

**ORDINANCE NUMBER 20-15**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF  
THE CITY OF MARICOPA, ARIZONA, ADOPTING "CHAPTER  
18.76 AND SECTION 18.205.020 - ZONING CODE" BY  
REFERENCE AND PROVIDING FOR THE SEVERABILITY  
AND THE EFFECTIVE DATE THEREOF.**

**WHEREAS**, that certain document known as "Chapter 18.76 and Section 18.205.020 – Zoning Code" was adopted as a public record by Resolution No. 20-37; and

**WHEREAS**, the City Council previously adopted Ordinances which established rules and regulations related to land use within the City of Maricopa; and

**WHEREAS**, on July 27, 2020 the Planning and Zoning Commission recommended approval of Text Amendment case # 20-01 subject to certain conditions of approval; and

**WHEREAS**, A.R.S. §9-802 allows a City to adopt a public record by Ordinance as a means to reduce publication costs while ensuring that the public gets fair notice and opportunity to review its operative provisions.

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

**SECTION 1.** Pursuant to Arizona Revised Statutes Section 9-802, that certain document known as "Chapter 18.76 and Section 18.205.020 - Zoning Code" of the Maricopa City Code, electronic copies of which is on file in the office of the City Clerk of the City of Maricopa, Arizona, which document was made a public record by Resolution No. 20-37 of the City of Maricopa, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance.

**SECTION 2.** To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**SECTION 4.** This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Maricopa, Arizona, this 18<sup>th</sup> day of August, 2020.

APPROVED:

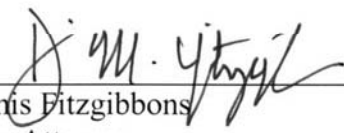
  
\_\_\_\_\_  
Christian Price  
Mayor



ATTEST:

  
\_\_\_\_\_  
Vanessa Bueras, CMC  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Denis Fitzgibbons  
City Attorney

**RESOLUTION NO. 20-37**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "CHAPTER 18.76 AND SECTION 18.205.020- ZONING CODE" OF THE MARICOPA CITY CODE, RELATING TO DEFINITIONS IN THE ZONING CODE AND THE RULES AND REGULATIONS RELATING TO THE CREATION OF THE MARICOPA STATION OVERLAY DISTRICT WITHIN THE CITY OF MARICOPA AND AMENDING THE MARICOPA CITY CODE BY ADDING CHAPTER 18.76 AND REVISING SECTION 18.205.020 OF THE MARICOPA CITY CODE.**

**WHEREAS**, the City Council previously adopted Ordinances which established rules and regulations related to land use within the City of Maricopa; and

**WHEREAS**, staff for the City has provided some amendments to those Ordinances which adds some definitions to the Zoning Code and creates a Maricopa Station Overlay District and the rules and regulations related thereto within the City of Maricopa; and

**WHEREAS**, the City Council believes that declaring such document a public record and adopting its provisions by reference will be in the City's best interests.

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

That certain document filed with the city clerk and entitled "Chapter 18.76 and Section 18.205.020 – Zoning Code" of the Maricopa City Code, relating to the creation of the Maricopa Station Overlay District and the of rules and regulations relating thereto within the City of Maricopa and amending the Maricopa City Code by revising Section 18.205.020 to include additional definitions and adding Chapter 18.76 of the Maricopa City Code, is hereby declared to be a public record, and an electronic copy shall remain on file in the office of the City Clerk of the City of Maricopa for examination by the public.

**PASSED AND ADOPTED** by the City Council of the City of Maricopa, Arizona this 18<sup>th</sup> day of August, 2020.

APPROVED:

  
\_\_\_\_\_  
Christian Price  
Mayor



ATTEST:

APPROVED AS TO FORM:

*VANESSA BUERAS*

Vanessa Bueras, CMC  
City Clerk

*Denis Fitzgibbons*

Denis Fitzgibbons  
City Attorney

## NEW ZONING CHAPTER

### Title 18 Zoning, Chapter 18.76, Maricopa Station Overlay

#### **Sections:**

18.76.010	Purpose
18.76.020	Boundaries
18.76.030	General Design Standards
18.76.040	Design Standards Intent
18.76.050	Transect-Based Zoning Sub-Districts
18.76.060	Land Use Regulations
18.76.070	Allocation and Structure of Transect Zoning Sub-Districts
18.76.080	Allocation and Structure of Blocks and Lots
18.76.090	Private Realm: General Design Standards to T4 and T5
18.76.100	T4 and T5 Zones Design and Development Standards
18.76.110	Signage
18.76.120	Public Realm: CD – Civic District Design Standards
18.76.130	Review of Plans

#### **18.76.010 Purpose**

The purpose of the Maricopa Station Overlay is to:

- A. To implement the goals, policies, and principles of the General Plan and the Heritage District Redevelopment Area Plan;
- B. To enable and encourage new development in the Maricopa Station Overlay area within the Heritage District;
- C. To support a blend of higher density residential, higher intensity employment/office, civic entertainment, and institutional uses, as well as retail uses that are pedestrian friendly;
- D. Encourage investment in adequate public facilities through quality redevelopment and improvements;
- E. Offer additional housing opportunities for residents seeking to live and work in an urban environment; and,
- F. Ensure new development and redevelopment are designed to minimize traffic, parking and impacts on surrounding residential neighborhoods, and create walkable environments.

#### **18.76.010 Boundaries**

The Maricopa Station Overlay (the “District”) is located within the Heritage District, and is bound to the west by North John Wayne Parkway (SR-347), to the north by Honeycutt Road, to the south by Mercado Street, and to the east by the western boundary of “Senita,” a master planned community as referenced in the official Zoning Map of the City of Maricopa.

### **18.76.020 Applicability**

The District shall be subject to the requirements of this Article in the areas established by the Zoning Map. The Maricopa Station design guidelines Public Thoroughfares, Civic Spaces, Architectural Design, Landscape Design, Lighting, and Signage shall be applicable to any development or redevelopment within any portion of the District.

### **18.76.030 Authority**

The authority of the District Article is as follows:

- A. The design standards set forth in this Article shall be applicable to any development or redevelopment using any portion of the District;
- B. The District's Transect-Based Zoning Sub-Districts areas, CD, T4, and T5 (Table 18.76.050), shall serve as the Zoning Districts for all lots designated as such within the District according to the Zoning Map and Maricopa Station Design Guidelines;
- C. Section Chapter 18.15 Rules for Construction of Language and Interpretation apply;
- D. Maricopa Station Design Guidelines.

### **18.76.040 Design Standards Intent**

The intent of the Transect-Based Zoning Sub-District's Design Standards are the following:

- A. To develop and redevelop compact, mixed-use, and walkable places and buildings;
- B. to provide convenient access to rail and bus stations to facilitate the location of higher density development in support of transit services;
- C. to reinforce the image of a pedestrian-oriented historic town center, and;
- D. to provide open spaces and public buildings that serve as necessary public amenities for citizens, residents, and visitors.

### **18.76.050 Transect-Based Zoning Sub-Districts**

The intent of the Maricopa Station Overlay Map is to designate the form of the district block-by-block using Transect-Based Zoning Sub-Districts. Establishing Transect-Based Zoning Sub-Districts further define distinctive physical environments of varying degrees of urbanity, development intensity, and mix of uses in the following manner:

- A. The "T" and "C" designation represents each District's relative place on a continuum of low intensity to high intensity known as the Rural-to-Urban Transect, with the character and associated regulations of "T5" being more urban than those of "T4," and "CD" being more public than those of "T4" and "T5" private development;
- B. The T and C Zones set forth in this Article shall serve as the "Zoning Districts" for all lots designated within the District according to the adopted Maricopa Station Overlay Map;

- C. The following Transect-Based Zoning Sub-Districts are established by this Article and illustrated on Table 18.76.050:

<b>TABLE 18.76.050: TRANSECT-BASED ZONING SUB-DISTRICTS</b>	
<i>Zoning District</i>	<i>District Description</i>
CD – Civic	Public Open Space: Organized as greens, squares, and plazas.
T4 – General	General Urban: A multifunctional social hub of a neighborhood that is mixed in function, but principally residential. It is the general transition area from the center to the edge of the District.
T5 – Center	Urban Center: The densest mix of uses including business, service, institutional, and residential center. It is usually at a central location, within walking distance of transit and the surrounding residential areas.
<i>Bulk and Scale Illustration</i>	

- D. Transect Districts organize the individual characteristics of infrastructure, landscape and buildings into distinct physical environments, with the overall character of each differing from one another.
- E. Mixed Uses within Transect Districts and individual buildings provides access to daily needs within close proximity to dwellings allowing residents to choose to work, play, and shop within walking distance to their home.

### 18.76.060 Land Use Regulations

The land use regulations in Table 18.76.060A and building intensity guidelines in Table 18.76.060B for the District Zoning Districts as established by the following letter designations:

"X" designates uses that are **not permitted**.

"P" designates **permitted** uses.

"C" designates uses that are permitted after review and approval of a **Conditional Use Permit**.

<b>Table 18.76.060A Land Use Regulations</b>				
	District	T4	T5	CD
<b>Residential</b>				
Single Unit		P	P	X
Multi-Unit		P	P	X
Accessory Unit		P	P	X

Single-Room Occupancy Unit	C	C	X
<b>Commercial Services</b>			
Home-Based Business	P	C	X
Newsstand	P	P	P
Convenience Store	P	P	X
Coffee Shop / Café / Bakery	P	P	P
Barber / Hairdresser	P	P	X
Laundromat / Dry Cleaner	P	P	X
Specialty Retail	P	P	X
Hardware	P	P	X
Pharmacy	P	P	X
Supermarket / Grocery	P	P	X
Personal Services (i.e.: Tailor)	P	P	X
Full-Service Restaurant	P	P	X
Limited-Service Restaurant	P	P	X
Drive Thru Restaurant	X	X	X
Bookstore	P	P	X
General Retail (Department Store)	X	P	X
Tavern / Bar	X	P	X
Live Theater	X	P	X
Movie Theater	X	P	X
Dance Hall	X	C	X
Veterinarian / Small Animal Clinic	X	P	X
Medical / Dental Clinic	C	P	X
Bank	P	P	X
Reception Hall	X	C	X
Gasoline Station	X	C	X
<b>Lodging</b>			
Bed and Breakfast (up to 5 rooms)	P	P	X
Inn (up to 12 rooms)	P	P	X
Hotel (no limit)	X	P	X
<b>Office</b>			
Single Unit	P	C	X
Multi-Unit	P	P	X
<b>Civic and Civil Support</b>			
Religious Institution	P	P	P
Library	P	P	P
Parking Structure	C	P	P
Surface Parking Lot	P	C	P
Rail and/or Bus Station	C	P	P
Community Center and Facilities	X	P	P
Outdoor Auditorium	X	P	P
Fire Station	P	P	P
Police Station	P	P	P



<b>Table 18.76.060B Building Intensity</b>		
District	T4	T5
<b>Uses</b>		
<b>Residential</b>	The number of dwellings on each Lot can range from 500 to 2,000 square feet with the average size of 1,000 square feet per each unit.	The number of dwellings on each Lot can range from 500 to 2,000 square feet with the average size of 1,000 square feet per each unit.
<b>Commercial Services</b>	The building area available for Service uses is limited to the first Story of buildings at corner Lot locations.	The building area available for Service uses is unlimited for the principal building and limited to the first Story in Accessory buildings.
<b>Lodging</b>	Limited food service may be provided. The maximum length of stay may not exceed thirty (30) days.	Food service may be provided at all times. The maximum length of stay may not exceed thirty (30) days.
<b>Office</b>	The building area available for office use on each Lot is limited to the first Story of the principal building and/or to the Accessory building.	The building area available for office use on each Lot is unlimited for the principal building and limited to the first Story in Accessory buildings.

**A. Outdoor Retail Sales and Merchandise Display.**

1. **Location.** Outdoor retail sales and merchandise displays shall not obstruct ingress and egress to a building, obstruct fire lanes, interfere with vehicular circulation or sight distance, or be located in landscaped areas. Outdoor display areas for retail and merchandise sales shall be located within proximity to the primary business.
2. **Maximum Area.** Outdoor retail sales and merchandise displays shall not exceed five percent of the total gross floor area of the business, or 200 square feet, whichever is less.
3. **Height.** Display merchandise shall not exceed a height of six feet above finished grade.

**B. Temporary Use of Parking Area.** The temporary use of a parking area for sales and display is permitted, subject to Section 18.150.080 of this Code.

**C. Home-based Business.** Home-based businesses may be permitted administratively within the T4 and T5 Sub-Districts. Home-based businesses are not home occupations and may consist of on-site employees and a limited number of visits from clients, patrons, and deliveries related to the business. The business operation is not limited to a certain amount of floor or lot area unless conditionally approved with such limitations. The Zoning Administrator (ZA) may approve or conditionally approve a home-based business, subject to providing minimum necessary site improvements necessary to accommodate and serve the proposed home-based business.

1. All home-based business uses are subject to land uses in Table 18.76.060A.
2. The owner or operator of the home-based business is not required to be a resident of the home.
3. The ZA shall consider the nature of the proposed use, the number of proposed on-site employees, and the proposed hours of operation to determine necessary conditions of approval and may require neighbor notification when outdoor

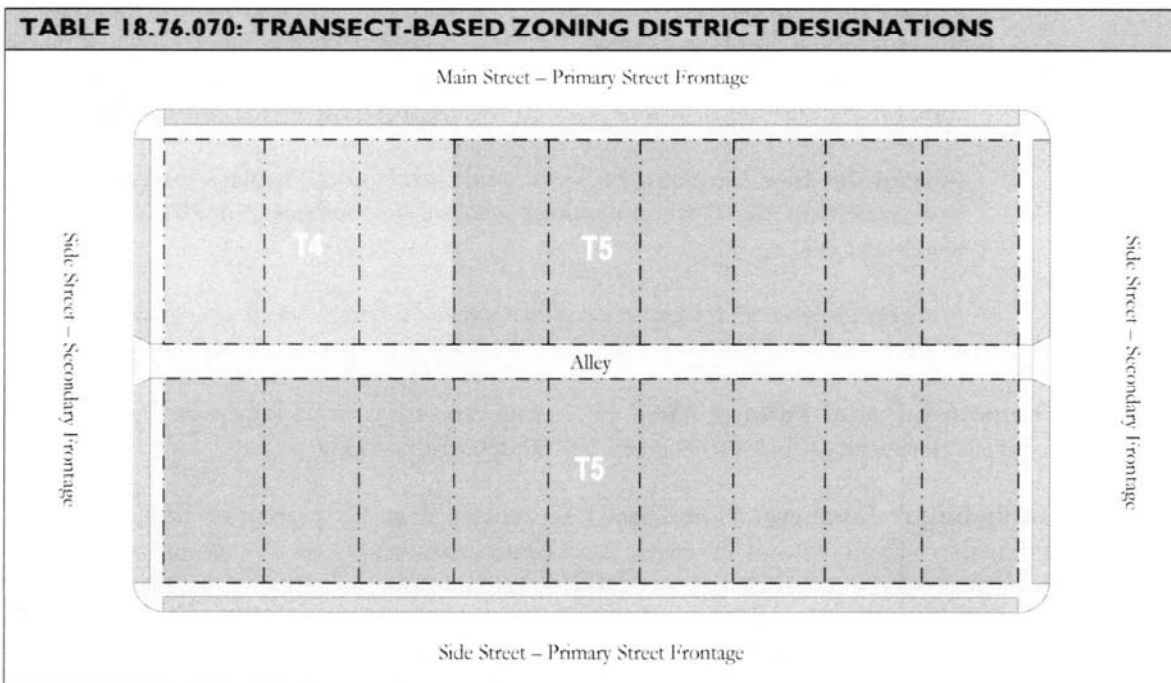
business activities are proposed or if it is determined the proposed use has the potential to disrupt the existing character of the surrounding properties.

4. Home-based businesses are permitted to have one professionally made ground mounted sign not to exceed 3.5 feet in height and 12 square feet in area and is in conformance with Section 18.115 Signage. No back or box lit signage is allowed.

### 18.76.070 Allocation & Structure of Transect-Based Zoning Sub-Districts

This District is assigned areas allocated to the establishment of Zoning Sub-Districts:

- A. CD – Civic: Public spaces and buildings; T4 – General: Private development spaces and buildings, and; T5 – Center: Private development spaces and buildings;
- B. Lots fronting the same side of a Block shall be assigned to a single CD or T4 or T5 - Zoning District according to the adopted Maricopa Station Overlay Map. Transitions from one Zoning District to another on the same Block, if present, shall occur at the rear Lot Line internal to any Block;
- C. Zones may transition between adjacent Lot Lines by Exception to accommodate for specific site conditions (see Table 18.76.70).



### 18.76.080 Allocation and Structure of Blocks and Lots

Within each Zoning District, Lots shall be (re)platted to have the following minimum and maximum Lot Widths, as measured at the Frontage Line (see Table 18.76.080A):

- A. Within T4, 150 feet maximum Lot Width;
- B. Within T5, 200 feet maximum Lot Width;

- C. Each Lot shall have a Primary Frontage abutting a vehicular Thoroughfare, except for the Lots that designate their Primary Frontage along a publicly accessible Passage, such as a Pedestrian Court or Walkway;
- D. Each Lot is divided into regulatory Layers, 1 – 3, to control development as illustrated on Table 304.04A. Design standards for the 1<sup>st</sup> Layer pertain to both Primary and Secondary Frontages;
- E. Each Block face may have multiple Frontages as illustrated on Table 18.76.90B. One Frontage Line is designated the Primary Frontage Line and all remaining Frontage Lines are designated as Secondary Frontage Lines;
- F. Rear access may be provided for all Lots within the District through the provision of a Rear Alley and/or Lane.

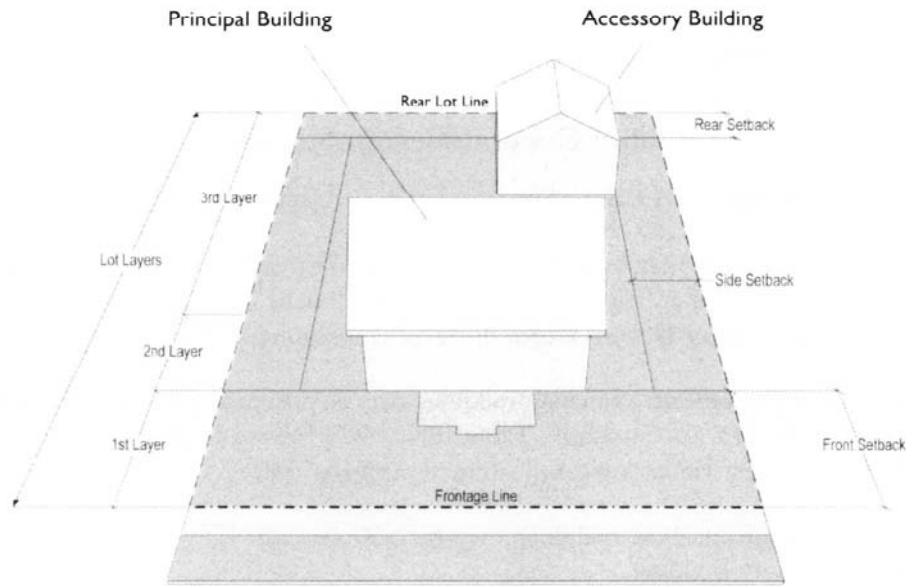
### 18.76.090 Private Realm: General Design Standards to T4 and T5

Development located in the T4 and T5 Zones may be subject to the following requirements:

- A. Lots and buildings may be regulated according to private frontage, building type, building placement, building height, and parking placement (see Tables 18.76.090 A-B and *Maricopa Station Design Guidelines* for landscaping and other design features);
- B. **Building Placement:** Principal Buildings may be positioned on a Lot in accordance with Table 18.76.90A Lot Structure, Table 18.76.090B Private Frontage, and Table 18.76.90C Building Types. Tables are for illustrative purposes only;
- C. **Lot Occupation:** Two buildings may be built on each Lot, one Principal Building and one Accessory Building;
- D. **Setbacks:** Principal and Accessory Buildings shall be setback in relation to the boundaries on their lots. Rear Setbacks for Accessory Buildings shall be minimum of 15-feet measured from the centerline of the Rear Alley Easement. In the absence of a Rear Alley, the rear setback shall be 3-feet minimum;
- E. **Building Height:** Building heights may be measured in number of Stories.
  - 1. Height limits do not apply to Attics or raised basements, masts, belfries, clock towers, chimney flutes, water tanks, or elevator bulkheads.
  - 2. Floor to finished ceiling height, except for ground or first floor Commercial Use, may be a minimum of 12 feet with a maximum of 25 feet and meet the City's Building Code height requirements for habitable space.
- F. **Private Frontage:** The Façade of the Principal Building shall be built parallel to the Principal Frontage Line or to the tangent of a curved Principal Frontage Line of a Lot, and along a minimum percentage of the Frontage width at the Setback (see Table 18.76.090B.a - f).
  - 1. Permitted Encroachments into the Setbacks of any Lot may range from 80% to 100%.

2. Buildings with first Floor Commercial Use may be glazed with clear glass no less than 70% of the first Story.
3. Openings above the first Story may not exceed 50% of the total building front wall, with each Façade being calculated independently.
4. All openings, including porches, Galleries, Arcades, and windows, with the exception of Shopfronts, may be oriented in a square or vertical proportion.

**TABLE 18.76.90A: PRIVATE REALM LOT STRUCTURE**











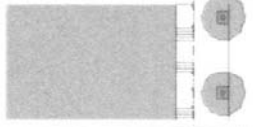
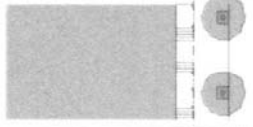
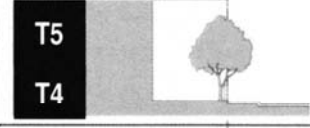
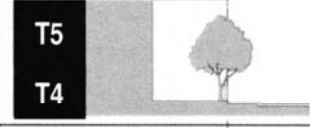
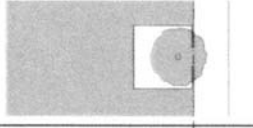
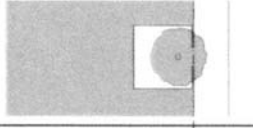






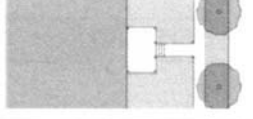
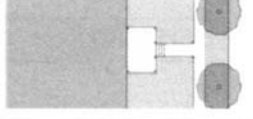


<b>Buildings</b>	
<b>Principal Building</b>	The main building on a Lot, and its configuration is based on its Frontage Type.
<b>Accessory Building</b>	A secondary building usually located toward the rear of the same Lot as the Principal Building, such as a garage, carport, or workshop, and may include an Accessory Dwelling Unit.
<b>Setbacks</b>	
<b>Primary Front Setback</b>	The area of a Lot measured from the Primary Frontage Line to the nearest permissible Principal Building, excluding Encroachments.
<b>Secondary Front Setback</b>	Corner Lots have more than one Frontage Line. One is designated the Primary Frontage Line and all remaining Frontage Lines are designated as Secondary Frontage Lines.
<b>Side Setback</b>	The area of a Lot measured from either side Lot Line to the nearest permissible building.
<b>Rear Setback</b>	The area of a Lot measured from a rear Lot Line to the nearest permissible building.
<b>Lot Layers</b>	
<b>1st Layer</b>	The area of a Lot from the Frontage Line to the Façade of the Principal Building.
<b>2nd Layer</b>	The area of a Lot set behind the 1 <sup>st</sup> Layer to a depth of 20 feet in all Lots.
<b>3rd Layer</b>	The area of a Lot set behind the 2 <sup>nd</sup> Layer and extending to the rear Lot Line.
<b>Lot Size</b>	
<b>Lot Width</b>	The length of the Principal Frontage Line of a Lot.

- G. **Parking Location:** Open parking areas shall be in the Lot behind the Frontage Line and buildings with landscaping that screens the parking areas from the street. Parking should be accessed by Rear Alleys and Lanes.

1. There are no minimum or maximum number of parking spaces allocated per Lot, Block or project area in this District or its Sub-Districts.
2. Parking should be located in the 2<sup>nd</sup> and 3<sup>rd</sup> Lot Layers (See Table 18.76.90A).
3. 'Streetscreens' may be used to obscure parking areas from streets and Walkways. These are low decorative opaque walls, or other rigid materials, a minimum 40-inches in height, and setback a minimum of 2-feet from the Walkway.

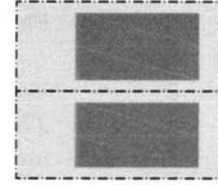
H. **Building Use and Intensity:** The number of dwelling units for Residential uses, bedrooms for Lodging uses, and the square footage of Office and Service Uses shall be controlled according to Table 18.76.90A.

TABLE 18.76.090B: PRIVATE REALM FRONTAGE TYPES				
	SECTION	LOT   ROW	PLAN	LOT   ROW
<b>a. Gallery &amp; Arcade:</b> for Retail use wherein the Facade is a colonnade that overlaps the Sidewalk. An easement no less than 12 ft wide for private use of the right-of-way should be required.				
<b>b. Shopfront &amp; Awning:</b> aligned close to the frontage line with the entrance on sidewalk. This type is conventional for retail frontage. It is commonly equipped with cantilevered shed roof or an awning.				
<b>c. Stoop:</b> aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy. This type is suitable for ground-floor residential uses at short setbacks for townhouses.				
<b>d. Forecourt:</b> aligned close to the frontage line with a portion of it set back suitable for gardens, drop-offs and off-loading. Trees canopies should overhang onto the sidewalks.				
<b>e. Dooryard &amp; Light Court:</b> aligned with a shallow setback and front garden or patio usually with a low wall at the Frontage Line. This type effectively buffers residential quarters from the sidewalk.				
<b>f. Porch &amp; Fence:</b> set back from the frontage line with an encroaching porch appended. The porch should be within a conversational distance of the sidewalk. Porches should be 8 ft wide or more.				

**TABLE 18.76.090C: BUILDING TYPES**

**EDGEYARD**

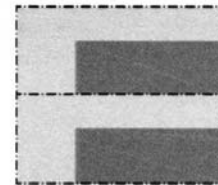
A building placed within the boundaries of its Lot to create an Edgeward around the building, with Setbacks on all sides. This is the least urban of types as the front yard sets the building back from the Public Frontage, while the side yards weaken the spatial definition of the Thoroughfare in front of the building. Variants: Villa, House, Cottage, Duplex, Apartment House.



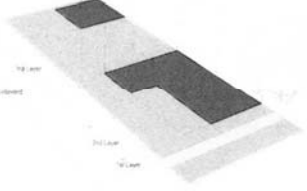
Edgeward Example	Transect Zone	T4	T5
House, Duplex, Triplex  	<b>LOT OCCUPATION</b>		
	Lot Coverage	70% max	n/a
	Frontage Buildout at Setback	60% min	n/a
	<b>PRINCIPAL BUILDING SETBACKS</b>		
	Primary Front Setback	10 ft min 15 ft max	n/a
	Secondary Front Setback	10 ft min 15 ft max	n/a
	Side Setback	0 ft min	n/a
	Rear Setback	3 ft min	n/a
	<b>OUTBUILDING SETBACKS</b>		
	Front Setback	setback + 20 ft min	n/a
	Side Setback	0 ft or 3 ft at corner	n/a
	Rear Setback	3 ft min	n/a
	<b>BUILDING HEIGHT (Number of Stories)</b>		
	Principal Building	3 max	4 max
	Outbuilding	2 max	n/a
	<b>PRIVATE FRONTAGE</b>		
	Setback Encroachments		
	Open Porch	80%	n/a
	Balcony and/or Bay Window	50% max	n/a
	Stoop, Lightwell or Terrace	100% max	n/a
	Walkway Encroachments		
	Awning, Gallery, or Arcade	to within 2 ft of curb	n/a
	Encroachment Depths		
	Porch	8 ft max	n/a
	Gallery	10 ft max	n/a
Arcade	n/a	n/a	
Parking Area Location			
2 <sup>nd</sup> Layer	not permitted	n/a	
3 <sup>rd</sup> Layer	Permitted	n/a	

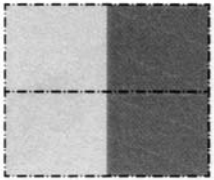
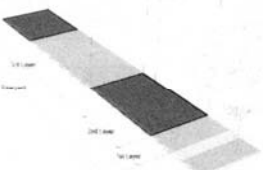
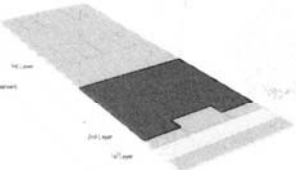

**SIDEYARD**

A building placed within the boundaries of its Lot to create a private Sideyard, with a Setback to one side. A shallow Front Setback defines a more urban condition. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze. If a Sideyard House abuts a neighboring Sideyard House, the type is known as a twin or double House. Attached and detached bungalow and spanish courts are essentially sideyard access housing types.



Sideyard Example	Transect Zone	T4	T5
Sideyard House	<b>LOT OCCUPATION</b>		
	Lot Coverage	70% max	80% max
	Frontage Buildout at Setback	60% min	80% min
	<b>PRINCIPAL BUILDING SETBACKS</b>		
	Primary Front Setback	10 ft min 15 ft max	2 ft min 15 ft max
	Secondary Front Setback	10 ft min 15 ft max	2 ft min 15 ft max

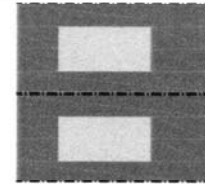
	Side Setback	0 ft min 15 ft max	0 ft min 24 ft max	
	Rear Setback	3 ft min	3 ft min	
	<b>OUTBUILDING SETBACKS</b>			
	Front Setback	setback + 20 ft min	40 ft max from rear	
	Side Setback	0 ft or 3 ft at corner	0 ft or 3 ft at corner	
	Rear Setback	3 ft min	3 ft max	
	<b>BUILDING HEIGHT (Number of Stories)</b>			
	Principal Building	3 max	4 max	
	Outbuilding	3 max	3 max	
	<b>PRIVATE FRONTAGE</b>			
	Setback Encroachments			
	Open Porch	80%	n/a	
	Balcony and/or Bay Window	50% max	100% max	
	Stoop, Lightwell or Terrace	100% max	100% max	
	Walkway Encroachments			
	Awning, Gallery, or Arcade	to within 2 ft of curb	to within 2 ft of curb	
	Encroachment Depths			
	Porch	8 ft max	n/a	
	Gallery	10 ft max	10 ft min	
	Arcade	n/a	12 ft min	
Parking Area Location				
2 <sup>nd</sup> Layer	permitted	not permitted		
3 <sup>rd</sup> Layer	permitted	permitted		

<b>REARYARD</b>				
<p>A building placed within the boundaries of its Lot to create an Edgeward around the building, with Setbacks on all sides. This is the least urban of types as the front yard sets the building back from the Public Frontage, while the side yards weaken the spatial definition of the Thoroughfare in front of the building. Variants: Rowhouse, Apartment Building, Commercial Building, Office Building, Live-Work Building, Mixed-Use Building.</p>				
Rearyard Example	Transect Zone	T4	T5	
Rowhouse 	<b>LOT OCCUPATION</b>			
	Lot Coverage	70% max	80% max	
	Frontage Buildout at Setback	60% min	80% max	
	<b>PRINCIPAL BUILDING SETBACKS</b>			
	Primary Front Setback	10 ft min 15 ft max	2 ft min 15 ft max	
	Secondary Front Setback	10 ft min 15 ft max	2 ft min 15 ft max	
	Side Setback	0 ft min	0 ft min 24 ft max	
	Rear Setback	3 ft min	3 ft min	
	<b>OUTBUILDING SETBACKS</b>			
	Front Setback	setback + 20 ft min	40 ft max from rear	
Side Setback	0 ft or 3 ft at corner	0 ft or 3ft at corner		
Rear Setback	3 ft min	3 ft min		
Apartment Building 	<b>BUILDING HEIGHT (Number of Stories)</b>			
	Principal Building	5 max	4 max	
	Outbuilding	3 max	3 max	
	<b>PRIVATE FRONTAGE</b>			
	Setback Encroachments			
	Open Porch	80%	n/a	
	Balcony and/or Bay Window	50% max	100% max	
	Stoop, Lightwell or Terrace	100% max	100% max	
	Walkway Encroachments			
	Awning, Gallery, or Arcade	to within 2 ft of curb	to within 2 ft of curb	
Encroachment Depths				
Porch	8 ft max	n/a		
Gallery	10 ft max	10 ft min		
Arcade	n/a	12 ft min		
Commercial Building 	<b>BUILDING HEIGHT (Number of Stories)</b>			
	Principal Building	5 max	4 max	
	Outbuilding	3 max	3 max	
	<b>PRIVATE FRONTAGE</b>			
	Setback Encroachments			
	Open Porch	80%	n/a	
	Balcony and/or Bay Window	50% max	100% max	
	Stoop, Lightwell or Terrace	100% max	100% max	
	Walkway Encroachments			
	Awning, Gallery, or Arcade	to within 2 ft of curb	to within 2 ft of curb	
Encroachment Depths				
Porch	8 ft max	n/a		
Gallery	10 ft max	10 ft min		
Arcade	n/a	12 ft min		

	Parking Area Location		
	2 <sup>nd</sup> Layer	not permitted	not permitted
	3 <sup>rd</sup> Layer	permitted	permitted

**COURTYARD**

A building placed within the boundaries of its Lot to create a private Courtyard, while internally defining one or more private patios. Common walls shared with adjacent buildings create a continuous Facade along the Frontage Line that steadily defines the public Thoroughfare in front of the building. This is the most urban of types, as it is able to shield the private realm from all sides. Variants: Courtyard House, Courtyard Apartment Building.



Courtyard Example	Transect Zone	T4	T5
<p>Courtyard House</p>	<b>LOT OCCUPATION</b>		
	Lot Coverage	70% max	80% max
	Frontage Buildout at Setback	60% min	80% max
	<b>PRINCIPAL BUILDING SETBACKS</b>		
	Primary Front Setback	10 ft min 15 ft max	2 ft min 15 ft max
	Secondary Front Setback	10 ft min 15 ft max	2 ft min 15 ft max
	Side Setback	0 ft min	0 ft min 24 ft max
	Rear Setback	3 ft min	3 ft min
	<b>OUTBUILDING SETBACKS</b>		
	Front Setback	setback + 20 ft min	40 ft max from rear
	Side Setback	0 ft or 3 ft at corner	0 ft or 3 ft at corner
	Rear Setback	3 ft min	3 ft min
	<b>BUILDING HEIGHT (Number of Stories)</b>		
	Principal Building	4 max	5 max
	Outbuilding	3 max	3 max
	<b>PRIVATE FRONTAGE</b>		
	Setback Encroachments		
	Open Porch	80%	n/a
	Balcony and/or Bay Window	50% max	n/a
	Stoop, Lightwell or Terrace	100% max	n/a
	Walkway Encroachments		
	Awning, Gallery, or Arcade	to within 2 ft of curb	to within 2 ft of curb
	Encroachment Depths		
Porch	8 ft max	n/a	
Gallery	10 ft max	10 ft min	
Arcade	n/a	12 ft min	
Parking Area Location			
2 <sup>nd</sup> Layer	not permitted	not permitted	
3 <sup>rd</sup> Layer	permitted	permitted	

**18.76.100 T4 and T5 Zones Development Standards**

Table 18.76.100, below, prescribes design and development regulations for the District:

"x" designates uses that are **not permitted** in the Zone column.



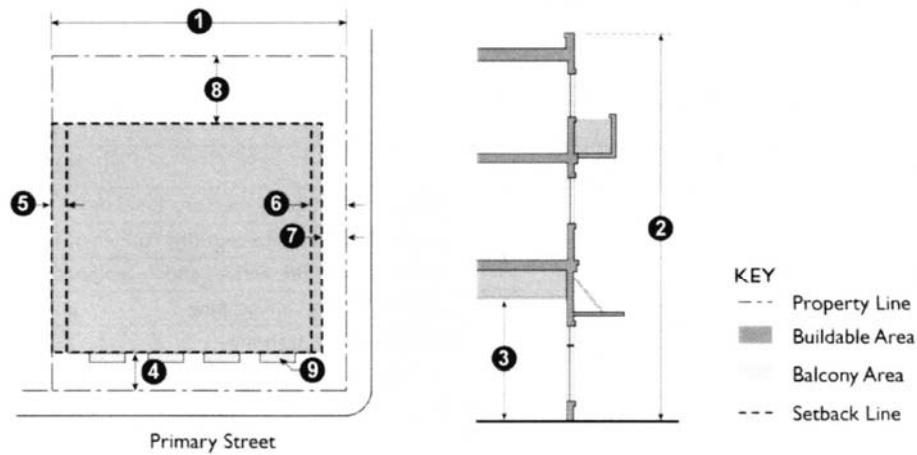
"P" designates **permitted** uses in the Zone column.

"Numbers" designate Design Standards metrics in the Zone column.

"Y" in the Zone column means that the Detailed Standard applies. Letters in parenthesis in the "Additional Standards" column refer to regulations following Table 18.76.100.

"#" column corresponds with the numbers in illustration to regulations in the associated table.

**TABLE 18.76.100: DEVELOPMENT STANDARDS**



General Standards	Zone	Detailed Standards (see sections below)	#
	T4 / T5		
<b>Lot and Density Standards</b>			
Minimum Lot Width (ft.)	25 / 25		①
Maximum Floor Area Ratio (FAR)	2.0 / 4.0	(A)	
<b>Building Form and Location</b>			
Building Height - Primary Building (Stories)	3 / 5	T5 Maximum 75-foot Height	②
Building Height - Accessory Building (Stories)	2 / 3	T5 Maximum 45-foot Height	
Minimum Building Height (Number of Stories)	2		
Minimum 1 <sup>st</sup> Floor Ceiling Height, Non-Residential Uses (ft. clear) - Exceptions for unique operational characteristics	12	Meet City's Building Code height requirements	③
Frontage Types (Table 304.10B.a-f)	Y	(B)	⑨
Gallery & Arcade (More Urban - More Retail)	x / P	See Table 18.76.090B	
Shopfront & Awning	x / P	See Table 18.76.090B	
Stoop	x / P	See Table 18.76.090B	
Forecourt	x / P	See Table 18.76.090B	
Dooryard & Light Court	P / P	See Table 18.76.090B	
Porch & Fence (Least Urban - More Residential)	P / x	See Table 18.76.090B	
<b>Build-to Lines and Setbacks (ft.)</b>			
Front (Principal Building) Minimum	10 / 0 - Y	(D)	④

<b>TABLE 18.76.100: DEVELOPMENT STANDARDS</b>			
Front (Principal Building) Maximum	15 - Y	(D)	
Interior Side Minimum	0 - Y	(D)	5
Interior Side Maximum	10 - Y	(D)	5
Street Side (Principal) Maximum	10 / 10 - Y	(C)	7
Street Side (Secondary) Minimum	15 / 0	(C)	6
Rear Minimum	3 - Y	(D)	8
Location of Parking Areas	Y	(E)	
<b>Other Standards</b>			
Building Design and Signage	Y	(F)	
Upper Floor Outdoor Living Area (s/f per unit min.)	40 / 20 - Y	(G)	9
Outdoor Storage	Y	(H)	
Sewer Service and Adequate Public Facility Participation Agreements	Y	(I)	
Transitions	Y	(J)	
Transparency for Ground-floor Frontages, Non-Residential Uses	Y	(K)	
<b>Additional Standards</b>			
Accessory Structures	Section 18.80.020, Accessory Building or Structures		
Exceptions to Height Limits	Section 18.80.080, Exceptions to Height Limits		
Fences and Walls	Section 18.80.090, Fences and Freestanding Walls		
Landscaping	Chapter 18.90, Landscaping		
Lighting	Chapter 18.95, Lighting		
Off-Street Parking	No Parking Requirements		
Loading Areas	Section 18.80.110, Truck Dock, Loading, and Service Areas		
Outdoor Storage	Section 18.80.100, Outdoor Storage		
Projections into Required Setbacks	Section 18.80.040, Building Projections into Yards		
Screening	Section 18.80.110, Screening		
Signs	Chapter 18.115, Signs		
Swimming Pools	Section 18.80.120, Swimming Pools and Spas		
Visibility at Driveways	Section 18.80.150, Visibility at Intersections and Driveways		

- A. FAR for Mixed Use Buildings.** The maximum allowable FAR is for buildings that contain a mix of residential and non-residential uses.
- B. Principal Building Frontage Types.** The Principal Building fronts onto the Primary Thoroughfare. This is the area between the private Building Facade and the public sidewalk, inclusive of its varying built and planted components. Frontage is divided into Private Frontage and Public Frontage. The combination of the private frontage, the public streetscape, and the types of thoroughfare defines the character of the majority of the public realm. The front of the building defines the building's placement on the Lot, and how it is orientated towards the street includes the following types as specified on Table 18.76.100B Private Realm Frontage Types:
1. T5 Center: Gallery, Arcade, Shopfront, Awning, Stoop, Forecourt, Dooryard, and Light Court.
  2. T4 General: Dooryards, Light Court, Porch and Fence.

- C. Required Side and Rear Yards for Residential Uses.** In order to provide light and air for residential units and additional separation for rooms that require additional privacy considerations, the following minimum setbacks apply to any new building wall containing windows and facing an interior side or rear yard. The required setbacks apply to that portion of the building wall.
- D. Maximum Building Setbacks.** The street-facing facades of buildings must be located no farther from street-facing property lines than the maximum setback distance specified in Table 18.76.100. The following additional provisions apply:
1. **Corner Properties.** Where a property fronts on two or more streets, the maximum setback shall be met according to the following provisions.
    - a. **Frontage on Two Primary Streets.** New buildings on sites with frontage on two streets may be constructed to the maximum setback line on both frontages.
    - b. **Frontage on Three or More Streets.** Properties with frontage on three or more streets must build to the maximum Build-to Lines of at least two of the streets.
  2. **Building Additions.** For any addition to a building that increases the width of a street-facing facade, 100 percent of the addition should be located on or within the maximum setback until the maximum setback standard for the entire building is met, or to meet the intent section, 18.76.100, of this Article.
  3. **Exceptions to Building Placement Requirements.** The following exceptions to the Build-to Lines requirement are permitted.
    - a. **Outdoor Eating Areas.** Where an outdoor eating area will be installed on the street frontage, a portion of the building may be set back up to 12 feet farther than the maximum setback line, if at least 40 percent of the building facade is at the Primary frontage Build-to Line.
- E. Location of Parking.** In this District, Tables 18.76.090 A-C apply, as off-street parking areas should be set in the 2<sup>nd</sup> and 3<sup>rd</sup> Lot Layers, in the rear of the Lot and set back a minimum of 25 feet from the Primary Street Frontage.
1. There are no minimum or maximum number of parking spaces allocated per Lot, Block or project area in this District or its Sub-Districts.
  2. Streetscreens should be used for any parking spaces located in the 1<sup>st</sup> Lot Layer.
  3. Exceptions may be granted for short-term customer parking and drop-off spaces.
  4. Exceptions may be granted for participating in a public-private partnership car share program focusing on providing access to/from the train depot area.
- F. Building Design and Signage.** In this District, Table 18.76.100, and the design guides in *Maricopa Stations Design Guidelines* apply unless otherwise specified within this code. Any requested deviations or waivers on all additions, new development, and rehabilitation of existing structures and commercial business are subject to review to determine whether the Design Guidelines have been met. In addition, the exterior design

of all buildings, including all facades and all signage, shall be coordinated with regard to color, materials, architectural form, and detailing to achieve design harmony, continuity, and horizontal and vertical relief and interest.

**G. Outdoor Living Areas.** As part of the open space required by the Chapter 18.90 Landscaping, private or common areas for outdoor living shall be provided for upper-level residential units. Outdoor living areas include balconies, decks, common open space, and/or rooftop open space, but not limited to other outdoor living types not listed here.

1. ***Minimum Dimensions.***

- a. *Private Open Space.* Private open space located above ground level (e.g., balconies) shall have no horizontal dimension less than six feet.
- b. *Common Open Space and Rooftop Open Space.* Common open spaces and rooftop open spaces with a minimum horizontal dimension of 20 feet shall count towards the open space calculation.

2. ***Minimum Area Required - Private Open Space.***

- a. 40 square feet per unit in T4 and 20 square feet per unit in T5.
- b. The amount of outdoor living area provided for individual units may vary based on unit size and location within a project, as long as the average area per unit meets the applicable standard or the intent section.

**H. Outdoor Storage.** Outdoor storage areas for non-residential uses in T4 General, be located in the 2<sup>nd</sup> or 3<sup>rd</sup> Lot Layer, operate during business hours only, and comply with only five (5) percent of the gross floor area of the use or 200 square feet, whichever is less.

**I. Sewer Service and Adequate Public Facility Participation Agreements.** Sites within the District shall be permitted to develop or redevelop only after the Owner agrees in writing to participate in paying its proportionate share of public facility improvement costs, including sanitary sewer services, in a manner acceptable to the City Engineer.

1. The City Engineer may require financial guarantees in the form of bonds or letters of credit or allow payment of fees in lieu to participate in paying the proportional cost of adequate public facilities to serve the site proposed for development.
2. The City Engineer may approve interim solutions, such as on-site wastewater treatment facilities, in lieu of providing sanitary sewer service, should Pinal County Health Department permit such interim solution.
3. All requests for improvements to existing residential properties within the District that do not include a commitment or assurance to participate in a proportionate share of the public facility improvements shall conform to the Base Zoning District development standards for setbacks, lot coverage and other requirements.
  - a. The City may approve a waiver to encroach into the required setback area or exceed the lot coverage for additions and improvements which:
    - i) Conform to Maricopa Station Design Guidelines;

- ii) Comply with current Pinal County Health requirements for improving existing septic systems to accommodate the proposed improvements;
- iii) Meet outdoor screening and storage requirements of this Code;
- iv) Comply with the minimum development standards of the most comparable residential zone of this Code based on existing lot size and dimensions.

**J. Transitional Standards.** Where this T4 General Sub-District adjoins an RS District, the following standards apply:

- 1. The maximum height within 20 feet of an RS District is 30 feet. From this point, the building height may be increased to the maximum building height.
- 2. The building setback from an RS District boundary shall be 25 feet for interior side and rear yards.

**K. Transparency on Ground Floor Frontages for Non-Residential Uses.** Windows, doors, or other openings should be provided for at least 50 percent of the building wall area located between three and seven feet above the elevation of the sidewalk. No wall may run in a continuous plane for more than 20 feet maximum without an opening or an exception (see number three (#3) listed below). Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least three feet deep.

- 1. ***Exception for Structured Parking Facilities.*** Multi-level parking garages, where permitted, are not required to meet the ground-floor transparency requirement.
- 2. ***Sites with Multiple Buildings.*** On sites that contain multiple buildings, the building ground-floor transparency requirement does not need to be met in buildings located in Lot Layers two (2) or three (3) or behind other buildings and not visible from the adjacent public street.
- 3. ***Reduction through Development Plan Review.*** The transparency requirement may be reduced or waived for proposed uses that have unique operational characteristics with which providing the required windows and openings is incompatible, such as in the case of a theater.

**L. Truck Docks, Loading, and Service Areas.** Truck docks, loading, and service areas are permitted within the 3<sup>rd</sup> Lot Layer on Rear Alley and Lanes. In addition, such loading and service areas must be located on the side or rear of buildings and may not face a public street or a private street functioning as a public road.

**M. Pedestrian Access.** A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, to sidewalks, and to any on-site open space areas or pedestrian amenities. Direct and convenient access shall be provided to adjoining blocks to the maximum extent feasible while still providing for safety and security.

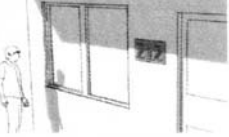
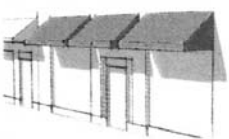

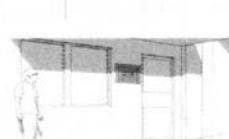
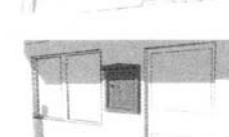







1. Walkways shall be a minimum of six feet wide, hard-surfaced, and paved with concrete, stone, tile, brick, or comparable material.
2. Where required walkways cross driveways, parking areas, or loading areas, it must be clearly identifiable through the use of a raised crosswalk, a different paving material, or similar method.
3. Where a required walkway is parallel and immediately adjacent to an auto travel lane, it must be raised or separated from the auto travel lane by a raised curb, bollards, or other physical barrier.

### **18.76.110 Signage**

Signage shall be designed according to Chapter 18.115, with design standards in Table 18.76.110 per specific sign types permitted by-right or by Exception as indicated for each T4 and T5 Sub-District, unless otherwise specified in this code:

- A. All signage should not exceed 30 square feet total per each Primary Building frontage per every 50-linear feet;
- B. No back or box lit signage is allowed throughout the District. Goose neck, down lit lighting is encouraged;
- C. Address Signs (Table 18.76.110) should be made easily visible through the use of colors or materials to contrast with their background and should be attached to the Facade or Principal Entrance of the unit they identify;
- D. Awning Signage (Table 18.76.110) should be limited to no more than seventy percent (70%) of the Valance of the awning or the vertical portion of a dome awning. The height of the Valance should not exceed twelve (12) inches;
- E. One (1) Blade Sign (Table 18.76.110) is permitted for each business if the Facade is no more than five (5) feet from the Principal Frontage Line. Blade Signs may encroach into the Public Frontage up to four (4) feet, shall clear the Sidewalk by at least eight (8) feet, and shall not encroach above the bottom of any second Story windows. Blade Signs are permitted only for businesses that have a Principal Entrance on the first Story;
- F. One (1) Nameplate (Table 18.76.110) per address limited to three (3) square feet and consisting of either a panel or individual letters applied to a building wall, may be attached to a building wall within ten (10) feet of a Principal Entrance
- G. Outdoor Display Cases (Table 18.76.110) shall not exceed six (6) square feet with use of colors, materials to contrast with their background and/or down lit lighting should be used for illumination;
- H. One (1) Wall Sign (Table 18.76.110) limited to 90% of the width of the building Facade shall be permitted for each building;
- I. Window Signs (Table 18.76.110) shall not interfere with the primary function of windows, which is to enable passersby and public safety personnel to see through windows into premises and view product displays;

- J. Murals Signs (Table 18.76.110) allowed only by Exception, are intended to promote community pride and celebrate Maricopa's rich cultural heritage through an outdoor visual arts program. Murals should not contain the business name, logo, and/or other branding;
- K. One (1) single- or double-post Yard Sign (Table 18.76.110) may be temporarily placed with the Private Frontage of each business. Yard Signs shall be set back from the Frontage Line six (6) feet for less than 60-days per year;
- M. Rooftop Signage, allowed only by Exception, should not exceed six (6) feet in height above the maximum Primary Building height.

TABLE 18.76.110: SIGNAGE TYPES		
<p><b>a. Address Sign:</b> <u>Quantity:</u> 1 per address; <u>Area:</u> 2 sf Max; <u>Width:</u> 24 in Max; <u>Height:</u> 12 in Max; <u>Apex:</u> N/A; <u>Depth/Projection:</u> 3 in Max; <u>Clearance:</u> 4.5 ft Min; <u>Letter Height:</u> 6 in Max.</p>	T5	
	T4	
<p><b>b. Awning Sign:</b> <u>Quantity:</u> 1 per Window.; <u>Area:</u> N/A; <u>Width:</u> Width of Awning; <u>Height:</u> N/A; <u>Apex:</u> N/A; <u>Depth/Projection:</u> 4 ft Max; <u>Clearance:</u> 8 ft Min; <u>Letter Height:</u> 5 in Min / 10 in Max.</p>	T5	
	T4	
<p><b>c. Blade Sign:</b> <u>Quantity:</u> 1 per Façade, 2 Max; <u>Area:</u> T4 - 13 sf / T5 6 sf Max; <u>Width:</u> 4 ft Max; <u>Height:</u> 4 ft Max; <u>Apex:</u> N/A; <u>Depth/Projection:</u> 3 in Max; <u>Clearance:</u> 8 ft Min; <u>Letter Height:</u> 8 in Max.</p>	T5	
	T4	
<p><b>d. Nameplate Sign:</b> <u>Quantity:</u> 1 per Façade; <u>Area:</u> 3 sf Max; <u>Width:</u> 18 in Max; <u>Height:</u> 2 ft Max; <u>Apex:</u> 7 ft Max; <u>Depth/Projection:</u> 3 in Max; <u>Clearance:</u> 4 ft Min; <u>Letter Height:</u> N/A.</p>	T5	
	T4	
<p><b>e. Outdoor Displace Case:</b> <u>Quantity:</u> 1 per Façade; <u>Area:</u> 6 sf Max; <u>Width:</u> 3.5 ft Max; <u>Height:</u> 3.5 ft Max; <u>Apex:</u> N/A; <u>Depth/Projection:</u> 5 in Max; <u>Clearance:</u> 4 ft Min; <u>Letter Height:</u> N/A.</p>	T5	
	T4	
<p><b>f. Wall Sign:</b> <u>Quantity:</u> 1 per Façade/2 for Corner.; <u>Area:</u> 1.5 sq ft per Linear ft of Façade; <u>Width:</u> 90% of Façade Max.; <u>Height:</u> 3 ft Max; <u>Apex:</u> N/A; <u>Depth/Projection:</u> 7 in Max; <u>Clearance:</u> 7 ft Min; <u>Letter Height:</u> 18 in Max. (By Exception in T4)</p>	T5	
	T4	
<p><b>g. Window Sign:</b> <u>Quantity:</u> 1 per Window; <u>Area:</u> 25% of Glass Max; <u>Width:</u> Varies; <u>Height:</u> Varies; <u>Apex:</u> N/A; <u>Depth/Projection:</u> N/A; <u>Clearance:</u> 4 ft Min; <u>Letter Height:</u> 8 in Max. (By Exception in T4)</p>	T5	
	T4	
<p><b>h. Mural Sign – Visual Arts Exhibit:</b> <u>Quantity:</u> 1 per Story Wall Face; <u>Area:</u> 75% of a Single Story Wall Max; <u>Width:</u> Varies; <u>Height:</u> Varies; <u>Apex:</u> First Story; <u>Depth/Projection:</u> N/A; <u>Clearance:</u> N/A; <u>Letter Height:</u> 8 in Max. (Intended to Promote a Cultural Arts Program and Not Advertisement. Allowed By Exception Only)</p>	T5	
	T4	
<p><b>i. Yard Sign - Temporary:</b> <u>Quantity:</u> 1 per Lot Max.; <u>Area:</u> 6 sf Max; <u>Width:</u> 24 in Max; <u>Height:</u> 12 in Max; <u>Apex:</u> N/A; <u>Depth/Projection:</u> 3 in Max; <u>Clearance:</u> 4.5 ft Min; <u>Letter Height:</u> 6 in Max. (Limited to 60 Days per Year. No Internal Lighting. Allowed By Exception Only)</p>	T5	
	T4	

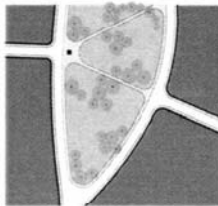
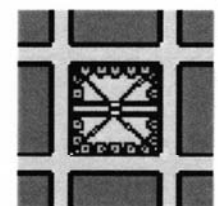
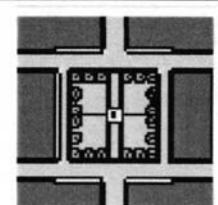
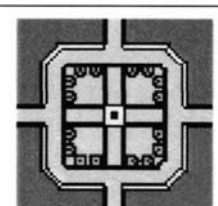
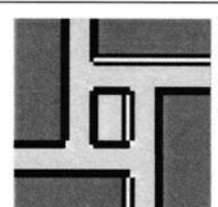
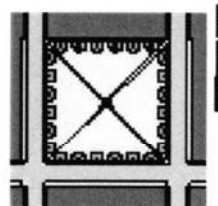
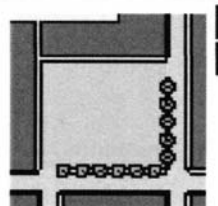
## **18.76.120 Public Realm: CD – Civic District Design Standards**

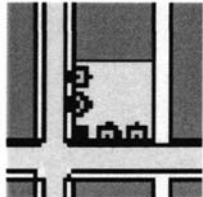
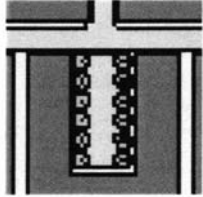
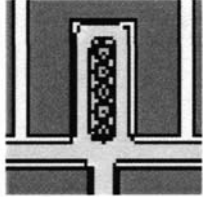
Civic Districts may be developed as public open spaces or public buildings as follows:

- A. Civic Spaces may be designed as generally described and diagrammed on Table 18.76.120. These are provided for illustrative purposes only. Specific designs may be prepared in accordance to the descriptions for each type;
- B. Civic Space designed as a Green, Square, or Plaza shall have a minimum of 50% of its perimeter fronting onto a Thoroughfare. Other configurations may be exempt.
- C. Civic Building Uses may be determined by the intent of the abutting Transect-Based Zoning District intent.



**TABLE 18.76.120: CD – CIVIC DISTRICT SPACE TYPES**

<p><b>Green</b> An open space, available for unstructured recreation. A green may be spatially defined by landscaping rather than building frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. Sections of a green may be designed specifically for the recreation of children.</p>	 <div style="display: flex; flex-direction: column; align-items: center; justify-content: center;"> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">CD</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">T4</div> <div style="border: 1px solid black; padding: 2px;">T5</div> </div>
<p><b>Square</b> An open space available for unstructured recreation and civic purposes; suitable as a main civic space. A square is spatially defined by building frontages. Landscape shall consist of paths, lawns and trees, formally disposed.</p>	 <div style="display: flex; flex-direction: column; align-items: center; justify-content: center;"> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">CD</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">T4</div> <div style="border: 1px solid black; padding: 2px;">T5</div> </div>
<p><b>Square - Axial</b> An open space available for unstructured recreation and civic purposes; suitable as a main civic space. An axial square is spatially defined by building frontages and disposed to cause the interruption and visual termination of a thoroughfare. Two one-way streets permit the continuation of traffic flow on either side of the square. Landscape shall consist of paths, lawns and trees, formally disposed. Public art is typically located in the central area of the square to provide visual articulation for the terminated thoroughfare.</p>	 <div style="display: flex; flex-direction: column; align-items: center; justify-content: center;"> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">CD</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">T4</div> <div style="border: 1px solid black; padding: 2px;">T5</div> </div>
<p><b>Square - Double Axial</b> An open space available for unstructured recreation and civic purposes; suitable as a main civic space. A double-axial square is spatially defined by building frontages and disposed to cause the interruption and visual termination of two thoroughfares. Two-way streets permit the continuation of traffic flow around the square. Landscape shall consist of paths, lawns and trees, formally disposed. Public art is typically located in the central area of the square to provide visual articulation for a terminated vista.</p>	 <div style="display: flex; flex-direction: column; align-items: center; justify-content: center;"> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">CD</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">T4</div> <div style="border: 1px solid black; padding: 2px;">T5</div> </div>
<p><b>Square - Turbine</b> An open space available for unstructured recreation and civic purposes. A turbine square is formed by four eccentrically placed thoroughfares so that from any point within the square, there is only one route leading out without the requirement of a turn; four terminated vistas are created. A turbine square disperses through traffic and is suitable as a traffic calming device in residential areas.</p>	 <div style="display: flex; flex-direction: column; align-items: center; justify-content: center;"> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">CD</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">T4</div> <div style="border: 1px solid black; padding: 2px;">T5</div> </div>
<p><b>Plaza</b> An open space available for civic purposes and commercial activities. A plaza shall be spatially defined by building frontages. Its landscape shall consist primarily of pavement. Trees are optional.</p>	 <div style="display: flex; flex-direction: column; align-items: center; justify-content: center;"> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">CD</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">T4</div> <div style="border: 1px solid black; padding: 2px;">T5</div> </div>
<p><b>Commercial plaza</b> A multi-purpose open space available for civic purposes, commercial activities and as flex parking space. The parking or open area is designed as a plaza with brick, gravel, cobbles or artistically jointed concrete. The commercial plaza should be separated from adjacent thoroughfares and spatially defined by a landscaped buffer including street trees. Removable bollards are suggested to delineate parking from non-parking areas.</p>	 <div style="display: flex; flex-direction: column; align-items: center; justify-content: center;"> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;">T4</div> <div style="border: 1px solid black; padding: 2px;">T5</div> </div>

<p><b>Playground or Pocket Park</b></p> <p>An open space, available for unstructured recreation. A pocket park provides greenery and a place to sit outdoors and is typically spatially defined by buildings because in most cases it is located within a block. Pocket parks may be created around a monument, historic marker or art project and/or may be designed specifically for the recreation of children.</p>	 <p>CD T4 T5</p>
<p><b>Court</b></p> <p>A semi-public open space available for unstructured recreation by those occupying the adjacent buildings. Access to abutting residential lots is from a sidewalk that circumnavigates a central landscaped area. Landscaping consists of lawn and trees, formally disposed. May include ornamental species.</p>	 <p>CD T4 T5</p>
<p><b>Close</b></p> <p>A semi-public open space available for unstructured recreation by those occupying the adjacent buildings. A close is circumnavigated by a one-way thoroughfare with parking on one side. Landscape includes lawn and trees, formally disposed. May include ornamental species.</p>	 <p>CD T4 T5</p>

### 18.76.130 Review of Plans

Permit and review procedures should follow the standards in this Article, and design and approval criteria listed in the Maricopa Station Design Guidelines. There are two types of permitted deviations from the requirements:

#### A. Exception and Variance

##### 1. Exception

- a. Requests for Exception(s) shall only be permitted as specifically indicated in this Chapter or as determined by the Zoning Administrator.
- b. To apply for an Exception, the applicant shall provide the following:
  - i. The specific Exception(s) requested including citation from this Chapter and why the Exception(s) is being sought.
  - ii. Maps, text, drawings, and/or statistical data related to the requested Exception(s).
- c. No Exception(s) shall be approved unless the Zoning Administrator finds the approval would:
  - i. Be consistent with Section 304.05 Intent section of this Chapter,
  - ii. And must be consistent with the goals, objectives, and policies of the General Plan, Redevelopment Area Plan and the Design Guidelines for Maricopa Station.

- d. Any decision regarding an approval or denial of an Exception shall state, in writing, the reasons for the approval or denial.
- e. If the Zoning Administrator denies any requested Exception, the applicant may appeal, refer to Section 502.14.

2. Variance

- a. A Variance shall be processed pursuant to City Code.
- b. The following standards and requirements shall not be available for Variances:
  - i. The maximum dimensions of traffic lanes;
  - ii. the required provision of Rear Alleys or Lanes and/or;
  - iii. the maximum dimensions for parking lanes, spaces, and lots.

B. Administrative Adjustment. The Zoning Administrator has the discretion to approve any Regulating Plan conformance review, Streetscape, Site and/or Building Plan that deviates within ten (10) percent from any specific numerical standard prescribed in this Article.

- 1. The following development or activities shall be exempt from the provisions of this Article:
  - a. Ordinary repairs for the purpose of building, signage, lighting or premises maintenance.
  - b. Construction within the interior of the structure not visible from the exterior of the building.
  - c. Emergency repairs ordered by any code enforcements official in order to protect health and safety.

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

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

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

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

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

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

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

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

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

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

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

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

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

**Airport-related terms.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Automobile storage space** means “automobile parking space.”

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

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

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

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

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

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

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

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

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

**Block** means an aggregate land area circumscribed by Thoroughfares.

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

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

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

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

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

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

**Building, enclosed** means a building enclosed on all sides.

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

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

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

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

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

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

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

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

**Child** means a person under 18 years of age.

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

**City** means the City of Maricopa, Arizona.

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

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

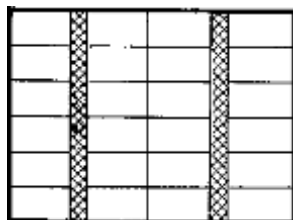
**Civic Building** means a building operated by not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking, or for use approved by Development Services. A Civic Building is owned by a municipal or governmental body.

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

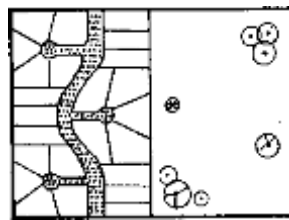
**Civic Sub-District** means a designation for public sites dedicated for Civic Buildings and/or Civic Space.

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

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



Conventional Lots



Clustered Lots



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

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

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

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

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

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

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

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

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

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

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

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

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

**Council** means the City Council of the City of Maricopa.

**County** means Pinal County, Arizona.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Health Department** means the Pinal County Health Department.

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

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

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

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

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

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

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

#### **Illegal nonconforming use and development-related definitions**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

### **Lot-related definitions**

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

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

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

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

**Lot depth** means the horizontal length of a straight line connecting the midpoints of the front and rear lot lines; and for triangular shaped lots, the shortest horizontal distance between the front lot line and a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than 10 feet.

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

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

**Lot, key** means a lot adjacent to a corner lot having its side lot line in common with the rear lot line of the corner lot and fronting on the street that forms the side boundary of the corner lot.

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

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

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

**Lot line, rear** means a lot line which is opposite and most distant from the front lot line: accept that in the absence of a rear lot line as is the case of the triangular shaped lot, the rear lot line may be considered as a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than 10 feet..

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

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

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

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

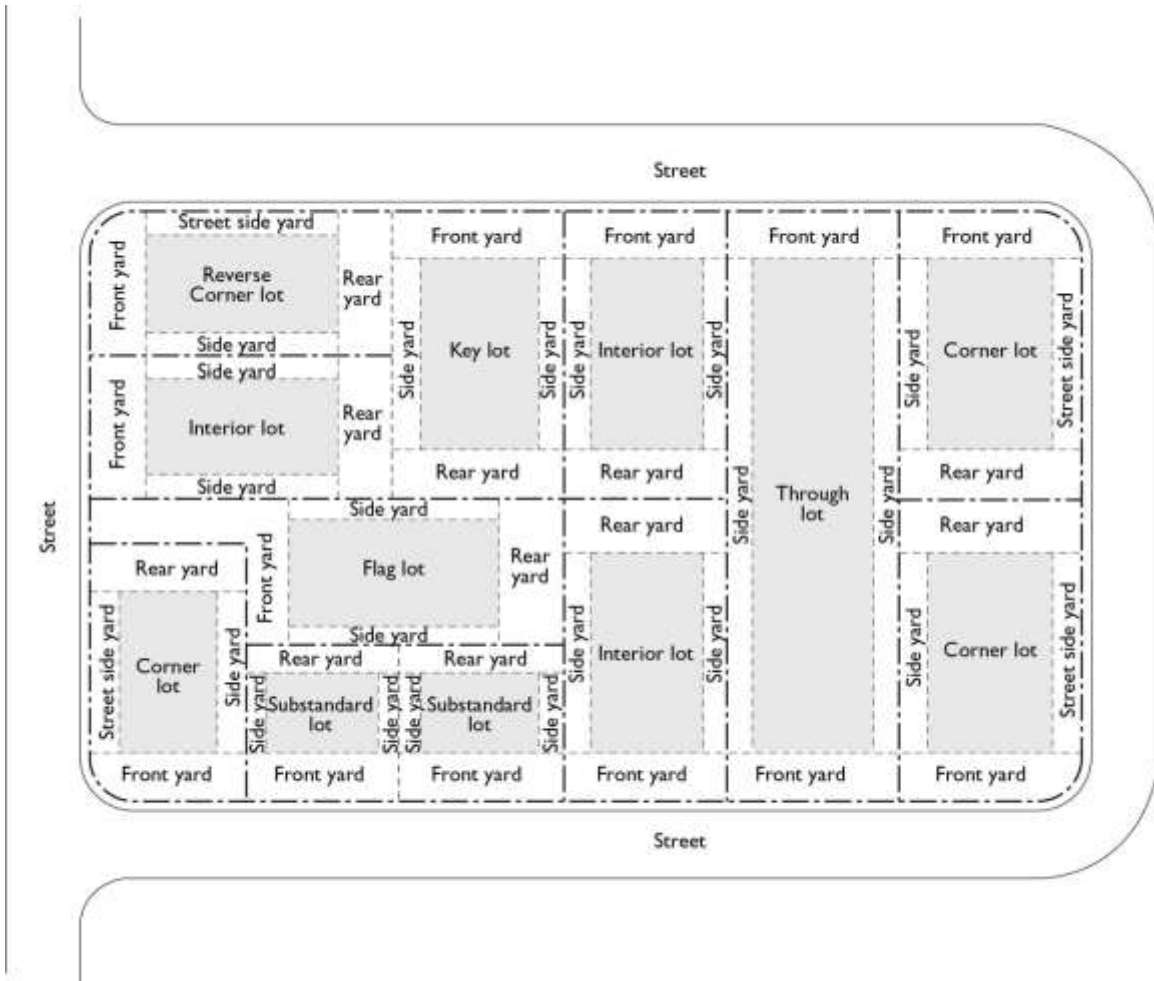


FIGURE 602.2: LOT AND YARD TYPES

**Lot width** means lots having side lot lines not parallel, and lots on the outside of the curve of a street, the distance between side lot lines measured at the required minimum front yard setback line on a line parallel to the street or street chord. For lots on the inside of the curve of a street, the distance between side lot lines measured 30 feet behind the required minimum front yard setback line on a line parallel to the street or street chord.

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

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

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

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

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

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

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

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

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

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

**Medical Marijuana terms.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

**Principal Building** means the main building on a Lot.

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

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

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

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

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

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

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

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

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

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

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

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

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

**Recorder** means the Recorder of Pinal County.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Service provider** means any authorized provider of wireless communications services.

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

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

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

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

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

**Sign-related terms.**

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

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

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

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

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

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

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

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

***Billboard*** (see “Off-site sign”).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Street-related terms.**

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

**Telecommunications-related terms.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**FAA** means the Federal Aviation Administration.

**FCC** means the Federal Communications Commission.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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