



# Maricopa County

Regional Development Services Agency

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## Proposed Text Amendment to the Zoning Ordinance Plan of Development Process

The Maricopa County Planning & Development Department is accepting comment on a Planning & Zoning Commission initiated Text Amendment to the Zoning Ordinance. The Department's current Plan of Development (POD) process was recently revised to be administrative in nature (TA2007016). The new text includes language requiring an as-built POD for existing commercial, two-family, and multi-family development. The subject revision will exempt these existing developments from the POD process effective September 22, 2008.

The public is encouraged to review and comment on the proposed draft language.

This Text Amendment will be scheduled for the December 4, 2008 Planning and Zoning Commission and tentatively for the December 17, 2008 Board of Supervisor's hearings.

Please contact [Terri Hogan](#) at 602-506-3927 with questions. Thank you.

# MARICOPA COUNTY ZONING ORDINANCE

## Chapter 7 – Multiple Family Residential Zoning Districts

### SECTION 701. R-2 (Two-Family Residential Zoning District)

**ARTICLE 701.1. PURPOSE:** The principal purpose of this zoning district is to provide for efficient use of land and facilities by single-family attached or detached dwellings and limited multiple-family residential projects taking into consideration existing conditions, including present use of land, future land use needs and the availability of public utilities. The minimum lot required is **6,000 square feet** in area and the minimum lot area required for each dwelling unit is **4,000 square feet**. Principal uses permitted in this zoning district include single-family, two-family, and limited multiple-family dwellings and other uses permitted in the single-family residential zoning district.

**ARTICLE 701.2. USE REGULATIONS:** A building or premises shall be used only for the following purposes:

1. Any use permitted in the **R1-35** Zoning District, subject to all the regulations specified in the use regulations for such R1-35 Zoning District.
2. Two-family and multiple-family dwellings. <sup>\*4</sup>
3. Accessory buildings and uses customarily incidental to the above uses, including:
  - a. Private tennis courts provided that such courts are not constructed within **20 feet** of any adjoining property not internal to the multiple-family development and provided that tennis court fences or walls shall not exceed **12 feet** in height and further provided that any lights for the tennis courts shall be subject to a use permit and shall be placed so as to not direct or reflect light upon adjoining land, and subject lights shall be in conformance with standards in Chapter 11, Section 1112. (Outdoor Light Control Provisions) herein. More than **one tennis court** is permitted so long as the primary use of the property is residential and so long as the court or courts are accessory to the residential use and maintained exclusively for the use of residents of the parcel on which it is located.
  - b. Private swimming pools along with incidental installations, such as pumps and filters, provided such pools and incidental installations are located in other than the required front yard and provided such pools are set back from all lot lines a distance of not less than **three feet**. Pools and spas must

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meet all barrier requirements as provided in the current U.B.C.<sup>\*3</sup>

**ARTICLE 701.3. HEIGHT REGULATIONS:** The height of buildings shall not exceed **30 feet** or **two stories**.

**ARTICLE 701.4. YARD REGULATIONS:** The required yards are as follows:

1. ***Front Yard:***

- a. There shall be a front yard having a depth of not less than **20 feet**.
- b. For through lots, a front yard shall be provided along both front lot lines.
- c. Yards along each street side of corner lots shall have a width equal to not less than **half** the depth of the required front yard. Yards along each street side of corner lots shall otherwise conform with regulations applicable to front yards.

2. ***Side Yard:*** There shall be a side yard on each side of a building having a width of not less than **five feet**.

3. ***Rear Yard:*** There shall be a rear yard having a depth of not less than **25 feet**.

**ARTICLE 701.5. INTENSITY OF USE REGULATIONS:** The intensity of use regulations are as follows:

1. ***Lot Area:*** Each lot shall have a minimum lot area of **6,000 square feet**.

2. ***Lot Width:*** Each lot shall have a minimum width of **60 feet**.

3. ***Lot Area Per Dwelling Unit:*** This minimum lot area per dwelling unit shall be **4,000 square feet**.

4. ***Lot Coverage:*** The maximum lot coverage shall be **50%** of the lot area.

5. ***Distance Between Buildings:*** The minimum distance between buildings on the same lot shall be **ten feet**.

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**ARTICLE 701.6. PARKING REGULATIONS:** The parking regulations are as provided in Chapter 11, Section 1102. hereof.

**ARTICLE 701.7. SIGN REGULATIONS:** The sign regulations are as provided in Chapter 14, Section 1403. hereof.

**ARTICLE 701.8. OUTDOOR LIGHTING:** Any outdoor lighting used shall conform to the standards as provided in Chapter 11, Section 1112. hereof.

**ARTICLE 701.9. ADDITIONAL REGULATIONS:** <sup>\*4</sup>

1. All two-family or multi-family residential development in the R-2 Zoning District shall be subject to a plan of development approval as set forth in the provisions of this Ordinance.
2. ~~For Two-family or multi-family uses, which were developed prior to SEPTEMBER 22, 2008 SHALL BE EXEMPT FROM THE PLAN OF DEVELOPMENT PROCESS; PROVIDED, HOWEVER, THAT IN THE EVENT ALL TWO-FAMILY OR MULTI-FAMILY STRUCTURES LOCATED ON THE PROPERTY ARE REMOVED OR DESTROYED IN EXCESS OF 75% OF VALUE, THE PROPERTY SHALL, WITHOUT REGARD TO THE ORIGINAL DATE OF DEVELOPMENT, REQUIRE A PLAN OF DEVELOPMENT. the effective date of this revision, an as-built plan which requires a zoning clearance may serve as the plan of development. When the owner or authorized agent wants to make a change to the property, this as-built plan indicating the changes may be submitted. The zoning inspector may approve changes as long as any expansion is part of the existing land use, does not conflict with existing codes, does not exceed one hundred percent of the area of the original development, and does not adversely impact the surrounding areas or drainage conditions. These changes may include, but are not limited to parking covers, interior remodeling, additions to the buildings or new buildings. Internal tenant improvements, additional wall signs, and/or non-layout changes to the site plan or minor permits shall not require an as-built POD.~~ <sup>\*5</sup>

Date of Revisions			
*1	Revised 2-4-85	*3	Effective 8-6-99
*2	Revised 4-1-85	*4	Effective 9-22-08
*5	Effective 12-17-08		

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## Chapter 7 – Multiple Family Residential Zoning Districts

### SECTION 702. R-3 (Multiple-Family Residential Zoning District), R-4 (Multiple-Family Residential Zoning District) & R-5 (Multiple-Family Residential Zoning District)<sup>\*2</sup>

**ARTICLE 702.1.** *Purpose:* The principal purpose of these zoning districts are to provide for multiple-family residential developments in locations which are suitable and appropriate taking into consideration existing conditions, including present use of land, future land use needs, and the availability of public utilities. The minimum lot area required for each dwelling unit in each of the districts is as follows: **3,000 square feet for R-3; 2,000 square feet for R-4;** and **1,000 square feet for R-5.** Principal uses permitted in these zoning districts include two-family dwellings, multiple-family dwellings and the uses permitted in the single-family residential zoning district.

**ARTICLE 702.2.** *Use Regulations:* A building or premises shall be used only for the following purposes:

1. Any use permitted in the R-2 Zoning District, subject to all the regulations specified in the use regulations for such R-2 Zoning District unless the use is otherwise regulated in this Section.
2. Two-family dwellings
3. Multiple-family dwellings
4. Group homes for not more than **ten persons** subject to the following performance criteria: <sup>\*4 \*5</sup>
  - a. If licensing is required by the State of Arizona for the use, proof of such licensure shall be available to the Department of Planning and Development prior to the use being established.
5. Accessory buildings and uses customarily incidental to the above uses including:
  - a. Private tennis courts provided that such courts are not constructed within **20 feet** of any adjoining property under other ownership and provided that tennis court fences or walls shall not exceed **12 feet** in height and further provided that any lights for the tennis courts shall be subject to a use permit and shall be placed so as to not direct or reflect light upon adjoining land, and subject lights shall be in conformance with standards in Chapter 11, Section 1112. (Outdoor Light Control Provisions) herein. More than **one tennis court** is permitted

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so long as the primary use of the property is residential and so long as the court or courts are accessory to the residential use and maintained exclusively for the use of residents of the parcel on which it is located. <sup>\*1</sup>

- b. Private swimming pools along with incidental installations, such as pumps and filters, provided such pools and incidental installations are located in other than the required front yard and provided such pools are set back from all lot lines a distance of not less than **three feet**. Pools and spas must meet all barrier requirements as provided in the current U.B.C. <sup>\*6</sup>

**ARTICLE 702.3. HEIGHT REGULATIONS:** The height of buildings shall not exceed **40 feet** or **three stories**.

**ARTICLE 702.4. YARD REGULATIONS:** The required yards are as follows:

1. **Front Yard:**
  - a. There shall be a front yard having a depth of not less than **20 feet**.
  - b. For through lots, a front yard shall be provided along both front lot lines.
  - c. Yards along each street side of corner lots shall have a width equal to not less than **half** the depth of the required front yard. Yards along each street side of corner lots shall otherwise conform with regulations applicable to front yards.
2. **Side Yard:** There shall be a side yard on each side of a building having a width of not less than **five feet**.
3. **Rear Yard:** There shall be a rear yard having a depth of not less than **25 feet**.

**ARTICLE 702.5. INTENSITY OF USE REGULATIONS:** The intensity of use regulations are as follows:

1. **Lot Area:** Each lot shall have a minimum lot area of **6,000 square feet**.
2. **Lot Width:** Each lot shall have a minimum width of **60 feet**.

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3. ***Lot Area Per Dwelling Unit:*** The minimum lot areas per dwelling unit shall be as follows:
  - a. **R-3** Zoning District - **3,000 square feet** per dwelling unit
  - b. **R-4** Zoning District - **2,000 square feet** per dwelling unit
  - c. **R-5** Zoning District - **1,000 square feet** per dwelling unit
4. ***Lot Coverage:*** The maximum lot coverage shall be **50%** of the lot area.
5. ***Distance Between Buildings:*** The minimum distance between buildings on the same lot shall be **ten feet**.

**ARTICLE 702.6. PARKING REGULATIONS:** The parking regulations are as provided in Chapter 11, Section 1102. hereof.

**ARTICLE 702.7. SIGN REGULATIONS:** The sign regulations are as provided in Chapter 14, Section 1403. hereof.

**ARTICLE 702.8. ADDITIONAL REGULATIONS:** <sup>\*7</sup>

1. All multi-family or two-family residential development in the R-3, R-4, or R-5 Zoning Districts shall be subject to a plan of development approval as set forth in the provisions of this Ordinance.
2. ~~For Two-family or multi-family uses, which were developed prior to SEPTEMBER 22, 2008 SHALL BE EXEMPT FROM THE PLAN OF DEVELOPMENT PROCESS; PROVIDED, HOWEVER, THAT IN THE EVENT ALL TWO-FAMILY OR MULTI-FAMILY STRUCTURES LOCATED ON THE PROPERTY ARE REMOVED OR DESTROYED IN EXCESS OF 75% OF VALUE, THE PROPERTY SHALL, WITHOUT REGARD TO THE ORIGINAL DATE OF DEVELOPMENT, REQUIRE A PLAN OF DEVELOPMENT. the effective date of this revision, an as-built plan which requires a zoning clearance may serve as the plan of development. When the owner or authorized agent wants to make a change to the property, this as-built plan indicating the changes may be submitted. The zoning inspector may approve changes as long as any expansion is part of the existing land use, does not conflict with existing codes, does not exceed one hundred percent of the area of the original development, and does not adversely impact the surrounding areas or drainage conditions. These changes may~~

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include, but are not limited to parking covers, interior remodeling, additions to the buildings or new buildings. Internal tenant improvements, additional wall signs, and/or non-layout changes to the site plan or minor permits shall not require an as-built POD. <sup>\*8</sup>

Date of Revisions			
*1	Revised 4-1-85	*5	Revised 1-20-94
*2	Revised 4-7-86 Effective 1-1-88	*6	Effective 8-6-99
*4	Added 4-15-93	*7	Effective 9-22-08
*8	Effective 12-17-08		

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## Chapter 8 – Commercial Zoning Districts

### SECTION 801. C-S (Planned Shopping Center Zoning District)

**ARTICLE 801.1. PURPOSE:** The principal purpose of this zoning district is to provide for well designed and attractive retail shopping facilities on sites not less than five (5) acres in size and in appropriate locations to serve adjacent and nearby residential neighborhoods. Permitted uses in this zoning district include the retail sale of merchandise and services customarily considered as shopping center uses.

**ARTICLE 801.2. USE REGULATIONS:** A building or premises shall be used for the following purposes:

1. Retail sale of merchandise, services, recreational and otherwise, parking area and other facilities customarily considered as shopping center uses.
2. Uses permitted on the shopping center site, according to the rural or residential zoning district regulations in effect prior to the establishment of the C-S Zoning District on said site, as the only alternative in the event that the C-S Zoning District is not used for the purpose for which it was specifically intended; namely, a shopping center.
3. Emergency housing - Temporary shelter required due to a natural disaster or fire or other circumstances determined to constitute an emergency by the zoning inspector. <sup>\*\*5, \*6</sup>
4. Deleted 07-07-06 (TA2003005)
5. Temporary uses may be allowed on any lot in this district as authorized in Chapter 13, Section 1302. <sup>\*\*5</sup>
6. Special uses may be allowed on any lot in this district as authorized in Chapter 13, Section 1301. <sup>\*\*5</sup>
7. Temporary construction office/yard complex – construction yard and construction office complex which may include a security office or residence for a security guard provided that the following conditions are met:
  - A. The uses are only associated with the developer/owner and subdivision or project in which they are located. Off-site construction office/yard complexes may be allowed subject to approval by the Board of Adjustment.

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- B. Upon sale of the development, cessation of the need for the use (**95% buildout**), or cessation of the use, all structures, modifications to structures and uses related to the construction office/yard complex shall be removed.
- C. Those uses of structures allowed shall meet all building code requirements.
- D. All items stored on site shall only be those required for the construction on site.
- E. The allowed uses may encroach into setback areas.
- F. All necessary permits must be issued prior to placement on the site.
- G. If these requirements cannot be met, the request shall be processed through the Board of Adjustment as a Temporary Use Permit.\*8

**ARTICLE 801.3. HEIGHT REGULATIONS:** The height of buildings shall not exceed **40 feet** or **three stories**.

**ARTICLE 801.4. YARD REGULATIONS:** The buildings shall set back from all lot lines bounding the shopping center site or in the absence of lot lines, the boundaries delineating the shopping center site, a distance of not less than **50 feet**.

**ARTICLE 801.5. INTENSITY OF USE REGULATIONS:** The maximum lot coverage shall be **25% of the area** in the shopping center site.

**ARTICLE 801.6. PARKING REGULATIONS:** The parking regulations are as provided in Chapter 11, Section 1102. hereof.\*4

**ARTICLE 801.7. SIGN REGULATIONS:** A comprehensive sign package shall be approved that conforms to the sign regulations as provided in Chapter 14, Section 1404 and 1406 thereof. The comprehensive sign package should include, but is not limited to, letter and logo sizes, letter style, colors, texture, lighting methods, sign type, and architectural features. The comprehensive sign package shall be reviewed concurrently with the precise plan of development.\*8

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**ARTICLE 801.8. LOADING AND UNLOADING REGULATIONS:** The loading and unloading regulations are as provided in Chapter 11, Section 1103. hereof.

**ARTICLE 801.9. ADDITIONAL REGULATIONS:** The additional regulations are as follows:

1. The shopping center buildings shall be designed and built as a whole, unified, and single project.
2. Any part of the shopping center site not used for buildings or other structures, loading and access ways, or pedestrian walks shall be landscaped with grass, trees or shrubs.
3. Any outdoor lighting shall be in conformance with provisions in Chapter 11, Section 1112. hereof. Any outdoor lighting shall be placed so as to reflect light away from any adjoining rural or residential zoning district.<sup>\*1</sup>
4. ***Walls and screening:***
  - a. A solid wall, not less than **six feet** in height, shall be required along and adjacent to any side or rear property line abutting any rural or residential zone boundary, or any alley abutting such zone boundary at the time of development of the commercial property. Further, any access gates in said solid wall shall be constructed of view-obscuring material to provide effective site screening.<sup>\*\*2</sup>
  - b. The perimeter of any portion of a site not adjacent to a rural or residential zone boundary upon which any outdoor use of a commercial nature is permitted shall be enclosed to a height of not less than **six feet** by building walls, walls or fences of any view-obscuring material. No outdoor commercial use or enclosure thereof shall encroach into any required setback area adjacent to any street, nor shall any storage products or materials exceed the height of any such enclosure.
5. In any multi-phase commercial project, all areas of a parcel which have been graded or the surface disturbed in any way, and which are not currently under development shall be revegetated or surfaced to minimize wind-blown dust by a plan approved by the Department of Planning and Development.<sup>\*5</sup>
6. The shopping center site and the buildings and appurtenant facilities shall be in a single ownership, or under management or

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supervision of a central authority; or under management or supervision of a central authority; or they shall be subject to other supervisory lease or ownership control as may be necessary to carry out the purpose of regulations relating to the C-S Zoning District.

7. All commercial development shall be subject to a plan of development approval as set forth in the provisions of this Ordinance.<sup>\*9</sup>

8. Commercial uses which were developed prior to SEPTEMBER 22, 2008 SHALL BE EXEMPT FROM THE PLAN OF DEVELOPMENT PROCESS; PROVIDED, HOWEVER, THAT IN THE EVENT ALL COMMERCIAL STRUCTURES ON THE PROPERTY ARE REMOVED OR DESTROYED IN EXCESS OF 75% OF VALUE, THE PROPERTY SHALL, WITHOUT REGARD TO THE ORIGINAL DATE OF DEVELOPMENT, REQUIRE A PLAN OF DEVELOPMENT.<sup>\*10</sup> ~~the effective date of this revision, an as-built plan which requires a zoning clearance may serve as the plan of development. When the owner or authorized agent wants to make a change to the property, this as-built plan indicating the changes may be submitted. The zoning inspector may approve changes as long as any expansion is part of the existing land use, does not conflict with existing codes, does not exceed one hundred percent of the area of the original development, and does not adversely impact the surrounding areas or drainage conditions. These changes may include, but are not limited to parking covers, interior remodeling, additions to the buildings or new buildings. Internal tenant improvements, additional wall signs, and/or non-layout changes to the site plan or minor permits shall not require an as-built POD.~~<sup>\*9</sup>

**ARTICLE 801.10.** DELETED WITH TA2007016 EFFECTIVE 9-19-08

**ARTICLE 801.11.** DELETED WITH TA2007016 EFFECTIVE 9-19-08

Date of Revisions			
*1	Revised 4-2-84	*6	Revised 6-5-96
**2	Added 10-15-84	*7	Effective 5-16-98
*4	Revised 4-3-91	*8	Effective 9-21-07
*5	Revised 2-20-94	*9	Effective 9-22-08
**5	Added 2-20-94	*10	Effective 12-17-08

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### SECTION 802. C-O (Commercial Office Zoning District) \*1

**ARTICLE 802.1. PURPOSE:** The principal purpose of this zoning district is to provide for well designed and attractive business and professional office facilities on sites in appropriate locations. This zoning district would constitute a transition between other commercial land uses and residential neighborhoods. Principal uses in this zoning district include professional, semi-professional and business office uses.

**ARTICLE 802.2. USE REGULATIONS:** A building or premise shall be used only for the following purposes:

1. Any business office in which chattels or goods, wares or merchandise are not commercially created, repaired, sold or exchanged.
2. Offices for accountant, architect, chiropodist, chiropractor, dentist, engineer, lawyer, minister, naturopath, osteopath, physician, surgeon, surveyor, optometrist, geologist, insurance broker, public stenographer, real estate broker, stock broker, advertising agency, talent agency, private employment agency, labor union, marriage counselor, private detective, telephone message service, professional membership organization, business association, collection agency and other similar professional and semi-professional work.
3. Banks, building and loan associations, savings and loan associations, title insurance companies, trust companies, credit unions, finance companies and investment companies.
4. Studios for photography, fine or commercial arts or other professional work.
5. Medical and clinical laboratories.
6. Post office.
7. Pharmacy, when in conjunction with a medical center consisting of offices occupied by **five or more doctors** provided that there shall be no outside entrance for business purposes, and that no sign or display be located so as to be visible from a public thoroughfare or adjacent property.

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8. Service to the public of water, gas, electricity, telephone and cable television and sewage including wastewater treatment plants. The foregoing shall be deemed to include attendant facilities and appurtenances to these uses, including without limitation, distribution, collector and feeder lines, pumping or booster stations along pipelines, and substations along electric transmission lines. <sup>\*6</sup>
9. Emergency housing - Temporary shelter required due to a natural disaster or fire or other circumstances determined to constitute an emergency by the zoning inspector. <sup>\*4, \*5</sup>
10. Deleted 07-07-2006 (TA2003005)
11. Temporary uses may be allowed on any lot in this district as authorized in Chapter 13, Section 1302. <sup>\*4</sup>
12. Special uses may be allowed on any lot in this district as authorized in Chapter 13, Section 1301. <sup>\*4</sup>
13. Temporary construction office/yard complex – construction yard and construction office complex which may include a security office or residence for a security guard provided that the following conditions are met:
  - A. The uses are only associated with the developer/owner and subdivision or project in which they are located. Off-site construction office/yard complexes may be allowed subject to approval by the Board of Adjustment.
  - B. Upon sale of the development, cessation of the need for the use (**95% buildout**), or cessation of the use, all structures, modifications to structures and uses related to the construction office/yard complex are removed.
  - C. Those uses of structures allowed shall meet all building code requirements.
  - D. All items stored on site shall only be those required for the construction on site.
  - E. The allowed uses may encroach into setback areas.
  - F. All necessary permits must be issued prior to placement on the site.

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- G. If these requirements cannot be met, the request shall be processed through the Board of Adjustment as a Temporary Use Permit.\*7

**ARTICLE 802.3. HEIGHT REGULATIONS:** The height of buildings shall not exceed **30 feet** or **two stories** except that within **20 feet** of any rural or residential zoning district, no building shall exceed **15 feet** in height.

**ARTICLE 802.4. YARD REGULATIONS:** The required yards are as follows:

1. ***Front Yard:***

- a. There shall be a front yard having a depth of not less than **ten feet**.
- b. Where the frontage between **two intersecting streets** is located partly in the C-0 Zoning District and partly in a rural or residential zoning district, there shall be a front yard equal to the front yard required in the adjoining rural or residential zoning district but such yard need not exceed **25 feet** in depth.

2. ***Side Yard:***

- a. There shall be a side yard on each side of a building of not less than **five feet** unless otherwise provided herein.
- b. Where the lot is adjacent to a rural or residential zoning district, there shall be a side yard on the side of the lot adjacent to such rural or residential zoning district having a width of not less than **ten feet**.
- c. Where a corner lot abuts a rural or residential zoning district whether or not separated by an alley, there shall be a side yard on the street side of such corner lot having a width of not less than **15 feet**.

3. ***Rear Yard:***

- a. There shall be a rear yard having a depth of not less than **five feet**.

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**ARTICLE 802.5. INTENSITY OF USE REGULATIONS:** The intensity of use regulations are as follows:

1. ***Lot Area:*** The minimum lot area shall be **12,000 square feet**.
2. ***Lot Coverage:*** The maximum lot coverage shall be **35%** of the lot area.
3. ***Lot Width:*** Each lot shall have a minimum width of **60 feet**.

**ARTICLE 802.6. PARKING REGULATIONS:** The parking regulations are as provided in Chapter 11, Section 1102. hereof.

**ARTICLE 802.7. SIGN REGULATIONS:** The sign regulations are as provided in Chapter 14, Section 1404. hereof.

**ARTICLE 802.8. LOADING AND UNLOADING REGULATIONS:** The loading and unloading regulations are as provided in Chapter 11, Section 1103. hereof.

**ARTICLE 802.9. ADDITIONAL REGULATIONS:** The additional regulations are as follows:

1. All refuse collection areas shall be screened from view from all public streets.
2. There shall be a solid fence, wall and suitable planting **six feet** in height where the side or rear lot lines or boundaries of the lot area adjacent to a rural or residential zoning district.
  - a. A solid wall, not less than **six feet** in height, shall be required along and adjacent to any side or rear property line abutting any rural or residential zone boundary, or any alley abutting such zone boundary at the time of development of the commercial property. Further, any access gates in said solid wall shall be constructed of view-obscuring material to provide effective site screening.<sup>\*3</sup>
  - b. The perimeter of any portion of a site not adjacent to a rural or residential zone boundary upon which any outdoor use of a commercial nature is permitted, shall be enclosed to a height of not less than **six feet** in height by building walls, walls or fences of any view-obscuring material. No outdoor commercial use or enclosure thereof shall encroach into any required setback area adjacent to any street, nor shall any

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storage products or materials exceed the height of any such enclosure.

3. Any outdoor lighting shall be in conformance with provisions in Chapter 11, Section 1112. hereof. Any outdoor lighting shall be placed so as to reflect light away from any adjoining rural or residential zoning district. <sup>\*2</sup>
4. In any multi-phase commercial project, all areas of a parcel which have been graded or the surface disturbed in any way, and which are not currently under development shall be revegetated or surfaced to minimize wind-blown dust by a plan approved by the Department of Planning and Development. <sup>\*4</sup>
5. All commercial development shall be subject to a plan of development approval as set forth in the provisions of this Ordinance. <sup>\*8</sup>
6. Commercial uses which were developed prior to SEPTEMBER 22, 2008 SHALL BE EXEMPT FROM THE PLAN OF DEVELOPMENT PROCESS; PROVIDED, HOWEVER, THAT IN THE EVENT ALL COMMERCIAL STRUCTURES ON THE PROPERTY ARE REMOVED OR DESTROYED IN EXCESS OF 75% OF VALUE, THE PROPERTY SHALL, WITHOUT REGARD TO THE ORIGINAL DATE OF DEVELOPMENT, REQUIRE A PLAN OF DEVELOPMENT. <sup>\*9</sup> ~~the effective date of this revision, an as-built plan which requires a zoning clearance may serve as the plan of development. When the owner or authorized agent wants to make a change to the property, this as-built plan indicating the changes may be submitted. The zoning inspector may approve changes as long as any expansion is part of the existing land use, does not conflict with existing codes, does not exceed one hundred percent of the area of the original development, and does not adversely impact the surrounding areas or drainage conditions. These changes may include, but are not limited to parking covers, interior remodeling, additions to the buildings or new buildings. Internal tenant improvements, additional wall signs, and/or non-layout changes to the site plan or minor permits shall not require an as-built POD.~~ <sup>\*8</sup>

### ARTICLE 802.10. LANDSCAPING REGULATIONS:

1. The required front yard of the lot shall be landscaped.
2. The required side yards shall be landscaped.

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3. **Four percent** of the gross parking area shall be landscaped with grass, trees, shrubs, or natural vegetation.
4. Any part of the lot not used for buildings, other structures, parking and vehicular and pedestrian access shall be landscaped with grass, trees, shrubs or natural vegetation.
7. All landscaped areas shall be provided with water bibs or an automatic sprinkler system.

Date of Revisions			
*1	Added 12-12-77	*5	Revised 6-5-96
*2	Revised 4-2-84	*6	Effective 11-19-99
*3	Added 10-15-84	*7	Effective 07-07-06
*4	Added 2-20-94	*8	Effective 9-22-08
*9	Effective 12-17-08		

### SECTION 803. C-1 (Neighborhood Commercial Zoning District) <sup>\*1</sup>

**ARTICLE 803.1. PURPOSE:** The principal purpose of this zoning district is to provide for smaller shops and services in convenient locations to meet the daily needs of families in the immediate residential neighborhoods. Principal uses permitted in this zoning district include food markets, drugstores and personal service shops.

**ARTICLE 803.2. USE REGULATIONS:** A building or premises shall be used only for the following purposes:

1. Antique shops
2. Art galleries
3. Automobile parts and supplies
4. Bakery shops, including baking on the premises for on-site sales only.
5. Banks
6. Barber and beauty shops
7. Book, stationery and gift shops except adult oriented facilities as defined under Chapter 2. <sup>\*2</sup>

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8. Business schools (such as: real estate, secretarial, data processing), but not including trade schools.
9. Candy shops, including manufacturing of candy on the premises for on-site sales only.
10. Churches, including accessory columbariums provided that the building area of the columbarium shall not exceed **10%** of the total building area of the church building(s).<sup>\*6</sup>
11. Cleaning agencies, laundry agencies, pressing establishments and self-service laundries, including self-service dry cleaning machines, provided there is no cleaning of clothes on the premises.
12. Clock and watch repair shops
13. Clothing and dry good shops, including clothing and costume rental.
14. Craft and hobby shops, with incidental craft or hobby instruction only.
15. Day nurseries and nursery schools, including a playground and playground equipment which shall be screened from any adjoining rural or residential zoning district.
16. Delicatessen shops
17. Dress shops
18. Drugstores and soda fountains
19. Fire stations, publicly or privately owned or operated
20. Florist shops
21. Gasoline service stations, provided all incidental repair work is conducted wholly within a completely enclosed building and space required for such repair work does not constitute more than **60%** of the floor area.
22. Grocery stores and meat markets, provided there is no slaughtering of animals or poultry on the premises.
23. Hardware shops

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24. Household appliance shops
25. Ice cream shops, including manufacturing of ice cream on the premises for on-site sales only.
26. Interior decorator shops
27. Jewelry shops
28. Key, locksmith or gun shops
29. Liquor stores limited to retail sales of package goods for off-site consumption.
30. Offices
31. Photographer's and artist's studios
32. Precision, optical and musical instrument repair shops
33. Private schools operated as a commercial enterprise, except trade schools.
34. Public facilities such as libraries, museums, parks, playgrounds, community buildings including police stations, post offices and other community service buildings used for non-commercial non-profit purposes.
35. Public schools; elementary, high school and college
36. Radio and television shops, including repair
37. Restaurants and cafes, including drive-through service with no outside eating facilities, but not including those having dancing or shows, or drive-in car service. The sale of alcoholic beverages for on-site consumption only may be permitted as an accessory use subject to the following requirements:
  - a. The kitchen facilities in the restaurant shall be no less than **20%** of the floor area.
  - b. The floor plan of the restaurant shall be approved by the Planning and Development Department.\*13

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38. Secretarial or answering services
39. Service to the public of water, gas, electricity, telephone, cable television and sewage including wastewater treatment plants. The foregoing shall be deemed to include attendant facilities and appurtenances to these uses, including, without limitation, distribution, collector and feeder lines, pumping or booster stations along pipelines, and substations along electric transmission lines.<sup>\*12</sup>
40. Shoe repair shops
41. Tailor shops
42. Variety or notion stores
43. Videotape rental stores<sup>\*8</sup>
44. Accessory buildings and uses customarily incidental to the above uses.
45. Emergency housing - Temporary shelter required due to a natural disaster or fire or other circumstances determined to constitute an emergency by the zoning inspector.<sup>\*9, \*11</sup>
46. Deleted 07-07-06 (TA2003005)
47. Temporary uses may be allowed on any lot in this district as authorized in Chapter 13, Section 1302.<sup>\*9</sup>
48. Special uses may be allowed on any lot in this district as authorized in Chapter 13, Section 1301.<sup>\*9</sup>
49. Temporary construction office/yard complex – construction yard and construction office complex which may include a security office or residence for a security guard provided that the following conditions are met:
  - A. The uses are only associated with the developer/owner and subdivision or project in which they are located. Off-site construction office/yard complexes may be allowed subject to approval by the Board of Adjustment.
  - b. Upon sale of the development, cessation of the need for the use (**95% buildout**), or cessation of the use, all structures,

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modifications to structures and uses related to the construction office/yard complex are removed.

- c. Those uses of structures allowed shall meet all building code requirements.
- d. All items stored on site shall only be those required for the construction on site.
- e. The allowed uses may encroach into setback areas.
- F. All necessary permits must be issued prior to placement on the site.
- G. If these requirements cannot be met, the request shall be processed through the board of adjustment as a Temporary Use Permit.\*13

**ARTICLE 803.3. HEIGHT REGULATIONS:** The height of buildings shall not exceed **30 feet** or **two stories**, except that the height of any building or structure closer than **30 feet** to any rural or residential zone boundary shall not exceed the distance from said building or structure to the zone boundaries. Streets or alleys may be included in calculating distance.

**ARTICLE 803.4. YARD REGULATIONS:**

- 1. **Front Yard:** A minimum of **ten feet**, and further that where the frontage between **two intersecting streets** is located partly in the C-1 Zoning District, and partly in a rural or residential zoning district, there shall be a front yard equal to the front yard required in the adjoining rural or residential zoning district but such yard need not exceed **25 feet** in depth.
- 2. **Side Yard:** None required (see Chapter 8, Section 803., Article 803.3. - Height Regulations), except that:
  - a. Where a lot is adjacent to a rural or residential zoning district, there shall be a side yard on the side of the lot adjacent to such rural or residential zoning district having a width of not less than **ten feet**.
  - b. Where a corner lot abuts a rural or residential zoning district, whether or not separated by an alley, there shall be a side

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yard on the street side of such corner lot having a width of not less than **ten feet**.

c. If a side yard is otherwise provided, it shall have a width of not less than **three feet**.

3. **Rear Yard:** None required (see Chapter 8, Section 803., Article 803.3. - Height Regulations), except that where a lot abuts a rural or residential zoning district whether or not separated by an alley, there shall be a rear yard having a depth of not less than **25 feet**.

a. If a rear yard is otherwise provided, it shall have a depth of not less than **three feet**.

**ARTICLE 803.5. INTENSITY OF USE REGULATIONS:** The intensity of use regulations are as follows:

1. **Lot Area:** Each lot shall have a minimum area of **6,000 square feet**.

2. **Lot Width:** Each lot shall have a minimum width of **60 feet**.

3. **Lot Coverage:** The maximum lot coverage shall be **60%** of the lot area.

**ARTICLE 803.6. PARKING REGULATIONS:** The parking regulations are as provided in Chapter 11, Section 1102. hereof.

**ARTICLE 803.7. SIGN REGULATIONS:** The sign regulations are as provided in Chapter 14, Section 1404. hereof.

**ARTICLE 803.8. LOADING AND UNLOADING REGULATIONS:** The loading and unloading regulations are as provided in Chapter 11, Section 1103. hereof.

**ARTICLE 803.9. ADDITIONAL REGULATIONS:** The additional regulations are as follows:

1. All activity (except required on-site parking, loading or unloading) including incidental or accessory storage and display area shall be within a completely enclosed building, unless otherwise specifically noted herein.

2. Any outdoor lighting shall be in conformance with provisions in Chapter 11, Section 1112. hereof. Any outdoor lighting shall be

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placed so as to reflect light away from any adjoining rural or residential zoning district. <sup>\*3</sup>

3. A building other than the residence of the family of the operator or caretaker employed on the premises of a commercial use shall not be used for dwellings unless approved as a Special Use by the Board of Supervisors. <sup>\*5, \*10</sup>
4. ***Walls and Screening:***
  - a. A solid wall, not less than **six feet** in height, shall be required along and adjacent to any side or rear property line abutting any rural or residential zone boundary, or any alley abutting such zone boundary at the time of development of the commercial property. Further, any access gates in said solid wall shall be constructed of view-obscuring material to provide effective site screening. <sup>\*4</sup>
  - b. The perimeter of any portion of a site not adjacent to a rural or residential zone boundary upon which any outdoor use of a commercial nature is permitted shall be enclosed to a height of not less than **six feet** by building walls, walls or fences of any view-obscuring material. No outdoor commercial use or enclosure thereof shall encroach into any required setback area adjacent to any street, nor shall any storage products or materials exceed the height of any such enclosure.
5. In any multi-phase commercial project, all areas of a parcel which have been graded or the surface disturbed in any way, and which are not currently under development shall be revegetated or surfaced to minimize wind-blown dust by a plan approved by the Department of Planning and Development. <sup>\*9</sup>
6. All commercial development shall be subject to a plan of development approval as set forth in the provisions of this Ordinance. <sup>\*14</sup>
7. Commercial uses which were developed prior to SEPTEMBER 22, 2008 SHALL BE EXEMPT FROM THE PLAN OF DEVELOPMENT PROCESS; PROVIDED, HOWEVER, THAT IN THE EVENT ALL COMMERCIAL STRUCTURES ON THE PROPERTY ARE REMOVED OR DESTROYED IN EXCESS OF 75% OF VALUE, THE PROPERTY SHALL, WITHOUT REGARD TO THE ORIGINAL DATE OF DEVELOPMENT, REQUIRE A PLAN OF DEVELOPMENT. <sup>\*15</sup> ~~the effective date of this~~

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revision, an as-built plan which requires a zoning clearance may serve as the plan of development. When the owner or authorized agent wants to make a change to the property, this as-built plan indicating the changes may be submitted. The zoning inspector may approve changes as long as any expansion is part of the existing land use, does not conflict with existing codes, does not exceed one hundred percent of the area of the original development, and does not adversely impact the surrounding areas or drainage conditions. These changes may include, but are not limited to parking covers, interior remodeling, additions to the buildings or new buildings, internal tenant improvements, additional wall signs, and/or non-layout changes to the site plan or minor permits shall not require an as-built POD.<sup>\*14</sup>

Date of Revisions			
*1	Revised 5-11-81	*8	Added and renumbered after subparagraph Ch. 8, Section 803.2.43
*2	Revised 6-1-81	*9	Added 2-20-94
*3	Revised 4-2-84	*10	Revised 5-6-94
*4	Added 10-15-84	*11	Revised 6-5-96
*5	Renumbered 1-7-85	*12	Effective 11-19-99
*6	Revised 4-10-89	*13	Effective 07-07-06
*14	Effective 9-22-08	*15	Effective 12-17-08

### SECTION 804. C-2 (Intermediate Commercial Zoning District) <sup>\*1</sup>

**ARTICLE 804.1. PURPOSE:** The principal purpose of this zoning district is to provide for the sale of commodities and the performance of services and other activities in locations for which the market area extends beyond the immediate residential neighborhoods. Principal uses permitted in this zoning district include automobile sales and services, furniture stores, hotels and motels, travel trailer parks, restaurants, and some commercial recreation and cultural facilities such as movies and instruction in art and music. This zoning district is designed for application at major street intersections.

**ARTICLE 804.2. USE REGULATIONS:** A building or premises shall be used only for the following purposes:

1. Any use permitted in the C-1 Zoning District, subject to all the regulations specified in the use regulations for such C-1 Zoning District unless the use is otherwise regulated in this Section.

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2. Adult oriented facilities as defined under Chapter 2, subject to the following conditions: <sup>\*11</sup>
  - a. Adult oriented facilities shall not be located within **1,500 feet** of any other adult oriented facility.
  - b. Adult oriented facilities shall not be located within **1,500 feet** of:
    1. A church; or
    2. A public or private elementary or secondary school; or
    3. A public or private day care center, preschool, nursery, kindergarten, or similar use; or
    4. A public park or playground
  - c. For purposes of measuring separation distances required in this section, the measurements shall be taken in a straight line from the closest exterior walls of any affected structures without regard to intervening structures or objects or political boundaries.
  - d. An adult oriented business lawfully operating is not rendered in violation of these provisions by the subsequent location of a church, public or private elementary or secondary school, or public park within **1,500 feet** of the adult oriented business.
  - e. This provision shall not be construed as permitting any use or act which is otherwise prohibited or made punishable by law.
3. Art metal and ornamental iron shops.
4. Automobile laundries, provided steam cleaning is confined to a building.
5. Automobile repair shops and garages, including an outside vehicle storage area to be used for vehicles under repair which shall be completely screened from any street or surrounding property, and further provided all repair operations are conducted within a building.

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6. New and used, automobile and golf cart sales, and rentals provided all sales, service, and repair activities are conducted within a building. <sup>\*10, \*13 \*15</sup>
7. Awning and canvas stores.
8. Bars, including retail sales of package goods for off-site consumption, provided that there is no entertainment or music audible offsite.
9. Health spas and public gyms. <sup>\*2</sup>
10. Blueprint, photostat and reproduction (copy) services.
11. Boat sales, including an outside display area, providing all sales and repair activities are conducted within a building. <sup>\*15</sup>
12. Cabinet and carpenter shops.
13. Catering establishments not utilizing any manufacturing process or outside storage of materials or vehicles.
14. Conservatories or studios: Art, dancing or music.
15. Department stores.
16. Drive-in restaurants and refreshment stands.
17. Electrical fixtures and appliance sales, repair and service.
18. Feed stores, inside storage only.
19. Funeral homes, mortuaries and chapels.
20. Furniture stores including: New, used, finished or unfinished merchandise.
21. Gas (butane or propane), retail sales of. <sup>\*6</sup>
22. Hotels.
23. Laboratories, medical or dental.
24. Liquor stores.

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25. Motels.
26. Nurseries, flower and plant sales, provided all incidental equipment and supplies including fertilizer and empty cans, are kept within a completely enclosed building or within an area enclosed on all sides by a solid fence or wall at least **six feet** in height and no goods, materials or objects are stacked higher than the fence or wall so erected.
27. Paint and wall paper stores.
28. Parking lots and public garages, subject to parking standards in Chapter 11, Section 1102.
29. Pet shops, not involving the treatment or boarding of cats, dogs or other small animals.
30. Plumbing shops.
31. Pool halls or billiard centers.
32. Radio and television broadcasting stations and studios, but not including transmitter towers and stations.
33. Rental services: Household, lawn, garden, sickroom or office equipment.
34. Restaurants and cafes, including patios, with or without cocktail lounges, provided there is no entertainment or music audible off-site.  
\*14
35. Retail stores.
36. Taxidermists.
37. Theaters, but not including a drive-in theater and adult oriented facilities as defined under Chapter 2. \*2
38. Tinsmith shops.
39. Trade schools.
40. Deleted 2-20-94
- 41, Upholstery shops.

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42. Veterinary hospitals and clinics for animals, subject to:
  - a. Animals shall not be boarded or lodged except for short periods of observation incidental to care or treatment.
  - b. Animals shall be kept within a completely enclosed building, which shall be constructed and maintained as to prevent objectionable noise and odor outside the walls of the building.
  - c. No open kennels or exercise runs will be permitted.
  - d. All refuse shall be stored within the enclosed building or within odor proof containers.
43. Accessory buildings and uses customarily incidental to the above.

**ARTICLE 804.3. HEIGHT REGULATIONS:** The height of buildings shall not exceed **40 feet** or **three stories**, except that the height of any building or structure closer than **40 feet** to any rural or residential zone boundary shall not exceed that distance from said building or structure to the zone boundaries. Streets or alleys may be included in calculating distance.

**ARTICLE 804.4. YARD REGULATIONS:**

1. **Front Yard:** A minimum of **10 feet**, and further that where the frontage between **two intersecting streets** is located partly in the C-2 Zoning District and partly in a rural or residential zoning district there shall be a front yard equal to the front yard required in the adjoining rural or residential zoning district but such yard need not exceed **25 feet** in depth.
2. **Side Yard:** None required (see Chapter 8, Section 804., Article 804.3. - Height Regulations) except that:
  - a. Where a lot is adjacent to a rural or residential zoning district, there shall be a side yard on the side of a lot adjacent to such rural or residential zoning district having a width of not less than **ten feet**.
  - b. Where a corner lot abuts a rural or residential zoning district whether or not separated by an alley, there shall be a side yard on the street side of such corner lot having a width of not less than **ten feet**.

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- c. If a side yard is otherwise provided, it shall have a width of not less than **three feet**.
3. **Rear Yard:** None required (see Chapter 8, Section 804., Article 804.3. - Height Regulations) except that where a lot abuts a rural or residential zoning district whether or not separated by an alley, there shall be a rear yard having a depth of not less than **25 feet**.
  - a. If a rear yard is otherwise provided, it shall have a depth of not less than **three feet**.

**ARTICLE 804.5. INTENSITY OF USE REGULATIONS:** The intensity of use regulations are as follows:

1. **Lot Area:** Each lot shall have a minimum area of **6,000 square feet**.
2. **Lot Width:** Each lot shall have a minimum width of **60 feet**.
3. **Lot Coverage:** The maximum lot coverage shall be **60%** of the lot area.

**ARTICLE 804.6. PARKING REGULATIONS:** The parking regulations are as provided in Chapter 11, Section 1102. hereof.

**ARTICLE 804.7. SIGN REGULATIONS:** The sign regulations are as provided in Chapter 14, Section 1404. hereof.

**ARTICLE 804.8. LOADING AND UNLOADING REGULATIONS:** The loading and unloading regulations are as provided in Chapter 11, Section 1103. hereof.

**ARTICLE 804.9. ADDITIONAL REGULATIONS:** The additional regulations are as follows:

1. All activity (except required on-site parking, including loading and unloading areas), incidental or accessory storage and display areas shall be within a completely enclosed building unless otherwise specifically noted herein.
2. Any outdoor lighting shall be in conformance with provisions in Chapter 11, Section 1112. hereof. Any outdoor lighting shall be placed so as to reflect light away from any adjoining rural or residential zoning district.<sup>\*3</sup>

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3. A building other than the residence of the family of the operator or caretaker employed on the premises of a commercial use shall not be used for dwellings, unless approved as a Special Use by the Board of Supervisors. <sup>\*5, \*13</sup>
4. ***Walls and Screening:***
  - a. A solid wall, not less than **six feet** in height, shall be required along and adjacent to any side or rear property line abutting any rural or residential zone boundary, or any alley abutting such zone boundary at the time of development of the commercial property. Further, any access gates in said solid wall shall be constructed of view-obscuring material to provide effective site screening. <sup>\*4</sup>
  - b. The perimeter of any portion of a site not adjacent to a rural or residential zone boundary upon which any outdoor use of a commercial nature is permitted shall be enclosed to a height of not less than **six feet** by building walls, walls or fences of any view-obscuring material. No outdoor commercial use or enclosure thereof shall encroach into any required setback area adjacent to any street, nor shall any storage products or materials exceed the height of any such enclosure.
5. In any multi-phase commercial project, all areas of a parcel which have been graded or the surface disturbed in any way, and which are not currently under development shall be revegetated or surfaced to minimize wind-blown dust by a plan approved by the Department of Planning and Development. <sup>\*12</sup>
6. All commercial development shall be subject to a plan of development approval as set forth in the provisions of this Ordinance. <sup>\*15</sup>
7. Commercial uses which were developed prior to SEPTEMBER 22, 2008 SHALL BE EXEMPT FROM THE PLAN OF DEVELOPMENT PROCESS; PROVIDED, HOWEVER, THAT IN THE EVENT ALL COMMERCIAL STRUCTURES ON THE PROPERTY ARE REMOVED OR DESTROYED IN EXCESS OF 75% OF VALUE, THE PROPERTY SHALL, WITHOUT REGARD TO THE ORIGINAL DATE OF DEVELOPMENT, REQUIRE A PLAN OF DEVELOPMENT. <sup>\*16</sup> ~~the effective date of this revision, an as-built plan which requires a zoning clearance may serve as the plan of development. When the owner or authorized agent wants to make a change to the property, this as-built plan~~

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indicating the changes may be submitted. The zoning inspector may approve changes as long as any expansion is part of the existing land use, does not conflict with existing codes, does not exceed one hundred percent of the area of the original development, and does not adversely impact the surrounding areas or drainage conditions. These changes may include, but are not limited to parking covers, interior remodeling, additions to the buildings or new buildings, internal tenant improvements, additional wall signs, and/or non-layout changes to the site plan or minor permits shall not require an as-built POD.<sup>\*15</sup>

Date of Revisions			
*1	Revised 5-11-81	*10	Revised 5-16-90
*2	Revised 6-1-81	*11	Added 8-21-93
*3	Revised 4-2-84	*12	Added 2-20-94
*4	Added 10-15-84	*13	Revised 5-6-94
*5	Renumbered 1-7-85	*14	Effective 5-9-97
*6	Revised 4-1-85	*15	Effective 9-22-08
*16	Effective 12-17-08		

### SECTION 805. C-3 (General Commercial Zoning District) <sup>\*1</sup>

**ARTICLE 805.1. PURPOSE:** The principal purpose of this zoning district is to provide for commercial uses concerned with wholesale or distribution activities in locations where there is adequate access to major streets or highways. Principal uses permitted in this zoning district include retail and wholesale commerce and commercial entertainment.

**ARTICLE 805.2. USE REGULATIONS:** A building or premise shall be used only for the following:

1. Any use permitted in the C-2 Zoning District, subject to all the regulations specified in the use regulations for such C-2 Zoning District unless the use is otherwise regulated in this Section.
2. Amusement enterprises.
3. Auction sales, including swap meet operations.
4. Automobile sales, service and rental.
5. Boat sales, service and rental.
6. Bowling alleys.

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7. Bus depots.
8. Dance halls and nightclubs, except adult oriented facilities as defined under Chapter 2.<sup>\*2</sup>
9. Drive-in theaters.
10. Equipment rentals and sales, but not including equipment customarily used for heavy construction.
11. Frozen food lockers, including processing but not slaughtering of animals.
12. Hospitals and clinics for animals, provided animals are not boarded or lodged other than those being treated.
13. Wholesale ice distributing stations.
14. Landscape material sales provided all incidental equipment and supplies, including fertilizer and empty cans, are kept within a completely enclosed building or within an area enclosed on all sides by a solid fence or wall at least **six feet** in height, and no goods, materials or objects are stacked higher than the fence or wall so erected.
15. Lumber yards not including industrial milling or planning operations.
16. Miniature golf courses and driving ranges.
17. Mobile home, travel trailer and recreation vehicle sales and service.
18. Printing, lithography and publishing establishments.
19. Stone monument sales.
20. Commercial storage of mobile homes, manufactured homes, travel trailers, recreation vehicles, boats and aircraft on sites of no less than **one acre**.<sup>\*5-11</sup>
21. Truck stops, with customary accessory facilities including but not limited to restaurant, convenience retail, motel, truck wash, and minor repair facilities but not including major repair, freight storage, freight handling, warehousing or distribution facilities.<sup>\*\*7</sup>

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22. Wholesale stores.
23. Accessory buildings and uses customarily incidental to the above uses.

**ARTICLE 805.3. HEIGHT REGULATIONS:** The height of buildings shall not exceed **40 feet** or **three stories**, except that the height of any building or structure closer than **40 feet** to any rural or residential zone boundary shall not exceed the distance from said building or structure to the zone boundaries. Streets or alleys may be included in calculating distance.

**ARTICLE 805.4. YARD REGULATIONS:**

1. **Front Yard:** A minimum of **ten feet**, and further that where the frontage between **two intersecting streets** is located partly in the C-3 Zoning District and partly in a rural or residential zoning district, there shall be a front yard equal to the front yard required in the adjoining rural or residential zoning district but such yard need not exceed **25 feet** in depth.
2. **Side Yard:** None required (see Chapter 8, Section 805., Article 805.3. - Height Regulations) except that:
  - a. Where a lot is adjacent to a rural or residential zoning district there shall be a side yard on the side of the lot adjacent to such rural or residential zoning district having a width of not less than **ten feet**.
  - b. Where a corner lot abuts a rural or residential zoning district whether or not separated by an alley, there shall be a side yard on the street side of such corner lot having a width of not less than **ten feet**.
  - c. If a side yard is otherwise provided, it shall have a width of not less than **three feet**.
3. **Rear Yard:** None required (see Chapter 8, Section 805., Article 805.3. - Height Regulations) except that where a lot abuts a rural or residential zoning district whether or not separated by an alley, there shall be a rear yard having a depth of not less than **25 feet**.
  - a. If a rear yard is otherwise provided, it shall have a depth of not less than **three feet**.

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**ARTICLE 805.5. INTENSITY OF USE REGULATIONS:** The intensity of use regulations are as follows:

1. **Lot Area:** Each lot shall have a minimum area of **6,000 square feet**.
2. **Lot Width:** Each lot shall have a minimum width of **60 feet**.
3. **Lot Coverage:** The maximum lot coverage shall be **60%** of the lot area.

**ARTICLE 805.6. PARKING REGULATIONS:** The parking regulations are as provided in Chapter 11, Section 1102. hereof.

**ARTICLE 805.7. SIGN REGULATIONS:** The sign regulations are as provided in Chapter 14, Section 1404. hereof.

**ARTICLE 805.8. LOADING AND UNLOADING REGULATIONS:** The loading and unloading regulations are as provided in Chapter 11, Section 1103. hereof.

**ARTICLE 805.9. ADDITIONAL REGULATIONS:** The additional regulations are as follows:

1. Site Enclosure and Screening Requirements: Commercial site and/or uses shall be enclosed to provide effective site screening from adjoining properties, uses or streets as follows:
  - a. A solid wall, not less than **six feet** in height shall be required along and adjacent to any side or rear property line abutting any rural or residential zone boundary, or any alley abutting such zone boundary at the time of development of the commercial property. Further, any access gates in said solid wall shall be constructed of view-obscuring material to provide effective site screening.
  - b. The perimeter of any portion of a site not adjacent to a rural or residential zone boundary upon which any outdoor use of a commercial nature is permitted shall be enclosed to a height of not less than **six feet** by building walls, walls or fences of any view-obscuring material. No outdoor commercial use or enclosure thereof shall encroach into any required setback area adjacent to any street, nor shall any storage products or materials exceed the height of any such enclosure.

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2. Any outdoor lighting shall be in conformance with provisions in Chapter 11, Section 1112. hereof. Any outdoor lighting shall be placed so as to reflect light away from any adjoining rural or residential zoning district. <sup>\*3</sup>
3. A building other than the residence of the family of the operator or caretaker employed on the premises of a commercial use shall not be used for dwelling purposes unless approved as a Special Use by the Board of Supervisors. <sup>\*4, \*10</sup>
4. In any multi-phase commercial project, all areas of a parcel which have been graded or the surface disturbed in any way, and which are not currently under development shall be revegetated or surfaced to minimize wind-blown dust by a plan approved by the Department of Planning and Development. <sup>\*9</sup>
5. All commercial development shall be subject to a plan of development approval as set forth in the provisions of this Ordinance. <sup>\*12</sup>
6. Commercial uses which were developed prior to SEPTEMBER 22, 2008 SHALL BE EXEMPT FROM THE PLAN OF DEVELOPMENT PROCESS; PROVIDED, HOWEVER, THAT IN THE EVENT ALL COMMERCIAL STRUCTURES ON THE PROPERTY ARE REMOVED OR DESTROYED IN EXCESS OF 75% OF VALUE, THE PROPERTY SHALL, WITHOUT REGARD TO THE ORIGINAL DATE OF DEVELOPMENT, REQUIRE A PLAN OF DEVELOPMENT. <sup>\*13</sup> ~~the effective date of this revision, an as-built plan which requires a zoning clearance may serve as the plan of development. When the owner or authorized agent wants to make a change to the property, this as-built plan indicating the changes may be submitted. The zoning inspector may approve changes as long as any expansion is part of the existing land use, does not conflict with existing codes, does not exceed one hundred percent of the area of the original development, and does not adversely impact the surrounding areas or drainage conditions. These changes may include, but are not limited to parking covers, interior remodeling, additions to the buildings or new buildings. Internal tenant improvements, additional wall signs, and/or non-layout changes to the site plan or minor permits shall not require an as-built POD.~~ <sup>\*12</sup>

Date of Revisions			
*1	Revised 5-11-81	*11	Effective 09-15-06
*2	Revised 6-1-81	*12	Effective 9-22-08

# MARICOPA COUNTY ZONING ORDINANCE

## Chapter 8 – Commercial Zoning Districts

*3	Revised 4-2-84	*13	Effective 12-17-08
*4	Renumbered 1-7-85		
*5	Revised 4-1-85		
**7	Added 4-10-89		
*9	Added 2-20-94		
*10	Revised 5-6-94		