



Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department



Case: TA2009007 - Park Definition

Meeting Date: July 23, 2009 (Continued from May 21, 2009)

Agenda Item: 3

Supervisor District: All Districts

Applicant: Commission Initiative

Request: Text Amendment (TA) to the *Maricopa County Zoning Ordinance (MCZO)* to add a definition for "Park" in Chapter 2.

Background:

1. **March 11, 2009:** The Board of Adjustment (BOA) heard an appeal of a staff determination centering around the definition of the word "park" as used in the MCZO. The BOA upheld staff's interpretation.
2. **April 16, 2009:** The ZIPPOR committee initiated the subject TA to add a definition for the word "park" into the MCZO.
3. **May 21, 2009:** The Planning and Zoning Commission continued the subject TA to the July 23, 2009 P&Z hearing to allow additional time for community input and discussion regarding the proposed text. The Commission also directed staff to schedule the case for the June 18, 2009 ZIPPOR for additional discussion.
4. **June 18, 2008:** The Commission discussed this item at a ZIPPOR meeting; however, there was no quorum to initiate TA2009007.

Discussion:

5. Staff proposes this TA to simply insert a definition of "park" into MCZO, Chapter 2, as follows: [New language proposed to be added is underscored. No language is proposed for deletion.]

Park - Any public or private non-commercial, not-for-profit land intended for recreational, educational, cultural, natural area or wildlife preservation, scenic or aesthetic use intended for leisure time enjoyment. This definition shall not

be construed to include entry features or landscape buffers around the perimeter of a subdivision or other established primary use that serve no other active or passive recreational purpose. This definition shall not be construed to include recreational facilities where activity takes place completely indoors.

6. This definition is handled differently by area jurisdictions, but the cities tend to define "open space" rather than "park". The La Paz County Zoning Ordinance defines: *Park – a tract of land designated and used by the public for active and passive recreation.* Variations on this definition are found in the various dictionaries that were consulted.
7. Staff believes the proposed definition is consistent with the common usage and understanding of the work "park" and incorporates commonly accepted components from these definitions.

Recommendation:

8. Staff recommends the Commission motion to **recommend approval of TA2009007 to the BOS** as proposed in paragraph 5:

Park - Any public or private non-commercial, not-for-profit land intended for recreational, educational, cultural, natural area or wildlife preservation, scenic or aesthetic use intended for leisure time enjoyment. This definition shall not be construed to include entry features or landscape buffers around the perimeter of a subdivision that serve no other active or passive recreational purpose. This definition shall not be construed to include recreational facilities where activity takes place completely indoors.

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Attachments: None