appeal shall specify the grounds of the appeal. The Zoning Administrator, once a Notice of Appeal is received, shall immediately transmit all records pertaining to the action appealed to the Board. A Notice of Appeal submitted by Mail via carrier, email or phone call shall not constitute a formal submittal of a Notice of Appeal of a Zoning Administrator Decision and will not be accepted for consideration.
2. The following must be included to constitute a formal Notice of Appeal of a Zoning Administrator decision:
 - a. The formal written decision of the Zoning Administrator and/or the City Council.
 - b. Name address and signature of the property owner and/or their designee.
 - c. Date of appeal.
 - d. Reason for appeal and any justification for such appeal.
 - e. Address as it relates to the location of the appeal or information as necessary to determine the location in which was affected by the Zoning Administrator decision.
 - f. Case number of project; if applicable.
 - g. A list showing the names and addresses of all persons, firms or corporations appearing of public record as owning property within the area proposed to be affected and within three hundred (300) feet of any part of the property for which the Notice of Appeal is requested. The list must include the names of all persons purchasing land under recorded contracts of sale, and must be certified as to completeness by the applicant or a person/entity otherwise qualified with knowledge of the public records.
 - h. Any other information as requested by the Board of Adjustment.

Section 16-5-9 Fees

Uniform non-refundable fees are set forth in the City of Maricopa Development Services Fee Schedule approved by the City of Maricopa City Council.

Section 16-5-10 Public Hearings

All submittals to the City of Maricopa Board of Adjustment shall require Public Hearings. Such Public Hearing Requirements shall be in accordance with the City of Maricopa Zoning Ordinance and ARS § 9-462.04 & 9-462.06. Where there are deviations in Public Hearing requirements between that of the City of Maricopa Zoning Ordinance and the Arizona Revised Statutes the Zoning Administrator or their designee may have the right to waive certain requirements of the City of Maricopa Zoning Ordinance; but may not waive any of the minimum requirement as set forth within ARS § 9-462.04 & 9-462.06.

Section 16-5-11 Board of Adjustment Approval Action

- A. Variance: In the event the Board of Adjustment finds that substantial conformity to standards previously established in the zone and/or on the property may be secured and that detriment, nuisance or injury to the neighborhood will not result from the granting of a variance, as applied for, the Board may approve or conditionally approve the issuance of said variance and transmit notice of the Board's action to the Zoning Administrator. A report of the findings and recommendations and any conditions imposed or required shall also be submitted promptly to the Planning and Zoning Commission and the City Council.

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- B. Temporary Use Permit Dispute Request: In the event the Board of Adjustment receives a Temporary Use Permit Dispute Request and finds that substantial conformity to standards previously established in the zone and/or on the property shall not impose a detriment, nuisance or injury to the neighborhood as a result from the approval of a Temporary Use Permit as applied for, the Board may approve or conditionally approve the issuance of said Temporary Use Permit and transmit notice of the Board's action to the Zoning Administrator. A report of the findings and recommendations and any conditions imposed or required shall also be submitted promptly to the Planning and Zoning Commission and the City Council.
- C. Notice of Appeal: In the event the Board of Adjustment receives a Notice of Appeal and finds that substantial conformity to standards previously established in the zone and/or on the property may be secured and that detriment, nuisance or injury to the neighborhood will not result from the overturning the ruling of the Zoning Administrator, the Board may overturn or conditionally overturn the Zoning Administrator Decision and transmit notice of the Board's action to the Zoning Administrator. A report of the findings and recommendations and any conditions imposed or required shall also be submitted promptly to the Planning and Zoning Commission and the City Council.

Section 16-5-12 Board of Adjustment Denial Action

- A. Variance: In the event the Board of Adjustment denies an application for a variance, no variance shall be issued pending further action thereon by an appeal to the Superior Court within thirty (30) days from the date said denial is officially entered on the minutes of the Board. If said Court shall overrule the action of the Board, then the Zoning Administrator or their designee shall issue the requested variance without further action by the Board, unless the Court orders the Board to hold further hearings to permit the Board to fix conditions or require guarantees, as set forth in Sections 16-5-13 and 16-5-14.
- B. Temporary Use Permit Dispute Request: In the event the Board of Adjustment denies a Temporary Use Permit as a result of a Dispute Request, no permit shall be issued pending further action thereon by an appeal to the Superior Court within thirty (30) days from the date said denial is officially entered on the minutes of the Board. If said Court shall overrule the action of the Board, then the Zoning Administrator or their designee shall issue the requested permit without further action by the Board, unless the Court orders the Board to hold further hearings to permit the Board to fix conditions or require guarantees, as set forth in Sections 16-5-13 and 16-5-14.
- C. Notice of Appeal: In the event the Board of Adjustment upholds the ruling of the Zoning Administrator Decision, no decision by the Board shall be issued pending further action thereon by an appeal to the Superior Court within thirty (30) days from the date said denial is officially entered on the minutes of the Board. If said Court shall overrule the action of the Board, then the Zoning Administrator or their designee shall issue the requested appeal without further action by the Board, unless the Court orders the Board to hold further hearings to permit the Board to fix conditions or require guarantees, as set forth in Sections 16-5-13 and 16-5-14.

Section 16-5-13 Board of Adjustment Conditional Approval

In approving any application, appeal or request heard by the Board, the Board of Adjustment may designate such conditions in connection therewith as will, in its opinion to secure substantially the objectives of the regulation or provision to which such application, appeal or request is granted, to provide adequately for the maintenance of the integrity and character of the zone and/or property in which such

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application, appeal or request is granted, and shall provide the Zoning Administrator with a copy of the same. A report of its findings shall also be submitted promptly to the Planning and Zoning Commission and the City Council.

Section 16-5-14 Board of Adjustment Guarantees

Where necessary, the Board of Adjustment may require guarantees, in such form as it may deem proper under the circumstances, to insure that the conditions designated in connection therewith are being or will be complied with. Where any condition under which a Variance, Temporary Use Permit, Notice of Appeal has been granted is violated, the Variance, Temporary Use Permit, Notice of Appeal shall cease to exist and the approval of the action shall become null and void.

Title: An Ordinance adopting an official Land Use Plan providing for the creation of zoning districts in the unincorporated area of Pinal County, Arizona; prescribing area requirements, the classes of uses of buildings, structures, improvements and premises in several zoning districts; adopting a map of zones; and defining the terms used in the Ordinance.

The Board of Supervisors of Pinal County, Arizona, do ordain as follows:

ARTICLE 1

SHORT TITLE:

Sec. 101 This Ordinance may be referred to as The County Zoning Ordinance.

ARTICLE 2

GENERAL PURPOSE AND ADOPTION OF OFFICIAL LAND USE PLAN AND ZONING ORDINANCE:

Sec. 201 For the promotion and protection of the public health, peace, safety, comfort, convenience and general welfare and in order to secure for the citizens of Pinal County, Arizona, the social and economic advantages of an orderly, efficient use of land, and as a part of the Master Plan for the county, there is hereby adopted and established an official Land Use Plan and Zoning Ordinance for Pinal County, Arizona, and rules, regulations and plans by which the future growth and development of the county may be directed in accordance with the plan and Ordinance, as provided in the County Planning and Zoning Act of 1949, A.R.S. § 11-801, ET.SEQ.

ARTICLE 3

APPLICATION OF PLAN AND ORDINANCE:

Sec. 301 **GUIDING PRINCIPLES:** The following principles and rules are hereby adopted as a guide in the use and application of this Ordinance:

- a. The powers of the Board of Supervisors, the Planning and Zoning Commission, the Board of Adjustment, the Zoning Inspector and all other persons or agencies charged with the administration of this Ordinance shall be strictly limited by the expressed intent of the Legislature in the enactment of the Planning and Zoning Act of 1949, and by the language of this Ordinance.
- b. All terms used herein shall be interpreted according to their common, plain, natural and accepted usage when not otherwise defined herein.
- c. In any dispute concerning the application of any provision of this Ordinance, that solution shall be favored which is most reasonable with regard to the general purpose of this Ordinance and the established and accepted principles of American planning and zoning law.
- d. The application of this Ordinance to any property or use classified herein shall be governed by all the particular facts in each individual case, and the fundamental rights of any individual owner shall not be prejudiced by reason of his being in a minority, either in number or in land interests concerned in the application.
- e. The right of every affected property owner to petition and to be heard whenever the application of this Ordinance is at issue shall be strictly observed at all times.
- f. No special favors or privileges shall be granted to any individual or group of property owners and no permit shall be issued under the terms of this Ordinance which will or might reasonably tend to destroy the established economic or social uses and values of adjacent or surrounding properties.
On every application of this Ordinance to any given area, the relative importance of the interests involved shall be as follows:

First, established conforming uses of adjacent or surrounding properties having an equal or higher classification;

Second, the cost of tax-supported and other public services to the area affected, and the increased or decreased share of this cost which might be borne by the area if a proposed use or change of classification is permitted; and

Third, the value of the proposed classifications and uses to the orderly development of the neighborhood or area affected.

- g. The theory and use of "spot" zoning is hereby specifically repudiated in the application of any classification of this Ordinance to any given land area.

Sec. 302 REGULATIONS: Except as hereinafter provided:

- a. All property, except that covered by statutory exemptions, shall be hereby governed according to the type of zone in which it is located, as shown on the zoning maps adopted and made part hereof, and shall be subject to the regulations set forth for such zones, the regulations applying to specific uses and the general regulations of this Ordinance.
- b. No building shall be erected and no existing building shall be moved, altered, added to or enlarged nor shall any building or premises be used, designed or intended to be used for any purpose or in any manner other than a use listed in this Ordinance or amendments thereto as permitted in the zone in which such land, building or premises is located.
- c. No building shall be erected, nor shall any existing building be moved, reconstructed or structurally altered to exceed in height the limit established by this Ordinance or amendments thereto for the zone in which such building is located.
- d. No building shall be erected, nor shall any existing building be moved, altered, enlarged or rebuilt, nor shall any open spaces surrounding any building be encroached upon or reduced in any manner except in conformity with the building-site requirements and the area and yard regulations established by this Ordinance or amendments thereto for the zone in which such building is located.
- e. No yard or other open space provided about any building for the purpose of complying with the regulations of this Ordinance or amendments thereto shall be considered as providing a yard or open space for any other building or structure.
- f. No structure shall be erected in a required front yard, side yard or rear yard, except as specifically permitted herein.
- g. The express enumeration and authorization of a particular class of building, structure, premises, or use in a zone shall be deemed a prohibition of such building, structure, premises or use in all other zones of more restrictive classification.

Sec. 303 STATUTORY EXEMPTIONS: As specified in Section 16, Ch. 58, Laws 1949, A.R.S. § 11-830, the provisions of this Ordinance shall not prevent, restrict or otherwise regulate in any district or zone the use or occupation of land or improvements for railroad, mining, metallurgical, grazing or general agriculture purposes, as defined herein provided the tract or premises so used is not less than five (5) contiguous commercial acres. Land shall be classified as being used for grazing purposes when 50% or more of the owner's income from the land is derived from the use or from the rental of the land for grazing purposes, and the land shall be classified as being used for general agricultural purposes when 50% or more of the owner's income from the land is derived from the production of agricultural products or from the rental of the land for the production of agricultural products.

Sec. 304 NON-CONFORMING USES EXEMPTED: As specified in A.R.S. §11-830, the provisions of this Ordinance shall not affect existing uses of property or the right to its continued use or the reasonable repair or alteration for the purpose of this use at the time this Ordinance becomes effective. A non-conforming business use within any district or zone shall have the right to expansion, provided it does not exceed 100% of the area of the original business. Business uses as used in this Section shall be limited to the uses described in Section 1401-b, 1501-b, 1601-b, 1601-c, 1701-c, 1701-d, 1801-b, and 1801-d, of this Ordinance. Area of the original business is defined as being any land or building, or both,

improved for a business purpose.

- Sec. 305** **NON-CONFORMING USE OF LAND:** The lawful use of land existing at the time this Ordinance becomes effective, or on the effective date of any amendment of the text or of the maps hereof, although such use does not conform to the provisions hereof for the land, may be continued, but if such non-conforming use is discontinued for a period of twelve (12) months, any future use of the land shall be in conformity with the provisions of this Ordinance.
- Sec. 306** **NON-CONFORMING USE OF BUILDINGS:** The lawful use of a building existing at the time this Ordinance becomes effective, although such use does not conform with the provisions hereof for such building, and such use may be continued provided no structural alterations, except those required by law or Ordinance or permitted by the Board of Adjustment, under this Ordinance are made. If any such non-conforming use is discontinued for a period of twelve (12) months, any future use of the building shall be in conformity with the provisions of this Ordinance, provided that the owner of any building which is under construction or vacant on the effective date of this Ordinance and is designed for a use not in conformity with the zoning classification in which it is located on said date, may upon application, have a certificate of non-conforming use issued by the Zoning Inspector within 60 days from the effective date of this Ordinance, which certificate shall establish the non-conforming character of the building for a period not to exceed twelve (12) months from the effective date of this Ordinance. Occupancy of the building by a use permitted under the certificate during the period, shall establish the use as a non-conforming use under this section. A certificate for an additional period of not more than 12 months may be granted by the Board of Adjustment at or before the expiration of the original certificate upon the showing of extreme hardship and that the surrounding area would not be subject to additional damage-
- Sec. 307** **ALTERATION OF NON-CONFORMING BUILDINGS:** No existing building designed, arranged or intended for or devoted to a use not permitted under the regulations of this Ordinance for the zone in which located shall be enlarged, extended, reconstructed or structurally altered unless such building and such enlargement, extension, reconstruction and structural alterations, and the further use thereof, conform in every respect with the regulations specified by this Ordinance for such zone in which the building is located, except a non-conforming business use as provided in Section 304, but nothing in this Section shall authorize the violation of any setback, health or sanitary law, ordinance or regulation not a part of this Ordinance.
- Sec. 308** **DESTROYED NON-CONFORMING BUILDINGS:** If, at any time, any building in existence or maintained at the time this Ordinance becomes effective, and which does not conform to the regulations for the zone in which it is located, shall be destroyed by fire, explosion, Act of God or act of the public enemy to the extent of 100% of its value, the owner shall have the right to rebuild for the use, provided the structure is rebuilt in conformance with the requirements of the most restrictive zone in which the non-conforming use would otherwise be permitted and provided a permit for such construction is obtained within three (3) months of the date of destruction and such construction is started within six (6) months of the date of destruction.

ARTICLE 4

DEFINITIONS: For the Purpose of this Ordinance, certain words and terms used herein are defined as follows:

- Sec. 401** When not inconsistent with the context, words used in the present tense include the future; words in the singular number include the plural and words in the plural number include the singular; the word "building" includes the word "structure"; and the word "shall" is mandatory and not directory. "Supervisors" shall mean the Board of Supervisor of Pinal County, Arizona; "Commission" shall mean the County Planning and Zoning Commission of Pinal County; "Board" shall mean one of the Boards of Adjustment appointed under the authority of this Ordinance, and "County" shall mean Pinal County, Arizona.

- Sec. 402** **ACCESSORY BUILDING:** A subordinate building or portion of the main building on the same lot or building site, the use of which is incidental to that of the main building and which is used exclusively by the occupants of the main building(s) or their non-paying guests or employees.

- Sec. 403** **ACCESSORY USE:** A use customarily incidental and subordinate to the principal use of a lot or building located upon the same lot or building site.

- Sec. 403a** **ACRE** 43,560 square feet

- Sec. 403b** **ACRE, COMMERCIAL:** 36,000 square feet.

- Sec. 404** **AGRICULTURE:** The tilling of the soil, the raising of crops, horticulture, animal husbandry and uses customarily incidental thereto; but not including commercial slaughter houses, stockyards, meat packing plants, fertilizer yards, or plants for the reduction of animal matter.

- Sec. 405a** **AIRCRAFT:** Any motorized machine for traveling through the air for the purpose of carrying people.

- Sec. 405b** **AIRPORT, COMMERCIAL:** An airport, landing strip or landing field used by or available to commercial carriers, flight training or flying schools, private pilots or owners of non-commercial aircraft on a commercial basis.

- Sec. 406** **AIRPORT, PRIVATE:** An airport, landing strip or landing field owned and used by owners of non-commercial aircraft, including private bona fide flying clubs, on a non-commercial basis.

- Sec. 407** **ALLEY:** A way dedicated to the public which affords a secondary means of access to contiguous property.

- Sec. 408** **APARTMENT HOUSE:** (See Dwelling, Multiple)

- Sec. 409** **(DELETED 4-19-00)**
- Sec. 410** **BASEMENT:** A story partly underground and having at least one-half of its height, measured from its floor to its finished ceiling, below the average grade. A basement shall be counted as a story if the vertical distance from the average adjoining grade to its ceiling is over 5 feet.

- Sec. 411a** **BED AND BREAKFAST:** A dwelling (conventional construction only), or portion thereof, where short-term lodging rooms and meals are provided, for compensation. The operator shall live on the premises or in adjacent premises.

- Sec. 411b** **BOARDING OR ROOMING HOUSE:** A building, other than a hotel, where lodging is provided, with or without meals, for compensation, not primarily for transients.

- Sec. 412 BUILDABLE AREA:** The net portion of the lot remaining after deducting all required yards from the gross area of a lot or building site.
- Sec. 413 BUILDING:** For the purpose of this ordinance, the terms “Building” and “Structure” shall be synonymous. See STRUCTURE. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.
- Sec. 414 BUILDING HEIGHT:** The vertical distance from the average finished grade at the front of the building to the highest point of a building, exclusive of chimneys.
- Sec. 415 BUILDING SITE:** The ground area of a building or buildings together with all adjacent open spaces as required by this Ordinance.
- Sec. 416 BULK STATION:** A place where liquified petroleum, gas, and crude liquid are stored in wholesale quantities where the aggregate capacity of all storage tanks is more than 10,000 gallons.
- Sec. 416a CAMPGROUND:** An area or tract of land where space is rented or held out for rent to tent campers furnishing their own camping equipment or where free camping is permitted owners or users of tent camping equipment for the purpose of securing their trade.
- Sec. 417 CHURCH:** A building or group of buildings used primarily as a place of communion or worship. Includes convents, religious education buildings and parish houses, but not parochial schools.
- Sec. 417a CLUB OR LODGE:** A regularly constituted association of persons who have some common social purpose and which derives not more than one-half of its revenue or income from the sale of goods and services to its members or others.
- Sec. 418 COMMERCIAL ACRE:** 36,000 square feet of land.
- Sec. 419 COMMUNITY SERVICE AGENCY:** An organization such as an orphanage, home for the aged, Y.M.C.A., Y.W.C.A., Boy Scouts or Girl Scouts, C.Y.O., Y.M.H.A., Campfire Girls, or any similar agency organized as a non-profit corporation or supported in whole or in part by public subscription and primarily established to serve the social or welfare needs of the community or any part thereof, and not organized for the personal profit of any individual, group of individuals, or corporation.
- Sec. 419a. CONVENTIONAL CONSTRUCTION:** A building constructed on a permanent site, using individual structural components. See Section 2330 for additional construction types which are not conventional construction.
- Sec. 420a. DAIRY:** A facility constructed for the purpose of extracting and conditioning milk from cows bred for the purpose of milk production. The facility is so constructed as to have confinement of these cows in pens, with bunk or bunk type feeding.
- Sec. 421a DWELLING:** A building or portion thereof designed or used exclusively for residential occupancy, including single-family dwellings, two-family dwellings, duplexes, townhouses, triplexes, manufactured homes, mobile homes, modular homes, and multiple-family dwellings, but not including hotels, motels, boarding, and lodging houses.
- Sec. 421b DWELLING, DUPLEX:** A building containing only two dwelling units.
- Sec. 422 DWELLING, MULTIPLE:** A building or portion thereof containing three or more dwelling units.
- Sec. 423 DWELLING, ONE-FAMILY:** A building containing only a single dwelling unit.

- Sec. 424 DWELLING GROUP:** A group of two or more detached or semi-detached one-family, duplex or multiple dwellings occupying a parcel of land in one ownership and having any yard or court in common, including house court and apartment court, but not including tourist court.
- Sec. 425 DWELLING UNIT:** A room or suite of 2 or more rooms that is designed for, or is occupied by one family doing its own cooking therein and having only one kitchen.
- Sec. 425a FACTORY BUILT BUILDING (MODULAR):** See Section 2330.a.
- Sec. 426 FAMILY:** Any number of individuals related by blood or marriage or not more than 5 unrelated persons customarily living together as a single housekeeping unit, and using common cooking facilities, as distinguished from a group occupying a hotel or club. A family shall be deemed to include domestic servants.
- Sec. 427 FERTILIZER YARD OR PROCESSING PLANT:** A place where animal matter is collected, processed or stored on a commercial basis.
- Sec. 428 GARAGE, PRIVATE:** An accessory building or portion of the main building designed or used for the shelter or storage of self-propelled vehicles owned or operated by the occupants of the main building.
- Sec. 429 GARAGE, PUBLIC:** Premises, except those defined as a private or storage garage, used for the storage or care of self-propelled vehicles or where such vehicles are equipped for operation, or repaired, or kept for hire or sale.
- Sec. 430 GARAGE, STORAGE:** Premises, other than those defined as a private garage or public garage used exclusively for the storage of self-propelled vehicles, and for no other purpose whatever.
- Sec. 431 GRAZING:** The feeding of domestic livestock on open range or fenced pasture for commercial purposes and incidental uses; but not including commercial slaughter houses, stockyards, fertilizer yards, bone yards or plants for the reduction of animal matter.
- Sec. 432a GUEST HOUSE:** An attached or detached accessory building with no cooking facilities, used to house guests of the occupants of the principal building, and which is never rented or offered for rent.
- Sec. 432b GUEST RANCH:** A resort hotel and/or group of buildings containing sleeping units, having a building site of not less than 4 commercial acres.
- Sec. 433 HOME OCCUPATION:** An activity carried on by the occupant of a dwelling as a secondary use, including professional and semi-professional offices, when conducted and entered from within the dwelling, in connection with which there is no public display of stock-in-trade upon the premises, not more than one non-resident of the premises is employed and not more than one-fourth of the floor area of one story of the main building or a detached home workshop of not more than 200 square feet in area is used for such home occupation; and provided that the residential character of the dwelling is not changed by the use and that such occupation does not cause any sustained or unpleasant or unusual noises or vibrations, or noxious fumes or odors, or cause any parking or traffic congestion in the immediate neighborhood.
- Sec. 434 HOSPITAL:** A building or group of buildings arranged, intended, designed or used for the housing, care, observation and treatment of sick human beings.
- Sec. 435 HOTEL:** A building containing 6 or more guest rooms, in which lodging is provided and offered to the public for compensation and which is open to transient guests, together with accessory commercial uses operated primarily for the convenience of the guests.
- Sec. 436a HOTEL, RESORT:** A hotel, the buildings of which occupy not more than 30% of the

- building site.
- Sec. 436b** **KENNEL:** Any premises that are used for the commercial breeding, boarding, training, grooming or bathing of dogs, cats, and/or other small domesticated household pets (not farm animals), or for the breeding or keeping of dogs for racing purposes. (NOTE: See ARS 11-1001)
- Sec. 437** **KITCHEN:** Any room in a building which is used, intended or designed to be used for cooking or preparation of food.
- Sec. 438** **JUNK YARD:** The commercial use of more than 200 square feet of the area of any parcel of land for the storage, keeping, display or abandonment of salvageable or recyclable parts, materials, junk, or scrap or for the dismantling, demolition or abandonment of vehicles or machinery.
- Sec. 439** **LOT:** An area or parcel of land under one ownership abutting upon at least one street or area or parcel of land as shown with a separate and distinct number on a subdivision tract map or split-lot map recorded with the County Recorder of Pinal County, Arizona.
- Sec. 440** **LOT, CORNER:** A lot located at the junction of 2 or more intersecting streets, having an interior angle of less than 135 degrees, with a boundary line bordering on 2 of the streets. The point of intersection of the street lot lines is the corner.
- Sec. 441** **LOT, INTERIOR:** A lot which is not a corner lot.
- Sec. 442** **LOT, KEY:** A lot abutting along the entire length of at least one of its side lot lines, either directly or across an alley, the rear lot line of any other lot; or a lot situated between 2 such key lots.
- Sec. 443** **LOT, THROUGH:** An interior lot having frontage on 2 parallel or approximately parallel streets.
- Sec. 444** **LOT DEPTH:** The horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.
- Sec. 445** **LOT LINE:** A property line bounding a lot.
- Sec. 446** **LOT LINE, FRONT:** In the case of a lot abutting only one street, the line separating such lot from the street. In the case of a corner or through lot, the owner may elect any street lot line as the front lot line, provided such choice in the opinion of the Zoning Inspector will not be injurious to the existing or desirable future development of the adjacent properties.
- Sec. 447** **LOT LINE, REAR:** The lot line which is opposite and most distant from the front lot line. The rear lot line of an irregular or triangular lot shall, for the purpose of this Ordinance, be a line entirely within the lot at least 10 feet long and parallel to and most distant from the front lot line.
- Sec. 448** **LOT LINE, SIDE:** Any lot line not a front lot line or a rear lot line, a side lot line separating a lot from a street is a street side lot line. A side lot line separating from another is an interior side lot line.
- Sec. 449** **LOT LINE, STREET OR ALLEY:** A lot line separating a lot from a street or alley.
- Sec. 450** **LOT WIDTH:** The mean horizontal width of the lot measured at right angles to the depth.
- Sec. 450a.** **MANUFACTURED HOME:** See Section 2330.b
- Sec. 450b.** **MANUFACTURED/MOBILE HOME PARK:** A parcel of land on which two or more manufactured/mobile homes are occupied as residences, regardless of whether or not a charge is made for such accommodations. This definition does not include parcels having valid "Exemption Certificates" recorded in the Pinal County Recorder's Office.

- Sec. 450c. MANUFACTURED/MOBILE HOME SPACE:** A plot of ground within a manufactured/mobile home park designed for the accommodation of one (1) manufactured/mobile home together with its accessory structures or uses.
- Sec. 451 METALLURGICAL:** Includes the land used in treating and reducing metal bearing ores by mechanical, physical or chemical methods on a commercial basis and uses incidental thereto but does not include permanent residential housing or the fabrication of metals or metal materials.
- Sec. 452 MINING:** Includes the land necessary or incidental to the digging, excavating or otherwise procuring minerals and ores found in their natural state, but does not include permanent residential housing or the operating of a rock crusher.
- Sec. 452a MOBILE HOME:** See Section 2330c
- Sec. 452b MODULAR HOME:** See Section 2330a
- Sec. 452c MOTEL:** A building or group of buildings on the same lot, whether detached or in connected rows, containing individual sleeping or dwelling units and designed for or occupied by automobile travelers or other transient tenants.
- Sec. 453 NON-CONFORMING USE:** Use of building or of land that does not conform to the regulations as to use for the district in which it is situated.
- Sec. 454 NURSERY:** A place where young trees or other plants are raised for transplanting or for sale; does not include commercial fertilizer yard or processing plant.
- Sec. 454a. PARK MODEL:** A dwelling unit defined by A.R.S. § 41-2142-29 © as built on a single chassis mounted on wheels, designed to be connected to utilities necessary for operation of installed fixtures and appliances and has a gross trailer area of not less than three hundred twenty (320) square feet and not more than four hundred (400) square feet exterior horizontal dimension in the setup mode.
- Sec. 455 PROFESSIONAL:** Includes accountants, architects, chiroprodists, chiropractors, dentists, engineers, lawyers, naturopaths, osteopaths, physicians, surgeons, surveyors, veterinarians.
- Sec. 456 RAILROAD:** Includes the land used for general railroad purposes, including main line and switching trackage, repair shops, stations, communications equipment, round houses and storage facilities; does not include railroad equipment (miniature or otherwise) operated by its owner as a hobby or as a part of the equipment of an amusement resort.
- Sec. 456a RECREATIONAL VEHICLE (RV)/TRAVEL TRAILER:** A vehicular type unit, not exceeding eight (8) feet in width nor more than forty (40) feet in length primarily designed as temporary living quarters for recreational, camping or travel use. The unit either may have its own motive power or may be mounted on or drawn by another vehicle upon the highway.
- Sec. 456b RECREATIONAL VEHICLE (RV) PARK:** Any plot of ground upon which two or more recreational vehicles-travel trailers (RV) are occupied for dwelling or sleeping purposes, regardless of whether or not a charge is made for such accommodations.
- Sec. 457 SANATORIUM (includes "Sanitarium" and "Rest Home"):** A building or group of buildings, arranged, intended, designed or used for the housing, care or treatment of sick people or convalescents other than those mentally ill or afflicted with infectious, contagious or communicable diseases.
- Sec. 458 SEMI-PROFESSIONAL:** Includes insurance brokers, photographic studios, public stenographers, real estate brokers, stock brokers, and other persons who operate or conduct offices which do not require the stocking of goods for sale at wholesale or retail; does not include barbers, beauty operators, cosmetologists, embalmers, or morticians.

- Sec. 458a** **SERVICE STATION:** A building or use devoted to the retail sale of fuels, lubricants, and other supplies for motor vehicles, including minor repair activities which are subordinate to the sale of petroleum products.
- Sec. 459** **SETBACK LINES:** Setback lines are lines established generally, but not always parallel to the center line of a street between which no part of a building or structure may be erected or projected except as otherwise provided in this Ordinance.
- Sec. 460** **STABLE, COMMERCIAL:** A stable for horses which are let, hired, used or boarded on a commercial basis for compensation.
- Sec. 461** **STABLE, PRIVATE:** A stable for horses which are used by the owners of the property and their guests without compensation.
- Sec. 462** **STORY:** The space in a building between the surface of any floor and the finished ceiling next above it, or the finished under surface of the roof directly above that particular floor.
- Sec. 463** **STREET:** A way dedicated to the public which affords the principal means of access to abutting property.
- Sec. 464** **STRUCTURE:** Anything constructed or erected the use of which required location on the ground or attachment to something having a location on the ground. That which is built up or composed of parts joined together in some manner and which requires location on the ground or which is attached to something having a location on the ground, but not including walls and fences less than 4 ½ feet in height when located in front yards, or less than 6 feet in height when located in side or rear yards. This definition shall include, for the purpose of this ordinance, a manufactured home, mobile home and accessories thereto. For the purpose of this ordinance, the terms "Building" and "Structure" shall be synonymous. See BUILDING.
- Sec. 465** **STRUCTURAL ALTERATIONS:** Any change in the supporting members of a building, such as bearing walls, columns, beams, girders, floor joists, or which expands the height, bulk or area thereof.
- Sec. 465a** **SUBDIVISION:** Land subdivided or proposed to be subdivided for the purpose of sale or lease, whether immediate or future, into six or more lots or parcels.
- Sec. 468** **(DELETED 3-25-91)**
- Sec. 469** **(DELETED 3-25-91)**
- Sec. 470** **YARD:** An unoccupied space on a building site and, except as otherwise provided in this Ordinance, unobstructed from ground to sky.
- Sec. 471** **YARD, FRONT:** A yard extending the full width of the building site between the front lot line and the nearest line of the main building or the nearest line of any enclosed or covered porch.
- Sec. 472** **YARD, REAR:** A yard extending across the full width of the building site between the rear lot line and the nearest rear line of the main building or the nearest line of any enclosed or covered porch. Where a rear yard abuts a street it shall meet the front yard requirements.
- Sec. 473** **YARD, SIDE:** A yard extending from the front yard to the rear yard between the side lot line and nearest line of the main building.
- Sec. 474** **YARD, STREET SIDE:** A yard extending from the front yard to the rear yard between the street lot line and the nearest line of the main building.

ARTICLE 5

ZONES, MAPS AND BOUNDARIES: (Amended 3-25-91)

Sec. 501 ZONES: For the purpose of this Ordinance, the following types of zones are hereby established:

Rural:

- CAR Commercial Agriculture Ranch Zone
- SR Suburban Ranch Zone
- SR-1 Suburban Ranch Zone
- SH Suburban Homestead Zone
- GR General Rural Zone
- GR-5 General Rural Zone
- GR-10 General Rural Zone

Residential:

- CR-1A Single Family Residence
- CR-1 Single Family Residence
- CR-2 Single Family Residence
- CR-3 Single Family Residence
- CR-4 Multiple Residence Zone
- CR-5 Multiple Residence Zone
- OS Open Space
- MH Manufactured/Mobile Home Zone (Amended 3-25-91)
- RV Recreational Vehicle Homesite Zone
- MHP Manufactured/Mobile Home Park Zone (Amended 3-25-91)
- PM/RVP Park Model/Recreational Vehicle Park Zone (Amended 11-30-92)
- TR Transitional Zone

Business:

- CB-1 Local Business Zone
- CB-2 General Business Zone

Industrial:

- CI-B Industrial Buffer Zone
- CI-1 Light Industry & Warehouse Zone
- CI-2 Industrial Zone

Sec. 502 MAPS: The boundaries of zones are hereby established as shown on maps entitled Pinal County Zoning Maps and numbered and subtitled as follows:

- Map A Zoning Map
- Map B Generalized Land-Use Map
- Map C Major Thoroughfares and Proposed Routes

The Zoning Maps are located in the office of the Clerk of the Board of Supervisors and are hereby adopted and made a part of this Ordinance as fully as if they were set out at or copied at length herein.

Sec. 503 DETERMINATION OF BOUNDARIES: Where uncertainty exists, the boundary of any zone shall be determined as follows:

- a. Where a boundary is indicated as approximately following a street or alley line or the center line thereof, or a lot line, such line shall be construed to be such boundary.
- b. Where a boundary divides a lot, the location of such boundary, unless indicated by dimensions, shall be determined by use of the scale appearing on the zoning map.
- c. Where a public street, alley or railroad or other right-of-way is vacated or abandoned, the zone applied to abutting property shall be thereafter deemed to extend to the center line of such vacated or abandoned right-of-way.
- d. Questions concerning the exact location of boundaries not covered above shall be determined by the Board of Adjustment

ARTICLE 6

SR SUBURBAN RANCH ZONE:

Sec. 601 USES PERMITTED:

- a. One-family dwelling unit, conventional construction, manufactured home, or mobile home.
- b. Commercial agricultural uses:
 1. Field crops, truck gardening, berry or bush crops, tree crops, flower gardening, nurseries, orchards, aviaries and apiaries.
 2. The raising and marketing of poultry, rabbits and small animals, but no slaughtering of other than such raised on the premises.
 3. The grazing and raising of livestock, except that not more than one hog, weighing more than 50 pounds, may be kept per commercial acre.
- c. Guest Ranch, in accordance with Article 19, Guest Ranch Regulations.
- d. Public Park, public or parochial school.
- e. Church, providing the minimum off-street parking requirements, as set forth in Article 21, are met.
- f. **(DELETED 4/19/00)**
- g. Professional or semi-professional office or studio, home occupation, and the employment of persons not residing on the premises.
- h. Accessory building or use.
- i. A stand not more than 200 square feet in area for the sale of farm products grown or produced on the premises provided the stand is no closer than 10 feet to any street lot line and no closer than 20 feet to any other lot line.
- j. Airport, airstrip or landing field, provided that the runway shall be no closer than 600 feet from any boundary of a site of not less than 160 acres, and, provided further, that the applicant for a permit shall provide the Zoning Inspector with the written consent of 75% of the owners, by number and area, of property within 1,320 feet of the required 160 acre site for which the permit is sought.
- k. College, community service agency, governmental structure, library, museum, playground or athletic field, private school, provided that the use shall be located on a site of not less than 10 acres, that the improvements shall occupy not more than 30% of the site, that no playground or athletic field be located closer than 100 feet to any property line, and that all roads and parking areas be surfaced with a material which will minimize the creation of dust.
- l. Commercial riding stable or riding school, provided that the use shall be located on a site of not less than 20 acres, and provided that all stables, barns, animal sheds, or shelters shall be no less than 100 feet from any property line. There shall be no feeding or disposal of garbage, rubbish or offal unless a permit is issued by the Pinal County Health Department. The permit shall be for a stipulated period not to exceed 3 years, and, provided further, that the applicant for the permit shall provide the Zoning Inspector the written consent of no less than 51% of the owners, by number and area, of property within 300 feet of the area for which the permit is sought.
- m. Hospital, clinic, dispensary or sanatorium, provided that the building site is not less than 4 commercial acres, that any buildings occupy not more than 30% of the building site, and are located at least 50 feet from any boundary line of the site, and that the applicant for the permit shall provide the Zoning Inspector with the written consent of 75% of the owners, by number and area, of property within 300 feet of the building site.
- n. Private, athletic, sport or recreation club, or lodge, provided that the building site contains not less than 10 acres, that no building be erected closer than 100 feet to any boundary of the site, that all outdoor lighting be controlled so as not to reflect on any area beyond the boundary of the site, that no amplifiers or loudspeakers of any kind be installed outside any buildings erected on the site, and provided

further, that the applicant for the permit shall provide the Zoning Inspector with the written consent of 75% of the owners, by number and area, of property within 300 feet of the building site.

- o. Racetrack or sports stadium, provided that any racetrack conducted for profit must be licensed by the State Racing Commission; that any incidental uses in connection with the racetrack or sports stadium not otherwise permitted in the zone where located shall be first approved by the Board of Adjustment as a use incidental to and commonly associated with a racetrack; that a permit may be issued for a practice racetrack, if operated by the owner of the site, and not conducted for profit or charging admission to spectators; that no portion of any track, stables or grandstand authorized by this subsection shall be within 200 feet of any boundary of its site adjoining any property in a rural or residential zone; and, provided further, that the applicant for the permit shall provide the Zoning Inspector with the written consent of 75% of the owners, by number and area, of property within 500 feet of the boundary of the site for which the permit is sought.
- p. **(DELETED 4-19-00)**
- q. Resort hotel, provided the site contains not less than 10 acres, that the buildings occupy no more than 30% of the area of the building site, and, provided further, that the applicant for the permit shall provide the Zoning Inspector with the written consent of 51% of the owners, by number and area, of property within 300 feet of the building site for which permit is sought.
- r. Veterinary hospital or kennels, provided the site is not less than 5 acres in area, that no building or structure be within 100 feet of any boundary of the site abutting property in a rural or residential zone; and, provided further, that the applicant for the permit shall provide the Zoning Inspector with the written consent of at least 75% of the owners, by number and area, of property within 300 feet of the building site for which the permit is sought.
- s. Golf course, other than miniature, in private ownership, but open to the public, provided that the use be located on a site of not less than 30 acres; that no building be located nearer than 200 feet to any boundary of the site; that the course shall have not less than 9 holes; that no hole shall be less than 75 yards from its tee; that no tee or cup be located closer than 100 feet to any boundary of the site; that any driving range shall be placed so that flying balls will be directed toward the interior of the site; that all outdoor lighting shall be hooded and controlled so that the source of the light shall not be visible from any adjoining residential zone beyond the boundary of the site; that no amplifier or loud speakers of any kind be installed other than within a completely enclosed building on the site; that off-street parking be provided for not less than 100 vehicles for each 9 holes of the course; and, provided further, that the applicant for the permit shall provide the Zoning Inspector with the written consent of 75% of the owners by number and area, of all property within 300 feet of the boundary of the site for which the permit is sought.
- t. Cemetery or crematory, provided a site of not less than one acre be provided for a pet cemetery and not less than 5 acres for a human cemetery; that no crematory be erected closer than 500 feet from any boundary of the site which adjoins property in a rural or residential zone; and provided further, that the applicant for the permit shall provide the Zoning Inspector with the written consent of 75% of the owners, by number and area, of property within 300 feet of the site for which the permit is sought.
- u. Radio or television tower or station, provided that any tower be no closer to any boundary of the site than the height thereof, and that any station occupy no more than 30% of the site, and be located at least 50 feet from any boundary line of the site.
- v. Motion Picture studio, provided that the site is not less than 40 acres in area, that no building or structure is within 100 feet of the boundary of the site, that permanent buildings and structures occupy in total not more than 50% of the area of the required minimum site, that all outdoor lighting is controlled so as not to reflect on any adjoining property in residential use, and, provided further, that the applicant for the permit shall provide the Zoning Inspector with the written consent of 75% of

- the owners, by number and area, of property within 1,000 feet of the site.
- w. Bar or cocktail lounge as an accessory use to a private athletic, sport or recreation club, or lodge (n); racetrack or sports stadium (o); resort hotel (q); golf course club house (s).

Sec. 603 BUILDING HEIGHT: Maximum height of any structure shall be 30 feet.

Sec. 604 MINIMUM LOT AREA: 144,000 square feet. (3.30 acres)

Sec. 605 MINIMUM LOT WIDTH: None.

Sec. 606 MINIMUM AREA PER DWELLING UNIT: 144,000 square feet (3.30 acres)

Sec. 607 MINIMUM FRONT YARD: 50 feet.

Sec. 608 MINIMUM SIDE YARDS: 10 feet each.

Sec. 609 MINIMUM REAR YARD: 50 feet.

Sec. 610 DETACHED ACCESSORY BUILDINGS:

- a. Permitted coverage: One-third of the total area of the rear and side yards.
- b. Maximum Height: 20 feet.
- c. Minimum Distance to main building: 7 feet.
- d. Minimum distance to front lot line: 100 feet.
- e. Minimum Distance to side and rear lot lines: 4 feet if building is not used for poultry or animals; 100 feet if building is used for poultry or animals.
- f. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.

ARTICLE 6-1A

SR-1 SUBURBAN RANCH ZONE:

Sec. 625 USES PERMITTED:

- a. One-family dwelling unit, conventional construction or manufactured home.
- b. Commercial agricultural uses:
 - 1. Field crops, truck gardening, berry or bush crops, tree crops, flower gardening, nurseries, orchards, aviaries and apiaries.
 - 2. The raising and marketing of poultry, rabbits and small animals, but no slaughtering of other than such raised on the premises.
 - 3. The grazing and raising of livestock, except that not more than one hog, weighing more than 50 pounds, may be kept per commercial acre.
- c. Guest Ranch, in accordance with Article 19, Guest Ranch Regulations.
- d. Public Park, public or parochial school.
- e. Church, providing the minimum off-street parking requirements, as set forth in Article 21, are met.
- f. Professional or semi-professional office or studio, home occupation, and the employment of persons not residing on the premises.
- g. Accessory building or use.
- h. A stand not more than 200 square feet in area for the sale of farm products grown or produced on the premises provided the stand is no closer than 10 feet to any street lot line and no closer than 20 feet to any other lot line.
- i. College, community service agency, governmental structure, library, museum, playground or athletic field, private school, provided that the use shall be located on a site of not less than 10 acres, that the improvements shall occupy not more than 30% of the site, that no playground or athletic field be located closer than 100 feet to any property line, and that all roads and parking areas be surfaced with a material which will minimize the creation of dust.
- j. Commercial riding stable or riding school, provided that the use shall be located on a site of not less than 20 acres, and provided that all stables, barns, animal sheds, or shelters shall be no less than 100 feet from any property line. There shall be no feeding or disposal of garbage, rubbish or offal unless a permit is issued by the Pinal County Health Department. The permit shall be for a stipulated period not to exceed 3 years, and, provided further, that the applicant for the permit shall provide the Zoning Inspector the written consent of no less than 51% of the owners, by number and area, of property within 300 feet of the area for which the permit is sought.
- k. Golf course, other than miniature, in private ownership, but open to the public, provided that the use be located on a site of not less than 30 acres; that no building be located nearer than 200 feet to any boundary of the site; that the course shall have not less than 9 holes; that no hole shall be less than 75 yards from its tee; that no tee or cup be located closer than 100 feet to any boundary of the site; that any driving range shall be placed so that flying balls will be directed toward the interior of the site; that all outdoor lighting shall be hooded and controlled so that the source of the light shall not be visible from any adjoining residential zone beyond the boundary of the site; that no amplifier or loud speakers of any kind be installed other than within a completely enclosed building on the site; that off-street parking be provided for not less than 100 vehicles for each 9 holes of the course; and, provided further, that the applicant for the permit shall provide the Zoning Inspector with the written consent of 75% of the owners by number and area, of all property within 300 feet of the boundary of the site for which the permit is sought.

- Sec. 626** **MAXIMUM BUILDING HEIGHT:** 2 stories or 30 feet, but in no event exceed 30 feet in height.
- Sec. 627** **MINIMUM LOT AREA:** 144,000 square feet. (3.30 acres)
- Sec. 628** **MINIMUM LOT WIDTH:** None.
- Sec. 629** **MINIMUM AREA PER DWELLING UNIT:** 144,000 square feet (3.30 acres)
- Sec. 630** **MINIMUM FRONT YARD:** 50 feet.
- Sec. 631** **MINIMUM SIDE YARDS:** 10 feet each.
- Sec. 632** **MINIMUM REAR YARD:** 50 feet.
- Sec. 633** **DETACHED ACCESSORY BUILDINGS:**
 - a. Permitted coverage: One-third of the total area of the rear and side yards.
 - b. Maximum Height: 20 feet.
 - c. Minimum Distance to main building: 7 feet.
 - d. Minimum distance to front lot line: 100 feet.
 - e. Minimum Distance to side and rear lot lines: 4 feet if building is not used for poultry or animals; 100 feet if building is used for poultry or animals.
 - f. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.

ARTICLE 7

SH SUBURBAN HOMESTEAD ZONE:

- Sec. 701** **USES PERMITTED:**
 - a. Any use permitted in the SR zone.
 - b. Duplex dwelling.

- Sec. 702** **BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.

- Sec. 703** **MINIMUM LOT AREA:** 87,120 square feet (2 acres). (Amended 12-20-82)

- Sec. 704** **MINIMUM LOT WIDTH:** 100 feet.

- Sec. 705** **MINIMUM AREA PER DWELLING UNIT:** 87,120 square feet (2 acres). (Amended 12-20-82)

- Sec. 706** **MINIMUM FRONT YARD:** 30 feet.

- Sec. 707** **MINIMUM SIDE YARD:** 10 feet.

- Sec. 708** **MINIMUM REAR YARD:** 40 feet.

- Sec. 709** **MINIMUM DISTANCE BETWEEN MAIN BUILDINGS:** 20 feet.

- Sec. 710** **DETACHED ACCESSORY BUILDINGS:**
 - a. Permitted coverage: one-third of the total area of the rear and side yards.
 - b. Maximum height: 20 feet.
 - c. Minimum distance to main building: 7 feet.
 - d. Minimum distance to front lot line: 60 feet.
 - e. Minimum distance to side and rear lot lines: 4 feet if building is not used for poultry or animals; 50 feet if building is used for poultry or animals.
 - f. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.

ARTICLE 7-1A

CAR - COMMERCIAL AGRICULTURE RANCH ZONE: ⁶⁰ (Adopted 6-7-71)

(To be used as buffer classification in areas where CI-2 Heavy Industry is located.)

Sec. 725A USES PERMITTED:

- a. One-family dwelling unit, conventional construction or manufactured home or mobile home.
- b. Grouped residences (employee housing) provided no building is erected closer than 20 feet to any other building on said site. When six (6) or more dwellings are built on any one site the Pinal County Subdivision Regulations shall be complied with.
- c. Commercial agricultural uses:
 - 1. Field crops, truck gardening, berry or bush crops, tree crops, flower gardening, nurseries, orchards, aviaries and apiaries.
 - 2. The raising and marketing of poultry, rabbits and small animals, but slaughtering of only those raised on the premises.
 - 3. The grazing and raising of livestock, except that not more than one hog may be kept per acre.
- d. A stand not more than 200 square feet in area for the sale of farm products grown or produced on the premises.
- e. Veterinary hospital or kennels provided the site is not less than 5 acres in area, that no building or structure be within 100 feet of any boundary of said site abutting property in a rural or residential zone.
- f. Commercial riding stable or riding school, provided that said use shall be located on a site of not less than 20 acres and provided that all stables, barns, animal sheds, or shelters be not less than 100 feet from any property line of a more restrictive zone.
- g. Cemetery or crematory, provided a site of not less than one acre be provided for a pet cemetery and not less than 5 acres for a human cemetery; that no crematory be erected closer than 500 feet from any boundary of the site which adjoins property in a rural or residential zone.
- h. Livestock sales yard or auction yard, provided the site where located is not less than one-half mile from any residential restricted zone in which the use requested is prohibited, and provided further, that the site is not less than 20 acres in area and applicant shall provide the Zoning Inspector with the written consents of 51% of the owners by number and area of property within 300 feet of proposed site.
- i. Such other uses as the Planning Commission may deem appropriate in securing efficient land development.

Sec. 726A BUILDING HEIGHT: Maximum height of any structure shall be 35 feet.

Sec. 727A MINIMUM LOT AREA: 174,240 square feet (4 acres).

Sec. 728A MINIMUM LOT WIDTH: None.

Sec. 729A MINIMUM LOT AREA PER DWELLING UNIT: 174,240 square feet.

Sec. 730A MINIMUM FRONT YARD: 50 feet.

Sec. 731A MINIMUM SIDE YARD: 10 feet.

Sec. 732A MINIMUM REAR YARD: 50 feet.

Sec. 733A DETACHED ACCESSORY BUILDINGS:

- a. Permitted coverage: one-third of the total area of the rear and side yards.
- b. Maximum heights: 25 feet within required rear yard, 35 feet within buildable area.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 15 feet.
- e. Minimum distance to side and rear lot lines: 4 feet if building is not used for poultry or animals; 100 feet if building is used for poultry or animals.
- f. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.

ARTICLE 8

GR GENERAL RURAL ZONE:

(Holding classification pending more intensive development of area)

Sec. 801

USES PERMITTED:

- a. One-family dwelling unit, conventional construction or manufactured home or mobile home.
- b. Commercial agricultural uses:
 - 1. Field crops, truck gardening, berry or bush crops, tree crops, flower gardening, plant nurseries and green houses, orchards, aviaries and apiaries.
 - 2. The raising and marketing of poultry, rabbits and small animals, but slaughtering of only those raised on the premises.
 - 3. The grazing and raising of livestock and horses, except that not more than 3 hogs shall be kept or maintained on any parcel, lot or tract under one ownership within 500 feet of any residential zone or more restrictive zone.
- c. Public and quasi-public uses: church, club, museum, library, community service agency, clinic, public park, school, college, playground, athletic field, public or private utility and facilities, governmental structure; athletic, sport or recreation club; and hospital or sanatorium, such buildings shall be located at least 50 feet from any boundary line of the site.
- d. **(DELETED 4-19-00)**
- e. Fruit, vegetable or agricultural products packing or pro-cessing plant, provided it is located on a site of not less than 10 acres and any buildings located thereon occupy not more than 30% of the site area.
- f. Livestock sales yard or auction yard, provided, the site where located is not less than one-half mile from any residential zone or within one-half mile of any exterior boundary of a re-stricted zone or residence district established by any municipal corporation in this county in which the use requested is prohibited, and, provided further, that the site is not less than 20 acres in area and applicant shall provide Zoning In-spector with written consent of 51% of the owners by number and area of property within 300 feet of proposed site.
- g. A stand of not more than 200 square feet in area for the sale of farm products grown or produced on the premises provided the stand is not more than 10 feet to any street lot line and not closer than 20 feet to any other lot line.
- h. Public riding stables and boarding stables, providing the site contains not less than 10 acres and the buildings housing animals set back from all lot lines a distance of not less than 100 feet.
- i. Accessory building or use; home occupation, housing for seasonal farm labor, and private stable.
- j. Dairy

Sec. 802 BUILDING HEIGHT: Maximum height of any structure shall be 30 feet.

Sec. 803 MINIMUM LOT AREA: 54,450 square feet (1¼ acres)

Sec. 804 MINIMUM LOT WIDTH: 100 feet

Sec. 805 MINIMUM AREA PER DWELLING UNIT: 54,450 square feet (1¼ acres)

Sec. 806 MINIMUM FRONT YARD: 40 feet

Sec. 807 MINIMUM SIDE YARDS: 20 feet each

Sec. 808 MINIMUM REAR YARD: 40 feet

Sec. 809 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS: 25 feet

Sec. 810 DETACHED ACCESSORY BUILDINGS:

- a. Permitted coverage: One-third of the total area of the rear and side yards
- b. Maximum height: 20 feet
- c. Minimum distance to main building: 7 feet
- d. Minimum distance to front lot line: 60 feet
- e. Minimum distance to side and rear lot lines: 4 feet if building is not used for poultry or animals; 15 feet to side lot line and 4 feet to rear lot line if building is used for poultry or small animals; 50 feet if used for livestock.
- f. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.

ARTICLE 8-1A

GR-5 GENERAL RURAL ZONE:

Sec. 812 USES PERMITTED:

- a. Any use permitted in Sections 801, 802, 804, 806 through 810.

Sec. 813 MINIMUM LOT AREA: Five (5) Acres

ARTICLE 8-1B

GR-10 GENERAL RURAL ZONE:

Sec. 814 USES PERMITTED:

- a. Any use permitted in Sections 801, 802, 804, 806 through 810.

Sec. 815 MINIMUM LOT AREA: Ten (10) Acres

ARTICLE 8-1C

CR-1A SINGLE RESIDENCE ZONE

Sec. 825-A USES PERMITTED:

- a. One-family dwelling, conventional construction.
- b. Public park, public or parochial school.
- c. Church, providing the minimum off-street parking requirements, in Article 21, Section 2102-e, are met.
- d. A travel trailer or recreational vehicle (RV) for not more than 90 days during construction of a residence on the same premises. This period may be extended for an additional period of 90 days upon application to the Zoning Inspector.
- e. Agriculture or Horticulture used only for the purposes of propagation and culture and not for retail sales, including any number of poultry, rabbits and similar small animals and not more than 2 head of cattle, horses, sheep or goats, more than 6 months of age, per acre. Swine are not permitted in the district.
- f. Accessory building or use.

Sec. 826 BUILDING HEIGHT: Maximum height of any structure shall be 30 feet.

Sec. 827 MINIMUM LOT AREA: 1 acre (43,560 square feet).

Sec. 828 MINIMUM LOT WIDTH: 100 feet.

Sec. 829 MINIMUM LOT AREA PER DWELLING UNIT: 1 acre (43,560 square feet).

Sec. 830 MINIMUM FRONT YARD: 30 feet.

Sec. 831 MINIMUM SIDE YARDS: 10 feet each.

Sec. 832 MINIMUM REAR YARD: 40 feet.

Sec. 833 DETACHED ACCESSORY BUILDINGS:

- a. Permitted coverage: one-third of the total area of the rear and side yard.
- b. Maximum height: 20 feet.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 30 feet.
- e. Minimum distance to side and rear lot lines: 4 feet if building is not used for poultry or animals; 50 feet if building is used for poultry or animals.
- f. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.

ARTICLE 9

CR-1 SINGLE RESIDENCE ZONE

Sec. 901 USES PERMITTED:

- a. One-family dwelling, conventional construction.
- b. Public park, public or parochial school.
- c. Church, providing the minimum off-street parking requirements , in Article 21, Section 2102-e are met.
- d. A travel trailer or recreational vehicle (RV) for not more than 90 days during construction of a residence on the same premises, which period may be extended for an additional period of 90 days upon application to the Zoning Inspector.
- e. Agriculture or Horticulture used only for the purposes of propagation and culture and not for retail sales, including any number of poultry, rabbits and similar small animals. and not more than 2 head of cattle, horses, sheep or goats more than 6 months of age per commercial acre. Swine are not permitted in the district.
- f. Home occupation.
- g. Accessory building or use.

Sec. 902 BUILDING HEIGHT: Maximum height of any structure shall be 30 feet.

Sec. 903 MINIMUM LOT AREA: 20,000 square feet.

Sec. 904 MINIMUM LOT WIDTH: 80 feet.

Sec. 905 MINIMUM LOT AREA PER DWELLING UNIT: 20,000 square feet.

Sec. 906 MINIMUM FRONT YARD: 25 feet.

Sec. 907 MINIMUM SIDE YARDS: 10 feet each.

Sec. 908 MINIMUM REAR YARD: 25 feet.

Sec. 909 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS: 20 feet except as required in Section 2310 for a rear dwelling.

Sec. 910 DETACHED ACCESSORY BUILDINGS:

- a. Permitted coverage: one-third of the total area of the rear and side yards.
- b. Maximum height: 20 feet.
- c. Minimum distance to main buildings: 7 feet.
- d. Minimum distance to front lot line: 60 feet.
- e. Minimum distance to side and rear lot lines: 4 feet if building is not used for poultry or animals; 50 feet if building is used for poultry or animals.
- f. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.

ARTICLE 10**CR-2 SINGLE RESIDENCE ZONE****Sec. 1001 USES PERMITTED:**

- a. Any use permitted in the CR-1 Zone but horses, cattle, sheep or goats shall not be kept on less than one commercial acre.

Sec. 1002 BUILDING HEIGHT: Maximum height of any structure shall be 30 feet.

Sec. 1003 MINIMUM LOT AREA: 12,000 square feet.

Sec. 1004 MINIMUM LOT WIDTH: 60 feet.

Sec. 1005 MINIMUM AREA PER DWELLING UNIT: 12,000 square feet.

Sec. 1006 MINIMUM FRONT YARD: 25 feet.

Sec. 1007 MINIMUM SIDE YARDS: 10 feet each.

Sec. 1008 MINIMUM REAR YARD: 25 feet.

Sec. 1009 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS: 20 feet except as required in Section 2310 for a rear dwelling.

Sec. 1010 DETACHED ACCESSORY BUILDINGS:

- a. Permitted coverage: one-third of the total area of the rear and side yards.
- b. Maximum height: 20 feet.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 60 feet.
- e. Minimum distance to side and rear lot lines: 4 feet if building is not used for poultry or animals; 50 feet if building is used for poultry or animals.
- f. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.

ARTICLE 11**CR-3 SINGLE RESIDENCE ZONE****Sec. 1101 USES PERMITTED:**

- a. One-family dwelling, conventional construction.
- b. Public park, public or parochial school.
- c. Church, provided the minimum off-street parking requirements, as set forth in Article 21, Section 2102-e, are met.
- d. **(DELETED 4-19-00)**
- e. A travel trailer or recreational vehicle (RV) for not more than 90 days during construction of a residence on the same premises, which period may be extended for an additional period of 90 days upon application to the Zoning Inspector.
- f. Horticulture, flower and vegetable gardening, nursery or greenhouse used only for propagation and culture and not for retail sales.
- g. Home occupation.
- h. Accessory building or use.

Sec. 1102 BUILDING HEIGHT: Maximum height of any structure shall be 30 feet.

Sec. 1103 MINIMUM LOT AREA: 7,000 square feet.

Sec. 1104 MINIMUM LOT WIDTH: 60 feet.

Sec. 1105 MINIMUM AREA PER DWELLING UNIT: 7,000 square feet.

Sec. 1106 MINIMUM FRONT YARD: 20 feet.

Sec. 1107 MINIMUM SIDE YARDS: 8 feet each.

Sec. 1108 MINIMUM REAR YARD: 25 feet to the rear lot line.

Sec. 1109 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS: 16 feet, except as required in Section 2310 for a rear dwelling.

Sec. 1110 BUILDABLE AREA: Not to exceed 40% of the lot, including all structures, except swimming pools.

Sec. 1111 DETACHED ACCESSORY BUILDINGS:

- a. Permitted coverage: one-third of the total area of the rear and side yards.
- b. Maximum height: 20 feet.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 60 feet.
- e. Minimum distance to side and rear lot lines: 4 feet.
- f. Accessory buildings shall be detached from the main building except that they may be attached by means of an unenclosed structure that has only one wall not over 6 feet high which shall be placed on only one side of the structure.

ARTICLE 12

CR-4 MULTIPLE RESIDENCE ZONE

- Sec. 1201 USES PERMITTED:**
 - a. Any use permitted in the CR-3 zone.
 - b. Duplex dwelling.
 - c. Multiple dwelling for not more than 4 families.
 - d. Dwelling group consisting of permitted dwelling types in this zone.

- Sec. 1202 BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.

- Sec. 1203 MINIMUM LOT AREA:** 7,000 square feet.

- Sec. 1204 MINIMUM LOT WIDTH:** 60 feet.

- Sec. 1205 MINIMUM FRONT YARD:** 25 feet.

- Sec. 1206 MINIMUM SIDE YARDS:** 8 feet each.

- Sec. 1207 MINIMUM REAR YARD:** 25 feet.

- Sec. 1208 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS:** 16 feet.

- Sec. 1209 DETACHED ACCESSORY BUILDINGS:**
 - a. Permitted coverage: 30% of the minimum rear yard area plus 50% of any additional space in the rear of the principal building.
 - b. Maximum height: 20 feet.
 - c. Minimum distance to main building: 7 feet.
 - d. Minimum distance to front lot line: 60 feet.
 - e. Minimum distance to side and rear lot lines: 4 feet.

ARTICLE 13

CR-5 MULTIPLE RESIDENCE ZONE

- Sec. 1301 USES PERMITTED:**
- a. Any use permitted in the CR-3, CR-4 zone.
 - b. Multiple dwelling for any number of families.
 - c. Boarding or rooming house for any number of guests, but not primarily for transients.
- Sec. 1302 BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.
- Sec. 1303 MINIMUM LOT AREA:** 7,000 square feet.
- Sec. 1304 MINIMUM LOT WIDTH:** 60 feet.
- Sec. 1305 MINIMUM FRONT YARD:** 25 feet.
- Sec. 1306 MINIMUM SIDE YARDS:** 7 feet each.
- Sec. 1307 MINIMUM REAR YARD:** 25 feet.
- Sec. 1308 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS:** 14 feet.
- Sec. 1309 DETACHED ACCESSORY BUILDINGS:**
- a. Permitted coverage: 35% of the minimum rear yard area plus 50% of any additional space in the rear of the principal building.
 - b. Maximum height: 20 feet.
 - c. Minimum distance to main building: 7 feet.
 - d. Minimum distance to front lot line: 60 feet.
 - e. Minimum distance to side and rear lot lines: 4 feet.

ARTICLE 14

TR TRANSITIONAL ZONE

Sec. 1401 USES PERMITTED:

- a. Any use permitted in the CR-3, CR-4, and CR-5 zone.
- b. Tourist court or hotel, together with the following accessory uses located on the premises and having no exterior entrance closer than 100 feet to a public street:
 - Retail Shops
 - Personal Services
 - Recreational Facilities
 - Restaurant
 - Beverage Service
- c. Professional or semi-professional office.
- d. Private club or lodge (non-profit).
- e. **(DELETED)**
- f. Club, college, community service agency, governmental structure, library, museum, playground or athletic field, private school.
- g. Community storage garage.
- h. Guest ranch in accordance with Article 19, Guest Ranch Regulations.
- i. Hospital, clinic, dispensary, or sanitarium.
- j. Office, real estate.

Sec. 1402 BUILDING HEIGHT: Maximum height of any structure shall be 30 feet.

Sec. 1403 MINIMUM LOT AREA: 10,000 square feet for residential uses.

Sec. 1404 MINIMUM LOT WIDTH: 60 feet.

Sec. 1405 MINIMUM AREA PER DWELLING UNIT: 1,000 square feet.

Sec. 1406 MINIMUM FRONT YARD: 20 feet.

Sec. 1407 MINIMUM SIDE YARDS: 7 feet each.

Sec. 1408 MINIMUM REAR YARD: 25 feet.

Sec. 1409 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS: 14 feet.

Sec. 1410 DETACHED ACCESSORY BUILDINGS:

- a. Permitted coverage: 40% of the minimum rear yard area plus 50% of any additional space in the rear of the principal building.
- b. Maximum height: 20 feet.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 60 feet.
- e. Minimum distance to side lot lines: 4 feet.
- f. Minimum distance to rear lot line: 4 feet if building is not used for poultry or animals; 15 feet if building is used for poultry or animals.

ARTICLE 15

CB-1 LOCAL BUSINESS ZONE:

Sec. 1501 USES PERMITTED:

- a. Any use permitted in the Section 1401-b thru 1401-j (TR Transitional zone).
- b. The following uses, which in any CB-1 zone shall be conducted wholly within a completely enclosed building unless otherwise specified and use operated as a store, shop or business, shall be a retail establishment and all products on the premises shall be sold at retail on the premises.

- Antique store
- Apparel store
- Art needlework or hand-weaving establishment
- Art gallery or store
- Auto parking lot (within or without building) subject to the provisions of Section 2103
- Bakery
- Bank, safe depository or trust company
- Barber or beauty shop
- Bicycle shop (no sales or servicing of motor scooter or motorcycles)
- Book, newspaper, magazine, stationary, art or drawing supply store
- Cafe, lunch room (provided no dancing is allowed and no alcoholic beverages sold except beer and wine)
- Catering service
- Church
- Cigar store
- Cleaning, dyeing, laundry, collection agency
- Clinic
- Club or lodge (non-profit)
- Community service agency
- Confectionery store
- Custom dress making, millinery, hemstitching or pleating
- Custom weaving or mending
- Day nursery or child-care center
- Dealer in coins, stamps, or similar collector's items
- Delicatessen store
- Dental or medical laboratory
- Department store, variety store
- Drug store
- Dry goods or notions store
- Electric Appliance store
- Florist shop
- Frozen food locker
- Furniture or house furnishing store
- Garage for public storage only
- Gasoline service station (incidental repairing only) subject to the provisions of Section 2107
- Gift, curio, novelty, toy or hobby shop
- Governmental structure
- Grocery, fruit or vegetable store
- Hardware store
- Hotel
- Ice cream store
- Ice station for packaged sales only
- Interior decorator

Jewelry store or jewelry and watch repair
 Laundry and dry cleaning units provided the same occupy no more than 3,000 square feet of gross floor area
 Leather goods store

Library, rental or public
 Liquor store for packaged sales only
 Meat, fish or dressed poultry market, provided no live poultry are kept on premises
 Messenger service
 Multigraphing, mimeographing, duplicating, addressographing
 Museum
 Music, phonograph or radio store
 Nursery, flower, plant or tree (within a building or enclosure)
 Office: business, professional or semi-professional)
 Photograph studio or photographic supply store
 Postal stations
 Pressing establishment
 Refreshment stand
 Religious rescue mission (Amended 3-30-87)
 School, barber or beauty culture
 School, business
 School, dramatic
 School, handicraft, painting or sculpture
 Shoe store or shoe repair shop
 Sporting goods, hunting and fishing equipment store
 Station, bus or stage
 Tailor shop
 Taxi cab stand
 Taxidermist
 Theater, except drive-in or outdoor theater
 Water, telephone or telegraph distribution installation or electrical receiving or distribution station (within or without a building) subject to the provisions of Section 2303
 Other similar enterprise or business of the same class, which in the opinion of the Board of Supervisors, as evidenced by resolution or record, is not more obnoxious or detrimental to the welfare of the particular community than the enterprises or businesses above enumerated.

- c. Accessory building or use (not involving open storage), when located on the same building site.
- d. **(DELETED 5-18-81)**
- e. Administrative, engineer, scientific research, design or experimentation facility, and such processing and fabrication as may be necessary thereto, provided that all such operations be completely housed within buildings located on a site of not less than 10,000 square feet; that all such buildings shall be set back not less than 25 feet from any property line abutting a residential zone; that an off-street parking area be provided for all such vehicles incidental to said operation; and that one additional such parking space be provided for each 3 persons regularly employed on said premises; that a masonry wall or screened planting shall be erected and maintained on any property line directly abutting any residential zones; that there is no manufacturing or warehousing of goods for sale at wholesale or retail; and that any activity conducted on said premises shall be free of dust, noxious smoke, fumes, odors, or unusual vibrations or noise.
- f. Restaurant or tea room, including a cocktail lounge or bar in connection therewith, upon condition that no outside door opens into the cocktail lounge or bar, and, provided further, that the applicant for a permit shall provide the Zoning Inspector with written consent of 75% of the owners, by number and area, of property within 300 feet of the site for which the permit is sought.
- g. One-family dwelling unit, conventional construction, or mobile home or

manufactured home in conjunction with an established, permitted use. (Amended 3-25-91)

- Sec. 1502 BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.
- Sec. 1503 MINIMUM LOT AREA:** None for uses listed in Section 1501-b and 1501-f.
- Sec. 1504 MINIMUM LOT WIDTH:** None for uses listed in Section 1501-b and 1501-f.
- Sec. 1505 MINIMUM AREA FOR DETACHED DWELLING UNIT:** 3,500 square feet for residential uses.
- Sec. 1506 MINIMUM FRONT YARD:** 20 feet, which may be used to meet off-street parking requirements, or as part of off-street parking lot.
- Sec. 1507 MINIMUM SIDE YARDS:** None for uses listed in Section 1501-b and 1501-f; 7 feet each for residential uses.
- Sec. 1508 MINIMUM REAR YARD:** 25 feet, except as provided in Section 2316 for corner lot, which may be used to meet off-street parking requirements, or as a part of off-street parking lot.
- Sec. 1509 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS:** None for uses listed in Section 1501-b thru 1501-f; 14 feet between residence and business.
- Sec. 1510 DETACHED ACCESSORY BUILDINGS:**
 - a. Permitted coverage: 40% of the minimum rear yard area and any additional space within the buildable area.
 - b. Maximum height: 20 feet within the required rear yard; 2 stories or 30 feet within the buildable area.
 - c. Minimum distance to main building: 7 feet.
 - d. Minimum distance to front lot line: 20 feet.
 - e. Minimum distance to side lot lines: None.
 - f. Minimum distance to rear lot line: 4 feet.

ARTICLE 16

CB-2 GENERAL BUSINESS ZONE

Sec. 1601

USES PERMITTED:

- a. Any use permitted in the Section 1401-b thru Section 1401-j (TR Transitional zone) and in Section 1501 (CB-1 Local Business Zone).
- b. Advertising sign, structure or billboard, subject to Article 22:
 - Amusement or recreational enterprise (within a completely enclosed structure) including billiard or pool hall, bowling alley, dance hall, gymnasium, penny arcade, shooting gallery, skating rink, sports arena
 - Amusement or recreational enterprise (outdoor) including archery range, miniature golf or practice driving or putting range, games of skill or science, pony riding ring without stables, swimming pool or commercial beach or bathhouse, tennis court
 - Auction, public (no animals)
 - Auditorium or assembly hall
 - Auto rental garage
 - Auto repair, mechanical or steam washracks, battery service (no body or fender work, painting or upholstery, except as incidental)
 - Bar, cocktail lounge, night club, tavern
 - Baths (Turkish, Swedish, steam, etc.)
 - Blueprinting, photostating
 - Boats, storage or rental
 - Burglar alarm service
 - Carpenter shop
 - Cigar manufacturing (custom hand-rolled)
 - Cleaning establishment, if only 2 clothes cleaning units of not more than 40 pounds rated capacity, and using cleaning fluid which is non-flammable, and non-explosive at temperatures below 138.5 degrees Fahrenheit
 - Club: Athletic, private, social, sport or recreational (operated for profit) except sports stadium or field
 - Engraving, photo-engraving, lithographing
 - Fortune telling
 - Garage, public (for commercial use)
 - Juke box or coin machine business (limited to assembly, repair and servicing)
 - Laundry, steam or wet-wash
 - Lumber yard, retail (provided no machinery is used other than a rip saw and cut-off saw)
 - Locksmith, tool or cutlery sharpening, lawnmower repairing, fix-it or handyman shop
 - Massage establishment, reducing salon or gymnasium
 - Mattress shop for repairing only (no renovating)
 - Merchandise broker's display, wholesale
 - Motorcycle or motor scooter repair or storage
 - Mortuary or embalming establishment or school
 - Newspaper office
 - Oxygen equipment, rental or distribution
 - Pawn shop
 - Piano repairing
 - Plumbing, retail custom
 - Printing or publishing
 - Record recording studio or sound score production (no manufacturing or treatment)

- of records)
- Refrigeration installation or service
- School or college (operated as a commercial enterprise for dancing or musical instruction; industrial or trade school teaching operations or occupation permitted in this zone)
- Sheet metal or tinsmith shop
- Sign painting shop
- Storage building

- Trade show, industrial show or exhibition
- Transfer or express service
- Upholstery shop
- Wallpaper sales, paper hanging

- c. Sale, rental or display of:
 - Airplanes or parts
 - Automobiles, recreational vehicles, travel trailers, motorhomes, and trailers
 - Barber's supplies or beauty shop equipment
 - Butcher's supplies
 - Clothing or accessories (wholesale)
 - Contractor's equipment or supplies
 - Drugs or medical, dental, or veterinary supplies (wholesale)
 - Farm equipment or machinery
 - Feed (wholesale)
 - Garage equipment
 - Hardware (retail or wholesale)
 - Hotel equipment or supplies
 - Household appliances, sewing machines, etc. (wholesale)
 - Machinery, commercial and industrial
 - Monuments or tombstones (no wholesale)
 - Office equipment (safes, business machines, etc.) (wholesale)
 - Orthopedic appliances (trusses, wheelchairs, etc.)
 - Painting equipment or supplies (paint, varnish, etc.)
 - Pet (no boarding or hospital)
 - Plastic or plastic products (wholesale)
 - Plumbing, heating and ventilating fixtures or supplies
 - Restaurant or soda fountain equipment or supplies
 - Second-hand goods: Personal, furniture, books, magazines, automobiles, but not second-hand auto parts
 - Tents or awnings
 - Trunks or luggage (wholesale)
 - Upholsterer's supplies
 - Venetian blinds
 - Window shades
- d. Light manufacturing or assembling incidental to retail sales from the premises, provided that not more than 25% of the floor is occupied by businesses engaged in manufacturing, processing, assembling, treatment, installation and repair of products.
- e. Wholesaling of products permitted in Section 1601-c unless specifically prohibited, with storage space not exceeding 1,500 square feet of floor area.
- f. Cemetery or crematory, provided that cemeteries for human remains shall be located on a site of not less than 5 acres and for animal pets not less than one acre, and that no crematory be erected closer than 500 feet from any boundary of said site adjoining property in a rural or residential zone.
- g. Drive-in theater, provided that the face of any projection screen be not visible from any county road or any street or route shown on the adopted Map of Major Thoroughfares and Proposed Routes (Map C, Section 502), which is within 500 feet of said screen; provided further that the site for said theater shall consist of not less than 10 acres of land and be a single tract or parcel not intersected or divided by any street, alley or by property belonging to any other owners; that any lights used to illuminate the theater site shall be so arranged as to reflect the light away

from adjoining property and streets; that the plans for said theater shall have been approved by the County Engineer, indicating no undue traffic congestion, due to the location and arrangement of the theater, including the car rows and aisles and minimizing the danger of fire and panic; that acceleration and deceleration lanes shall be provided along the public thoroughfare adjacent to the entrance and exit of the theater, that parking space or storage lanes for patrons awaiting admission shall be provided on the site in an amount equal to not less than 30% of the vehicular capacity of the theater; that vehicular circulation shall be so designed and constructed as to permit only one-way traffic within the boundaries of the tract on which the theater is located; that emergency exits shall be provided; that sanitary facilities and the method of food handling shall be approved by the County Health Department; that definite plans for shrubbery and landscaping shall be presented to the Zoning Inspector and made a part of the permit; that the nearest point of the theater property, including driveways and parking areas shall be a least 750 feet from the boundary of a district zoned for residential use; and, provided further, that all other conditions of the zone are fully observed.

- h. **(DELETED 3-30-87)**
- i. Racetrack or sports stadium, subject to the conditions set forth in Subsection 601.0 of this Ordinance, except the requirements for the filing of the consent of owners of adjacent property.
- j. Radio or television tower or booster station, provided such tower is no closer to any boundary of said site than the height thereof.
- k. Veterinary hospital or kennels, provided no such building or structure be within 100 feet of any boundary of said site abutting property in a rural or residential zone.
- l. One family dwelling unit, conventional construction, mobile home, or manufactured home in conjunction with an established, permitted use.

- Sec. 1602 BUILDING HEIGHT:** Maximum height of any structure shall be 35 feet.
- Sec. 1603 MINIMUM LOT AREA:** None except for uses listed in Section 1601-f and 1601-g.
- Sec. 1604 MINIMUM LOT WIDTH:** None.
- Sec. 1605 MINIMUM AREA FOR DETACHED DWELLING UNIT:** 3,500 square feet for residential uses.
- Sec. 1606 MINIMUM FRONT YARD:** 15 feet.
- Sec. 1607 MINIMUM SIDE YARDS:** None for uses listed in Section 1601-a thru 1601-j; 7 feet each for residential uses.
- Sec. 1608 MINIMUM REAR YARD:** 10 feet for uses permitted in Section 1601-a thru 1601-j; 25 feet for residential use.
- Sec. 1609 MINIMUM DISTANCE BETWEEN MAIN BUILDINGS:** None for uses listed in Section 1601-a thru 1601-k; 14 feet between residence and business.
- Sec. 1610 DETACHED ACCESSORY BUILDINGS:**
 - a. Permitted coverage: 40% of the minimum rear yard and any additional space within the buildable area.
 - b. Maximum height: 20 feet within the required rear yard; 35 feet within the buildable area.
 - c. Minimum distance to main building: 7 feet.
 - d. Minimum distance to front lot line: 15 feet.
 - e. Minimum distance to side lot lines: None.
 - f. Minimum distance to rear lot line: 4 feet.

ARTICLE 16.5

CI-B INDUSTRIAL BUFFER ZONE

Sec. 1650 USES PERMITTED:

- a. Office Buildings
- b. Scientific or research laboratories
- c. Wholesale, and ancillary retailing activities and warehousing
- d. Assembly of products from previously prepared materials
- e. Commercial trade schools and business colleges
- f. Light manufacturing in enclosed buildings only

Sec. 1651 BUILDING AND SITE RESTRICTIONS:

- a. All uses permitted in Section 1650 shall be conducted wholly within an enclosed building.
- b. Required yards fronting on a public street shall be entirely landscaped except for necessary driveways and walkways.
- c. All loading and service bays shall not front on a public street.
- d. Parking areas and maneuvering areas shall not be located in any required yard fronting on a public street.
- e. Displays are prohibited in any required yards fronting on a public street.
- f. Outdoor storage is prohibited in any required yards fronting on a public street.
- g. A minimum of 80% of all exterior building wall surfaces which front on public streets, excluding windows and doors, shall be of masonry or reinforced concrete construction or shall be surfaced with wood, stucco, or similar materials.
- h. One-family dwelling unit, conventional construction or manufactured home or mobile home as watchman or caretaker's quarters in conjunction with an existing, permitted use.

Sec. 1652 BUILDING HEIGHT: Maximum height of any structure shall be 35 feet.

Sec. 1653 MINIMUM LOT AREA: 10,000 square feet.

Sec. 1654 MINIMUM LOT WIDTH: None.

Sec. 1655 MINIMUM AREA PER DWELLING UNIT: None.

Sec. 1656 MINIMUM FRONT YARD: 20 feet, except as provided in Section 1709, whichever is greater.

Sec. 1657 MINIMUM SIDE YARDS: None for interior side yards, except as provided in Section 1709, whichever is greater.

Sec. 1658 MINIMUM REAR YARD: 10 feet, except as provided in Section 1709.

Sec. 1659 INDUSTRIAL BUFFER REQUIRED: Same as provided in Section 1709.

Sec. 1660 DETACHED ACCESSORY BUILDINGS:

- a. Permitted coverage: 40% of the minimum rear yard and any additional space within the buildable area.
- b. Maximum height: 20 feet within the required rear yard; 35 feet within the buildable area.

- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 20 feet, except as provided in Section 1709, whichever is greater and in no case to be less than the distance between the front lot line and that of the main building.
- e. Minimum distance to side lot lines: None for the interior side yards, except as provided in Section 1709; 15 feet for street side yards, except as provided in Section 1709, whichever is greater.
- f. Minimum distance to rear lot line: 4 feet, except as provided in Section 1709.

ARTICLE 17

CI-1 LIGHT INDUSTRY AND WAREHOUSE ZONE

Sec. 1701

USES PERMITTED:

- a. Any use permitted in section 1501-b (CB-1 Local Business Zone) and in Sections 1601-b and 1601-c (CB-2 General Business Zone).
- b. One-family dwelling unit, conventional construction, or manufactured home or mobile home as watchman or caretaker's quarters in conjunction with an established, permitted use.
- c. Any of the following if conducted wholly within a completely enclosed building:
 - 1. Manufacture, compounding, processing, packaging or treatment of: Bakery goods, candy, cosmetics, dairy products, drugs and pharmaceutical products, soap (cold process only), and food products, except fish or meat products, sauerkraut, vinegar, yeast, and the rendering or refining of fats and oils.
 - 2. Manufacture, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: Bone, broom corn, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair or bristles, horn, leather, paper, plastics or plastic products, precious or semi-precious metals or stones, shell textiles, tobacco, wax (paraffin, tallow, etc.), wood (excluding sawmill or planing mill), yarns, paint (not employing a boiling process).
 - 3. Manufacture of: Glass, pottery or other similar ceramic products (using only previously prepared sand or pulverized clay and kilns fired only by electricity or gas), musical instruments, toys, novelties, rubber or metal stamps.
 - 4. Manufacture and maintenance of: Electric and neon signs, billboards, commercial advertising structures and displays, light sheet metal products, including heating or cooling and ventilating ducts and equipment, cornices, eaves and the like.
 - 5. Automobile or trailer assembling, painting, upholstering, rebuilding, reconditioning, sale of used parts, truck repair or overhauling, tire rebuilding or recapping, battery manufacture and the like.
 - 6. Blacksmith and welding shop or machine shop (excluding punch presses over 20 tons rated capacity, and drop hammer), foundry casting, electroplating and electro-winding lightweight non-ferrous metals not causing noxious fumes or odors.
 - 7. Laundry, cleaning or dyeing works, carpet and rug cleaning.
 - 8. Distribution plant, ice and cold storage plant, beverage bottling plant.
 - 9. Wholesale business, storage building or warehouse
 - 10. Assembly of electrical appliances: Radios and phonographs, including the manufacture of small parts only, such as coils, condensers, transformers, crystal holders and the like.
 - 11. Laboratory: experimental, photo or motion picture film or testing.
 - 12. Veterinary or cat or dog hospital or kennels.
 - 13. Poultry or rabbit killing incidental to a retail business on the same premises.
- d. Any of the following if conducted wholly within a completely enclosed building or within an area enclosed on all sides with a solid wall, compact evergreen hedge or uniformly painted board fence, not less than 6 feet in height.

1. Building material sales yard, contractors equipment sales yard (only) or rental of equipment commonly used by contractors.
2. Retail lumber yard, including only incidental mill work, feed yard.
3. Draying, freighting or truck yard or terminal.
4. Motion picture studio.
5. Automobile or automotive body and fender shop.
6. Public utility service yard.
- e. Accessory building or use when located on the same building site.
- f. Airport, airstrip or landing field, subject to the conditions set forth in Subsection 601-j of this Ordinance.
- g.
 1. Gasoline or flammables bulk station, provided said products, gasoline, or petroleum shall not be stored in tanks of more than 10,000 gallons capacity each, located not less than 25 feet from building or lot line and no closer than 100 feet to a residential zone.
 2. Liquefied Petroleum Gases (LPG) bulk station shall be designed, constructed and maintained in compliance with provisions of National Fire Protection Association N.F.P.A. Standards No. 58.

Sec. 1702 BUILDING HEIGHT: Maximum height of any structure shall be 35 feet.

Sec. 1703 MINIMUM LOT AREA: None.

Sec. 1704 MINIMUM LOT WIDTH: None.

Sec. 1705 MINIMUM LOT AREA PER DWELLING UNIT: None.

Sec. 1706 MINIMUM FRONT YARD: 15 feet, except as provided in Section 1709.

Sec. 1707 MINIMUM SIDE YARDS: None, except as provided in Section 1709.

Sec. 1708 MINIMUM REAR YARD: 10 feet, except as provided in Section 1709.

Sec. 1709 INDUSTRIAL BUFFER REQUIRED: Where industry adjoins, faces or confronts residential property or a major or secondary thoroughfare, such industrial use shall provide a yard of not less than 10% of the lot depth or width on the side or sides abutting, facing or confronting said uses, but such yard need not exceed 50 feet unless a greater depth or width is required by the general setback provisions of this Ordinance, or general or special setback provisions of any existing setback ordinance. Such yard shall be improved with one or more of the following:

- a. Landscaping
- b. Parking lot, wherein a minimum width of 10 feet along the lot line(s) closest to the residential property or major or secondary thoroughfare, shall be landscaped; and a decorative screening device of opaque fencing, walls, landscaped earth berms or any combination thereof, shall be installed between the landscaped area and the parking lot, to a minimum height of 3 feet.
- c. Recreational space for employees, wherein a minimum width of 10 feet along the lot line(s) closest to the residential property or major or secondary thoroughfare, shall be landscaped.

Sec. 1710 DETACHED ACCESSORY BUILDINGS:

- a. Permitted coverage: 40% of the required rear yard and any additional space within the buildable area.
- b. Maximum building height: 20 feet within the required rear yard; 35 feet within the buildable area.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 15 feet, except as provided in Section 1709.
- e. Minimum distance to side lot lines: None, except as provided in Section 1709.
- f. Minimum distance to rear lot line: 4 feet, except as provided in Section 1709.

ARTICLE 18

CI-2 INDUSTRIAL ZONE

Sec. 1801 USES PERMITTED:

- a. Any use permitted in Section 1501-b (CB-1 Local Business Zone), Sections 1601-b and 1601 c (CB-2 General Business Zone) and Section 1701-b through 1701-e (CI-1 Light Industry and Warehouse Zone).
- b. Airport or landing field, commercial, subject to the following conditions set forth in Sub-section 601-j of this Ordinance.
- c. Accessory building or use when located on the same building site.
- d. **AN INDUSTRIAL USE PERMIT SHALL BE OBTAINED FROM THE BOARD OF SUPERVISORS FOR THE USES SPECIFIED BELOW.**

The application for an Industrial Use Permit shall be made to the Commission and shall include a plan for the development of the land to be so used, and a uniform, non-refundable fee, as set forth in Article 27. Copies of the application shall be provided to the County engineer, the County Health Department and the Pinal-Gila County Air Quality Control District. The Commission shall hold at least one public hearing on the application after giving at least 15 days notice. The notice shall be given by publication once in a newspaper of general circulation in Pinal County, by posting the property to be used, and by notifying all property owners within 300 feet of the proposed use. The Commission shall consider whether the use will create any foreseeable flood, traffic or health hazards or nuisances. The Commission may hold additional public hearings and give additional public notice as they deem reasonable under the circumstances. By agreement between the Commission and the applicant, the above procedures may take place concurrently with an application for change of the zone of land to CI-2 Industrial Zone. The Commission shall recommend the Supervisors either for or against the granting of a use permit. Upon receipt of the Commission's recommendation the Supervisors shall hold a public hearing on the use permit after giving at least 15 days notice. Notice shall be given by publication once in a newspaper of general circulation in Pinal County, and by posting the property to be used. Upon completion of the public hearing, the Supervisors may act upon the application, however if 20% of the owners of property by area and number within 300 feet of the proposed use file a protest to such use, the use permit shall not be granted except by unanimous vote of all members of the Board of Supervisors. By agreement between the applicant and the Board of Supervisors, the above procedures may take place concurrently with an application for a change of zone of the land to CI-2 Industrial Zone.

THE USES COVERED BY THIS SUB-SECTION INCLUDE BUT ARE NOT LIMITED TO:

- Abattoir (slaughter house)
- Auto wrecking, junk yard, or storage yard, where conducted wholly within an enclosed building or behind imperforated walls or close boarded fence not less than 6 feet in height
- Blast furnace
- Boiler shop or works
- Coke oven

Commercial cattle feeding yard or sales or auction yard
 Dirt, soil, clay, sand, rock, stone or gravel pit or yard
 Fat rendering
 Hog feeding yard, commercial (where more than 3 hogs weighing more than 100 pounds each are fed)
 Incineration, reduction or dumping of offal, garbage or refuse on a commercial scale, not operated by the Board of Supervisors, a municipality or sanitary district.
 Manufacture of: Acetylene gas, acid, ammonia, asphalt or products, asbestos, brick, tile of terra cotta, babbitt metal, bleaching powder, carbon, lamp black or graphite, cement, celluloid, chlorine gas, coal tar or products, creosote or products, explosives, fireworks, fertilizer (including open storage on a commercial scale), illuminating gas, gelatine, glucose, glue or size, guncotton or products, gypsum, insulating material (such as rock wool and similar products), lime or products, matches, phenol, pickles, plaster of Paris, poisons, potash, pulp, paper and strawboard, rubber, sulphur and products, sauerkraut, soap except by cold process, tar or asphalt roofing, turpentine, vinegar.
 Meat packing plant
 Oil reclaiming plant
 Ore reducing plant, on site of less than 72,000 square feet
 Petroleum products stored above ground, except in quantities of less than 1,000 barrels
 Petroleum refinery
 Racetrack or sports stadium, except for contests between human beings only
 Rifle range, including pistol range, if not within an enclosed building
 Rock crusher, aggregate pit, aggregate plant, quarry, concrete or cement products
 Rolling mill
 Rubber reclaiming plant
 Salt works
 Sandblasting
 Sewer farm or sewage disposal, not operated under the control of the Board of Supervisors, a Municipality, or a sanitary district
 Smelting, on site of less than 72,000 square feet
 Stockyards, commercial
 Storage or baling of rags or paper, except where conducted wholly within an enclosed building or behind imperforated walls or close board fence not less than 6 feet in height
 Tannery
 Wood or bone distillation
 Wool pulling or scouring plant

- Sec. 1802 BUILDING HEIGHT:** Maximum height of any structure shall be 35 feet.
- Sec. 1803 MINIMUM LOT AREA:** None.
- Sec. 1804 MINIMUM LOT WIDTH:** None.
- Sec. 1805 MINIMUM LOT AREA PER DWELLING UNIT:** None.
- Sec. 1806 MINIMUM FRONT YARD:** 15 feet, except as provided in Section 1709.
- Sec. 1807 MINIMUM SIDE YARDS:** None, except as provided in Section 1709.
- Sec. 1808 MINIMUM REAR YARD:** 10 feet, except as provided in Section 1709.
- Sec. 1809 INDUSTRIAL BUFFER REQUIRED:** Same as in Section 1709.
- Sec. 1810 DETACHED ACCESSORY BUILDINGS:**
 - a. Permitted coverage: 40% of the required rear yard and any additional space within

- the buildable area.
- b. Maximum building height: 20 feet within the required rear yard; 35 feet within the buildable area.
- c. Minimum distance to main building: 7 feet.
- d. Minimum distance to front lot line: 15 feet, except as provided in Section 1709.
- e. Minimum distance to side lot lines: None, except as provided in Section 1709.
- f. Minimum distance to rear lot line: 4 feet, except as provided in Section 1709.

ARTICLE 19

GUEST RANCH REGULATIONS:

In addition to other provisions of this Ordinance, the following shall apply to guest ranches in any zone where permitted.

Sec. 1901 ACCESSORY USES PERMITTED:

- a. Accessory commercial uses, if located on the premises of the guest ranch not closer than 100 feet to any public street, having no outside entrance facing the street, and intended, provided, and operated primarily for the convenience of guests, as follows:
 - Restaurant
 - Beverage service
 - Incidental retail sales and services
 - Professional office
 - Personal services
 - Horses for the use of occupants and guests, but not for public hire
- b. A guest ranch shall not stable or keep more than one horse for each 10,000 square feet of land area, and no stable or corral shall be closer than 50 feet to any lot line and not closer than 100 feet to a dwelling on an adjoining property or to a school, park, public street or road (excepting an alley).

Sec. 1902 MINIMUM LOT AREA: 144,000 square feet.

ARTICLE 20

MH MANUFACTURED/MOBILE HOME ZONE

- Sec. 2001 USES PERMITTED:**
- a. Public Park.
 - b. Manufactured/Mobile home.
 - c. Church, providing the minimum off-street parking requirements, in Article 21, Section 2102-e, are met.
 - d. Accessory building or use.
 - e. Home occupation.
 - f. Manufactured/Mobile home subdivision, subject to the following:
 - 1. The number of manufactured/mobile homes shall be limited to one (1) on each lot in each subdivision.
 - 2. The height, yard intensity of use, and parking regulations shall apply to manufactured/mobile homes located on lots in such subdivision.
 - g. Recreation areas, facilities, laundry, rest rooms, offices, service buildings and storage yards, provided that the only purpose of any such use is service to residents and guests of the subject subdivision.
- Sec. 2002 BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.
- Sec. 2003 MINIMUM LOT AREA:** 8,000 square feet.
- Sec. 2004 MINIMUM LOT WIDTH:** 60 feet.
- Sec. 2005 MINIMUM LOT AREA PER MANUFACTURED/MOBILE HOME:** 8,000 square feet.
- Sec. 2006 MINIMUM FRONT YARD:** 15 feet.
- Sec. 2007 MINIMUM SIDE YARDS:** 10 feet each.
- Sec. 2008 MINIMUM REAR YARD:** 10 feet.
- Sec. 2009 MINIMUM DISTANCE BETWEEN MANUFACTURED/MOBILE HOMES:** 20 feet.
(Amended 3-25-91)
- Sec. 2010 MINIMUM DISTANCE OR SETBACKS REQUIRED HEREIN** shall be the shortest of horizontal dimensions measured from the nearest portion of the sidewall of a manufactured/mobile home, or from the patio cover, carport, cabana, ramada or similar appurtenances.
- Sec. 2011 DETACHED ACCESSORY BUILDINGS:**
- a. Permitted coverage: 25% of the rear yard plus 50% of any additional space in the rear of the principal building.

- b. Maximum height: 20 feet.
- c. Minimum distance to manufactured/mobile home: 7 feet.
- d. Minimum distance to front lot line: 60 feet.
- e. Minimum distance to side and rear lot lines: 4 feet.

ARTICLE 20-A

RV-RECREATIONAL VEHICLE HOMESITE ZONE

- Sec. 2025A USES PERMITTED:**
- a. Public Park.
 - b. Church, providing the minimum off-street parking requirements in Article 21, Section 2102-e, are met.
 - c. Accessory building or use.
 - d. Home occupation.
 - e. Recreational Vehicle/Travel Trailer - subdivision, subject to the following:
 - 1. The number of recreational vehicles /travel trailers shall be limited to one (1) on each lot in such subdivision.
 - 2. The height, yard, intensity of use, and parking regulations shall apply to travel trailer - recreational vehicles located on lots in such subdivision.
 - f. Recreation areas, facilities, laundry, rest rooms, offices, service buildings and storage yards, provided that the only purpose of any such use is service to residents and guests of the subject subdivision.
- Sec. 2026A BUILDING HEIGHT:** Maximum height of any structure shall be 30 feet.
- Sec. 2027A MINIMUM LOT AREA:** 6,000 square feet.
- Sec. 2028A MINIMUM LOT WIDTH:** 60 feet.
- Sec. 2029A MINIMUM LOT AREA PER TRAVEL TRAILER - RECREATIONAL VEHICLE:** 6,000 square feet.
- Sec. 2030A MINIMUM FRONT YARD:** 15 feet.
- Sec. 2031A MINIMUM SIDE YARDS:** 10 feet each.
- Sec. 2032A MINIMUM REAR YARD:** 10 feet.
- Sec. 2033A MINIMUM DISTANCE OR SETBACKS REQUIRED HEREIN** shall be the shortest of horizontal dimensions measured from the nearest portion of the sidewall of a travel trailer - recreational vehicle, or from the patio covers, carport, cabana, ramada or similar appurtenances.
- Sec. 2011 DETACHED ACCESSORY BUILDINGS:**
- a. Permitted coverage: 25% of the rear yard plus 50% of any additional space in the rear of the principal building.
 - b. Maximum height: 20 feet.
 - c. Minimum distance to travel trailer - recreational vehicle: 7 feet.

- d. Minimum distance to front lot line: 60 feet.
- e. Minimum distance to side and rear lot lines: 4 feet.

ARTICLE 20-B

MHP - MANUFACTURED/MOBILE HOME PARK ZONE

Sec. 2050B USES PERMITTED:

- a. Manufactured/Mobile Home Park (MHP), lot or parcel, shall be not less than (10) acres inclusive of rights-of-way, easements or dedications.
 - 1. The manufactured/mobile home park lot or parcel shall be not less than ten (10) acres, inclusive of rights of way, easements or dedications.
 - 2. Each manufactured/mobile home space shall have an area of not less than four thousand (4,000) square feet and a width of not less than forty-five (45) feet.
 - 3. Manufactured/mobile homes shall be located on manufactured/mobile home spaces so as to provide a minimum setback from the nearest edge of any interior drive or roadway of not less than eight (8) feet and so as to provide a minimum setback from any manufactured/mobile home space boundary not in common with the edge of any interior drive or roadway of not less than five (5) feet, except that in the case of manufactured/mobile home spaces having boundaries in common with two (2) or more interior drives or roadways then the minimum setback from the nearest edge of the interior drive or roadway shall be not less than twenty (20) feet on the manufactured/mobile home's entry side and not less than five (5) feet on the manufactured/mobile home's non-entry side.
 - 3A. Recreational Vehicles may be located on manufactured/mobile home spaces provided that:
 - (A) All requirements of this article are met.
 - (B) No more than one (1) R.V. shall be located on a manufactured/mobile home space.
 - (C) A Special Use Permit is applied for and granted in accordance with the provisions of Article 23, Sections 2302 thru 2302-3 of this Ordinance.
 - 4. The minimum distance between manufactured/mobile homes in the same manufactured/mobile home park shall be ten (10) feet.
 - 5. Minimum distance or setbacks required herein shall be the shortest of horizontal dimensions measured from the nearest portion of the sidewall of a manufactured/ mobile home or from the patio cover, carport, cabana, ramada or similar appurtenances.
 - 6. The manufactured/mobile home park shall be screened from adjoining lots or parcels, not in manufactured/ mobile home park use, by a solid fence or wall of not less than six (6) feet in height. The screening fence or wall shall be constructed within 6 months from date of approval of the manufactured/ mobile home park plans. The screening material does not include planting, vegetation, shrubbery and the like.
 - 7. Recreation areas, facilities, laundry, rest rooms, offices, service buildings

and storage yards, provided that the only purpose of any such use is service to residents and guests of the subject park.

- b. Model Complex with sales office as detailed on the submitted Site Plan and approved by The Planning and Development Services Department.

Sec. 2051B PLAN APPROVAL REQUIRED: Prior to issuance of permits for construction or development of the manufactured/mobile home park, at least four (4) copies of the park plans shall be submitted to the Planning Department and shall include the following:

- a. Name of park, legal description of property to be developed, ownership, name of developer, scale, north arrow, name of civil engineer or surveyor, date of plans and key map showing the location of tract.
- b. All manufactured/mobile home spaces on the plan shall be clearly numbered for proper identification.
- c. In addition to the above requirements, no permit shall be issued until the sanitation facilities and water supply have been approved by the Arizona Department of Environmental Quality.

Sec. 2052B STREETS:

- a. All streets within the manufactured/mobile home park shall be private. Installation and maintenance will be responsibility of the owner.
- b. If the manufactured/mobile home park is bordered by a potential major thoroughfare, section line, mid-section line, collector street, minor street or marginal street, as described in the current Pinal County Subdivision Regulations and Requirements, that portion bordering the manufactured/ mobile home park shall be dedicated for public use and constructed in accordance with the current uniform standard details and specifications for public works construction, as approved and adopted by the Pinal County Board of Supervisors.
- c. If it is determined that the dedication and construction of the street will be required, as described in sub-section b of this section, then construction of the streets shall begin within six (6) months from the date of approval of the park plans and shall be completed within twelve (12) months after approval of the park plans.

Sec. 2053B HEIGHT: Maximum height of any structure shall be 30 feet.

Sec. 2054B MINIMUM FRONT YARD: 15 feet.

Sec. 2055B MINIMUM SIDE YARDS: 10 feet each.

Sec. 2056B MINIMUM REAR YARD: 10 feet.

Sec. 2057B DETACHED ACCESSORY BUILDINGS:

- a. Maximum Height: 30 feet.
- b. Minimum distance to front lot line: 15 feet.
- c. Minimum distance to side lot line: 4 feet.
- d. Minimum distance to rear lot line: 4 feet.

ARTICLE 20-C

PARK MODEL (PM) AND RECREATIONAL VEHICLE (RV) PARK ZONE

Sec. 2075C USES PERMITTED:

- a. Park Model (PM) and Recreational Vehicle (RV) Park, subject to the following:
 - 1. The Park Model and Recreational Vehicle Park, lot or parcel, shall be not less than ten (10) acres inclusive of rights-of-way, easements or dedications.
 - 2. (a) Each Recreational Vehicle space shall have an area of not less than one thousand, five hundred (1,500) square feet and a width of not less than thirty (30) feet.
 (b) After December 30, 1992, each Park Model space shall have an area of not less than two thousand (2,000) square feet and a width of forty (40) feet in all new parks or additions to existing parks.
 - 3. Park Models and Recreational Vehicles shall be located on spaces so as to provide a minimum setback from the nearest edge of any interior drive or roadway of not less than five (5) feet and so as to provide a minimum setback from any PM/RV space boundary not in common with the edge of any interior drive or roadway of not less than five (5) feet, except that in the case of PM/RV spaces having boundaries in common with two (2) or more interior drives or roadways then the minimum setback from the nearest edge of the interior drive or roadway shall be not less than twenty (20) feet to the Park Model/Recreational Vehicle's entry side and not less than five (5) feet on the non-entry side.
 - 4. The minimum setback distance of Park Models and Recreational Vehicles from a space boundary shall be as follows:

Rear yard:	5 feet
Front yard:	5 feet
Side yard:	5 feet

 except approved and permitted appurtenances on the entry side may be 3 feet.
- In no case shall Park Model or Recreational Vehicle units, which include tipouts, be closer than ten feet on adjacent spaces. In no case shall an approved and permitted appurtenance on the entry side of a Park Model or Recreational Vehicle unit be closer than eight feet between said appurtenance and a Park Model or Recreational Vehicle unit on any adjacent space. Said eight feet does not apply to any window awnings on the nonentry side of any Park Model or Recreational Vehicle unit.
- 5. Minimum setback distance required herein shall be the shortest of

horizontal dimensions measured from the nearest portion of the sidewalk of a Park Model/Recreational Vehicle or from the patio cover, carport, cabana, ramada, room addition or similar appurtenances.

6. The PM/RV park shall be screened from adjoining lots or parcels, not in PM/RV park use, by a solid fence or wall of not less than six (6) feet in height. The screening fence or wall shall be constructed within 6 months from date of approval of the PM/RV park plans. The screening material does not include planting, vegetation, shrubbery and the like.
 7. Any Park Model or Recreational Vehicle appurtenances shall require a building permit and be constructed in compliance with the adopted Pinal County Building Codes.
 8. Recreation areas, facilities, laundry, rest rooms, offices, service buildings and storage yards, provided that the only purpose of any such use is service to residents and guests of the subject park.
- b. Model Complex with sales office as detailed on the submitted Site Plan and approved by The Planning and Development Services Department.

Sec. 2076C PLAN APPROVAL REQUIRED: Prior to issuance of permits for construction or development of the PM/RV park, at least four (4) copies of the park plans shall be submitted to the Planning Department and shall include the following:

- a. Name of park, legal description of property to be developed, ownership, name of developer, scale, north arrow, name of civil engineer or surveyor, date of plans and key map showing the location of tract.
- b. All PM/RV park spaces on the plan shall be clearly numbered for proper identification.
- c. In addition to the above requirements, no permit shall be issued until the sanitation facilities and water supply have been approved by the Arizona Department of Environmental Quality.

Sec. 2077C STREETS:

- a. All streets within the PM/RV park shall be private. Installation and maintenance will be responsibility of the park owner.
- b. If the PM/RV park is bordered by a potential major thoroughfare, section line, mid-section line, collector street, minor street or marginal street, as described in the current Pinal County Subdivision Regulations and Requirements, that portion bordering the PM/RV park shall be dedicated for public use and constructed in accordance with the current uniform standard details and specifications for public works construction, as approved and adopted by the Pinal County Board of Supervisors.
- c. If it is determined that the dedication and construction of the street will be required, as described in sub-section b of this section, then construction of the street shall begin within six (6) months from the date of approval of the park plans and shall be completed within twelve (12) months after approval of the park plans.

Sec. 2078C HEIGHT: Maximum height of any structure shall be 30 feet.

Sec. 2079C MINIMUM FRONT YARD: 15 feet. (Main Building and Park perimeter setback)

Sec. 2080C MINIMUM SIDE YARDS: 10 feet. (Main Building and Park perimeter setback)

Sec. 2081C MINIMUM REAR YARD: 10 feet. (Main Building and Park perimeter setback)

Sec. 2082C DETACHED ACCESSORY BUILDINGS:

- a. Maximum Height: 30 feet.
- b. Minimum distance to front lot line: 15 feet.
- c. Minimum distance to side lot line: 4 feet.
- d. Minimum distance to rear lot line: 4 feet.

ARTICLE 21**OFF-STREET PARKING AND LOADING; PUBLIC GARAGES AND FILLING STATIONS**

Sec. 2101 **PARKING SPACE DEFINED:** For the purpose of this Article, 200 square feet of floor or lot area, together with adequate access to a public street, shall be deemed to be one parking space.

Sec. 2102 **PARKING SPACE REQUIREMENTS:** Off-street automobile parking space, shall be provided according to the following schedule and subject to the following conditions in any zone in which any of the following uses shall hereafter be established:

- a. One parking space for each family dwelling unit; such space shall be provided on the building site on which such dwelling is located.
- b. One parking space for each 3 roomers which any boarding or rooming house is intended or designed to accommodate; such space shall be provided on the building site on which said building is located, or on a lot immediately adjacent thereto.
- c. One parking space for each guest room or suite of guest rooms in a tourist court and for each travel trailer space in a travel trailer court; such space shall be provided on the building site of the court.
- d. One off-street parking space for each 3 guest or patient beds in a hotel or hospital; such space shall be not farther than 600 feet distant in a direct line from the nearest part of said structure.
- e. One parking space for each 8 seats or pew in any church; such space shall be located as set forth in d, above.
- f. One parking space for each 5 seats or similar accommodations in any theater, auditorium or stadium; such space shall be located as set forth in d, above.
- g. One parking space, located as set forth in d, above, for each 200 square feet of floor area used for the following:
 1. Shopping center, retail store, service business
 2. Business or professional office
 3. Medical or dental clinic
 4. Any retail commercial use not otherwise listed in this section
- h. One off-street parking space for each 75 square feet of floor area used for a dance hall, night club, assembly hall without fixed seats, or establishment for the sale and consumption on the premises of alcoholic beverages, food or refreshments; such space shall be located as set forth in d, above.
- i. Three parking spaces for each room used as a chapel room, or slumber room, or parlor in a mortuary or funeral home, or one parking space for each 50 square feet

- of floor area of assembly room or rooms used for services, whichever is greater.
- j. One parking space for each 1,000 square feet of floor area used for a furniture store, furniture repair shop, machinery sales, motor vehicle sales, wholesale store, or welfare institution not otherwise specified herein, such space shall be located as set forth in d, above.
- k. Two parking spaces for each alley in a bowling alley; such space shall be located as set forth in d, above.
- l. In addition to the requirements of any other section of this Ordinance, one off-street parking space for each 2 employees shall be provided for any land use other than an office building. The number of employees used in computing parking requirements shall be the greatest number of persons employed at any time of the day or night; such space shall be located as set forth in d, above.
- m. For any drive-in-theater, parking space for customers waiting to enter said theater equal to 30% of the vehicular capacity of the theater.
- n. For a gasoline service station, auto laundry or public repair garage, automobile storage or parking space sufficient in area to accommodate the automobiles of the operator and patrons of such commercial uses; such space shall be located as set forth in d, above.
- o. For any commercial amusement park, fairground or transient show, either indoor, or outdoor, parking space sufficient in area to accommodate the patrons of such use.

Sec. 2103 DEVELOPMENT OF PARKING AREA:

- a. In any CR-5, TR, CB-1, CB-2, CI-B, CI-1 OR CI-2 zone, where parking space is required, the surface of such space shall be paved as specified by the Pinal County Public Works Department.
- b. Where a parking area for a business or industrial use adjoins or is within a residential zone, there shall be a solid wall of masonry or other approved fireproof material, not more than 5 and not less than 4 feet in height, along the boundaries adjoining residence lots, except that adjoining the front yard of a residence lot, said wall shall be 3 feet 6 inches in height.
- c. Anywhere a wall is required, a minimum landscaped yard of 5 feet shall be provided between the wall and property line.
- d. Any lights used to illuminate said parking space shall be so arranged as to reflect the light away from adjoining lots in residential zones and be installed in accordance with the Pinal County Light Ordinance.
- e. All parking spaces shall be designed so that vehicles exiting therefrom will not be required to back out across any sidewalk or into any street.

Sec. 2104 LOADING SPACE DEFINED: For the purpose of this Article, one loading space shall be not less than 10 feet in width, 30 feet in length, and 14 feet in height.

Sec. 2105 LOADING SPACE REQUIREMENTS: On any lot abutting an alley or having access to two or more streets, at least one off-street loading space shall be provided and maintained for every building or part thereof occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, mortuary, hospital, laundry, dry cleaning establishment, or other use similarly requiring the receipt or distribution by vehicles of materials or merchandise; and one additional loading space shall be provided for each 10,000 square feet of gross floor space so used in excess of 10,000 square feet. Such space may occupy all or any part of any required yard. No such space shall be located closer than 50 feet to any other lot in any residential zone unless wholly within a completely enclosed building or enclosed on all sides by a solid fence or wall not less than 6 feet in height.

Sec. 2106 BUILDING OVER LOADING SPACE: Nothing in this Article shall prevent building over the top of a loading area within the buildable area prescribed in this Ordinance, provided a clear height of 14 feet is maintained.

Sec. 2107 PUBLIC GARAGE, PARKING LOTS AND FILLING STATIONS:

- a. No gasoline filling station, automobile repair shop, public garage or parking lot shall have an entrance or exit for vehicles on the same side of the street within 30 feet

of a residence zone, nor shall any part of a gasoline filling station, public garage or automobile repair shop be within 50 feet of the ground of any school, public playground, church, hospital, sanatorium, public library or institution for dependents or for children.

- b. No gasoline filling station or public garage shall have any oil draining pit or visible appliance for such purpose, other than filling caps, located within 12 feet of any street lot line or within 50 feet of any residential zone, unless such appliance or pit is within a building and distant at least 12 feet from any vehicular entrance or exit of such building.

ARTICLE 22

SIGNS, BILLBOARDS, NAME PLATES AND OTHER OUTDOOR ADVERTISING

Sec. 2201 **PURPOSE:** The uses, locations, types, heights, sizes and illumination of signs are herein regulated in order to protect the attractiveness of the County, to enhance tourism, to promote commerce, to preserve property values, to insulate residential areas from the undue impact of signs, to foster the effectiveness of business signage, to promote traffic and pedestrian safety, and to protect the general welfare.

Sec. 2202 **DEFINITIONS:** For the purpose of this Article, certain words and terms used herein are herewith defined.

- a. Advertising: To call public attention to things, usually to promote sale.
- b. Awning: A shelter or cover projecting from and supported by an exterior wall of a building.
- c. Canopy: Same as "awning".
- d. Commercial and/or Industrial Center: A group of two (2) or more businesses associated by a common agreement or common ownership with common parking facilities.
- e. Construction (beginning): The placement or attachment of sign-related materials (e.g. posts, poles, brackets, standards, bolts, screws, lumber, concrete, block, footings, paint) on the ground or on an existing building or other structure.
- f. Frontage: The length of property line of any one premise along a public right-of-way on which it borders.
- g. Grade: Average elevation of the ground within a radius of 20 feet from the center point of the sign.
- h. Interstate Freeway Interchange: Where ingress or egress is obtained to a federal interstate highway; specifically delineated as lying within three-hundred (300) feet of the right-of-way and between the two points of widening of the interstate highway right-of-way approaching the interchange.
- i. Lighting, Internal-Reverse Print: An internally lighted sign in which the visible lighted area constitutes less than fifty percent (50%) of the total sign area, with lighted or visible letters against a dark background.
- j. Mansard: A roof with two angles of slope, the lower portion of which is steeper and is architecturally comparable to a building wall. Also a facade with a slope approaching the vertical which imitates a roof.
- k. Marquee: A permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building, to be considered a canopy for sign

allowances.

- l. Parapet: The extension of a false front or wall above a roof line.
- m. Reconstruction, substantial: Improvement or repair valued in excess of fifty percent (50%) of the current value of a sign. Reconstruction does not include merely repainting or changing the copy on the sign if the use and size remain the same.
- n. Roof line: The highest point of a structure including parapets, but not to include spires, chimneys or heating or cooling mechanical devices.
- o. Sign: Any identification, description, illustration, symbol, or device which is affixed directly or indirectly upon a building, vehicle, structure, or land and which conveys information identifying or directing attention to or advertising a product, place, activity, person, institution, or business.
- p. Sign, Abandoned: A sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.
- q. Sign, Canopy: Any sign erected directly upon or suspended from a canopy (awning).
- r. Sign, Directional: Any sign which is designed solely for the purpose of traffic or pedestrian direction and placed on the property to which or on which the public is directed, and which contains no advertising copy.
- s. Sign, Directory: Any sign listing the names, use, or location of the businesses or activities conducted within a building or group of buildings.

- t. Sign, Free-standing: A sign which is erected on its own self-supporting permanent structure, detached from any significant (i.e., weight-bearing) supporting elements of a building (Lateral stabilizing support is not considered attachment to the building).
- u. Sign, Height: The distance measured from grade at the base of a sign to the topmost portion of a sign, including decorative embellishments.
- v. Sign, Identification: Any sign identifying by name, message or symbol, a business, residence, occupant activity, institution, establishment, operation, merchandise, product, or service available at the property on which the sign is displayed.
- w. Sign, Illuminated: A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
- x. Sign, Non-conforming: Any sign which is not allowed under this Code, but which, when first constructed, was lawful.
- y. Sign, Number of Faces on:
 - One:** If a sign has copy on one side only or if the interior angle between the two sign faces or sides is greater than forty five (45) degrees, it shall be considered one face; the area will be considered to be the sum of the areas of both sides.
 - Two:** If the angle between the two sign faces is less than forty-five (45) degrees, the sign shall be considered double-faced, the sign area will be the area of one face only.
 - If two sign faces are attached to a structure with a thickness exceeding thirty-six (36) inches or the two faces are separated by a distance exceeding thirty-six (36) inches, then the sign area will be the area of both faces.
 - Multi-faced:** Any sign containing more than two sides. The area shall be the area of the largest side plus the area of any other side whose interior angle with any other side exceeds forty-five (45) degrees.
- z. Sign, Off-premise (Billboard, outdoor advertising): A sign advertising a business, place, activity, goods, services, or products on a different property from where said sign is located.
 - aa. Sign, On-premise: A sign advertising a business, place, activity, goods or services or products on the same property on which the sign is located.
 - bb. Sign, Political: A temporary sign used in connection with a local, state, or national election or referendum.
 - cc. Sign, Portable: Any sign not permanently affixed to the ground or a structure on the site it occupies.
 - dd. Sign, Projection: Any sign attached to a building or other structure and

- extending in whole or in part more than twelve (12) inches beyond the building, shall be considered "free-standing" sign with reference to square footage allowances. (See Figure 10)
- ee. Sign, Roof: Any sign erected upon the roof of any building which is partially or totally supported by the roof or re-roof structure of the building.
- ff. Sign, Under-canopy: A sign suspended beneath a canopy, ceiling, roof, or marquee shall be considered "free-standing" signs with reference to square footage allowances.
- gg. Sign, Wall-mounted: A sign mounted or painted flat against, projecting less than twelve (12) inches or painted on the wall of a building with the exposed face of the sign in a plane parallel to the face of said wall.

Sec. 2203

GENERAL PROVISIONS: Except as may be further restricted in specific zones, all permitted signs shall be subject to the following:

- a. A sign may be illuminated during the hours of operation of the facility being identified or advertised or until 11:00 p.m., whichever is later, but the source of illumination shall not be visible beyond the property lines. No flashing or intermittent illumination shall be used. Internally lighted signs may be "reverse print" or otherwise. No portion of any sign shall consist of mirrors or highly polished reflective surfaces.
- b. No sign (nor any portion of a sign) shall rotate, move, or simulate movement by means of fluttering, spinning, or reflection devices, nor shall it contain an electronic message device except for "time and temperature" signs, nor shall it flash, blink, be audible, or be animated by any means (including banners, pennants, or devices affected by movement of air). Signs attached to or suspended from hot air or helium balloons are prohibited. An exception to this paragraph shall be permitted for a period of seven (7) consecutive days for the "grand opening" of a permitted business upon the bona fide occurrence and at the location of one of the following:
 - 1. An "arms length" change of ownership.
 - 2. Opening of a new location.
 - 3. An expansion of floor area of at least twenty five percent (25%).
 Such exceptions shall first obtain a Temporary Sign Permit (with a minimum sign permit fee). An exception for a "grand opening" shall be permitted no more than once in any twelve month period at any one location.
- c. Lighted beacons, searchlights, or other lights or lighted devices which attract attention to a property are prohibited.
- d. No sign may encroach upon or overhang adjacent property or public right-of-way. No sign shall be attached to any utility pole, light standard, bridge, or any other public facility located within the public right-of-way. Signs may be located in or project into required yards but no sign nor any support for a sign shall be located in, or project into any private street, alley, easement, driveway, parking area or pedestrian way in such a manner as to obstruct the intended use or to constitute a safety hazard.
- e. Canopy (awning) signs shall not project above the canopy. Signs may be attached flat against canopies made of rigid materials; canopies of non-rigid materials, e.g. canvas, shall only have signs painted on them. Signs attached to a building shall not project above the eave line or parapet. Signs mounted on the lower portion of a mansard roof with a slope exceeding 74 degrees from the horizontal are permitted, provided they do not project above the top of the lower roof.
- f. In no case shall any sign exceed thirty (30) feet in height.
- g. The square footage of a sign made up of letters, words, or symbols within a frame or border shall be determined from the outside edge of the frame or border itself. The square footage of a sign composed of only letters, words, or symbols shall be determined from imaginary straight lines drawn around the entire copy or grouping of such letters, words, or symbols. Only those portions of the construction elements that are an integral part of the sign itself shall be considered in the allocation of square footage allowed.
- h. No sign shall be painted on or affixed to any natural object in its natural location

- such as a boulder, tree or cliff face.
- l. Signs may be painted directly onto structural surfaces (walls or buildings) but not onto any roof.
- j. No sign shall be located in such a manner as to obstruct or otherwise interfere with an official traffic sign, signal or device or obstruct or interfere with a driver's view of approaching, merging or intersection traffic.
- k. No sign shall simulate the appearance of an official traffic sign, signal or device, nor the warning or signal device of any emergency vehicle.
- l. Signs painted on or attached to vehicles which are parked on the public right-of-way or on private premises for a continuous period in excess of 72 hours or repeatedly for three consecutive days for the purpose of intentionally circumventing the intention of the Ordinance shall be considered portable signs within the meaning of this ordinance.
- m. In no case shall any sign project above the roof line of the building upon which it is mounted. Roof mounted signs are permitted (if otherwise in compliance) and shall be considered to be a variety of wall mounted sign.
- n. No person shall exhibit, post or display upon any sign or wall any statement, symbol or picture of an obscene nature.
- o. New signs exceeding six (6) square foot in area or exceeding eight (8) feet in height shall follow the permitting requirements specified in Section 2214. Relocation or substantial reconstruction (i.e., costing more than 50 percent of the present value) of a sign shall be considered a new sign for building permit purposes.
- p. Signs which identify or advertise uses on other than the property on which they are located shall be permitted only in medium commercial and industrial districts. (See Off-Premise Signs, sign regulations, Section 2206)
- q. Signs which are not permitted in a residential zone shall not be placed closer than twenty (20) feet to any Residentially Zoned lot.
- r. Signs located within the triangular area on a corner lot formed by measuring thirty (30) feet along both street lines from their intersection of a public street and a private street or driveway, shall maintain a maximum three (3) foot top height or minimum eight (8) foot bottom height and contain a maximum of two (2) supports with a maximum twelve (12) inch diameter each.
- s. All signs shall be stable. Portable signs are permitted where indicated for zoning districts provided they are planted securely into the ground, weighted, or otherwise anchored to resist rolling, blowing, tipping over or otherwise moving from a safe location and further provided they are not attached to or sitting upon wheels or trailers.

Sec. 2204 EXEMPT SIGNS: The following signs shall be exempt from obtaining permits and other provisions of this ordinance provided they satisfy all requirements or specifications contained within this section.

- a. Official notices authorized by a court, public body, or public safety official.
- b. Directional, warning or information signs authorized by or consistent with Federal, State, County, or Municipal Authority.
- c. Memorial plaques and building cornerstones when cut or carved into masonry surface or when made of incombustible material and made an integral part of the building or structure.
- d. Commemorative symbols, plaques and historical tablets.
- e. Political signs on private property, provided however, that such signs shall be erected no more than 90 days prior to, and removed within 15 calendar days following the date of the election to which they refer, and that the total sign area permitted on any lot or parcel shall not exceed thirty-two (32) square feet on residentially zoned property and sixty-four (64) square feet on commercially zoned property.
- f. Flags, emblems, insignias and posters of any nation, state, international organization, political subdivision or other governmental agency; unlighted non-verbal religious symbols attached to a place of religious worship; and temporary displays (maximum of thirty days) of a patriotic, religious, charitable, or civic character shall be exempt from the provisions of this section; however, if the height

exceeds the building height of the zone in which it is located, such signs shall be required to obtain a Variance prior to their erection. The preceding shall not be construed as to permit the use of such flags, insignias, etc. for the purpose of advertising or identifying a product or business.

- g. Signs located within structures, including inside window signs intended to be seen from outside of the building.

Sec. 2205 SPECIAL PURPOSE SIGNS:

- a. Directional or Information Signs
 - 1. Permanent on-premise directional signs are permitted in all districts, (and are in addition to the aggregate area limits specified in each zone) subject to the following:
 - (A) This sign shall contain no advertising copy.
 - (B) This sign shall not exceed four (4) square feet in area per face.
 - (C) This sign may be double-faced.
 - (D) This sign may be placed flat against a wall of a building or such sign may be free-standing, but shall be no higher than eight (8) feet above grade.
 - (E) This sign may be used to designate entrance or exits to or from a parking area, but the number shall be limited to one (1) for each such entrance or exit.
 - (F) Off-premise permanent directional or information signs for public service or safety facilities (such as hospitals and clinics) may be permitted through the Special Use Permit process as provided in Section 2302. Such signs may be specifically approved up to twenty-four (24) square feet per sign.
 - (G) The total number of directional signs is not limited provided such signs are not located within required setback yards.
 - (H) Directional subdivision signs are permitted in any zone, and are subject to that zone's square footage limitations. Unlighted signs advertising subdivisions containing only the name of the subdivision, the name of the developer and/or agent, an identification emblem and directional message shall be permitted, provided:
 - There shall be no more than one such sign for each subdivision vehicular entrance, not to exceed a total of three, and;
 - Directional subdivision signs may only be displayed during the two years following the date of recordation of the final plat map.
 - 2. Permanent off-premise directional signs are permitted for certain tourist and recreation-related businesses which by their nature must be located away from arterial highways, such as destination campgrounds and resorts. Such signs shall be:
 - (A) located at the arterial highway and/or intersections of access roads heading directly to the business.
 - (B) limited to six (6) square feet of panel area, not to exceed eight (8) feet in height above grade, unlighted, and no closer than 20 feet to any property line.
 - (C) limited in content to a generic description (one or two words) of the facility (such as "camping"), an arrow or words giving directions (such as "next right"), and a symbol or logo identifying the chain or name of the business.
 - (D) mounted on the same standard where more than one such sign is erected at any one intersection and elsewhere whenever possible.
 - (E) required to obtain an off-premise sign permit (even though under the minimum size otherwise requiring a permit).
 - (F) limited to three such signs providing direction to any one parcel.
 - (G) shall be required to obtain a Special Use Permit (Section 2302) for

each sign.

- b. Temporary Real Estate, Construction and Subdivision Signs
 - 1. Temporary (including portable) "for sale" or rental signs are permitted in any zone. One on-site unlighted sign not exceeding six (6) square feet on each street frontage adjoining a site, plus one "Open House" sign not exceeding six (6) square feet are allowed. Open house signs shall not be located in landscaped parkways, street medians, or bike trails. When affixed to a parcel of two acres or larger which lies contiguous to a major arterial highway with a right-of-way width of at least 150 feet at the location of the sign, a sign shall be permitted not to exceed twelve (12) square feet in area. Free-standing signs shall not exceed six (6) feet in height. All sale and rental signs shall be removed within thirty (30) days from date of sale or rental, or after removal of the property from the active market.
 - 2. Construction Signs are permitted, subject to the square footage limitation of the respective zoning district and in no case to exceed a total of forty (40) square feet in area for the project. On the site of a project actively under construction, unlighted signs to identify each contractor, architect or engineer, et criteria, engaged in a project are permitted. Free-standing signs shall not exceed eight (8) feet in height. Such signs shall be removed within thirty (30) days after the completion of the project or any cessation of construction activity for a continuous period of six months.
 - 3. On-site signs for subdivisions (including condominium projects) advertising only the subdivision and the sale of lots or units from a recorded plat, shall be permitted provided there shall be no more than 100 square feet of total sign area for each subdivision and a total of five (5) signs. They shall not extend into any required yard nor shall any sign exceed twelve (12) feet in height. Such on-site signs shall be permitted until sales office is abandoned in the subdivision or for a maximum of two (2) years, whichever occurs first, and provided that such signs are maintained in good condition. Extensions beyond the two (2) year limitation may be granted in the form of a Special Use Permit (Section 2302) for one (1) year increments.
 - 4. For the purpose of administering this section, apartment or group housing complexes of thirty (30) units or more shall be considered within the definition and regulations of a "subdivision" in Section 2205.b.3 above. Apartment complexes may display directional signs for a period of one (1) year following construction completion, subject to the additional regulations of Section 2205.a.1.
 - 5. Office buildings or complexes, shopping centers and industrial parks may display leasing and rental signs for a period of one (1) year following construction completion. These signs shall be limited to one free-standing sign and two building-mounted signs not to exceed a combined total of 100 square feet in area. Free-standing signs shall not exceed eight (8) feet in height. After this one (1) year period, the regulations of Section 2205.b.1 shall apply.

- Sec. 2206 OFF-PREMISE SIGNS:** Off-premise signs (i.e. signs advertising a business, person, place, activity, goods, or products, on a different property from where the sign is located) may be permitted subject to the following conditions and restrictions:
- a. Off-premise signs other than directional signs described in Sec. 2205.b.1 shall be permitted only in the CB-2, CI-1, CI-2 Zoning Districts.
 - b. No new, relocated, or reconstructed off-premise sign shall be permitted within 200 feet of a residential zone.
 - c. No new, relocated, or reconstructed off-premise sign shall be permitted within 1,500 feet of an existing off-premise sign.
 - d. Off-premise signs shall be constructed on no more than three supports.
 - e. Off-premise signs shall be located at least one thousand (1,000) feet from the property to which it refers or advertises.
 - f. In addition to the general provisions of Sec. 2203, all off-premise signs shall conform to the following development standards:
 - 1. Maximum height - 20 feet

2. Maximum area - 160 feet
 3. Shall not be located closer to a street than any existing building within 100 feet thereof, but in no case closer to the street right-of-way than twenty (20) feet.
 4. Lighting shall be either internal or by indirect source (shielded and either directed downward with reference to the horizontal plane of the ground surface in accordance with the Pinal County Light Ordinance).
- g. A city, town, or unincorporated community with a year round population of 100 or more, the center of which is within ten (10) miles of an Interstate Highway, upon petition by at least 51 adult residents, and approval by the Arizona Department of Transportation, and upon compliance with the Special Use Permit application process requirements (2302) may apply for a Special Use Permit for a "Community Off-Premise Sign".
1. Such Community Off-Premise Sign shall be located in a CB-1, CB-2, CI-B, CI-1, CI-2 zone.
 2. Such Community Off-Premise Sign shall have a maximum area of 200 square feet.
 3. Such Community Off-Premise Sign shall contain only approved copy limited to the following:
 - (A) Name of the community.
 - (B) A phrase expressing a motto or slogan referring to the community as a whole.
 - (C) The direction, route(s), and distance to the community.
 - (D) A list of types of services and amenities available in or reasonably near the community.
 - (E) The dates of the next community event or festival.
 4. Each community shall be limited to one (1) such off-premise sign for each off-ramp at the Interstate Interchange closest to the center of the community by the most useable route between the interchange and the community.
 5. All Community Off-Premise Signs shall otherwise comply with all requirements and restrictions for "off-premise" signs.
- h. Off-Premise signs consisting of banners or other temporary means of advertising annual special community events, festivals, and similar public gatherings of a not-for-profit nature shall be permitted in CB-1, CB-2, CI-1, CI-2 zoning districts. Such signs shall obtain Temporary Sign Permits (on a no fee basis) prior to their erection. Permits for such signs shall be for a specific period, after which such signs shall be removed. Such signs shall otherwise comply with the general provisions, and the provisions of the zone in which they are to be placed, except that with proper authorization, such signs may be placed within or across the right-of-way of a public street or road. The number of such signs shall be limited to one (1) per "entrance" to the community by a county or state arterial highway.
- i. If any off-premise sign contains copy advertising a use, business or product no longer in existence or available; or is left blank or damaged so as to be largely illegible; or is maintained without copy or without "space available" advertising for a period exceeding 180 days (six months), such sign shall be deemed abandoned and such sign shall be removed within 30 days upon written notification.

Sec. 2207

SIGN REGULATIONS SPECIFIC TO THE RURAL OR RESIDENTIAL DISTRICTS: No sign shall be placed or maintained in any SR, SH, GR, CAR, CR-1A, CR-1, CR-2, CR-3, CR-4, CR-5 or TR (when used as residential) Districts except as follows:

- a. Permanent signs:
 1. Name Plate Signs: A name plate sign identifying the name of the occupant of a residence, the occupant's profession, home occupation or title, and the address of the dwelling is permitted subject to the following:
 - (A) This sign shall not exceed four (4) square feet in area, nor eight (8) feet above grade at the sign.
 - (B) This sign shall be located on the property to which it pertains and the number of signs shall be limited to one (1) for each dwelling.

- (C) This sign may be indirectly illuminated by one light bulb or fluorescent tube not exceeding 15 watts.
- 2. Identification Signs:
 - (A) Signs identifying any allowed use within the Zoning District are permitted, subject to the following:
 - ! This sign shall not exceed twenty-four (24) square feet in area, and may not be double-faced.
 - ! This sign may be placed flat against a wall of a building or such sign may be free-standing, but placement against a wall of a building shall extend no higher than ten (10) feet above the grade at the base of the wall. The height of a free-standing sign shall not exceed ten (10) feet above the grade.
 - ! This sign shall contain no advertising copy.
 - ! This sign shall be located on the property to which it pertains and the number shall be limited to one (1) for each such use listed in 2.a above. Two (2) such signs shall be permitted if the parcel exceeds five (5) acres in area and has frontage on more than one publicly dedicated street or road.
 - (B) Signs identifying multi-family dwellings, apartment developments, boarding or rooming houses shall be allowed one sign per street frontage entrance, not exceeding sixteen (16) square feet in area each:
 - ! This sign may be placed flat against a wall of a building or such sign may be free-standing, but placement against a wall of a building shall be no higher than ten(10) feet above grade nor above the roof line. The height of a free-standing sign shall not exceed ten (10) feet above grade.
 - ! This sign shall be for residential identification purposes only and shall contain no business identification or advertising copy.
 - ! This sign shall be located on the property to which it pertains.
- 3. Subdivision Signs:
 - (A) Permanent subdivision entrance signs are permitted. At the major street entrance to a subdivision or development, not more than two (2) signs, indicating only the name, symbol, logo, or other graphic identification of the subdivision or development each sign not exceeding six (6) feet in height nor 50 square feet in area, attached to and not extending above a wall or fence are permitted.
- b. Temporary Signs: Temporary signs as provided in Section 2205.b are permitted subject to all regulations contained therein.

Sec. 2208 SIGN REGULATIONS SPECIFIC TO LIGHT COMMERCIAL DISTRICTS: No sign shall be placed or maintained in any TR (when used as commercial) or CB-1 zone except as follows:

- a. Identification or Advertising Signs identifying uses permitted in any TR, or CB-1 District and not located in a commercial or industrial center, are permitted subject to the following:
 - 1. Signs may be wall-mounted, free-standing or portable.
 - 2. The aggregate sign area on any one property shall not exceed an area of one (1) square foot for each linear foot of street frontage adjoining the property to which it pertains, except that the total area need not be less than twenty-four (24) square feet, and in no case shall the area exceed ninety-six (96) square feet.
 - 3. One free-standing sign is permitted, the area of which may not exceed one-third of the allowable total aggregate area for the property, except that the area of the sign need not be less than sixteen (16) square feet. This sign may be double-faced.
 - 4. Free-standing signs shall not exceed a height of twelve (12) feet, except that free-standing signs at interstate freeway interchanges (see definitions) in the CB-1 District shall not exceed a height of thirty (30) feet.
 - 5. Signs shall be located on the property to which they pertain.

- 6. In addition to the signs described above, each separately housed business may have one portable on-premise identification or advertising sign, not to exceed six (6) square feet in area, nor four (4) feet in height, which may be double-faced. Such portable sign shall be included in the aggregate sign area allowances. (See Section 2203.s)
- b. Temporary Signs: Temporary signs as provided in Sections 2203.b, 2205.b and 2206.h are permitted, subject to all regulations contained therein.

Sec. 2209 SIGN REGULATIONS SPECIFIC TO THE MEDIUM COMMERCIAL CB-2 DISTRICT: No sign shall be placed or maintained in any CB-2 zone except as follows:

- a. Identification or Advertising (On-Premise): Signs identifying uses permitted in any CB-2 District and not located in a commercial or industrial center, are permitted subject to the following:
 - 1. Signs may be wall-mounted, free-standing, or portable.
 - 2. The aggregate sign area on any one property shall not exceed an area of one (1) square foot for each linear foot of street frontage adjoining the property to which it pertains, except that the total area need not be less than twenty-four (24) square feet, and in no case shall the area exceed one hundred twenty-eight (128) square feet.
 - 3. One free-standing sign is permitted, the area of which may not exceed one-half of the allowable total aggregate area for the property, except that the area of the sign need not be less than twenty-four (24) square feet. This sign may be double-faced.
 - 4. Free-standing signs shall not exceed a height of fifteen (15) feet, except that free-standing signs at interstate freeway interchanges (see definitions) shall not exceed a height of thirty (30) feet.
 - 5. In addition to the signs described above, each separately housed business may have one portable on-premise identification or advertising sign, not exceeding six (6) square feet in area, nor four (4) feet in height, which may be double-faced. Such portable sign shall be included in the aggregate sign area allowances. (See Section 2203.s)
- b. Off-Premise Signs: Off-Premise signs are permitted, subject to Section 2206.h.
- c. Temporary Signs: Temporary signs as provided in Section 2203.b and 2205.b are permitted, subject to all regulations contained therein.

Sec. 2210 SIGN REGULATIONS SPECIFIC TO THE INDUSTRIAL DISTRICTS: No sign shall be placed or maintained in any CI-B, CI-1, CI-2 District except as follows:

- a. Identification or Advertising Signs (On-Premise): Signs identifying or advertising uses permitted in any CI-B, CI-1, CI-2 District not located in a commercial or industrial center are permitted subject to the following:
 - 1. Signs may be attached to a wall of a building or such sign may be free-standing or portable.
 - 2. The aggregate sign area for any one property shall not exceed an area of one (1) square foot for each linear foot of street frontage adjoining the property to which it pertains, except that the total area need not be less than sixty (60) square feet, and in no case shall the area exceed one hundred sixty (160) square feet.
 - 3. One free-standing sign is permitted, the area of which may not exceed one-half of the allowable total aggregate area for the property; except that the area of the sign need not be less than twenty-four (24) square feet. This sign may be double-faced.
 - 4. Free-standing signs shall not exceed a height of fifteen (15) feet, except that free-standing signs at interstate freeway interchanges (see definitions) shall not exceed a height of thirty (30) feet.
 - 5. In addition to the on-premise signs described above, each separately housed business may have one portable identification or advertising sign, not to exceed six (6) square feet in area, nor four (4) feet in height, which may be double-faced. Such portable sign shall be included in the aggregate sign area allowances. (See Section 2203.s)
- b. Off-Premise Signs: Off-Premise signs are permitted, subject to all regulations

contained in Section 2206.

- c. Temporary Signs: Temporary signs as provided in Section 2203.b, 2205.b and 2206.h are permitted, subject to all regulations contained therein.

Sec. 2211 SIGN REGULATIONS, SPECIFIC TO THE PAD DISTRICTS AND SPECIAL USE PERMITS: Permanent and temporary signs are permitted as stipulated in the PAD, or Special Use Permit approval, or (if not stipulated) consistent with the regulations of the underlying zoning.

Sec. 2212 SIGN REGULATIONS, SPECIFIC TO MANUFACTURED/MOBILE HOME, TRAVEL TRAILER-RECREATIONAL VEHICLE PARKS:

- a. Signs placed or maintained within any Manufactured/Mobile Home, Travel Trailer-Recreational Vehicle Parks are subject to all the regulations set forth under Section 2207.a.1 (Name Plate Signs).
- b. Permanent entrance signs shall comply with the regulations set forth under Section 2207.a.3 (Subdivision Signs).

Sec. 2213 OFFICE COMPLEXES, COMMERCIAL, AND INDUSTRIAL CENTERS IN THE CB-1, CB-2, CI-1, CI-2, CI-B TR, SR, SH, PAD ZONING DISTRICTS: Signs pertaining to a group of two (2) or more businesses associated by a common agreement or common ownership with common parking facilities are permitted subject to the following regulations:

- a. Individual business signs shall be in accordance with the following:
 - 1. The total aggregate area of all signs on the site pertaining to any one business shall not exceed thirty-two (32) square feet. However, if the portion of the building adjacent to its lot's street property line measures more than forty (40) feet, then the total aggregate area of one face of all such signs on the site may be increased in area at the rate of one (1) square foot of sign area for each foot of building frontage in excess of forty (40) lineal feet; but the total aggregate area of all such signs on the site shall not exceed forty eight (48) square feet for each separate business. For corner buildings, only the main entrance frontage shall be so measured.
 - 2. When two (2) or more businesses occupy one (1) building with common entrances, (i.e. without separate entrances) they shall be considered one (1) business for sign computation purposes.
 - 3. Such signs shall be wall mounted or under canopy signs.
 - 4. Under canopy signs shall be business identification signs and shall be limited to one per business and maximum six (6) square feet in area.
- b. Center Identification signs shall be in accordance with the following:
 - 1. One (1) free-standing center identification sign per street frontage of the entire site is permitted provided that:
 - (A) Such signs shall identify the center only, and shall not be counted in the total aggregate sign area for individual business identification.
 - (B) The maximum area does not exceed thirty-two (32) square feet per sign and maximum height does not exceed twelve (12) feet.
 - 2. A second such free-standing sign shall be permitted for a lot whose street frontage measures greater than two hundred (200) feet. Where such second sign is permitted, it shall be at least one hundred (100) feet from the other sign.
- c. Directory signs may be provided to identify and direct (with location numbers and/or arrows) to individual businesses in an office complex or commercial/industrial center in accordance with the following:
 - 1. No more than one such sign per tenant business per directory.
 - 2. Each sign shall not exceed one square foot in area. Such sign's area shall be permitted in addition to the aggregate permitted in 1.a above.
 - 3. Such signs shall be placed together in one or more groups at points nearest the pedestrian entrances to the businesses so indicated.
 - 4. Such signs or groupings of signs shall be wall-mounted or mounted on free-standing monument sign standards.

5. Such signs or groupings of signs shall not exceed six feet in height.

Sec. 2214 SIGN PERMITS:

- a. Permit Required: A sign permit shall be secured from the Pinal County Planning & Development Services Department prior to the erection, relocation, construction, installation or substantial reconstruction (including enlarging a painted sign on the surface of a permitted structure) of any non-exempt sign exceeding six (6) square feet in area, or higher than eight feet above grade at the sign, regardless of value, according to the following:
- b. Fees: A uniform fee as provided for in Article 27, shall be paid for each sign permit application.
- c. Sign Permit Applications: Each application for a sign permit shall be made at a County Planning & Development Services Department office on the appropriate form(s) and shall contain the information as required in Article 27.
- d. Sign Sticker or Tag: Each permitted sign shall display an official County tag or sticker indicating its assigned permit number affixed to the face or support of the sign on the side facing the street in a visible location.
- e. Pre-Existing Signs:
 1. Legal conforming signs and legal non-conforming signs existing prior to the effective date of this ordinance shall be permitted to continue subject to Article 3, Section 306. Continuation shall include the right to re-paint or change the message or copy on the sign provided the size and height is not increased and provided the sign is not converted from the on-premise to off-premise use. Changes of ownership and/or business name shall not in and of itself alter the right of continued use of a sign.
 2. Pre-existing signs shall be inventoried and identified by the County as pre-existing. Such signs shall have an identification tag or sticker affixed to its surface by the County denoting its inventoried pre-existing status.
- f. Signs Not Requiring Permits: Signs not requiring permits by virtue of their height and size must nevertheless comply with all other requirements and restrictions of this Ordinance.
- g. Temporary Sign Permits: Signs with a limited duration of use (such as those provided in Sections 2203.b, 2204.b, 2205.h) shall obtain a Temporary Sign Permit. The requirements and criteria for such signs are as follows:
 1. Temporary Sign Permits shall be issued for no more than one (1) year. An extension of a Temporary Sign Permit shall be made the subject of application for a Special Use Permit (Section 2302).
 2. Temporary Signs shall conform to all other requirements of this Ordinance.
 3. The fee for a Temporary Sign Permit shall be the same as a permanent sign permit except as otherwise noted.

Sec. 2215 FLEXIBILITY PROVISIONS:

This section sets forth a procedure which provides flexibility in the Sign Code for signs or sign packages not allowed in Article 22, Sections 2201 through 2214, or as the result of a stipulation to a zoning approval . The procedures include the use of design review to receive additional height and area for signs.

- a. A Sign Review Committee (SRC) consisting of staff from Planning and Development, Public Works, County Manager's Office, and a Pinal County resident not employed by Pinal County shall be appointed to review Comprehensive Sign Packages. Planning and Development staff will coordinate the preparation and submission of the Comprehensive Sign Package. The SRC will make a recommendation to the Director of Planning and Development Services, who will make the final decision. Any person aggrieved by the determination may appeal that decision to the Board of Supervisors
- b. A permit utilizing the Comprehensive Sign Package is intended to encourage a flexible procedure to allow signage which is not in strict compliance with the provisions of the district regulations under this Sign Ordinance, but which is appropriate to the character of the development, provides adequate identification and information, provides a good visual

- environment, promotes traffic safety and is regulated to the extent necessary to be consistent with the purpose and intent of this Sign Ordinance as specified in Section 2201.
- c. The Planning and Development Services Department may issue use permits for Comprehensive Sign Packages or where mandated by a stipulation to a zoning approval. The use permit, or any modification thereto, may contain such conditions, requirements or standards that may be stipulated by the Sign Review Committee, as approved by the Director of Planning and Development Services, to assure that signs covered by the use permit will not be detrimental to persons or property in the vicinity, or to the public welfare in general.
 - d. Comprehensive Sign Packages approved under this section shall be evaluated based upon the following criteria:
 1. **Placement.** All signs shall be placed where they are sufficiently visible and readable for their function. Factors to be considered shall include the purpose of the sign, its location relative to traffic movement and access points, site features, structures, and sign orientation relative to viewing distances and viewing angles. In commercial centers in which some tenants are in locations having little or no street visibility, in order to provide identification, wall signs may be placed on walls of the building in which such tenants are located, even though not a wall of the space occupied by those tenants.
 2. **Quantity.** The number of signs that may be approved within any development shall not be greater than that required to provide project identification and entry signs, internal circulation and directional information to destinations and development sub-areas, and business identification. Factors to be considered shall include the size of the development, the number of development sub-areas, and the division or integration of sign functions.
 3. **Size.** All signs shall be no larger than necessary for visibility and readability. Factors to be considered in determining appropriate size shall include topography, volume of traffic, speed of traffic, visibility range, proximity to adjacent uses, amount of sign copy, placement of display (location and height), lettering style and the presence of distractive influences. Specific justification must be made if a request is submitted for a free-standing or wall sign to exceed by more than fifty percent (50%) any maximum height standard or by twenty-five percent (25%) any maximum area standard allowed in the regular ordinance. There shall be no prescribed limit on the percentage by which a Comprehensive Sign Package may allow a directional sign to exceed the area or height restrictions permitted on the site.
 4. **Materials.** Sign materials shall be compatible with architectural and/or natural features of the project. This may be accomplished through similarity of materials for sign structures and faces, the use of complementary colors, similarity of architectural style, or the use of a consistent lettering style or copy.
 5. **Context.** The design of all signs should respect the context of the surrounding area and the character established by existing signage. Items to be considered include, but are not limited to, lettering style, sign placement, and architectural style.
 6. **Considerations.** In making its determination to approve additional signs, the SRC shall consider the following standards:
 - (a) the views of/from adjacent properties are not impaired;
 - (b) the signs do not interfere with public utilities, government uses, transportation, landscaping or other factors felt relevant by the SRC;
 - (c) the width of the street, the traffic volume, and the traffic speed warrant the proposed signage;
 - (d) the signs do not pose a hazard to public safety.
 - e. **Amendments.** Applications for amendments to the Comprehensive Sign Package shall be processed in the same way as an original application.
 - f. **Minor Alterations.** Minor Alterations in sign locations resulting from unexpected conditions on site may be approved by the Director of Planning and Development Services.

- g. **Submittal Package.** Four (4) copies of the following should be submitted with the sign application to be reviewed by the SRC.
 - 1. A justification letter describing the request and how the sign structure, materials, and colors are compatible with the project's building architecture. Include a list in outline form of each sign requested, both freestanding and wall, to include verbiage, area in square feet, and height.
 - 2. An inventory and photographs of any or all existing freestanding signs.
 - 3. Preliminary Site/Landscape Plan
 - (a) A vicinity map showing the location of the property in relationship to adjoining properties.
 - (b) Provide a north arrow, date of plan preparation, with subsequent revision dates. Project title and address. Architect and/or consultant's name, address, and telephone number. Property owner name, address, and telephone number.
 - (c) Provide a data table on the site plan that includes existing zoning and the net site area.
 - (d) Show property boundaries and dimensions.
 - (e) Show adjacent street right-of-way, existing and proposed; and existing/proposed street and sidewalk improvements noted to centerline.
 - (f) Show location of conceptual or existing landscape concepts including trees, shrubs, ground covers, berms, and screen walls.
 - (g) Show location of proposed freestanding signs including dimensions, height, materials and colors, and method of illumination.
 - (h) Include elevations of buildings showing wall sign locations with dimensions.
 - (i) When more than one sign is located on a property, or where more than one building or business is located in a single development project, such as a shopping center, a Comprehensive Sign Package shall be submitted demonstrating consistency and uniformity among signs within the project.

The requirements of a Comprehensive Sign Package shall apply to all businesses within a related project, even if the properties have been subdivided. Revisions or amendments to the Comprehensive Sign Package shall require documentation from all tenants on the property prior to approval.

See Appendix for Sign Review Committee Evaluation Sheet:

ARTICLE 23

GENERAL PROVISIONS AND EXCEPTIONS

Sec. 2301 RESTRICTIVENESS OF ZONES: The various zones are given the following value, from the highest to the least restrictive:

- 1. CR-1A Single Residence Zone
- 2. CR-1 Single Residence Zone
- 3. CR-2 Single Residence Zone
- 4. CR-3 Single Residence Zone
- 5. CR-4 Multiple Residence Zone
- 6. CR-5 Multiple Residence Zone
- 7. SR Suburban Ranch Zone
- 7a. SR-1 Suburban Ranch Zone
- 8. SH Suburban Homestead Zone
- 9. CAR Commercial Agricultural Ranch Zone
- 10. GR General Rural
- 10a. GR-5 General Rural
- 10b. GR-10 General Rural
- 11. MH Manufactured/Mobile Home Zone
- 12. RV Recreational Vehicle Homesite Zone

- 13. MHP Manufactured/Mobile Home Park Zone
- 14. PM/RVP Park Model Recreational Vehicle Park Zone
- 15. TR Transitional Zone
- 16. CB-1 Local Business Zone
- 17. CB-2 General Business Zone
- 18. CI-B Industrial Buffer Zone
- 19. CI-1 Light Industry & Warehouse Zone
- 20. CI-2 Heavy Industrial Zone

Sec. 2302 **ADDITIONAL USE REGULATIONS AND CONDITIONAL USES:** The County Planning Commission may, as a conditional use in the form of a Special Use Permit, after public hearing, authorize the location of the following buildings, structures or uses in a district from which they are prohibited by this Ordinance, when found to be in the interest of the public health, safety and general welfare of the community and surrounding areas:

- a. Airport, heliport or landing field
- b. Amusement park or outdoor theater
- c. Cemetery or mausoleum
- d. Circus or carnival grounds
- e. Community building or recreation field
- f. Hospital, clinic or institution
- g. Privately and commercially operated recreational lake, swimming pool or tennis court
- h. Public or governmental buildings
- i. Race track
- j. Signs
- k. Sport arena
- l. Stable
- m. Zoo, public or private
- n. Such other uses as the Planning Commission may deem appropriate in the public interest.

Before issuance of any conditional use for any of the above buildings, structures or uses, or before any change of use of the premises existing at the time of the effective date of this Ordinance or as permitted herein provided, is made, preliminary plans in sufficient detail and a statement as to the proposed use of the buildings, structures and premises shall be submitted to the County Planning Commission. These plans and statement shall be referred to the Planning Commission for study and report, and for public hearing. The Commission shall review such plans and statement and shall, after a careful study thereof and the effect that such buildings, structures or uses will have upon the surrounding territory, recommend such buildings, structures or uses where requested to be permitted provided the public health, safety, morals and general welfare will not be adversely affected, that ample off-street parking will be provided and that necessary safe-guards will be provided for the protection of surrounding persons and neighborhood values.

Any buildings, structures or uses listed in paragraph 1 of this section, existing at the effective date of this Ordinance, shall be considered a non-conforming use, unless it has qualified as provided above, and has secured a Special Use Permit, or has secured a use permit from the Board of Adjustment.

When found to be in the interest of the public health, safety, morals and general welfare, the Board of Adjustment is hereby authorized to approve any and all additions or structural alterations to special uses after they have qualified and have been approved by the County Planning Commission.

Sec. 2302-1 **PROCEDURES; APPLICATION:** Application for a Special Use Permit shall be made by the owner or his representative, to the Planning and Zoning Commission and shall be accompanied by:

- a. Accurate plot plans and descriptions of the property involved and the proposed use with preliminary floor plans and elevations of all proposed buildings.
- b. Evidence satisfactory to the Commission, of the ability and intention of the applicant to proceed with actual construction work in accordance with said plans within six

(6) months after issuance of permit.

- c. An accurate, verified list, made within the previous 30 days, giving the names and address of the owners of all properties lying within 300 feet of the subject property.

Sec. 2302-2 FILING FEE AND COST: A uniform, non-refundable fee, as set forth in Article 27 shall be paid to the County Planning and Development Services Department upon each application.

Sec. 2302-3 CONDITIONAL APPROVAL: In approving any Special Use Permit, the Commission may designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of the regulation or provision of which such Special Use Permit is granted, and to provide adequately for the maintenance of the integrity and character of the zone in which such permit is granted. Where any condition under which a Special Use Permit has been granted is violated, the Zoning Inspector shall file a report with the Commission. The Commission, after a public hearing, shall determine whether or not said permit should become null and void. Should the Commission determine the permit to be null and void, the Zoning Inspector shall proceed in accordance with Section 2712 of this Ordinance.

Sec. 2303 PUBLIC UTILITIES PERMITTED: Nothing in this Ordinance shall prevent the location, erection, alteration or maintenance of pipes, poles, wires, and similar installations necessary to distribute public utilities. In addition to other provision of this Ordinance, the following shall be permitted in any zone and shall not be subject to the minimum lot area requirements:

- a. Water pumping and storage facilities operated as part of a system serving two (2) or more properties as a public, private or community utility, subject to the requirements for detached accessory buildings in the zone which located and provided a wall or hedge is used in conjunction with such facilities, its center shall be located a distance from any lot line equal to not less than one-half its height.
- b. Telephone, telegraph or power substation shall be in keeping with the character of the zone in which located. A substation not enclosed within a building shall be subject to the minimum front yard and side yards of the zone in which located and to appropriate screen planting along any street frontage, which plantings and any necessary fencing shall be set at a distance not closer to a street lot line than the minimum front and side yards of the zone.

Sec. 2304 CLAY, SAND OR GRAVEL PITS, ROCK OR STONE QUARRIES, GAS OR PETROLEUM DRILLING PERMITTED: Clay, sand or gravel pits, rock or stone quarries, and drilling for petroleum or natural gas may be permitted in any zone, provided that a Special Use Permit is obtained prior to the operation of any such use.

Sec. 2305 PARKING LOTS IN RESIDENCE ZONES: Land in a residence zone contiguous to a business or industrial zone and not exceeding 30,000 square feet in area, may be used for automobile parking space; provided the conditions of Section 2103 are complied with, that a front yard of 20 feet be provided, planted and maintained in keeping with the residential neighborhood, that side and rear yards of 10 feet each be provided and that no entrance be provided from an alley at the rear of said parking lot.

Sec. 2306 PLANS FOR NON-CONFORMING USE: Any owner of land zoned under this Ordinance who shall file in writing with the Planning and Zoning Commission within 180 days after the effective date of this Ordinance a plan of development for such land including uses not permitted by the zoning, shall be issued a special non-conforming hardship use permit by the Board of Adjustment for said proposed development. or any part thereof, at any time within 2 years from the effective date of this Ordinance; and if any temporary governmental regulations prohibiting the proposed development is in full force and effect during said 2 year period, the time limit shall be extended for an additional period equal to the time said governmental regulations are in effect, but no such permit shall be issued more than five (5) years after the effective date of this Ordinance. Said plan of development shall conform to the minimum standards of the most restrictive zone in which said use would be a conforming use under this Ordinance.

Sec. 2307 HEIGHT LIMIT EXCEPTIONS: The height limits of this Ordinance shall not apply to:

- a. Barns, chimneys, conveys, cupolas, derricks, domes, flag poles, observation towers, parapet walls extending not more than four (4) feet above the height limit of the building, radio or television towers, masts and aerials, silos, smokestacks, transmission towers, windmills and power poles.
- b. Churches, hospitals, sanatoriums, schools or other public and semi-public buildings. Any such building may be erected to a height not exceeding 40 feet, provided the minimum side and rear yards are increased by an additional foot in width or depth for each foot by which the height of such buildings exceed the maximum height permitted in the zone in which such building is to be located.
- c. Bulkheads, elevators, penthouses, monitors, scenery loft and water tanks; provided that such structures above the height limits specified for the zone shall not in the aggregate occupy more than 25% of the area of the lot and provided that no linear dimensions of any such structure shall be greater than one-half the length of the corresponding street lot line if the structure is within 25 feet of such street.
- d. Monuments or towers, including fire or hose towers, cooling towers, gas holders, grain elevators, sugar refineries or other structures where the manufacturing process requires a greater height; provided that such structures above the height limit specified for the zone shall not in the aggregate occupy more than 25% of the area of the lot and shall be located a distance not less than 25 feet from every lot line not a street lot line and not less than one foot from the opposite side of each abutting street for each foot of the vertical height.

Sec. 2308 **SPLITTING OF LOTS:** No lot or parcel of land held under one ownership on the effective date of this Ordinance shall be reduced in size below the minimum lot area or lot width required by this Ordinance, and no building or use permit shall be issued for such deficient lot or parcel or portion thereof; except that on one street frontage of any one block of a subdivision, where lots having less than the minimum lot area or lot width, existed prior to the effective date of this Ordinance and existing unimproved lots are isolated from other unimproved lots so that minimum size building sites cannot reasonably be made, the existing unimproved lots may be used if split in accordance with the pattern previously established for the block, provided that any new lot or building site so formed has not less than 80% of the minimum lot area and lot width required in the zone.

Sec. 2308-1 **LOT SPLITTING FOR TOWNHOUSES:** In zones designated CR-4, CR-5, TR and CB-1, single dwellings constructed as part of series of dwellings, all of which are either attached to the adjacent dwelling or dwellings by party walls, or are located immediately adjacent thereto with no visible separation between walls or roofs, may be individually owned if so indicated upon the plat setting forth the area of individual ownership. Where common areas, private roads, or common open space are provided, it shall be a requirement that a mandatory homeowner's association be established so long as the property use remains. The lots so created shall be subject to all Pinal County subdivision regulations. The density requirement under this section shall be no more than one dwelling unit per 2,800 square feet or the density requirement of the zone in which the lots are created shall apply, whichever is more restrictive.

- a. Building setback requirements shall be the same as the setback requirements in the zone where the lots are created and shall be determined from the boundaries of the proposed development.

Sec. 2309 **EXCEPTIONS FOR LOTS OF RECORD:** The following shall apply to any lot shown upon an official subdivision map duly approved and recorded prior to the effective date of this Ordinance, or any lot for which a bona fide deed is on record in the office of the County Recorder of Pinal County or for which a valid, bona fide contract of sale is in full force and effect at the time this Ordinance becomes effective, and said map, deed or contract of sale is of record on said date, and to any lot split in accordance with the exception of Section 2308.

- a. Any such lot may be used as a building site, provided the yard and other requirements of this Ordinance are complied with, or provided further, that if private subdivision restrictions or regulations were of record and unexpired on the effective date of this Ordinance establishing less restrictive yard and area requirements for

said lot, and at least one lot in said subdivision was improved in compliance with said private restrictions prior to said effective date, and that said private restrictions as to yard and area requirements or modifications thereof have been approved by the Board of Adjustment under Section 2403-d of this Ordinance as being in harmony with the purposes of said section, the Zoning Inspector may issue a permit under said private restrictions as to yard and area requirements for any use permitted by this Ordinance for said lot, but no permit shall be issued for more than one dwelling unit on any lot having less than the minimum area per dwelling unit of the zone in which said lot is located.

- b. Each minimum side yard may be reduced by 2 inches for each one foot by which such lot is narrower than 55 feet; provided that no minimum side yard shall be narrower than five (5) feet.
- c. The minimum rear yard may be reduced 3 inches for each one foot by which such lot is less than 125 feet in depth, provided that no minimum rear yard shall be less than 20 feet.

Sec. 2310 REAR DWELLING REQUIREMENTS: In addition to the requirements of this Ordinance, the following shall apply to any dwelling in the rear of a principal building:

- a. There shall be provided an unoccupied and unobstructed access way to a street, which access way shall have a width of at least 15 feet for one (1) dwelling unit and at least 20 feet for two (2) or more dwelling units.
- b. For the purpose of determining the front yard for a rear dwelling in any CR-1, CR-2 or CR-3 zone, the rear line of the rear yard required for the building in the front shall be considered the front lot line for the building in the rear.

Sec. 2311 STRUCTURES IN THE FRONT YARD ON CORNER LOTS: On any corner lot, no fence, structure, sign or planting shall be erected or maintained within 20 feet of the property corner so as to interfere with traffic visibility across the corner.

Sec. 2312 FRONT YARD EXCEPTIONS FOR EXISTING ALIGNMENT:

- a. In any rural or residential zone where a lot adjoins lots having existing front yards less than the minimum required by this Ordinance, the minimum front yard on said lot shall be the average of the existing front yards on the two adjoining lots, or if only one of the lots is built upon, such front yard of the adjoining lot and the minimum front yard of the zone; provided no such front yard shall be less than 10 feet.
- b. In any CB-1 or CB-2 zone where one or more buildings used for commercial or industrial purposes and located on interior lots have the minimum front yard required on all other lots within the same block front and not more than 500 feet from said existing building, need not be greater than the least front yard existing.
- c. In any zone, any property fronting or abutting, on a turn-around at the end of a cul-de-sac, or similar increased radii of the street property line at the angle in a street, the minimum front yard required shall be one-half of the front yard required in the particular zone.

Sec. 2313 EXCEPTIONS FOR WALLS AND FENCES: The yard requirements of the Ordinance shall not apply to walls or fences less than 4 feet 6 inches in height when located in front yards, or less than 6 feet in height when located in side or rear yards.

Sec. 2314 PROJECTIONS INTO YARDS: Unenclosed porches and stairways, unroofed and unenclosed above or below floor or steps, may project not more than 3 feet into any minimum side or rear yard. Unroofed swimming pools and open terraces not over 3 feet high above the average natural grade and distant at least 5 feet from every lot line, may project into any minimum side or rear yard. In any business or industrial zone, a marquee, canopy or awning, suspended or cantilevered from a building, either for the purpose of, or giving the appearance of shelter or shade may project not more than 10 feet into any minimum front yard.

Sec. 2315 REAR YARD ADJOINING ALLEY: A minimum rear yard may be measured to the center line of an alley adjoining such rear yard, provided that the required rear yard shall not be reduced more than 10 feet.

- Sec. 2316 REAR YARD EXCEPTION ON CORNER LOT:** On any corner lot in a CR-3, CR-4, CR-5, TR or CB-1 zone, the minimum rear yard may be reduced to not less than 10 feet from the rear property line, provided the minimum side yard on the side street increase by 10 feet, and off-street parking provision of this Ordinance are complied with.
- Sec. 2317 ACCESSORY BUILDING ATTACHED TO MAIN BUILDING:** An accessory building attached to the main building shall have at least 50% of the length of one of its walls integrated with the main building and such accessory building shall comply in all respects with the requirements for the building.
- Sec. 2318 DETACHED ACCESSORY BUILDING ON CORNER LOT:** On any corner lot an accessory building shall be not closer to the street lot line than the width of the side yard required for the main building on that lot; provided further that where the rear of a corner lot adjoins a key lot, no part of an accessory building within 10 feet of the rear lot line, shall be nearer the street side lot line than the depth of the front yard required on the key lot.
- Sec. 2319 EXCEPTION FOR DETACHED ACCESSORY BUILDING:** A private garage or other accessory building may be built on or across a common lot line by mutual agreement between the adjoining property owners.
- Sec. 2320 EXCEPTION FOR SLOPE:** Parking spaces or detached garages may be occupied or built to within 5 feet of the street line on any lot where the slope of the front half of the lot is greater than 1 foot rise or fall in a 7 foot run from the established street elevation at the property line or where the elevation of the front half of the lot is more than 4 feet above or below the established street elevation at the property line.
- Sec. 2321 MAINTENANCE OF STOCK-TIGHT FENCES:** All livestock and poultry kept in any SR, SH or any residential, business or industrial zone shall be kept confined by fences or other restraints of sufficient strength and durability to prevent such livestock and poultry from roaming at large.
- Sec. 2322 (DELETED 3-30-87)**
- Sec. 2323 REDUCTION OF LOT-SIZE REQUIREMENTS IN THE CR-1 ZONE:** Minimum lot-size requirements for lots in a subdivision may be approved by the Supervisors in CR-1 zones for reduction from 20,000 to 12,000 square feet, where the following conditions exist and the Commission finds and certifies them to the Supervisors.
- a. That in total there are no more individual one-family lots than one per gross acre of the area of the subdivision zoned CR-1.
 - b. That the subdivision and all park, recreation and drainage area conform to the adopted County Plan, including area and neighborhood plans, as supplemented and amended.
 - c. That full and adequate provision is made for surface drainage, including dedication of rights-of-way for existing and natural water courses.
 - d. That an area is dedicated for drainage purposes or permanently reserved for park or recreational purposes, whether by dedication to the public or by conveyance of an undivided interest to each lot owner within the subdivision or by appropriate deed restrictions or by other governmental acquisition processes; that the total extent of said park, recreation, or drainage areas is no less than the sum total of the number of square feet by which the area of each lot in the subdivision is less than 20,000 square feet; that in no event is the size of any single park or recreation area any less than 4 acres; and that said park and recreation areas, whether dedicated to the public or not, are reasonably available to all lot owners within the subdivision.
- Sec. 2324 REDUCTION OF LOT-SIZE REQUIREMENTS IN THE CR-2 ZONE:** Minimum lot-size requirements for lots in a subdivision may be approved by the Supervisors in CR-2 zones for reduction from 12,000 to 8,000 square feet, where the following conditions exist and the Commission finds and certifies them to the Supervisors.
- a. That in total there are no more individual one-family lots than two lots per gross acres of the area of the subdivision zoned CR-2.

- b. That the subdivision and all park and recreation areas conform to the adopted County Plan, including area and neighborhood plans, as supplemented and amended.
- c. That full and adequate provision is made for surface drainage, including dedication of rights-of-way for existing and natural water courses.
- d. That an area is dedicated or otherwise permanently reserved for park or recreation purposes, either by dedication to the public or by conveyance of an undivided interest to each lot owner within the subdivision or by appropriate deed restrictions or by other governmental acquisition processes; that the total extent of said park or recreation area is no less than the sum total of the number of square feet by which the area of each lot in the subdivision is less than 12,000 square feet; that in no event is the size of any single park or recreation area any less than 4 acres; and that said park and recreation area, whether dedicated to the public or not, are reasonably available to all lot owners within the subdivision.

Sec. 2325 REDUCTION OF LOT-SIZE REQUIREMENTS IN THE CR-3 ZONE: Minimum lot-size requirements for lots in a subdivision may be approved by the Supervisors in CR-3 zones for reduction from 7,000 to 5,000 square feet, where the following conditions exist and the Commission finds and certifies them to the Supervisors.

- a. That in total there are no more individual one-family lots than 3.4 lots per acre of the area of the subdivision zoned CR-3.
- b. That the subdivision and all park and recreation areas conform to the adopted County Plan, including area and neighborhood plans, as supplemented and amended.
- c. That full and adequate provision is made for surface drainage, including dedication of rights-of-way for existing and natural water courses.
- d. That an area is dedicated or otherwise permanently reserved for park or recreation purposes, either by dedication to the public or by conveyance of an undivided interest to each lot owner within the subdivision or by appropriate deed restrictions or by other governmental acquisition processes; that the total extent of said park or recreation area is no less than the sum total of the number of square feet by which the area of each lot in the subdivision is less than 7,000 square feet; that in no event is the size of any single park or recreation area any less than 4 acres; and that said park and recreation areas, whether dedicated to the public or not, are reasonably available to all lot owners within the subdivision.

Sec. 2326 APPROVED PLAT RECORDATION REQUIRED FOR LOT-SIZE REDUCTION: No approval of a minimum lot-size reduction under Section 2323, 2324, or 2325 shall be effective until a subdivision plat complying with the Commission's findings and certification under Sections 2323, 2324, or 2325 and approved by the Commission and Supervisors is recorded in the office of the County Recorder of Pinal County, Arizona.

Sec. 2327 INDIVIDUAL LOT-SIZE REDUCTIONS: Section 2323, 2324, and 2325 shall not affect the powers of the Board of Adjustment under Section 2403-c to allow reduction of individual lot sizes on the basis provided in Section 2403-c.

Sec. 2328 SPECIAL DENSITY PERMIT FOR HANDICAPPED/DISABLED CARE DWELLING UNIT:

Definition: Handicapped/Disabled Person: A person who has a physical or mental impairment which substantially limits one or more of his/her major life acts: has a record of such an impairment or is regarded as having an impairment.

The Planning and Zoning Commission and the Board of Supervisors expressly find there is a need in Pinal County for housing handicapped/disabled persons who are able to live within their communities, provided they have personal care, attention and assistance, but who otherwise would have to be confined to a hospital, sanitorium, nursing center, supervisory care facility or similar health care environment where their personal needs can be adequately met. In order to meet this need, to preserve the dignity and usefulness of these persons, and to strengthen and protect the role of the family in our communities, a

Special Density Permit (SDP) for handicapped/disabled care dwelling unit is hereby created and made subject to the following requirements and regulations.

- a. Special Density Permit (SDP) allows one additional dwelling unit to be built or moved onto a parcel for the use:
 1. By a handicapped/disabled person(s) who needs assistance and support from family living in the primary residence;
 2. By a family member who is providing care, assistance and support to the handicapped/disabled person(s) in the primary residence;
 3. By a health care provider expressly employed for the purpose of providing health care for the handicapped/disabled person(s) residing in the primary residence.
- b. An SDP is granted to the property owner and does not adhere to or run with the land. It is not transferable and terminates automatically as soon as the beneficiary no longer resides on the property. It also terminates where a lot split separates the main dwelling unit from the extra dwelling unit. Only one SDP may exist at any time for one parcel. An SDP is not a substitute for a building or installation permit required for the extra dwelling unit.
- c. An SDP may be granted:
 1. If the beneficiary is physically or mentally impaired and incapable of caring for themselves. The beneficiary must also be in such need of care, attention, and support that not being granted an SDP will result in the individual being confined to a hospital, sanitorium, nursing center, supervisory care facility or similar health care environment where their personal needs can be adequately met. A letter from a physician on office letterhead must be included with the application verifying this need.
- d. Neither the applicant, nor any other person shall receive rent or any other valuable consideration for allowing a person to live in a dwelling unit under an SDP. This should not be construed as to prevent a health care provider from receiving remuneration for health care services provided. Once the extra dwelling unit ceases to be used as approved, the kitchen must be removed from a site built extra dwelling unit or if a manufactured/ mobile home, the extra dwelling must be removed from the site.
 In either instance, the County Planning and Development Services Department must be contacted so as to make an inspection. An affidavit must be submitted by the applicant indicating a commitment to concur with all the requirements of this section.
- e. An SDP shall be allowed only in the following zones: SR, SH, CAR, GR, CR-1, and CR-1A. The extra dwelling unit shall be a site built dwelling unit if located in a CR-1 or CR-1A zone. The extra dwelling unit shall be a manufactured/mobile home or travel trailer/recreational vehicle if located in a SR, SH, CAR, or GR zone. Any extra dwelling unit authorized under an SDP shall comply with the same setback, yard, height and other requirements imposed on the primary dwelling unit in that zone.
- f. Application for an SDP shall be made to the Director of Planning and Development Services by the landowner or tenant in possession, with the signed approval of the landowner. The application shall be accompanied by an accurate site plan drawn to scale which identifies the location of the proposed extra dwelling unit, the legal description of the property involved, the name and relationship to the beneficiary, information on how the sewage from the extra unit will be disposed of, the sworn affidavit required in subsection d, and the non-refundable application fee set forth in Article 27, Section 2705.d.3. The information on sewage disposal shall be sufficient for the Health Department to determine whether the provisions are adequate, and no SDP may be issued without the written approval of the Health Department. The application shall also be accompanied by an accurate verified list, made within the previous thirty (30) days, giving the names and addresses of the owners of all properties lying within 300 feet of the subject property.
- g. Upon receipt of the application fee, and the information required on the application form, the application will be reviewed by the Development Services Director who shall approve, conditionally approve, or disapprove such application. If the request for an SDP is approved, notification of the installation of a second dwelling unit

shall be sent to all property owners located within 300 feet of the subject property. Any person aggrieved by the decision of the Director may file an appeal with the Board of Adjustment and Appeals as per Article 24 and 25.

- h. All financial or other obligations occurring to the property owner or his authorized agent as a result of approval or conditional approval of an SDP are the sole responsibility of the property owner or his authorized agent.

Sec. 2329

TEMPORARY USE PERMIT: The Planning and Zoning Commission and the Board of Supervisors find that there is a need in Pinal County for the issuance of Temporary Use Permits for those temporary uses which are required for the proper function of the County or constructing a public facility. Such uses shall be so conducted that they will not be detrimental in any way to the established economic or social uses and values of adjacent or surrounding properties or to the County.

- a. Temporary use Permits (TUP) may be allowed for the following temporary uses:
 1. Temporary batch plant,
 2. Parking and storage of earth moving or construction equipment,
 3. Off-site contractor's equipment yard or warehouse incidental to the carrying on of public works projects, subdivision or construction projects,
 4. Real estate sales office in conjunction with a subdivision or construction project,
 5. Fair, carnival or circus
 6. Tent show or revival meeting,
 7. Such other uses as the Director of Planning and Development Services deems to be within the intent and purpose of this section.

A TUP is personal and does not adhere to or run with the land. It is not transferable and it terminates automatically on the date specified on the "permit" or at such time it is found any other specified condition has not been met.

A TUP is not a substitute for a zoning clearance or any building or installation permits required.

- b. A TUP shall only be approved or conditionally approved for those uses which will not be detrimental in any way to the established economic or social uses and values of adjacent or surrounding properties or to the County, nor detrimental to the public health, peace, safety, comfort, convenience and general welfare of the citizens of Pinal County.
- c. Application for a TUP shall be made to the Director of Planning and Development Services by the property owner or his authorized agent. The application package shall include the following:
 1. A non-refundable application fee as specified in Article 27, Section 2705.d.9.
 2. Copy of the most currently recorded deed for the parcel.
 3. Legal description of the subject area, if other than item two (2).
 4. An accurate verified list, made within the previous thirty (30) days, giving the names and addresses of the owners of all properties lying within 300 feet of the subject property.
 5. The written consent of at least 51% of the owners, by number and area, of all properties any part of which is within 300 feet of the subject property.
 6. A map of the area (Tax Assessor Parcel Map is preferred).
 7. An explanation of the exact use proposed and the reasons for the request.
 8. Sufficient information on sewage disposal for the Health Department to determine whether the provisions are adequate.
 9. An accurate site plan drawn to scale showing:
 - A. Size and shape of the parcel,
 - B. Location of all proposed and existing buildings and uses,
 - C. Parking areas, including access and surfacing material,
 - D. Location of all easements on the parcel,
 - E. Method of sewage disposal,
 - F. All adjacent rights-of-way.
 10. A sworn affidavit by the property owner or his authorized agent required in subsection f.
 11. Written approval from the Health Department, Highway Department and Air Quality Control Department.

- d. Upon receipt of the application fee, and the information required in subsection c, the application will be reviewed by the Development Services Director who shall approve, conditionally approve, or disapprove such application. Any person aggrieved by the decision of the Director may file an appeal with the Board of Adjustment and Appeals as per Article 24 and 25.
- e. In approving such a permit, the approval shall be made subject to a time limit and other conditions deemed necessary to assure that there will be no adverse effect. Such conditions may include but are not limited to the following:
 - 1. Regulation of hours,
 - 2. Regulation of lights,
 - 3. Requirement of bonds or other guarantees for cleanup or removal of structure or equipment,
 - 4. Such other conditions deemed necessary to carry out the intent and purpose of this section.
- f. All financial or other obligations occurring to the property owner or his authorized agent as a result of approval or conditional approval of a TUP are the sole responsibility of the property owner or his authorized agent.

Sec. 2330

GENERAL INFORMATION, LOCATION, AND USE FOR FACTORY BUILT BUILDINGS (MODULAR, MANUFACTURED HOMES AND MOBILE HOMES:

The Pinal County Zoning Ordinance for the unincorporated area of Pinal County provides for the residential use of a factory built building (modular), manufactured home and mobile home as follows:

- a. Factory built building (modular):
 - 1. A structure fabricated in a factory and delivered to the building site in one or more sections;
 - 2. The structure shall be designed only for installation on a site-built permanent foundation and not designed to be moved once installed on the foundation. The unit shall include all the plumbing, heating, cooling and electrical systems of the building and shall bear the Arizona Insignia of Approval pursuant to A.R.S. § Section 32-1188;
 - 3. A factory built building shall be considered the same as a building and/or a dwelling unit; and
 - 4. Building permits for these structures may be issued only in those residential zones which allows conventional construction of homes as a permitted use.
- b. Manufactured home:
 - 1. A dwelling unit, transportable in one or more sections, manufactured after June 15, 1976, built to HUD standards with a HUD seal affixed, which:
 - A) In the traveling mode is greater than eight (8) feet in width or forty (40) feet in length, or when erected on a site, is more than three hundred twenty (320) square feet, and
 - B) Is built on a permanent chassis, and
 - C) Is designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, which include the plumbing, heating, cooling and electrical systems therein and subject to all the standards itemized below:
 - 1) If a perimeter foundation wall is not installed, all sides of the home shall extend to meet the ground, or a facade with the appearance of a foundation wall shall be used on all sides of the home, or skirting of approved material in accordance with State Board of Manufactured Housing Rule R4-34-203 et. seq.
 - D) Installation permits for these structures may be issued only in accordance with those residential zones in which manufactured homes are a permitted use, pursuant to floodplain regulations.
- c. Mobile home:
 - 1. A transportable structure suitable for year round single family occupancy and having water, electrical and sewage connections similar to conventional dwellings, constructed prior to June 15, 1976, and the mobile home bears an Arizona Insignia of Approval as set forth in Section 2330.f.2 of this ordinance and subject to all the standards itemized below unless

approved as a temporary dwelling unit:

- A) If a perimeter foundation wall is not installed, all sides of the home shall extend to meet the ground, or continuous skirting that in design, color and texture appears to be an integral part of the exterior walls of the mobile home, and is constructed of approved materials in accordance with State Board of Manufactured Housing Rule R4-34-203 et. seq.
- 2. Installation permits may be issued only in accordance with those residential zones in which mobile homes are a permitted use, pursuant to floodplain regulations.
- d. As of the effective date of this ordinance, mobile home and manufactured home unit construction and safety standards adopted by the U.S. Department of Housing and Urban Development (HUD), pursuant to Section 7(D), Department of Housing and Urban Development Act, 42 U.S.C. 3535(D), Title VI, Housing and Community Development Act of 1974 (42 U.S.C. 5401) and amendments thereto, are hereby adopted as the mobile home and manufactured home unit construction and safety standards for Pinal County. One copy each of 42 U.S.C. 5401 is maintained in the Office of the Clerk of the Board of Supervisors, in each district office of the County Board of Supervisors and is hereby adopted by this reference.
- e. As of the effective date of this ordinance, the Pinal County Zoning Inspector shall not issue an installation permit for any mobile home or manufactured home within Pinal County unless said mobile home or manufactured home can be proven to comply with those standards set forth in Section 2330.d above. This regulations shall also apply to any mobile home or manufactured home installation permit sought to be issued for the relocation (i.e. from one location to another locations on the same property or different property) of any mobile home or manufactured home within Pinal County, except as provided in Section 2330.g.
- f. It shall be the responsibility of the permit applicants to demonstrate to the Zoning Inspector that the mobile home or manufactured home, for which an installation permit is requested, is in compliance with the standards set forth in 2330.d above. Proof of compliance shall include, but is not necessarily limited to:
 - 1. A decal certifying that the manufactured home has been inspected and constructed in accordance with the requirements of the U.S. Department of Housing and Urban Development (HUD) in effect at the date of manufacture wherein such date shall not have been prior to June 15, 1976; or
 - 2. A State of Arizona Insignia of Approval as defined by the A. R. S. § Section 34-1172, and its successor, including, but not necessarily limited to State Rule R4-34-106.
- g. Exceptions:
 - 1. The provisions of Section 2330.e., above, shall not apply to a recreational vehicle as defined in A.R.S. § 41-2142.
 - 2. The provisions of Section 2330.e., above, shall not apply to a mobile home as defined in Section 2330.c., above, provided the applicant for the installation permit is the owner of the mobile home and that the applicant furnishes proof of compliance with the following conditions and requirements:
 - A) The mobile home has been continuously occupied by the owner/applicant for a period of not less than one (1) year immediately preceding the application date;
 - B) The mobile home continuously, for a period of not less than one (1) year immediately preceding the installation permit application date, has been located on land not owned by the owner of the mobile home and the owner of the mobile home has paid rent for the mobile home space during that period of time;
 - C) The owner/applicant intends to continue to occupy the mobile home following issuance of the installation permit;
 - D) The owner/applicant shall state in a written affidavit that the above-stated conditions and requirements have been or will be complied with and that the owner/applicant shall continue to occupy the

- mobile home following issuance of the installation permit;
- E) The mobile home is to be moved to and installed upon a mobile home space not owned by the owner of the mobile home and the owner of the mobile home is to pay rent for the mobile home space pursuant to a rental agreement as defined in A.R.S. § 33-1409; and
 - 1) The Director of Planning and Development or the County Manager shall have authority to waive the foregoing requirement and allow installation of an owner occupied mobile home upon property belonging to the owner.
 - 2) The Board of Supervisors shall have the authority to review and amend any decision of the Director of Planning and Development or the County Manager.

ARTICLE 24

BOARD OF ADJUSTMENT AND APPEALS: The Board of Adjustment as hereinafter established, may permit variances in the application of certain provisions of this Ordinance where practical difficulties or unnecessary hardship would result from a strict application of regulations.

Sec. 2401 CREATION AND APPOINTMENT: There is hereby created, as provided by law, a Board of Adjustment of Pinal County. The Board of Adjustment shall be composed of no less than three and no more than five members, each of whom shall be a resident and taxpayer of the unincorporated area of the County. At least one member of the Board of Adjustment shall be selected from each Supervisory District. The members of such Board shall be

appointed for terms of four (4) years each, except that the first members shall be appointed in the following manner:

- At least one (1) member shall be appointed for a term of two (2) years;
- At least one (1) member shall be appointed for a term of three (3) years;
- One (1) member shall be appointed for a term of four (4) years.

The period for which they serve shall be determined by lot after appointment.

Sec. 2402 **PROCEDURE:** The Board of Adjustment shall meet regularly at least once a month and more often, if necessary, for the transaction of business. It shall elect its own officers, establish its own rules, keep a record of its actions and render a monthly report to the Supervisors and the Planning and Zoning Commission. Any finding, ruling or decision of said Board relating to the administration of the Zoning Ordinance shall be an order at either a regular or special meeting of said Board and shall be fully reported in the minutes of the Board.

Sec. 2403 **POWERS:** The jurisdiction of the Board of Adjustment shall be throughout the unincorporated portions of Pinal County. The authority of said Board, shall extend only to the interpretation of the Zoning Ordinance, and to the granting of variances.

The Board of Adjustment shall have the power to:

- a. Interpret the Zoning Ordinance when the meaning of any word, phrase, or section is in doubt, when there is dispute as to such meaning between the appellant and the enforcing officer, or when the location of a zone boundary is in doubt.
- b. **DELETED 4-19-00**
- c. Allow a reduction of building site area and yard requirements where, in its judgement, the shape of the building site, topography, the location of the existing buildings or other unusual circumstances attaching to the property make a strict compliance with said regulations impossible without practical difficulty or unnecessary hardship; but, in no case, except as hereinafter provided, shall these regulations be reduced in such manner as to violate the intention and purpose of this Ordinance.
- d. Allow the construction of commercial buildings with sidewalks, arcades or similar architectural features where such construction requires a variance of front yard regulations and is in conformity with a general architectural plan applicable to the entire frontage of a block or where such construction would permit the widening of the adjacent street or thoroughfare.
- e. Authorize a reduction of the off-street parking and loading requirements of Article 21, if it should find that in the particular case the peculiar nature of the building or premises, or the exceptional situation or condition, would mitigate the need for the parking spaces specified.
- f. Authorize variances from the strict application of the provisions of this Ordinance in cases in which the strict application of such provisions would result in the serious impairment of substantial property rights, provided the long-term interests of the community are given full consideration. The applicant at the hearing shall present a statement and adequate evidence in such form as the Board shall require satisfying, as a minimum, the requirements set forth in Sec. 2504.
- g. Authorize a change of non-conforming business use to a more restrictive use, following the procedure for a variance.

It is not intended by this Ordinance to interfere with or abrogate or annul any easement, covenant, or other agreement between private parties, but where the zoning provisions of this Ordinance are more restrictive than any existing private restrictive covenant affecting any portion of the unincorporated area of said County, said zoning provisions shall prevail over said private covenant (Sub-section 1-3, adopted 5-13-68).

ARTICLE 25

PROCEDURES BEFORE THE BOARD OF ADJUSTMENT

Sec. 2501 **APPLICATION:** Application for any permissible variance of regulations, as provided herein, shall be made by the owner or his representative to the Board of Adjustment in the form of a written application for a permit. Said application shall be made on forms provided by the Board of Adjustment, shall be filed with the Zoning Inspector or his deputy, and shall be accompanied by:

- a. Accurate plot plans and descriptions of the property involved and the proposed use with preliminary floor plans and elevations of all proposed buildings.
- b. Evidence satisfactory to the Board of Adjustment, of the ability and intention of the applicant to proceed with actual construction work in accordance with said plans within six (6) months after issuance of permit.
- c. A list showing the names and addresses of all persons, firms or corporations appearing of public record as owning property within the area proposed to be affected and within 300 feet of any part of the property for which a variance is requested. The list must include the names of all persons purchasing land under recorded contracts of sale, and must be certified as to completeness by the applicant or some person otherwise qualified by knowledge of the public records. The Zoning Inspector shall satisfy himself of the completeness of the list before accepting it for filing.

Sec. 2502 FILING FEE TO THE BOARD OF ADJUSTMENT: A uniform, non-refundable fee, as set forth in Article 27, shall be paid to the County Planning and Development Services Department upon each application.

Sec. 2503 PUBLIC HEARING: Upon receipt, in proper form, of the application, the Board of Adjustment shall proceed to hold a public hearing upon the application not more than thirty (30) days nor less than fifteen (15) days after filing, at which all persons whose property is directly affected and the general public shall be given an opportunity to be heard. Notice of the application and hearing shall be given not less than seven (7) days prior to the hearing by publication of the notice at least once in a newspaper of general circulation in the area involved, and by depositing in the United States Mail, notices thereof addressed to the last known owners as shown on the list submitted by the applicant under the provisions of Section 2501-c of this Ordinance.

Sec. 2504 EVIDENCE REQUIRED FOR VARIANCE: At the public hearing on a variance application, the applicant shall present a statement and adequate evidence in such form as the Board of Adjustment may require for the purpose of showing:

- a. There are special circumstances or conditions applicable to the property referred to in the application which do not prevail on other property in that zone.
- b. That the strict application of the regulations would work an unnecessary Non-Financial hardship and that the granting of the application is necessary for the preservation and enjoyment of substantial existing property rights.
- c. That the granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.
- d. That the special circumstances or conditions referred to in a. above are not self-imposed.

Sec. 2505 BOARD OF ADJUSTMENT ACTION: In the event the Board of Adjustment finds that substantial conformity to standards previously established in the zone may be secured and that detriment or injury to the neighborhood will not result from the granting of a variance as applied for, it may approve or conditionally approve the issuance of said permit and transmit notice of its action to the Zoning Inspector. A report of its findings and recommendations and any conditions imposed or required shall also be submitted promptly to the Planning and Zoning Commission and the Board of Supervisors.

Sec. 2506 DISAPPROVED APPLICATION: In the event the Board of Adjustment disapproves an application for a variance, no permit shall be issued pending further action thereon by an appeal to the Superior Court within 30 days from the date said disapproval is officially entered on the minutes of the Board. If said Court shall overrule the action of the Board, then the Zoning Inspector shall issue the requested permit without further action by the Board, unless the Court orders the Board to hold further hearings to permit the Board to fix conditions or require guarantees, as set forth in Section 2507 and 2508.

Sec. 2507 CONDITIONAL APPROVAL: In approving any variance, the Board of Adjustment may

designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of the regulation or provision to which such variance is granted, to provide adequately for the maintenance of the integrity and character of the zone in which such permit is granted, and shall provide the Zoning Inspector with a copy of the same.

Sec. 2508 **GUARANTEES:** Where necessary, the Board of Adjustment may require guarantees, in such form as it may deem proper under circumstances, to insure that the conditions designated in connection therewith are being or will be complied with. Where any condition under which a variance has been granted is violated, the variance shall cease to exist and the permit shall become null and void.

ARTICLE 26

INTERPRETATION, PURPOSES AND CONFLICT

Sec. 2601: Interpreting and applying the provisions of this Ordinance, they shall be held to be minimum requirements adopted for the promotion of public safety, health, convenience, comfort, prosperity and general welfare. It is not intended by this Ordinance to repeal, abrogate, annul, or in any way

to impair or interfere with any existing provisions of law or ordinance previously adopted pursuant to the laws relating to the use of building or premises, or relating to the erections, construction, establishment, alteration or enlargement of any building or improvements, except to the extent any existing provisions conflict with or are inconsistent with the valid provisions of this Ordinance, and to that extent and no more, the same are hereby repealed. It is not intended by this Ordinance to interfere with or abrogate or annul any easement, covenant or other agreement between private parties, but where the zoning provisions of this Ordinance are more restrictive than any existing private restrictive covenant affecting any portion of the unincorporated area of the County, said zoning provisions shall prevail over said private covenant.

ARTICLE 27

ENFORCEMENT

Sec. 2701 ZONING INSPECTOR: For the purpose of the enforcement of this Ordinance, there is

hereby created the position of County Zoning Inspector and such Deputy Inspectors as may be required, who shall be appointed by the Board of Supervisors and shall have the same status as any other employee of the county.

Sec. 2702 RESPONSIBILITY FOR PERMITS: It shall be the duty of the County Zoning Inspector and all departments, officials and public employees vested with the duty or authority to issue permits or licenses, to enforce the provisions of this Ordinance and issue no such license or permit for uses, buildings or purposes where the same would be in conflict with the provisions of this Ordinance and any such license or permit if issued in conflict with the provision of this Ordinance, shall be null and void.

Sec. 2703 USE PERMITS REQUIRED: From and after the effective date of this Ordinance, it shall be unlawful to erect, construct, reconstruct, alter or change the use of any building or structure within any portion of the unincorporated area of Pinal County covered by this Ordinance without first obtaining a Use Permit from the Zoning Inspector. If a Use Permit is not required, all other provisions of this Ordinance shall be observed.

Sec. 2704 APPLICATION FOR PERMIT: The applicant for a permit shall provide the Zoning Inspector with sufficient information regarding the proposed construction or use for the interpretation and enforcement of the provisions of this Ordinance and for the guidance and assistance of the County Engineer, the County Health Department, the Count Assessor and any other public agency in the discharge of their regularly prescribed duties. Required information shall include the legal description of the property upon which the improvement is to be made, the street address of said property, the nature of the use to which said improvement is to be put, the type of building to be erected, the dimensions of the building site and of the improvement, the distance said improvement is to be from all lot lines of the building site, and elevation of said improvement showing the height thereof, the location of water and sewer lines serving said improvement and if said improvement is not connected with a public sewer, then the location of the private disposal system which will serve said improvement, the location of existing uses and buildings, and such other information as the Zoning Inspector may require for the purpose of determining whether said permit may be issued under the terms of this Ordinance.

In all applications for permits which require consent by, or that notice be given to property owners of record, whose property abut or adjoin the property which is the subject of said permit, it shall be the duty of the applicant at the time the application is made for said permit to provide the Zoning Inspector with an accurate, verified list, made within the previous thirty (30) days, of all property owners of record, and their last known addresses, within the area of consent or notice for said use for which said permit is sought. The Zoning Inspector shall satisfy himself of the completeness of said list before accepting the same for filing.

Sec. 2705 FEES: For each permit to erect, construct, reconstruct, alter or change the use of any building or other structure within any portion of the unincorporated area of Pinal County covered by this Ordinance or for any application required by this Ordinance, a fee shall be charged based upon the following schedule:

- a. Buildings:
 - 1. Fees for change of use shall be \$25.00 for each permit.
 - 2. Fees for manufactured/mobile home placed on individually owned lot, parcel or tract shall be \$25.00 for each permit.
 - 3. All buildings, over 500 square feet and under 1,500 square feet of gross floor area, fee: \$30.00.
 - 4. Additions to existing building, the same fee as for an initial permit.
 - 5. Fees for alterations and reconstruction shall be computed according to the foregoing schedule, according to the number of square feet of gross floor area contained in the portion undergoing such alterations and reconstruction.
 - 6. Fees for change of use shall be \$25.00 for each permit.
 - 7. Fees for manufactured/mobile home placed on individually owned lot, parcel or tract shall be \$25.00 for each permit.
- b. Structures and Improvements other than buildings:
 - 1. Signs, fee per 10 square feet or fraction thereof, of the longest horizontal

- dimension in feet times the height: \$3.00.
- 2. Walls and fences, fee per 50 lineal feet or fraction thereof: \$4.00.
- 3. Pools, fee per 100 square feet or fraction thereof: \$6.00.
- 4. All other structures and improvements not shown above: for each structure costing less than \$1,000 including normal labor costs: fee \$15.00, and for each additional \$1,000.00 cost or fraction thereof, including normal labor cost, for each structure, an additional \$5.00. The fee for any one such construction program shall not exceed \$2,500.00.
- 5. Notwithstanding any other provisions of this Ordinance, no building permit shall be required under Article 27 for electric, telephone, water, or natural gas facilities which comprise part of the operating distribution system (as opposed to offices, warehouse or similar buildings) other than generating facilities or high voltage transmission lines and related substations, switchyards and appurtenances or high pressure natural gas lines. In the case of construction of such facilities, all of the facilities in a single job or project shall be subject to one construction permit under Article 27. The fee for any one such construction program shall not exceed \$2,500.00.
- c. The permit fees established above shall be double in the event that the erection, relocation, construction, installation or substantial reconstruction of any sign or building or structure is begun prior to the issuance of a permit.
- d. Applications and Plan reviews:
 - 1. Board of Adjustment and Appeals
 - A. Initial variance application within a rural or residential district, a fee of \$100.00. A fee of \$50.00 shall be charged for each additional variance requested on initial application.
 - B. Initial variance application within a commercial, industrial or transitional district, a fee of \$200.00. A fee of \$100.00 shall be charged for each additional variance requested on initial application.
 - C. Appeals to the Board of Adjustment, a fee of \$100.00.
 - 2. Special Use Permit applications, a fee of \$100.00 per application.
 - 3. Special Density Permit applications, a fee of \$100.00 per application.
 - 4. Industrial Use Permit application, when not applied for in conjunction with a change in zone classification to CI-2, a fee of \$100.00 per application.
 - 5. Manufactured/Mobile Home Park and Recreational Vehicle Park plan review and construction permits:
 - A. A fee of \$25.00 shall be charged for each plan review.
 - B. An additional \$8.00 per space shall be charged for a construction permit at the time of approval of park plans. This fee shall be required prior to start of construction.
 - 6. Area or neighborhood plans, a fee of \$750.00 per application.
 - 7. Amending an adopted area or neighborhood plan, a fee of \$400.00 per application.
 - 8. Change in Zoning classification applications:
 - A. Requests for SR, SH, GR, CAR, CR-1A, CR-1, CR-2, or CR-3 zoning: For five (5) acres or less a fee of \$150.00. For more than five (5) acres, \$300.00 plus \$15.00 for each acre over five (5), maximum fee not to exceed \$4,000.00.
 - B. Requests for CR-4, CR-5, TR, MH, RV, MHP or RVP zoning: For five (5) acres or less a fee of \$200.00. For more than five (5) acres, \$600.00 plus \$15.00 for each acre over five (5), maximum not to exceed \$5,000.00.
 - C. Requests for CB-1, CB-2, CI-B, CI-1 or CI-2 zoning: For five (5) acres or less a fee of \$400.00. For more than five (5) acres, \$800.00 plus \$15.00 for each acre over five (5), maximum fee not to exceed \$7,000.00.
 - D. The fee for an application for rezoning to more than one zoning classification shall be the total of the separate fees for each zoning classification.
 - 9. Temporary Use Permit applications, a fee of \$50.00 per application.

- Sec. 2706** **TIME LIMIT:** The use of the permit shall be valid for a period of nine (9) months from the date of its issuance and shall otherwise expire if unused. Any appeal from the granting of the permit shall suspend the running of the time limit herein during the period of appeal.
- Sec. 2707** **POSTING PLACARD:** With each permit issued, the Building Safety Department shall provide the permittee with a placard to be erected in a prominent position on the premises where the permit is to be used, which placard shall be of a distinctive color, easily identifiable and which shall state the date issued and the work authorized by said permit. Such placard must be displayed during construction, repair or alteration.
- Sec. 2708** **NOTICE TO ASSESSOR:** Sufficient copies of the permit containing the necessary information as outlined herein shall be made so that one copy may and shall be transmitted immediately by the Zoning Inspector to the County Assessor.
- Sec. 2709** **VALIDITY OF PERMIT:** The issuance or granting of a building or use permit or approval of plans or specifications under the authority of this Ordinance shall not be deemed or construed to be a permit for, or an approval of any violation of any of the provisions of this Ordinance or the amendments thereto, or of any other ordinance or law. No permit presuming to give authority to violate or cancel any of the provisions of this Ordinance or any existing law shall be issued, and if issued, shall not be valid, except insofar as the work or use which it authorizes is lawful and permitted.
- Sec. 2710** **CERTIFICATES OF OCCUPANCY:** Upon application by the owner of any property which does not conform to all the provisions of this Ordinance at the time this Ordinance becomes effective, or which is exempted from zoning regulations by statute as specified in Section 303, or which is located in any portion of a GR zone where a use permit is not required, the Building Safety Department shall inspect said premises and thereupon issue a certificate of occupancy establishing the character of use of said property and its conformity or non-conformity with the terms of this Ordinance.
- Sec. 2711** **ENFORCEMENT BY COUNTY OFFICIALS:** It shall be the duty of the Sheriff of Pinal County and of all officers of said county otherwise charged with the enforcement of the law to enforce this Ordinance and all of the provisions of the same.
- Sec. 2712** **PUBLIC NUISANCE:** Any building, structure or improvement erected, built, moved or maintained or any use of property contrary to the provisions of this Ordinance shall be and the same is hereby declared to be unlawful and a public nuisance.
- Sec. 2713** **CRIMINAL PENALTIES:** Any person, firm or corporation, whether as principal, owner, agent, tenant, employee or otherwise, who violates any provisions of this Ordinance or violates or fails to comply with any order or regulation made hereunder is guilty of a Class 2 misdemeanor pursuant to A.R.S. § 11-808. Each and every day during which the illegal activity, use of violation continues is a separate offense.
- Sec. 2714** **CIVIL PENALTIES:** Any person, firm or corporation, whether as principal, owner, agent, tenant, employee or otherwise, who violates any provisions of this Ordinance shall be subject to a civil penalty. Each day of a continuing violation is a separate violation for the purpose of imposing a separate penalty. The civil penalty for violations of this Ordinance shall be established by separate resolution of the Board of Supervisors, but shall not exceed \$700.00 for an individual, or \$10,000.00 for an enterprise. Enterprise shall be defined pursuant to A.R.S. § 13-105. An alleged violator shall be entitled to an administrative hearing on his liability, and a review by the Board of Supervisors as provided in A.R.S. § 11-808. Pursuant to that statutory section, the Board of Supervisors shall adopt written rules of procedure for such hearings and reviews.
- Sec. 2715** **REMEDIES:** An alleged violator who is served with notice of violation subject to a civil penalty shall not be subject to a criminal prosecution for the same factual situation. However, all other remedies provided for herein shall be cumulative and not exclusive. The

conviction and punishment of any person hereunder shall not relieve such person from the responsibility to correct prohibited conditions or to remove prohibited buildings, structures, or improvements nor prevent the enforcement, correction or removal thereof. In addition to the other remedies provided in this Article, the Board of Supervisors, the County Attorney, the Inspector, or any adjacent or neighboring property owner who shall be especially damaged by the violation of any provision of this Ordinance, may institute, in addition to the other remedies provided by law, injunction, mandamus, abatement or any other appropriate action, proceeding or proceedings to prevent or abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use.

ZONING ORDINANCE AMENDMENTS AND ZONE CHANGES

Sec. 2801 **AUTHORITY:** The Board of Supervisors may from time to time after receiving a report thereupon by the County Planning and Zoning Commission and after public hearings required by law, amend, supplement or change the regulations or zones set forth herein or subsequently established. Any amendment, supplement or change may be initiated by the Commission or by petition of affected persons.

Sec. 2802 **INITIATION OF ZONING ORDINANCE AMENDMENT - BY COMMISSION:**

- a. Purpose: The purposes of the procedures established by Section 2802-b are:
 - 1. To eliminate the requirement of consent signatures for initiation of ordinance amendments when the proposed amendments conform to the adopted Master Plan of Pinal County and adopted area and neighborhood plans, or are found by the Commission to be proper amendments after consideration of preliminary staff reports.
 - 2. To provide for appropriate and timely ordinance amendments and district zone changes with due consideration of the adopted Master Plan of Pinal County for the orderly growth and development of the County, as provided in the County Planning and Zoning Act of 1949.
- b. Procedure: The Commission shall initiate zoning ordinance amendments in accordance with the following procedures:
 - 1. Any person proposing that the Commission initiate an ordinance amendment shall file with the Commission an application for such amendment on the form adopted by the Commission.
 - 2. Upon receipt of such application, the Commission staff shall make a preliminary study and findings, and report them to the Commission which report shall include the extent and boundaries of the zoning district recommended by the staff.
 - 3. If, after consideration of the preliminary staff report, the Commission determines to initiate the proposed amendment, the Commission shall delimit a zoning district and set the matter for public hearing, duly noticed, as hereinafter provided.
 - 4. If, however, after consideration of the preliminary staff report, the Commission determines that it will not initiate the proposed amendment, the Commission need proceed no further, however, the Commission shall, upon making such adverse determination, notify and afford the applicant a preliminary hearing, if the applicant within 30 days request such hearing. At such preliminary hearing, the applicant may show cause why the Commission should initiate the proposed amendment. The preliminary staff report and all the Commission's subsequent actions thereon shall be filed with the Clerk of the Board of Supervisors within ten (10) days after each determination of the Commission.

Sec. 2803 **INITIATION OF ZONING ORDINANCE AMENDMENT - BY PETITION AND CONSENT:**

Any person may initiate a zoning ordinance amendment changing the zoning district boundaries within an area previously zoned by filing with the Clerk of the Board of Supervisors the proposed amendment, a petition in favor of such change, and also the written consent of at least 51% of the owners, by number and by area, of all other properties any part of which is within 300 feet of the proposed change. If the petition is for a change of classification, there shall not be counted, either in numbers or area, the owners of land of the same or less restrictive zoning classification as sought by the petitioners. Unless the proposed change is an extension of an existing zoning district, the extent and boundaries of the area proposed to be changed shall be such as to constitute a zoning district. In the event that the area of the proposed change does not constitute a zoning district, the Commission may delimit a zoning district including the petitioned area before the amendment is set for public hearing. No petition shall be received for amendment reclassifying property if a petition which included the property has been denied by the Supervisors within the previous six (6) months.

Sec. 2804 **FILING FEE AND COST:** A uniform, non-refundable fee, as set forth in Article 27, shall be paid to the County Planning and Development Services Department upon each application,

by the applicant when the Commission initiates the Amendment, or by the Petitioner when Amendment is initiated by petition and consent. This fee shall be charged to partially cover the costs of sending notices, making maps, and other expenses involved.

Sec. 2805 **REQUIRED LISTS OF PROPERTY OWNERS:** Every applicant proposing that the Commission initiate a zoning ordinance amendment and every petitioner initiating a zoning ordinance amendment shall accompany his application or petition with an accurate, verified list, made within the previous 30 days, giving the names and addresses of the owners of all properties lying within the area of the proposed change and of all properties any part of which is within 300 feet of the proposed change. Should the Commission enlarge the area of the proposed change, the applicant or petitioner shall be required to furnish a supplemental list showing the required information within the modified proposed area of change and within 300 feet of the modified proposed area of change. These lists shall be furnished by the applicant or petitioner at his own expense and may be rejected for insufficiency by the Commission.

Sec. 2806 **COMMISSION ACTION:** Upon initiation of any proposed ordinance amendment, the Commission shall hold at least one public hearing thereon after giving at least 15 days notice thereof by publication once in a newspaper of general circulation in Pinal County. If the amendment includes a district zone change, additional notice shall be given by posting the area included in the proposed change, and by notifying all property owners within the zoning district and all property owners within 300 feet of the zoning change. The Commission may hold additional public hearings and give additional notice as they deem reasonable under the circumstances.

Neither the failure to give written notice by mail to any owner or occupant of any property who may be affected by an amendment, nor the failure to comply with any additional notice requirement imposed by the Commission shall invalidate an amendment, provided such failure was unintentional. The intent of this section is to provide notice so far as possible, to persons substantially interested in the proposed amendment.

Sec. 2807 **SUPERVISORS' ACTION:** Upon receipt of the Commission's recommendation, the Supervisors shall hold a public hearing on the proposed amendment after giving at least fifteen (15) days notice. The notice shall be given by publication once in a newspaper of general circulation in Pinal County, and if the amendment includes a district zone change, by posting the area included in the proposed change. Upon completion of the public hearing, the Supervisors may act upon the proposed amendment, however, if 20% of the owners of property by area and number within the zoning area file a protest to such proposed change, the change shall not be made except by the unanimous vote of the Board of Supervisors.

SALE OF COPIES:

Sec. 2901 Copies of the Ordinance may be sold by the Zoning Inspector and all monies received therefrom shall be paid to the County Treasurer as provided by law.

ARTICLE 30

REPEAL OF INCONSISTENT PROVISIONS:

Sec. 3001 All ordinances and portions of ordinances of Pinal County in conflict herewith are hereby expressly repealed.

ARTICLE 31

SEVERABILITY:

Sec. 3101 This Ordinance and the various parts thereof are hereby declared to be severable. If any section, subsection, sentence, clause, word or phrase of this Ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this Ordinance.

ARTICLE 32

COMPREHENSIVE PLAN AND COMPREHENSIVE PLAN AMENDMENTS:

Sec. 3201 PURPOSE: The purpose of this Article is to establish the process for preparation and adoption of a Comprehensive Plan for Pinal County. The Comprehensive Plan and subsequent Plan amendments will ensure the establishment of a land use policy for future development of the County and will further be detailed through area, community, village, neighborhood and special area plans.

The Comprehensive Plan establishes, and the other plans make specific, the goals of Pinal County regarding future development of the County, reflecting public consensus on land use issues. The plans are to serve as official guides for the Planning and Zoning Commission, Board of Supervisors, and all county officials and agencies for accomplishing coordinated physical development consistent with current and anticipated needs of the County. Such plans constitute official notice to the public of county development recommendations and requirements for specific areas.

Sec. 3202 AUTHORITY: Pursuant to A.R.S. § 11-806, the Planning and Zoning Commission may direct the preparation of a Comprehensive Plan so as to conserve the natural resources of the County, ensure efficient expenditure of public funds and promote the health, safety, convenience and general welfare of the public. The Planning and Zoning Commission shall act in an advisory capacity to the Board of Supervisors in reviewing and making recommendations relating to the Comprehensive Plan.

Sec. 3203 DEFINITIONS: Certain terms used in this chapter shall be defined, for purposes of this chapter only, as follows:

1. "Comprehensive Plan" means a plan prepared and adopted pursuant to A.R.S. § 11-806, the purpose being to bring about the coordinated physical development in accordance with the present and future needs of the County.
2. "Area Plan; Community Plan; Village Plan; Neighborhood Plan; Special Area Plan" means a plan prepared for a portion or portions of the County that provides a more detailed analysis of the Comprehensive Plan.
3. "Plan Policy" means a written statement in a plan which provides:
 - a. procedural recommendations, or
 - b. development recommendations, which may be imposed as special conditions of rezoning.
4. "Annual Plan Program" means a work program prepared by the Planning and Development Services Department, which identifies and prioritizes the long range planning activities on an annual basis. The Annual Plan Program will be reviewed by the Planning and Zoning Commission and approved by the Board of Supervisors.

Sec. 3204 PLAN TYPES:

- A. Comprehensive Plan. An adopted plan covering incorporated and unincorporated Pinal County, which shall be prepared by the County in conjunction with municipalities within the planning area:
 1. The plan shall further the purpose defined in Section 3201 by:
 - a. Establishing the relationship of the various plans to geographic planning sectors and the entire planning area;
 - b. Establishing land use elements which guide planning and coordinate the timing and implementation of capital improvement activities, such as transportation, flood control, water delivery or wastewater management and solid waste disposal facilities; and
 - c. Determining the relative suitability of individual geographic sectors for various land use types and development intensities.
 2. The Comprehensive Plan is defined in greater detail by adoption of specific area, community, village, neighborhood and special area plans which apply the intent of the Comprehensive Plan to small geographic sectors and planning areas. The preparation and update of the Comprehensive Plan is the responsibility of the County.
 3. Plan elements: This plan shall include, at a minimum:
 - a. The general character and location of major transportation

- corridors, major infrastructure such as bridges, and transit systems.
 - b. Recognition of the need to provide community facilities, such as schools, libraries, water delivery and sewage systems, solid waste disposal facilities, police and fire facilities and airports;
 - c. A land use classification system, including general land use types and development intensities;
 - d. Identification of recreational opportunities, such as hiking and riding trails, developed or undeveloped parks, and open space systems;
 - e. The general location and recognition of need for wildlife and natural resource conservation areas such as forest and desert lands;
 - f. Identification of areas of natural constraints, such as hillsides and floodplains;
 - g. Identification of known archaeological and historic resources, and community character and aesthetic issues.
- B. **Area Plan.** An adopted plan covering a relatively large area which has been identified as an appropriate planning area because of special geological conditions or development trends.
- 1. Area plan shall further the intent of the Comprehensive Plan and shall provide more specific land use recommendations and policies;
 - 2. Plan elements: Area Plans shall include, at a minimum:
 - a. Existing and planned residential density ranges in terms of residences per acre (RAC);
 - b. Location of existing and planned commercial and industrial uses, including designation, where appropriate, of enterprise type;
 - c. Existing and proposed overlay zones and special use districts;
 - d. General character and location of major streets and routes;
 - e. Natural or artificial drainageways;
 - f. General location of community facilities, such as schools and parks;
 - g. Policies relating to development requirements or constraints in a subarea or on an individual land parcel;
 - h. Development or design policies which may be more restrictive than the County Zoning Ordinance. Examples include policies on the provision of public services and additional height or setback restrictions;
 - i. Designations of additional elements, such as restricted peaks and ridges, and trail access points.
- C. **Community Plan.** An adopted plan primarily for the development of a new community or activity center under one main developer or landowner;
- 1. Community plans provide for more precise site planning than is generally possible on the scale of an area plan, and shall be consistent with the intent of larger plan(s);
 - 2. Plan elements: Community plans shall include at a minimum all elements required for area plans. Additional elements may be required by the Planning and Development staff.
- D. **Village Plan.** An adopted plan covering a group of neighborhoods that comprises a portion of a community plan.
- 1. Village plans provide for more precise site planning than is generally possible on the scale of a community plan, and shall be consistent with the intent of larger plan(s);
 - 2. Plan elements: Village plans shall include a minimum of all elements required for community plans. Additional elements may be required by the Planning and Development staff.
- E. **Neighborhood Plan.** An adopted plan covering a relatively small geographic area composed of one or two delineated neighborhoods;
- 1. Neighborhood plans are intended to address special land use issues in a neighborhood context, while conforming to the broader recommendations of the Comprehensive Plan and area plans, where applicable;

- 2. Plan elements: In addition to the elements described for area plans (subsection B of this section), neighborhood plans shall include, at a minimum:
 - a. More precise land use recommendations (e.g., parking areas, dwelling types);
 - b. Location and function of local streets and other circulation elements;
 - c. Special design considerations, such as sign restrictions, landscaping and lighting impact mitigation, when appropriate;
 - d. Other public facilities such as parks, schools and similar facilities.
- F. Special Area Plan. An adopted plan for a designated area which requires a detailed analysis and review of proposed, future or existing land uses, and would not be appropriate for an area, community, village or neighborhood plan.

Sec. 3205 PLAN DOCUMENTS AND POLICIES:

- A. Documents. Land use plans adopted after the effective date of the ordinance codified in this chapter shall, at a minimum, consist of a map, defining the extent of area involved, recommendations and policies of the plan and narrative text of the plan's goals and policies.
- B. Plan Policies.
 - 1. Plans shall include written development, design or procedural policies which may be more restrictive than the County Zoning Ordinance for the entire planning area, subareas within the planning area, or individual land parcels;
 - 2. Adopted or pending policies may recommend that further public hearings be held concerning land within the planning area conditionally rezoned for uses that are in conflict with plan policies or land use recommendations.
 - 3. Adopted plan policies shall apply to properties being rezoned.

Sec. 3206 ANNUAL PLAN PROGRAM AND PLAN INITIATION:

- A. Annual Plan Program.
 - 1. Procedure:
 - a. The Planning and Zoning Commission shall direct the Department of Planning and Development Services to prepare an annual plan program, consisting of a schedule of plans to be developed or reviewed in the next fiscal year, to be submitted for consideration by the Board of Supervisors.
 - b. The program shall be submitted to the Commission at a public hearing for its recommendation to the Board of Supervisors, which shall adopt the program as is, or refer it back to the Commission with recommended amendments.
 - c. Amendments to the program during the fiscal year requested by the Department or the Commission shall require the same approval process. The Board of Supervisors may amend the program at any time.
- B. Plan Initiation.
 - 1. The Planning and Zoning Commission is responsible for the initiation of plan development or review processes, and may hear requests from private individuals for area, community, village, neighborhood or special area plans who have submitted evidence that public benefit would result from such plan, based on departmental plan evaluation criteria. The preparation and update of the Comprehensive Plan is the sole responsibility of the County.
 - 2. The Planning and Development Services Department is responsible for the development of, or coordination of development for, new plans or review of existing plans, as required by the annual plan program.

Sec. 3207 PLANNING AND REVIEW PROCEDURES:

- A. Planning Inventory.
 - 1. The initial phase of plan development or review shall be a survey and study of present and anticipated conditions in the planning area, which

- shall be a major factor in determining preferred intensities of development, locations of specific land uses, and other elements, as may be required in Section 3204;
2. Items to be included in the inventory are determined by the Department as set out in A.R.S. § 11-806. These items will be enumerated by Planning and Development staff in a set of plan preparation guidelines.
- B. Public Review.
1. Public comment shall be actively sought by the Department during the planning process;
 2. The Department shall, at a minimum:
 - a. Hold one public meeting, preferably within the planning area, to discuss the results of the planning inventory and solicit land use recommendations; and
 - b. Hold one public meeting, preferably within the planning area, to discuss the proposed land use plan and receive public comment at least two weeks prior to the work session to be held by the Planning and Zoning Commission; and
 - c. Make available to the public a final draft of the plan, including all proposed land uses and policies, at least fifteen days prior to the public hearing by the Planning and Zoning Commission.
- C. Planning and Zoning Commission Review.
1. Commission Work Session:
 - a. A work session may be held by the Commission to determine the merits of the draft plan;
 - b. The Commission may remand to staff for a public hearing, remand to staff for further revision, or continue the work session for a definite time period not to exceed three months.
 2. Formal Commission Review:
 - a. Before making a recommendation on the plan, the Commission shall hold a public hearing after giving at least fifteen (15) days notice thereof by one publication in a newspaper of general circulation in the county seat. The notice shall be published in a newspaper of general circulation in the area to be affected or adjacent thereto, if the area is not the county seat; (A.R.S. § 11-806(B)) (A.R.S. § 11-822)
 - b. The recommendation of the plan shall be by resolution and require the affirmative vote of a majority of the members present.
- D. Board of Supervisors Review:
- a. After review and recommendation of the plan by the Commission, the plan shall be submitted to the Supervisors for their consideration and official action. The supervisors shall hold at least one public hearing at which residents of the area shall be heard concerning matters contained in the plan. At least fifteen (15) days notice of the hearing shall be given by the publication in a newspaper of general circulation in the county seat. (A.R.S. § 11-806(C)) (A.R.S. § 11-823)
 - b. The Board shall consider protests and objections to the plan and may change or alter any portion. However, before any change is made, that portion of the plan proposed to be changed shall be referred to the Commission for their recommendation, which may be accepted or rejected by the Supervisors.
- E. Plan Amendment. A plan may be amended or extended by the same procedure as are herein established for its adoption.

Sec. 3208 EFFECT OF ADOPTED PLANS UPON ZONING CHANGES AND SUBDIVISION PLAT APPROVALS (A.R.S. § 11-802 and 11-829A)

- a. In amending zoning classifications, changing zoning district boundaries, creating a PAD District or approving subdivision plats for properties included within a Community Plan, Village Plan, Neighborhood Plan or Special Area Plan (collectively "Adopted Plans"), the Planning Commission and Board of Supervisors may allow

minor variations from the Adopted Plans for zoning district boundaries, exact land use classification, or the exact character, extent and location of major thoroughfares, collector streets, drainage ways, schools, parks and other community facilities. In allowing minor variations, the Planning Commission and Board of Supervisors shall not alter the policy set by the Adopted Plans with regard to basic residential densities, general boundaries of the various land use districts, and the general character, extent and location of major thoroughfares, collector streets, drainage ways, schools, parks, and other community facilities.

- b. In amending zoning classifications, changing zoning district boundaries, or creating a PAD District (Collectively Rezoning”) for all of the land included within a Comprehensive Plan or Area Plan, the Rezoning shall be deemed to conform with the Comprehensive Plan or Area Plan if the Rezoning proposes land uses, densities or intensities that are within the range of identified land uses, densities or intensities of the Comprehensive Plan. In amending zoning classificaitons, changing zoning district boundaries, or creating a PAD District (collectively “Rezoning”) for a portion of the land included within a Comprehensive Plan or Area Plan, the Rezoning shall be deemed to conform with the Comprehensive Plan or Area Plan if the Rezoning proposes land uses, densities or intensities that are within the range of identified land uses, densities or intensities for that portion of the Comprehensive Plan or Area Plan included within the boundaries of the Rezoning request.
- c. The goals, policies, and applicable elements of the Comprehensive Plan or Area Plan may be considered by the Planning Commission and Board of Supervisors in determining if a Rezoning request (as defined in 3208B) furthers the implementation of the Comprehensive Plan or Area Plan.

Sec. 3209**LEGAL STATUS**

- a. Sets the general policy of the County regarding future development of the area included in the plan. (A.R.S. § 11-802)
- b. Constitutes official guidelines for the Commission, Supervisors, and all county officials and agencies for guiding and accomplishing a coordinated, adjusted and harmonious development through zoning, subdivision design regulation, setback lines establishment, and other methods provided by law.
- c. Constitutes official notice to the general public and to all agencies of the general plans for the development.
- d. In the event that the Commission and Supervisors desire to alter the policy set by a plan, they may amend the plan by following the same procedures as set forth in Section 3207 for adoption. Zoning amendments which conform to adopted plan(s) shall not be considered "spot" zoning.

ARTICLE 33

PLANNED AREA DEVELOPMENT (PAD)

Sec. 3301 **DEFINITIONS:** The PAD District is an alternative to conventional land use regulations, substituting procedural protections for the requirements in Pinal County’s Zoning Ordinance. The PAD District is an overlay district that shall be used only in conjunction with other zoning districts described in the Pinal County Zoning Ordinance, but which will allow flexibility in the requirements of the underlying zone and shall require approval by the Board of Supervisors of a specific plan of development.

a. Open/common space: An area that is intended to provide light and air, and is designated and designed for resource protection, buffers, drainageways, environmental, scenic or recreation purposes. Open space may be devoted to but is not limited to landscaping, preservation of natural features, drainageways, recreational area and facilities. Open space shall not be deemed to include land areas occupied by buildings, structures, required yards, driveways, parking lots, streets, alleys or other surfaces designed or intended for vehicular travel. Open space areas shall remain open and unfenced.

1. Private: The areas open to residents, resident’s guest and invitees but not the public at large. Open/common space may also be referred to as private.
2. Public: The areas open to the people at large, without reference to geographical limits; public roads being those roads that have been dedicated or otherwise permanently appropriated to the public for public use.

Sec. 3302 **PURPOSES & INTENTS:** Pinal County recognizes that in certain instances the objectives of the Zoning Ordinance may be best achieved by development of planned areas which may not conform in all respects to the underlying zoning district. Pinal County further has determined that in the best interest of the health, welfare and safety of the citizens of Pinal County, specific planned communities can provide better alternatives for some land development than the conventional zoning districts. The purpose of the PAD district is to encourage imaginative and innovative planning of neighborhoods, particularly with respect to diversification in the use of the land and flexibility in site design with respect to various features, including but not limited to, spacing, heights, density, open space, circulation, private roadways, preservation of natural features, and innovation in residential development that results in the availability of a variety of housing opportunities, both in terms of affordability and lifestyle to all citizens and guests of Pinal County; and to ensure the establishment of developments consistent with the goals and objectives of the Board of Supervisors of Pinal County.

Sec. 3303 **LOCATION:** A PAD may be established in any zoning district upon a finding by the Board of Supervisors, after receiving a recommendation from the Planning Commission, that such a development would comply with the intent of this Section of the Zoning Ordinance and that the PAD substantially complies with any previously approved area plans. A PAD may not be established on any parcel consisting of less than ten (10) gross acres, unless the Planning Commission and Board of Supervisors find that a tract containing less than ten (10) gross acres is suitable as a PAD by virtue of its unique character, topography or other features. If a proposed project requires rezoning, a request may be considered by the Planning Commission simultaneously with its consideration of the development plan.

Sec. 3304 **APPLICATION REQUIREMENTS:** Each application for approval of a PAD District shall be filed in accordance with the provisions of Article 27 of the Zoning Ordinance. In addition to the filing fee established in Article 27, an additional fee of \$1,000.00 shall be paid by the applicant for processing the PAD request. In addition to the submittal requirements set forth below, the application shall be accompanied by such information and representations required by this Ordinance or deemed necessary by the Planning Director, which together shall comprise the application “package”. If tentative plat approval is being requested at this time for all or any portion of the specific plan of development, the application shall also meet all requirements for tentative plat approval as described in the “Pinal County Subdivision Regulations & Requirements and Minimum Standards for Subdivision Street Paving,” as amended. Because of the need for adequate staff review and public notice, the “package”

shall be filed, complete in all respects, not less than three weeks prior to the public hearing on the project by the Planning Commission. The Planning Director may set earlier deadlines for part or all of the “package” in order to facilitate scheduling public hearings or to allow additional staff review. In addition to the requirements for tentative plat approval, if applicable at this time, the “package” shall include at least the following:

- a. **SPECIFIC PLAN OF DEVELOPMENT:** The rezoning/PAD application(s) shall be accompanied by a Specific Plan of Development which shall consist of:
 1. The proposed development shall be drawn at sufficient scale so as to not exceed a print size greater than 24" x 36". Lettering shall be of sufficient size to be reasonably legible when reduced to an 8 ½" x 11" clear print.
 2. Title of the project, such as “Planned Area Development for _____” in bold faced letters.
 3. Name of the landowner, developer, applicant and the firm or person who prepared the plan.
 4. North arrow, scale (written and graphic), and dates of plan preparation and subsequent revision dates.
 5. Inset vicinity map showing the relationship of the proposed project to existing area development and surrounding zoning districts.
 6. Existing zoning designation and requested zoning district change, if applicable.
 7. Legal description of the entire property to be subject to the Planned Area Development.
 8. Delineate and dimension by bearing and distance the exact boundaries of the proposed Specific Plan of Development.
 9. Show existing perimeter streets, including center lines, names, dimensions of existing dedications and proposed dedications.
 10. Show the general locations and scheme of proposed interior collector and major arterial streets with proposed rights-of-way. All points of ingress and egress to the site must be shown.
 11. Indicate the general location of the proposed residential area(s) and types of housing proposed for each area(s). Show and label areas of open space, public areas, drainage areas and any proposed facilities such as golf courses, parks, recreation center, sewage treatment plant, school site, etc.
 12. Indicate who will own, control and maintain landscaping, open areas, streets, recreation facilities, refuse disposal and private utility systems.
 13. Show typical lots for each dwelling unit, including typical lots in cul-de-sacs, on corners and in any unusual location. Show the arrangement of units which will be clustered. These typicals should show the building envelope, the proposed minimum setbacks, the minimum lot dimensions and individual fences/walls.
 14. Indicate the location and width of all existing roadway or utility easements on the property.
 15. Show existing contours; contour interval to vary according to grades as follows: grades up to 5%, 2'; 5% to 10%, 5'; grades over 10%, 10'. Indicate the general direction of storm water runoff.
 16. Identify by note or notes the existing drainage pattern and the proposed drainage plans for handling onsite and offsite storm water runoff. (A preliminary drainage report will be required.)
 17. Indicate the locations, type, height and material of proposed perimeter fences and/or walls. All proposed signs should also be located, identified and dimensioned.
 18. Note the general location and type of proposed landscaping on the site.
 19. Show phase lines, if applicable.
- b. **SPECIFIC PLAN OF DEVELOPMENT DATA:**
 1. Land Use Table or Tables to include the following:
 - A. Total gross acreage of the site.
 - B. Total area of the streets, public and private.
 - C. Total area of public open space.
 - D. Total net area of all intended uses.
 - E. Total area of open space which is designed for the exclusive use of the residents of the PAD area who receive an undivided

- ownership of such areas.
- F. Maximum allowable number of dwelling units permitted under base Zoning Districting.
- G. Total number of each type of dwelling unit and the total number of all dwelling units.
- H. Average lot area per dwelling unit proposed, taking into account all planned dwelling units.
- I. The overall density proposed.
- 2. A table which compares the requirements of the existing zoning, the requirements of the base zoning requested, and the variations proposed under the PAD. The table should include lot area per dwelling unit, setbacks, maximum lot width, maximum building height and parking regulations.
- 3. A table which lists the type and source of proposed utilities and services which include sewer, water, electric, telephone, police, fire, schools and solid waste disposal.
- 4. A table which compares existing Pinal County subdivision regulation roadway standards with all proposed rights-of-way and pavement widths for each type of private street proposed (arterials, collectors, residential collectors and residential) for the planned area and the perimeter. (Refer to the Pinal County Subdivision Regulations & Requirements and Minimum Standards for Subdivision Street Paving, as amended.)
- c. NARRATIVE REPORT: The following information should be included in a supporting narrative report:
 - 1. Title Page: The title page should clearly indicate "Planned Area Development for _____", the name of the applicant and the date.
 - 2. Purpose of Request: The first section of the report should explain why the project has been proposed. It is often helpful to discuss why the site has been chosen. The applicant shall state the advantages and benefits of the proposed development to the County in detail.
 - 3. Description of Proposals: The character and type of development shall be thoroughly explained. All of the proposed non-residential buildings and structures and their intended uses should be described.
 - 4. Relationship to Surrounding Properties: Surrounding land use and zoning should be described. The impact of the proposal on surrounding properties in each direction should be discussed. The impacts on schools should be explained.
 - 5. Location & Accessibility: The advantages of the proposed location should be explained. The means of access, distance from major streets and surrounding road conditions should be described. Any proposed interior streets, drives or parking areas and proposed improvements should also be described.
 - 6. Timing of Development: A section of the report should contain a schedule of development phasing.
 - 7. Public Utilities and Services: The availability and adequacy of proposed utilities and services must be thoroughly discussed.
 - 8. Appendix: It is sometimes necessary depending upon the nature of the request, to attach copies of correspondence with other federal, state, local, semi-private or private agencies or organizations which can substantiate the proposal.
 - 9. Maintenance of Streets and Common Areas: The provisions for the maintenance of the private streets, common areas and public area landscaping should be thoroughly discussed. The applicant should approach this portion of the narrative from the position of trying to prove to the Planning Commission and the Board of Supervisors that the mechanisms he intends to set up will still be functioning effectively twenty years later.
- d. COVENANTS: Draft copies of proposed restrictive covenants that would pertain to each use of the Planned Area Development shall be filed with the Pinal Planning and Development Services Department for review by the County Attorney at least three weeks prior to the public hearing by the Planning Commission. Copies of the

proposed restrictive covenants in their final form shall be filed at least three weeks prior to the public hearing on the project by the Board of Supervisors.

- e. **ADDITIONAL MATERIAL:** Additional material shall be provided for specific types of uses as follows:
 - 1. For PAD Districts or sections thereof in which Commercial Development is proposed, the Specific Plan of Development shall contain at least the following information:
 - A. The approximate retail sales floor area and total area proposed for commercial development.
 - B. The types of uses proposed to be included in the development, such uses to be consistent with the comparable zoning district.
 - C. The standards of height, open space, buffering, landscaping, pedestrian and vehicular circulation, off-street parking and loading, signs and nuisance controls intended for the development.
 - 2. For PAD Districts or sections thereof in which Industrial Development is proposed, the Specific Plan of Development shall contain at least the following information:
 - A. The approximate total area proposed for such use.
 - B. The types of uses to be included in the development. (Generally those industrial, office, laboratory and manufacturing uses shall be allowed which do not create any danger to health and safety in surrounding areas and which do not create any offensive noise, vibration, smoke, dust, odor, heat, or glare and which by reason of value in relation to size and weight of merchandise received and shipped, generate a minimum of truck traffic.)
 - C. The anticipated employment in the entire development and in each major section thereof. This may be stated as a range.
 - D. The standards of height, open space, buffering, landscaping, pedestrian and vehicular circulation, off-street parking and loading, signs, and nuisance controls intended for the development.
- f. **WAIVER OF SPECIFIC SUBMISSIONS:** Any information required under Section 3304 may be waived by the Planning Director on the basis that the information is not necessary to a review of the proposed PAD. Such waiver shall be in writing, shall specify the reasons for such waiver and shall be included in the materials submitted to the Planning Commission.

Sec. 3305 PUBLIC HEARINGS: After proper application has been made for a PAD, the Planning Commission and Board of Supervisors shall hold public hearings as provided in Article 28 of this Zoning Ordinance.

- a. The Planning Commission and Board of Supervisors may approve the plan as submitted, may require the applicant to modify, alter, adjust or amend the plan in such manner and to such extent as it may deem appropriate to the public interest, or disapprove the plan. The Board of Supervisors may stipulate a time for review of any approved PAD to assure timely development. Such review shall be made by the Planning Director and any significant facts affecting the development shall be referred to the Planning Commission for review.
- b. The Planning Commission and Board of Supervisors may approve a plan even though the use of buildings and land, the location and height of buildings to be erected in the area, the nature of ownership, and the yards and open spaces contemplated by the plan do not conform in all respects to the regulations of the zoning district in which it is located or the plan does not conform in other particulars.
- c. Approval of a PAD District application shall constitute approval of the tentative plat if the tentative plat is submitted at the time of the PAD district application and when the plat has been submitted in accordance with Section 3304 above and the Pinal County Subdivision Regulations & Requirements and Minimum Standards for Subdivision Street Paving, as amended. Approval of the tentative plat shall be effective for one year in accordance with the Pinal County Subdivision Regulations & Requirements and Minimum Standards for Subdivision Street Paving, as amended, but may be extended upon reapplication and review by the Commission.

The Board of Supervisors may stipulate or require a time limit which shall apply to the PAD district approval.

Sec. 3306 FINDINGS REQUIRED: Before approval of an application for a PAD District, the Planning Commission and the Board of Supervisors shall find that the development conforms to the following general criteria:

- a. That the location, design and size are such that the development can be well integrated with the surroundings; is planned and developed with the intention to harmonize with any existing or proposed development in the adjacent neighborhood; or in the case of a departure of character from surrounding uses, that the location and design will adequately reduce the impact of the development so that the project will not be detrimental to the adjacent property.
- b. That the streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby and that proper provision for the maintenance of such streets has been provided. If the Planning Commission and Board of Supervisors deems in their judgement that private streets are appropriate for a development, construction of streets shall be as determined by the Board of Supervisors, provided, however, that the Board of Supervisors shall require the paved portion of the streets to be in accordance with the Pinal County Subdivision Regulations as to base material, asphalt and seal coat.
- c. That the value of the use of the property adjacent to the area included in the plan will not be adversely affected to a significant extent and to this end, the Planning Commission may require, in the absence of an appropriate physical barrier, the uses of least intensity be arranged along the boundaries of the project. As further protection to adjacent properties, the Planning Commission may impose either or both of the following requirements:
 - 1. Structures located on the perimeter of the planned development be set back by a distance sufficient to protect the privacy and amenity of adjacent existing uses.
 - 2. Structures located on the perimeter of the planned development be permanently screened in a manner sufficient to protect the privacy and amenity of the adjacent existing uses.
- d. That every structure containing residential, commercial or industrial units shall have access to a public street directly or via a court, walkway, private street or other common area owned and maintained as common ground.
- e. Height of all structures shall be appropriate for the use and location of the development. Any buildings exceeding in height the limit normally permitted in the district shall be so located on the parcel so as to obviate the casting of unbroken shadows on adjoining parcels.
- f. That suitable retention and drainage areas have been provided to protect the property and adjoining properties from hazards resulting from water falling on or flowing across the site, and that proper provision for maintenance of such retention and drainage areas has been provided.
- g. That the location, design, size and uses are such that traffic generated by the development can be accommodated safely.
- h. That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or planned public facilities and services.
- i. That adequate and visible refuse disposal has been provided or exists for the development.

Sec. 3307 BUILDING PERMITS:

- a. For the purpose of implementing a Planned Area Development, building permits may be issued for buildings and structures in the area covered by the approved Specific Plan of Development if they are in conformity with the plan and with all other applicable ordinances and regulations not specifically modified by the Board of Supervisors' approval of the plan.

- b. Once a plan has been approved, it can be amended, changed or modified only through the procedure prescribed herein for the initial application for approval. The Board of Adjustment may not grant any variances for an approved PAD.
- c. A development schedule for residential uses shall be submitted as part of the project plan and the construction and provision of all the common open spaces and public and recreational facilities which are shown on the Specific Plan of Development must proceed at the same rate as the construction of dwelling units. If the Planning and Development Services Director should find that the rate of Subdivision Plat submittals is greater than the rate at which common open areas and public and recreational facilities are being constructed or provided, he shall notify the developer that no Subdivision Plat applications will be processed until the rate of construction conforms with the development schedule.
- d. The development schedule shall provide for stage construction of the specific Plan of Development. Building permits will not be issued for any stage of the plan unless the common open space allocated to that stage by the development schedule has been conveyed to the appropriate parties.

Sec. 3308 REGULATION OF PLANNED AREA DEVELOPMENTS DURING DEVELOPMENT AND AFTER COMPLETION: During development and after completion of the project, the use of the land and the construction, modification or alteration of any buildings or structures within the development will be governed by the approved Specific Plan of Development rather than by any other provisions of the Zoning Code.

- a. Any minor extensions, alterations or modifications of existing buildings, structures or elements of the plan which include but are not limited to elements such as minor shifting of the established lines, location of buildings, proposed private streets, pedestrian ways, utility easements, parks or other public open spaces may be authorized by the Planning Director if they are consistent with the purposes and intent of the plan. All such approvals shall be considered permanent and become a part of the plan.
- b. The Planning Director may permit dwelling unit density transfers up to 10% between units within the specific plan of development provided:
 - 1. the procedures for such transfers are explicitly stated within the plan and will be allowed only once per unit;
 - 2. Density transfer proposals indicating donor and recipient areas are submitted to the department for administrative review and approval; and
 - 3. the overall density of the plan is not exceeded.
- c. All other changes in the Specific Plan of Development must be made by the Board of Supervisors, under the procedures authorized by this code for the amendment of the zoning map. No changes may be made in the Specific Plan of Development unless they are required for the continued successful function of the planned development, or unless they are required by changes in conditions that have occurred since the plan was approved or by changes in the development policy of the County.
- d. Any building or structure that is totally or substantially destroyed may be reconstructed only in compliance with the Specific Plan of Development unless an amendment to the plan is approved under Paragraph c.
- e. Changes in the use of the common open spaces may be authorized by an amendment to the plan under Paragraph c.

Sec. 3309 FLOODPLAIN MANAGEMENT ORDINANCE: Notwithstanding any provision contained in this Article, the Floodplain Management Ordinance shall supersede this Article in the event of conflict between their provisions and any variance from the Floodplain Management Ordinance shall be obtained as provided therein.

Sec. 3310 MINIMUM PLANNED AREA DEVELOPMENT REQUIREMENTS AND LIMITS: The following requirements and limits are mandatory for all Planned Area Developments and may not be waived or modified without amendment of this Section by the Board of Supervisors.

- a. Minimum Lot Size and Minimum Common Area:
 - 1. No residential lot for any manufactured/mobile home or travel

- trailer/recreational vehicle in any PAD shall have an area of less than 1,800 square feet.
2. No residential PAD, or the residential portion of any PAD that includes commercial, industrial or other areas, shall have less than fifteen (15%) percent of its gross total residential area allocated to open space or other common areas or facilities. Commercial or industrial areas do not require the 15% open space allocation. The open space requirement of any PAD, as approved by the Board of Supervisors, must be transferred with any portion of the PAD which might be sold or reassigned. Buildings, structures, required yards, driveways, parking lots, streets, alleys or other surfaces designed or intended for vehicular travel shall not be included in the 15%.
 3. Sec. 1 of the above requirement may be waived by the Planning Commission and Board of Supervisors where the density of the underlying zone is preserved. In such a case, no more residential lots shall be permitted than would have been allowed had the entire residential project been developed in accordance with the underlying zoning. The remaining space shall be allocated to open space, parks, recreational facilities or other common area, but it shall not count towards streets, sidewalks and entry areas. PADs that include manufactured/mobile home lots or travel trailer/recreational vehicle lots shall have an underlying zone of (MH) Manufactured/Mobile Home Zone or (RV) Recreational Vehicle Homesite Zone for those purposes respectively.
- b. Minimum Standards for Private Streets: Any private streets approved by the Planning Commission and the Board of Supervisors as part of a PAD shall meet the minimum requirements for composition and thickness of paving contained in the Pinal County Subdivision Regulations & Requirements and Minimum Standards for Subdivision Street Paving, as amended.

Sec. 3311 **EFFECTIVE DATE OF PAD:** Notwithstanding any provision contained in this Article, or any other provision of this Ordinance, no PAD approved by the Board of Supervisors shall vest any rights in the applicant or affect the underlying zoning until the restrictive covenants in their final form shall be recorded with the County Recorder.

ARTICLE 33A

DESIGN REVIEW OVERLAY ZONE (DRO)

Sec. 3325-A DEFINITIONS: The DRO is an economic and aesthetically motivated regulation to protect property value and promote the general well being of the community.

1. **DESIGN REVIEW OVERLAY ZONE:** An area subject to review of additional architectural and environmental impact standards as outlined in the associated design review plan. The provisions of this article shall apply only to multiple-family developments, commercial or industrial establishments, and public or semi-public uses and all signing for such uses.
2. **DESIGN REVIEW PLAN:** A scheme of the area that will consist of a written narrative text which shall address design and exterior architectural appeal, building form and landscaping. In order for proposed structures not to be so at variance with the structures already constructed, or in the process of construction, as to cause a substantial depreciation in the property values of the neighborhood.
3. **GENERAL WELFARE:** For the purpose of this article, general welfare shall be defined as the preservation of neighborhoods or community character or the attainment of economic objectives such as the preservation of property values or promotion of tourism.
4. **MAJORITY:** For the purpose of this article, majority shall be defined as 51% of the property owners within the design review overlay zone.
5. **PROPOSED DEVELOPMENT:** Any new construction, alteration, expansion or modification to the exterior of any building or structure which requires a building permit as defined in the Pinal County Building Code.

The DRO overlay zone is an overlay zone that shall be used only when a majority of property owners in the overlay area affirm such wishes for an overlay zone, in order to allow for economic and aesthetic concerns. Each specific DRO overlay zone and plan shall require approval by the Board of Supervisors.

Sec. 3326 PURPOSES AND INTENTS: The purpose of this article is to establish the process for creation and adoption of a design review overlay zone and its associated design review plan. In order to protect and preserve property values and enhance certain scenic vista areas of the County, the Board of Supervisors, upon recommendation by the Commission and the affirmation of the wishes of the affected property owners, may apply the design review overlay zone, in addition to an existing zone classification as specified in this ordinance. Additionally the purpose of this article is to accomplish the following objectives:

- A. To ensure that the development, buildings or structures will assist in the conservation of the values of adjacent properties and will not prove detrimental to the character of buildings or uses already established in the area.
- B. To ensure that the proposed development will be properly related to its site and to surrounding sites and structures, and to prevent the construction of structures that would conflict with their environment.
- C. To ensure that sites, projects and structures subject to design review are developed with due regard for the environmental qualities of the natural terrain and landscape, and, that nature/native vegetation, scenic vistas and topography are not indiscriminately destroyed.
- D. To ensure that the design and exterior architecture of proposed structures will not be so at variance with either the design or exterior architecture of the structures already constructed or being constructed in the immediate neighborhood as to cause a substantial depreciation of property values in the neighborhood.

- E. To ensure that open spaces, parking areas, drainageways and landscaping are designed to enhance property value and to screen deleterious uses.
- F. To ensure that the proposed development complies with all of the provisions of this ordinance and goals and objectives of the comprehensive plan or any amendment or element thereof or specific plan for the area.

Sec. 3327 **AUTHORITY:** Pursuant to A.R.S. § 11-802 which authorizes and provides for the Board of Supervisors to conserve and promote the public health, safety, convenience and general welfare, in addition to planning and providing for future growth and improvement of the County through adoption and enforcement of any ordinance. This ordinance seeks to promote the general welfare by way of or as a means of conserving the value of property and encouraging land use that protects the natural scenic beauty of the area (or County).

Sec. 3328 **SPECIAL PROVISIONS:**

- A. Within the design review overlay zone, all uses permitted in the underlying zone with which the design review overlay zone is combined are permitted.
- B. The provisions of this article shall be applicable only to multiple-family developments, commercial or industrial establishments, and public or semi-public uses and all signing for such uses. For the purpose of this article, multiple-family developments shall be the same as Sec. 422 Dwelling, Multiple, of this ordinance, a building or portion thereof containing three or more dwelling units.
- C. Upon application for a design review overlay zone to a specific area of the County, the Board of Supervisors, upon recommendation of the Commission, shall establish design guidelines in the form of a design review plan for that specific area which reflect public consensus. Said guidelines may include but are not limited to exterior design, materials, textures, colors and means of illumination.
- D. The approved design review plan is to serve as the official document for the Commission, Board of Supervisors, and all County officials and agencies for accomplishing coordinated physical development within the design review overlay zone.
- E. All development described in B. above, including buildings, structures, landscaping, drainageways and site layout to be located within the design review overlay zone shall be first approved under provisions of this article by the Planning Director or Assistant Planning Director prior to the initiation of such development. Interior remodeling and non-structural exterior alterations (gas, electric, water) are not included.
- F. Any violation of provisions of this article shall be subject to the enforcement provisions of Article 27 of this ordinance.
- G. Public consensus shall be determined to be notarized petitions containing signatures of approval of 51% of the affected property owners lying within the design review overlay zone boundary.
- H. If any conflict should arise between this article and Article 22 of this ordinance which regulates signs, bill-boards, name plates and other outdoor advertising for signage within the County, this article shall prevail within an approved DRO zone.

Sec. 3329 **INITIATION OF A DESIGN REVIEW OVERLAY ZONE:** The Commission shall initiate development and application of a design review overlay zone in conjunction with other zoning districts described in the Pinal County Zoning Ordinance with the following procedures:

- A. Any person or group proposing that the Commission initiate a design review overlay zone shall file with the Commission an application for such development review overlay zone on the form adopted by the Commission.
- B. The completed application must be accompanied by a uniform, non-refundable filing fee as established by the Board of Supervisors.
- C. Upon receipt of such application, the Commission shall direct staff to assist the applicant, in conjunction with a seven member design review board appointed by the Board of Supervisor member from the applicable supervisorial district, in establishing the design review overlay zone boundary and associated design review plan.

- D. The seven member design review board (appointed per each design review overlay zone) will be appointed by the Board of Supervisors member for a term of three years and shall be comprised of at least one member from the building/construction profession, one member from the architectural profession, two members from the business community within the proposed zone, one member from the real estate profession, and two members from the community at large.
- E. The design review committee shall meet as they deem necessary with County staff, members of the public and affected business community and determine the design review overlay zone boundary, and draft the associated design review plan.
- F. Once the zone and plan are complete, staff shall proceed with the formal review and approval process before the Commission and the Board of Supervisors.
- G. Upon receipt by the Commission of a completed design review overlay zone map reflecting the boundary of the zone in conjunction with a completed design review overlay plan, the Commission shall hold at least one hearing thereon after giving at least 15 days notice thereof by publication once in a newspaper of general circulation in Pinal County. Notice of the proposed plan shall be given to all property owners any part of whose property lies either within the area of proposed design review overlay zone and all properties any part of which is within 300 feet of the proposed design review overlay zone. Additional notice will be given by posting the area included in the proposed design review overlay zone. The Commission may hold additional public hearings and give additional notice as they deem reasonable.

Sec. 3330 PLAN DOCUMENT: Design review overlay zones adopted after the effective date of this article shall consist of a map defining the extent of the area involved, and a written narrative text of the plan's goals and policies which shall address, at a minimum, design guidelines for site development, architectural character, building form and landscaping through criteria related to building placement, circulation, exterior design, materials, textures, colors, means of illumination and signs. Guidelines may include design criteria related to driveways, pedestrian walks, fences and walls, off-street parking areas including entrances and exists, landscape varieties and sizes of plant materials, architectural drawings or sketch requirements, and grading and drainage plans. The completed design review plan will be submitted to the Commission for review and/or revision and approval. Once the proposed design review overlay zone and its associated plan have been approved by the Commission, it shall then be forwarded to the Board of Supervisors for adoption.

Sec. 3331 DEVELOPMENT APPLICATIONS REQUIRED: Any proponent, agent or sponsor of any applicable development, as determined in Section 3328.b above, to be located in an approved design review overlay zone adopted after the effective date of this article shall first file a design review application for consideration and review by the Planning Director or the Assistant Planning Director and one member of the design review board appointed by the members of the design review board. Said design review shall take place as part of the existing building/zoning review process.

Said application shall be accompanied by a uniform, non-refundable filing fee as established by the Board of Supervisors. Said application shall contain the following:

- A. A site plan, drawn to scale, showing the proposed location of structures and other improvements including, where appropriate, driveways, pedestrian walks, off-street parking areas, landscaped areas, fences and walls. The site plan shall indicate the locations of entrances and exits and the direction of traffic flow into and out of off-street parking areas.
- B. A landscape plan, drawn to scale, showing the locations of existing trees proposed to be removed and/or proposed to be retained on the site, the location and design of landscaped areas and the varieties and sizes of plant materials to be planted therein, and other landscape features including sprinkler and irrigation systems.
- C. Architectural drawings or sketches, drawn to scale, in sufficient detail to permit computation of yard requirements and showing all elevations of the proposed structures as they will appear upon completion. All exterior surfacing materials and colors shall be specified.
- D. Accurate scale drawings of all signs indicating their size, material, color, and

illumination, if any.

- E. Grading and drainage plans.
- F. Such other data as may be required by the specific design review plan to ensure that the purposes of this section are satisfied.

Sec. 3332 ACTION BY THE PLANNING DIRECTOR: Within 30 days of the date the development drawings or the final required amendment thereof are submitted to the Planning and Development Services Department for review as shown in 3331 above, the Planning Director shall act on the proposal. Failure to act within 30 days shall be deemed approval of the drawings unless the applicant shall consent to an extension of time.

Sec. 3333 EFFECTIVE DATE OF DESIGN REVIEW DECISION: A decision of the Planning Director will be effective immediately upon receipt by the Planning and Development Services Department of a signed agreement to the conditions of approval; provided, however, that the applicant may appeal said decision to the Commission within fifteen (15) days from the date of such decision.

Sec. 3334 ACTION OF THE PLANNING COMMISSION: At its next regular meeting following the filing and proper notice of an appeal from a decision of the Planning Director on a design review, the Commission shall affirm, conditionally affirm or reverse the decision of the Planning Director. The applicant or the Planning Director may appeal said action of the Commission to the Board of Supervisors within fifteen (15) days from the date of such action. Failure of the Commission to act within the time period prescribed in this section shall be deemed approval of the drawings unless the applicant shall consent to an extension of time.

Sec. 3335 APPEAL TO THE BOARD OF SUPERVISORS: A decision of the Commission on a design review as prescribed in Section 3334 above may be appealed to the Board of Supervisors by the applicant or the Planning Director. At its next regular meeting following the filing and proper notice of an appeal from the action of the Commission, the Board of Supervisors shall affirm, conditionally affirm or reverse the decision of the Commission. Failure of the Board to act within the time period prescribed in this section shall be deemed approval of the drawings unless the applicant shall consent to an extension of time.

Sec. 3336 LAPSE OF DESIGN REVIEW APPROVAL: Design review approval shall lapse and shall be void one year following the date upon which the plans and drawings were approved unless prior to the expiration of the one year a building permit is issued and construction is commenced and diligently pursued toward completion.

ARTICLE 34

OUTSIDE STORAGE and PARKING

Sec. 3401 **OUTSIDE STORAGE AND PARKING:** It shall be unlawful and a violation of this Ordinance for any resident/occupant or owner of record or both to leave or permit to remain outside any objects, scrap, appliances, vehicles, or any other materials, except as provided by this Article.

Sec. 3402 **ACCESSORY USE:** Outside storage and parking provided by this Article is an accessory use and shall not be permitted unless a primary use has been previously established.

Sec. 3403 **APPLICATION:** This Article shall apply to outside storage and parking in all residential and rural zones.

Sec. 3404 **DEFINITIONS:** For the purpose of this Article the following definitions apply:

- a. Owner or Owners of Record: The person(s) or entity indicated on the records of the Pinal County Assessor as the owner of the property in question on the date of an alleged violation.
- b. Motor vehicle parts, components, accessories: Any part, component or accessory from any vehicle propelled by means of an electric, gasoline, diesel, propane, or alcohol fueled engine.
- c. Recreational Vehicle: Any item of personal property driven or hauled for recreational uses including, but not limited to: travel trailers, motorhomes, boats, boat trailers, tent campers, buses or other recreational items.
- d. Resident/occupant: A person or persons who are occupying a building or structure and are using it as a place of abode, a place of residence or a place to live on either a temporary or permanent basis.
- e. Scrap: Any item or substance which in its present condition is not and cannot be used for the original use intended or, that which has been discarded.

Sec. 3405 **VEHICLE PARKING:** Vehicles may be parked on residential or rural property provided said vehicles comply with ALL the following requirements:

- a. Vehicles must be owned or leased by the current resident/occupant of the parcel.
- b. Vehicles shall not be up on jacks, blocks or other similar equipment.
- c. Vehicles shall not have deflated tires, nor have the chassis, engine, body parts, wheels or tires removed.
- d. Said Vehicles shall not be parked in such a manner as to block access to sidewalks or driveways/entrances to any other property.
- e. Vehicles must have a current, valid registration affixed to the license plates.
 - 1. The lack of a current license plate and/or license tag or an expired license tag affixed to a vehicle shall constitute proof that a vehicle does not have

- a valid and current registration.
- f. No more than two (2) personally owned vehicles may be offered for sale at any one time.
- g. Vehicles must currently be operable.

Sec. 3406 RECREATIONAL VEHICLE STORAGE: Recreational Vehicles may be stored on a parcel provided they conform to the requirements listed in Section 3405 above and are not connected to any utility source and not in use for sleeping or living purposes.

Sec. 3407 FURNITURE AND APPLIANCES: Furniture and appliances may be placed outside on a parcel provided:

- a. All appliances are in operating condition and connected for the private use of the resident/occupant.
- b. Any furniture placed outside is in usable condition and designed for outdoor use.

Sec. 3408 CONSTRUCTION MATERIALS: Construction materials may be stored on any property provided a valid building permit has been obtained from the appropriate Department and following provisions are met:

- a. No building or construction materials or scrap thereof shall be stored or placed within the front yard setback required by the zoning district in which the property is located.
- b. No building or construction materials or scrap thereof shall be stored or placed within ten (10) feet of side or rear property line nor shall it be stacked higher than six (6) feet.
- c. All building or construction materials or scrap thereof shall be removed within thirty (30) days after completion of the construction or prior to the issuance of a certificate of occupancy by the Pinal County Building Code Administrator, whichever occurs first.

Sec. 3409 FIREWOOD: Any resident/occupant may store firewood outside on any property provided the following requirements are met:

- a. Firewood stored is for personal use on the parcel which it is stored upon.
- b. Firewood stored or placed on the property meets all required yard setbacks for an accessory building in the zoning district in which it is located.
- c. Firewood is not stacked higher than four (4) feet.
- d. All firewood is stacked in an orderly fashion and in such a manner to avoid its movement onto adjacent property, streets, sidewalks, rights-of-way, parking areas, easements or driveways.

Sec. 3410 OTHER ITEMS: All other items, objects, material, parts, scrap, motor vehicle components, or any other item of personal property that does not conform to the Sections above may be stored provided ALL of the following requirements are met:

- a. The item or object is currently operable, and
- b. The item, object, material or part is for use on the property, and
- c. The item, object, material or part is totally screened from view of any contiguous property, public street, right of way or easement.
 - 1. Said screening shall be by means of a solid wall or fence, landscaping or a combination of the above, achieving the same effect, and
- d. the following requirements and setbacks from the nearest property line are complied with:

Distance to the front property line	Distance to the side & rear property lines	Square Footage of storage permitted	Maximum height of storage
60 FEET	20 FEET OR LESS	NONE	4 FEET
60 FEET	20.1 FEET TO 100 FEET	100	6 FEET
100 FEET	100.0 FEET TO 300 FEET	200	6 FEET
200 FEET	300.1 FEET OR MORE	300	6 FEET

Sec. 3411 COMPLIANCE: Outside storage not complying with this Article is hereby deemed a public nuisance and shall not enjoy any right to continuation, restoration, exchange of uses, or expansions as if a lawful non-conforming use, and shall be abated.

Sec. 3412 VARIANCES: For the purpose of this Section, and for the Public health, safety, peace, comfort, convenience and general welfare of the citizens of Pinal County, Arizona, none of the regulations contained in this Article shall qualify for the variance procedures of Article 25.

APPENDIX

SIGN REVIEW COMMITTEE		
EVALUATION SHEET for SECTION 2215		
1. Placement Considerations		
Are Sign(s) Visible and readable?		
Purpose of the Sign(s)		
Location relative to -traffic movement -access points -site features -structures		
Sign Orientation relative to -viewing distances -viewing angles		
2. Quantity Considerations		
Size of Development		
No. Of Sub-Areas		
Division/Integration of sign functions		
3. Size Considerations		
Topography		
Volume of Traffic		
Speed of Traffic		
Visibility Range		
Proximity to Adjacent Uses		
Amount of Sign Copy		
Placement of Display		
Lettering Style		
Presence of Distractive Influences		

<u>50% + Maximum Hgt Allowed Requested</u>		
<u>25% + Maximum Area Allowed Requested</u>		
4. Material Considerations		
<u>Materials for Structure & Faces</u>		
<u>Complementary Colors</u>		
<u>Similarity of Architectural Style</u>		
<u>Consistent Lettering Style</u>		
5. Context		
<u>Lettering Style</u>		
<u>Sign Placement</u>		
<u>Architectural Style</u>		
6. Additional Considerations		
A. <u>Ensure views of/or from adjacent properties are not impaired</u>		
B. <u>Ensure the signs do not interfere with public utilities, government uses, transportation, landscaping, or other factors felt relevant by the SRC.</u>		
C. <u>Ensure the width of the street, traffic volume, and traffic speed warrant the proposed signage.</u>		
D. <u>Ensure the signs do not pose a hazard to public safety.</u>		