

ORDINANCE NO. 24-04

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ADOPTING THE DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "AMENDMENTS TO SECTION 18.090.030: LANDSCAPING GENERAL REQUIREMENTS" BY REFERENCE TO AMEND THAT SECTION OF THE MARICOPA CITY CODE AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF.

WHEREAS, the City previously adopted Ordinances which established rules and regulations for landscaping general requirements; and

WHEREAS, after review, City staff determined that the Maricopa City Code needed to be updated related to the maintenance responsibility for landscaping along public rights-of-way adjacent to private property; and

WHEREAS, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that amending Section 18.0.090.030: Landscaping General Requirements, of the City Code to update the rules and regulations related to the maintenance of landscaping along public rights-of-way adjacent to private property would be in the best interest of the City of Maricopa; 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 ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AS FOLLOWS:

SECTION 1. That certain document filed with the City Clerk and entitled "Amendments to Section 18.090.030: Landscaping General Requirements" as set forth in Exhibit A, attached hereto and incorporated herein by reference, is hereby declared a public record. One paper copy and one electronic copy of Exhibit A shall be maintained in compliance with A.R.S. § 44-7041 and available for public inspection during normal business hours in the Office of the City Clerk and shall be available on the City's website at: www.maricopa-az.gov.

SECTION 2. Section 18.090.030: Landscaping General Requirements of the Maricopa City Code are hereby amended as set forth in Exhibit A, and that the amendments depicted therein are hereby approved and adopted.

SECTION 3. 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 4. 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 5. This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.

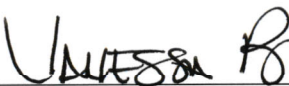
PASSED AND ADOPTED by the Mayor and Council of the City of Maricopa, Arizona, this 21st day of May, 2024.

APPROVED:



Nancy Smith
Mayor


ATTEST:



Vanessa Bueras, MMC
City Clerk



APPROVED AS TO FORM:



Denis Fitzgibbons
City Attorney

Pursuant to A.R.S. 9-802(A), EXHIBIT A is on file at:

**Office of the City Clerk, City of Maricopa and
www.maricopa-az.gov.**

18.90.030 General requirements.

A. *Landscaped Areas.* Required landscaped areas shall be maintained free from encroachment by any use, structure, vehicle, or feature not a part of the landscaping design, except for the fire hydrants and related fire protection devices, mailbox clusters, pedestals, poles, cabinets, utility-housing boxes, or other permanent fixtures as approved for emergency or service access.

1. Where turf abuts decomposed granite or similar inorganic landscape material, a hardscape edging material such as brick or concrete curb/mowstrip shall be provided.
2. Where vehicular cross-access is provided between adjoining properties that are not part of group commercial, office, or industrial development, a 15-foot-wide perimeter landscape yard except where drive aisle occurs shall be provided.

B. *Tree Size.* Required trees shall meet the growth dimensions specified in the Arizona Nursery Association "Recommended Tree Specification," latest edition, a copy of which will be maintained on file by the planning division and available upon request. The zoning administrator may approve deviations from these minimum specifications based on availability, if a deviation is requested prior to installation.

C. *Shrubs.* Required shrubs shall have a minimum mature growth height of 18 inches. At least 50 percent of required shrubs shall be a minimum of five gallons in size upon installation, but in no case shall any shrub be less than one-gallon size.

D. *Ground Cover.* Required ground cover may be of two types:

1. Vegetative ground cover consisting of living plant materials characterized by horizontal as well as vertical growth, generally not exceeding 18 inches in height.
2. Inert ground cover consisting of gravel, decomposed granite, crushed rock, desert tree mulch, or other approved materials. The use of "desert cobble" that looks like the desert floor, consisting of natural desert covers and seed mix, is encouraged. Minimum depth of inert material shall be two and one-half inches.



Figure 18.90.030.D. Ground Cover Types

E. *Irrigation Systems.* Required irrigation systems shall be underground automatic watering systems, unless the lot is served by functioning flood irrigation. Irrigation and plantings within three feet of public utilities, such as but not limited to electrical transformers, light poles and fixtures, and communication services, shall be limited to drip systems so as to not overspray to cause undue corrosion to utility structures.

F. *Paving and Hardscape Materials.* Paving and ground treatment shall be an integral part of site and landscape design.

G. *Minimum Open Space Required.* The following indicates the minimum required open space by zoning district.

1. Any parking area landscaping that exceeds the minimum requirements of the code shall be counted as open space if determined by the zoning administrator that the landscape area enhances the general area proposed.
2. Open space does not include parking areas except parking lots for trailheads and/or for the neighborhood parks (not parking lots required for other uses).
4. Bicycle trails (not bike lanes within the pavement section), pedestrian trails, equestrian tracts, and trailheads may also be calculated as open space.
5. Landscape buffers and landscaped medians shall be a minimum of 10 to 15 feet in width in order to be calculated as part of the required open space.
6. Open space does not include retention and/or detention basins that are concrete lined or nonlandscaped, vacant lots, or undeveloped lots.
7. Residential zoning districts shall have a minimum of 60 percent of the required open space for any development and should be developed as "useable" open space with the recreational amenities needed to support the new neighborhood demand incorporated into that open space.
8. Not more than 50 percent of the required open space shall be attributed to golf course use or ancillary golf uses.

H. Maintenance

1. Individual property owners and/or Homeowner Associations shall properly maintain all landscape materials and landscape areas, including that within the public rights-of-way adjacent to the development, in accordance with the approved landscape plan, except in and along public rights-of-way and easements where the City of Maricopa has agreed to provide maintenance.

2. Replacement of dead trees and required landscaping shall be by the Homeowners Association or the individual property owner and shall be completed within three (3) months from the date that the Association or property owner is notified by the City.

Table 1 Open Space Requirements by Zoning Districts

| Zoning District | Required Percentage of Open Space |
|--------------------------------|--|
| Rural Districts | 0% (1 – 49 lots; min. lot size 54,000 sq. ft.) 2% (50+ lots; min. lot size 54,000 sq. ft.) 10% (1 – 49 lots; min. lot size 20,000 sq. ft.) 12% (50 + lots; min. lot size 20,000 sq. ft.) |
| Residential Districts | 15% (1 – 99 lots; min. lot size 12,000 sq. ft.) 17% (100+ lots; min. lot size 12,000 sq. ft.) 20% (1 – 99 lots; min. lot size 7,000 sq. ft.) 22% (100+ lots; min. lot size 7,000 sq. ft.) |
| Mixed Use Districts | 15% |
| Commercial Districts | 10% (20 acres or less in size) 15% (greater than 20 acres in size) |
| Industrial Districts | 10% (100 acres or less in size) 15% (greater than 100 acres in size) |
| Public Institutional Districts | 10% (20 acres or less in size) 15% (greater than 20 acres in size) |

[Res. 21-09; Ord. 21-05 § 2; Res. 14-36 § 404.03; Ord. 14-12 § 1.]

The Maricopa City Code is current through Ordinance 24-02, passed January 16, 2024.

Disclaimer: The city clerk's office has the official version of the Maricopa City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.maricopa-az.gov](http://www.maricopa-az.gov)

[City Telephone: \(520\) 568-9098](tel:(520)568-9098)

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