



Report to the Board of Supervisors

Prepared by the Maricopa County Planning and Development Department

Board Hearing Date: May 4, 2016 (Cont. from 4/20/16)

Case #/Title: TA2015004 – Accessory Recreational Structures

Supervisor District: All

Request: Text Amendment to the Maricopa County Zoning Ordinance, Articles 501.2 & 601.2

Additional Comments: This case was continued from the 4/20/16 Board hearing to ensure adequate public notice. Proposed verbatim language is attached to the Commission report.

Commission Recommendation: On 3/24/16, the Commission voted 7-0 to recommend **approval**.

Presented by: Darren V. Gerard, AICP, Deputy Director
Prepared by: Derek Scheerer, Planner and Darren V. Gerard, AICP, Deputy Director
Reviewed by: Matthew Holm, AICP, Planning Supervisor

Attachment: 3/24/16 P&Z Packet (5 pages)

Note: 3/24/16 Draft P&Z Minutes are not available as of the writing of this report, but can be provided upon request later when available.



Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Case:	TA2015004 – Accessory Recreational Structures
Meeting Date:	March 24, 2016
Agenda Item:	2
Supervisor District:	All
Applicant:	Commission-initiated
Request:	Text Amendment to the Maricopa County Zoning Ordinance, Articles 501.2 & 601.2 regarding accessory recreational structures
Support/Opposition:	None known
Recommendation:	Approval

Discussion:

This is a text amendment to Articles 501.2 & 601.2 of the Maricopa County Zoning Ordinance in regard to accessory recreational structures in the Rural and Single-Family Residential zoning districts. TA2015004 will lessen regulatory burden by increasing the maximum height of accessory recreational structures and clarifying that both tennis courts and other accessory recreational structures are permitted. Proposed verbatim language is (added language underscored, deleted language struck-through):

ARTICLE 501.2. USE REGULATIONS: A building or premises shall be used only for the following purposes:

15. Accessory buildings and uses customarily incidental to the above uses, including:

c. Private tennis court or private outdoor recreational structures, provided that such court or structure is not constructed within **20 feet** of any adjoining property under ~~other~~ separate ownership, and provided that tennis court fences or walls or recreational structures shall not exceed ~~42~~ 14 feet in height.

e. Accessory use lights provided that a permitted accessory use exists. The lights must be located on the property and shielded so as not to direct or reflect light upon adjoining land, shall not be constructed within **20 feet** of any adjoining property under other ownership, and shall not exceed **20 feet** in height.

ARTICLE 601.2. USE REGULATIONS: A building or premises shall be used only for the following purposes:

11. Accessory buildings and uses customarily incidental to the above uses, including:

c. Private tennis court or private outdoor recreational structures, provided that such court or structure is not constructed within **20 feet** of any adjoining property under ~~other~~ separate ownership, and provided that tennis court fences or walls or recreational structures shall not exceed ~~12~~ **14 feet** in height.

e. Accessory use lights provided that a permitted accessory use exists. The lights must be located on the property and shielded so as not to direct or reflect light upon adjoining land, shall not be constructed within **20 feet** of any adjoining property under other ownership, and shall not exceed **20 feet** in height.

This item is being processed through the County's Enhanced Regulatory Outreach Program (EROP). A stakeholder meeting was held on January 22, 2016. The Commission initiated this text amendment on February 18, 2016. Staff has not received support of opposition via EROP.

This item is tentatively scheduled for the April 20, 2016 public hearing before the Maricopa County Board of Supervisors (BOS). The ordinance/amendments will take effect 30 days after BOS adoption/approval.

Recommendation:

Staff recommends the Commission recommend **approval** of **TA2015004**, as presented, to the BOS.

Prepared by: Derek Scheerer, Planner and Darren V. Gerard, AICP, Deputy Director
Reviewed by: Matthew Holm, AICP, Planning Supervisor
Attachments: 02/18/16 ZIPPOR packet (3 pages)



Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Cases:	TA2015004 – Accessory Recreational Structures
Meeting Date:	February 18, 2016
Agenda Item:	1
Supervisor Districts:	All
Applicant:	Commission-initiated
Request:	Text Amendment to the Maricopa County Zoning Ordinance, Articles 501.2 & 601.2
Support/Opposition:	None known
Recommendation:	Initiate

Discussion:

This is a text amendment to Articles 501.2 & 601.2 of the Maricopa County Zoning Ordinance in regard to accessory recreational structures in the Rural and Single-Family Residential zoning districts. TA2015004 will lessen regulatory burden by increasing the maximum height of accessory recreational structures and clarifying that both tennis courts and other accessory recreational structures are permitted. Proposed verbatim language is (added language underscored, deleted language struck-through):

ARTICLE 501.2. USE REGULATIONS: A building or premises shall be used only for the following purposes:

15. Accessory buildings and uses customarily incidental to the above uses, including:

c. Private tennis court or private outdoor recreational structures, provided that such court or structure is not constructed within **20 feet** of any adjoining property under ~~other separate~~ ownership, and provided that tennis court fences or walls or recreational structures shall not exceed ~~12~~ **14 feet** in height.

e. Accessory use lights provided that a permitted accessory use exists. The lights must be located on the property and shielded so as not to direct or reflect light upon adjoining land, shall not be constructed within **20 feet** of any adjoining property under other ownership, and shall not exceed **20 feet** in height.

ARTICLE 601.2. USE REGULATIONS: A building or premises shall be used only for the following purposes:

11. Accessory buildings and uses customarily incidental to the above uses, including:

c. Private tennis court or private outdoor recreational structures, provided that such court or structure is not constructed within **20 feet** of any adjoining property under ~~other~~ separate ownership, and provided that tennis court fences or walls or recreational structures shall not exceed ~~12~~ **14 feet** in height.

e. Accessory use lights provided that a permitted accessory use exists. The lights must be located on the property and shielded so as not to direct or reflect light upon adjoining land, shall not be constructed within **20 feet** of any adjoining property under other ownership, and shall not exceed **20 feet** in height.

This item is being processed through the County's Enhanced Regulatory Outreach Program (EROP). A stakeholder meeting was held on January 22, 2016. If this item is initiated at this ZIPPOR, the anticipated Commission hearing for recommendation to the BOS is March 24, 2016 and the tentative BOS hearing for adoption is April 20, 2016. The ordinance/amendments will take effect 30 days after BOS adoption/approval.

Attendance at the stakeholder meeting was limited and no public attendance occurred. (No minutes of the meeting were prepared.) To date, no public comments have been received for TA2015004.

Recommendation:

Staff recommends the Commission **initiate TA2015004**.

Prepared by: Derek Scheerer, Planner, and Carol Hu, Planner
Reviewed by: Matthew Holm, AICP, Planning Supervisor, and Darren V. Gerard, AICP, Deputy Director
Attachment: 1/22/16 EROP Stakeholder Meeting Sign-In Sheet (1 page)



Maricopa County
 Planning and Development Department



**Planning and Development Department
 Stakeholder Workshop
 January 22, 2016
 Enhanced Regulatory Outreach Program**

Items: TA2015004, TA2015005

Sign-Up to Receive Program Alerts

Visit our web-site at: www.maricopa.gov/regulations to enter comments concerning items going through the process.

Print Name	Receive Alerts Via Email	Receive Alerts Via Text Messages
Lynn Favour		
Derek Scheerer		
Carol Hu		
Darrin Gerard		

MINUTES OF THE REGULAR MEETING
OF THE
PLANNING AND ZONING COMMISSION

March 24, 2016
9:30 a.m.

Board of Supervisors Auditorium
301 W. Jefferson Street
Phoenix, Arizona

MEMBERS PRESENT:

Mr. B.J. Copeland, Chairman
Mr. Greg Arnett, Vice-Chairman
Mr. Bruce Burrows
Mr. Michael Cowley
Mr. Michael Deutsch
Mr. Michael Johnson
Mr. Mark Pugmire

MEMBERS ABSENT:

Mr. Broc Hiatt
Mr. Murray Johnson
Ms. Jennifer Ruby

STAFF PRESENT:

Mr. Darren Gerard, Deputy Director
Ms. Rachel Applegate, Senior Planner
Ms. Carol Hu, Planner
Mr. Derek Scheerer, Planner
Ms. Debbie Lemon, Executive Asst/Commission Secretary
Ms. Mia Vargas, Back-up Secretary

COUNTY AGENCIES:

Mr. Robert Swan, County Counsel

MINUTES:

February 18, 2016, March 10, 2016

CONTINUANCE:

Z2015097

CONSENT:

None

REGULAR:

TA2015004, TA2015005

Meeting called to order at 9:00 a.m.

Chairman asked if there were any changes to the minutes that had previously been sent out for review. None.

COMMISSION ACTION: Chairman approved the February 18, 2016 and March 10, 2016 minutes as written.

Continuance Agenda

Special Use Permit - Z2015086:

District 4

Applicant: Adam Baugh, Withey Morris, PLC
Location: Generally located at the NEC of Southern Ave. and 231st Ave.
Request: Special Use Permit (SUP) for an agriculturally related facility in the Rural-43 zoning district – Southern Comfort Estates, LLC.

Mr. Gerard advised due to a legal ad error this item is requested to be continued to the April 7 meeting.

COMMISSION ACTION: Commissioner Cowley motioned to continue Z2015086 to the April 7 meeting. Commissioner Michael Johnson second. Continued 7-0.

Regular Agenda

Text Amendment – TA2015004:

All Districts

Applicant: Commission initiated
Location: Countywide
Request: Accessory Recreational Structures

Mr. Scheerer advised this Text Amendment went through the Enhance Regulatory Outreach Program (EROP), was previously presented and initialized by the Commission at the February meeting. The recommendation will be forwarded to the Board of Supervisors.

Commissioner Arnett asked if lighting has been addressed. Mr. Gerard advised there are lighting standards to address that.

COMMISSION ACTION: Commissioner Cowley motioned to approve TA2015004. Commissioner Arnett second. Approved 7-0.

Text Amendment - TA2015005:

All Districts

Applicant: Commission initiated
Location: Countywide
Request: Subdivision Assurance.

Ms. Hu stated this has been processed through EROP, was initialized by the Commission in February and the revised language has been included. Staff received one letter of support by the New River Desert Hills Association and there are no objections.

Commissioner Pugmire asked how many other jurisdictions are doing this. Mr. Gerard stated that we would be the first in the valley, but that Pima and Mohave Counties also have it in place.

Chairman Copeland asked staff if this is to streamline processes. Mr. Gerard stated yes.

COMMISSION ACTION: Commissioner Arnett motioned to approve TA2015005, Commissioner Burrows second. Approved 7-0.

Vice-Chairman Arnett adjourned the meeting at 9:39a.m.

Prepared by Debbie Lemon
Executive Assistant/Commission Secretary,
March 24, 2016