

# MARICOPA COUNTY ZONING ORDINANCE

## Chapter 5 – Rural Zoning Districts

### SECTION 501. RURAL-190 (Rural Zoning District - 190,000 Square Feet Per Dwelling Unit)

ARTICLE 501.1. PURPOSE: The principal purpose of this zoning district is to conserve and protect farms and other open land uses, foster orderly growth in rural areas, and prevent urban and agricultural land use conflicts. The primary purpose of requiring large minimum lots of not less than 190,000 square feet in area is to discourage small lot or residential subdivisions where public facilities such as water, sewage disposal, parks and playgrounds, and governmental services such as police and fire protection are not available or could not reasonably be made available. Principal uses permitted in this zoning district include both farm and non-farm residential uses, farms, and recreational and institutional uses.

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

1. One single-family dwelling per lot of record.<sup>\*5</sup>
2. One multi-sectional manufactured home per lot of record with the following standards:<sup>\*12, \*20</sup>
  - a. If a permanent foundation wall is not installed, all sides of the multi-sectional manufactured home shall extend to meet the surrounding ground, or a facade shall be used on all sides of the manufactured home that would appear to have a foundation wall similar in appearance and kind to those used in conventional site built homes.
  - b. Re-roofing, residing and structural additions shall conform to the Maricopa County Comprehensive Building Codes.
3. 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>\*8</sup>
4. Farms, as defined in Chapter 2.
5. Group homes for not more than ten persons, subject to the following performance criteria:<sup>\*11, \*16</sup>

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- a. Dispersal: No such home shall be located on a lot with a property line within 1,320 feet, measured in a straight line in any direction, of the lot line of another such group home.
  - b. 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.
6. Public schools, elementary and high.\*<sup>19</sup>
7. Private and charter schools as long as the following standards are met:
- a. The lot shall be a minimum of five acres in size or larger.
  - b. All structures must setback a minimum of 100 feet from all property lines and shall be screened from adjacent rural and residential zoned properties by a six foot high fence.
  - c. The lot shall have frontage along a paved road that has been accepted as a public right-of-way by the Maricopa County Department of Transportation.
  - d. The site shall include on-site drop-off and pick-up of students. All on-site drop-off and pick-up and other parking must be setback at least 50 feet from all property lines, excluding ingress and egress, and meet requirements as outline in Chapter 11, Section 1102.1.2.1.
  - e. All other standards of the Zoning District shall apply. A zoning clearance must be obtained prior to construction of any school.

If these standards cannot be met, a Special Use Permit may be applied for.

8. Public and private forests and wildlife reservations.
9. Service to the public of water, gas, electricity, telephone and cable television. The foregoing shall be deemed to include without limitation, distribution, collector and feeder lines, pumping or booster stations along pipelines, and substations along electric transmission lines. Public utility treatment and generating plants, offices and

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attendant facilities to the above uses may be allowed with a Special Use Permit.<sup>\*5, \*18</sup>

10. Publicly or privately owned or operated fire stations, and publicly owned or operated police stations and post offices.<sup>\*4</sup>
11. Golf courses including clubhouses located thereon, but not including miniature courses or practice driving tees operated for commercial purposes.
12. Libraries, museums, parks, playgrounds and community buildings, provided such uses are conducted on a nonprofit basis.<sup>\*1</sup>
13. Home occupations, residential, subject to the following:<sup>\*10</sup>
  - a. The entrepreneur of a home occupation shall reside in the dwelling in which the business operates.
  - b. No one other than the residents of the dwelling shall be employed in the conduct of the home occupation.
  - c. The business shall be conducted entirely within a completely enclosed dwelling.
  - d. The total area used in the conduct of the business shall not exceed 15% or 250 square feet of the habitable dwelling area, whichever is less.
  - e. There shall be no signs, advertising, display or other indications of the home occupation on the premises.
  - f. The residential address of the business shall not be listed in any business directory or in any advertising.
  - g. Direct sales of products, from display shelves or racks, is prohibited. However, a customer may pick up an order previously made by telephone or at a sales meeting.
  - h. The home occupation shall not interfere with the delivery of utilities or other services to the area.
  - i. The business shall not generate any noise, vibration, smoke, dust, odors, heat, glare, or electrical interference with radio or

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television transmission in the area that would exceed that normally produced by a dwelling unit in a zoning district used solely for residential purposes.

- j. No mechanical equipment or power tools shall be used, except that used for normal household purposes.
  - k. No toxic, explosive, flammable, radioactive, or other similar material shall be used, sold, or stored on the site.
  - l. There shall be no change to the residential appearance of the premises, including the creation of separate or exclusive business entrance(s).
  - m. No more than one vehicle used in commerce shall be permitted in connection with the home occupation. Said vehicle shall be stored in an enclosed garage at all times and shall have no more than two axles.
  - n. The number of clients or students on the premises shall not exceed one at any time.
  - o. No clients or students shall be permitted on the premises for business purposes between the hours of 10:00 p.m. and 7:00 a.m.
  - p. Deliveries from commercial suppliers shall not occur more than once a month, shall not restrict traffic circulation and shall occur between 8:00 a.m. and 5:00 p.m., Monday through Friday.
  - q. Any outdoor display or storage of materials, goods, supplies, or equipment shall be prohibited.
  - r. If the home occupation requires that any clients or students visit the property, one parking space shall be provided per Chapter 11, Section 1102. of this Ordinance. For the purpose of providing said parking space, tandem parking is permissible.
14. Home occupations, cottage industry subject to securing a Special Use Permit. <sup>\*\*10</sup>

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15. Roadside stands offering for sale only farm products produced on the premises.<sup>\*\*\*10</sup>
16. DELETED – Public riding stables and boarding stables. (See Chapter 13, Section 1301.1., Article 1301.1., Item 1301.1.20. <sup>\*\*3</sup>
17. Plant nurseries and greenhouses for the propagation, cultivation and wholesale distribution of plants produced on the premises, provided such uses do not include retail sales. Open storage is limited to plants or packaged fertilizer, and the buildings and structures used in connection therewith set back from all lot lines a distance of not less than 50 feet.
18. Corrals for the keeping of horses.
19. Fences or freestanding walls not to exceed a height of six feet outside of the lot's buildable area. Note: Those utility companies which are regulated by the Arizona Corporation Commission may be allowed increased fence heights due to national, state or local safety standards.<sup>\*7</sup>
20. Accessory dwelling unit (ADU).<sup>\*22</sup>
  - a. Only one ADU shall be permitted where at least one, but no more than one, single family residence exists on the property.
  - b. Either the principal dwelling unit, or the ADU, shall be occupied by the owner of the property.
  - c. The total floor area of an ADU shall not exceed 1,000 square feet.
  - d. No more than two (2) bedrooms shall be permitted within an ADU.
  - e. An ADU may not be rented or leased separate from the primary structure.
  - f. The addition of an ADU shall not cause the property to exceed the allowed maximum lot coverage.
  - g. New construction of a detached ADU or conversion of an existing detached structure to an ADU shall not encroach into

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the approved front, side, or rear yard setback. An ADU shall not be allowed in the rear yard.

- h. An ADU shall not have a separate address or mailbox from the principal dwelling.
- i. One off-street parking space shall be required for an ADU or in addition to off-street parking required for the principal dwelling.

If these standards cannot be met, a Special use Permit may be applied for.

21. Accessory buildings and uses customarily incidental to the above uses, including:<sup>\*11</sup>

- a. Private swimming pool along with incidental installations, such as pumps and filters, provided the following standards, and those in the current County Building Code<sup>\*21</sup>, are met and maintained:
  - 1. Such pool and incidental installations are located in other than the required front yard.
  - 2. Such pools are set back from all lot lines a distance of not less than three feet.
  - 3. All fish ponds and other contained bodies of water, either above or below ground level, with the container being 18 inches or more in depth and/or wider than eight feet at any point measured on the long axis shall conform to the location and enclosure requirements for swimming pools as provided in the current County Building Code.<sup>\*21</sup>
  - 4. Irrigation and storm water retention facilities and the water features in public parks and golf courses are exempt from the fencing requirements for swimming pool barriers as provided in the current County Building Code.<sup>\*21</sup>
  - 5. It is the responsibility of the property owner to ensure that any pool enclosure fence and its appurtenances

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(e.g., gates, latching devices, locks, etc.) are maintained in safe and good working order. No person shall alter or remove any portion of a swimming pool enclosure except to repair, reconstruct or replace the enclosure in compliance with provisions of swimming pool barriers as provided in the current County Building Code.<sup>\*6,\*7,\*9,\*11,\*12,\*17-21</sup>

- b. Private tennis court, provided that such court is 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.<sup>\*2</sup>
  - c. Servant's quarters with kitchen facilities provided that the servant's quarters are integral to the primary dwelling unit and does not exceed 35% of its area.<sup>\*\*11</sup>
  - d. Accessory use lights provided that a permitted accessory use exists. The lights must be located on the property 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.<sup>\*\*11</sup>
22. 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>\*\*11, \*15</sup>
23. Deleted 07-07-06. (TA2003005)
24. Temporary uses may be allowed on any lot in this district as authorized in Chapter 13, Section 1302.<sup>\*\*11-21</sup>
25. Special uses may be allowed on any lot in this district as authorized in Chapter 13, Section 1301.<sup>\*\*11</sup>
26. Temporary model home sales complex - a model home sales complex as part of an approved, recorded subdivision 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. Model homes must be located on-site.

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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 model home sales complex shall be removed. Cessation of use shall be deemed to have occurred if there have been no active building permits for a one (1) year period of time.
  - C. Those uses of structures allowed shall meet all building code requirements.
  - D. All necessary permits must be issued prior to placement on the site.
  - E. Temporary flagpoles of up to 60 feet in height are allowed for model home sales complexes. these temporary flagpoles must be removed at the cessation of use as outlined in 501.2.24.b above.
  - F. If these requirements cannot be met, the request shall be processed through the board of adjustment as a temporary use permit.
27. 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 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.

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- 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.\*21

ARTICLE 501.3. HEIGHT REGULATIONS: The height of buildings shall not exceed 30 feet or two stories.

ARTICLE 501.4. 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 60 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 one 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 30 feet.

3. **Rear Yard:** There shall be a rear yard having a depth of not less than 60 feet.

ARTICLE 501.5. INTENSITY OF USE REGULATIONS: The intensity of use regulations are as follows:

1. **Lot Area:** Each lot shall have a minimum lot area of 190,000 square feet.

2. **Lot Width:** Each lot shall have a minimum width of 300 feet.

3. **Lot Area Per Dwelling Unit:** The minimum lot area per dwelling unit shall be 190,000 square feet.

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4. **Lot Coverage:** The maximum lot coverage shall be 5% of the lot area.
5. **Distance Between Buildings:** The minimum distance between buildings on the same lot shall be 15 feet.

ARTICLE 501.6. PARKING REGULATIONS: The parking regulations are as provided in Chapter 11, Section 1102. hereof.

ARTICLE 501.7. SIGN REGULATIONS: The sign regulations are as provided in Chapter 14, Section 1401. hereof.

Date of Revisions			
*1	Revised 1-24-72	***10	Renumbered 9-12-90
*2	Added 4-07-75	*11	Revised 2-20-94
**3	Deleted 8-11-75	**11	Added 2-20-94
*4	Revised 1-03-77	*15	Revised 6-5-96
*5	Revised 11-8-82	*16	Effective 5-16-98
*6	Revised 8-15-83	*17	Effective 8-6-99
*7	Revised 4-1-85	*18	Effective 11-19-99
*8	Revised 4-10-89	*19	Effective 11-19-99
*9	Revised 1-04-90	*20	Deleted 11-19-99
*10	Revised 9-12-90	*21	Effective 07-07-06
**10	New 9-12-90	*22	Effective 01-19-2007

### SECTION 502. RURAL–70 (Rural Zoning District - 70,000 Square Feet Per Dwelling Unit)

ARTICLE 502.1. PURPOSE: The principal purpose of this zoning district is to conserve and protect farms and other open land uses, foster orderly growth in rural areas, and prevent urban and agricultural land use conflicts. The primary purpose of requiring large minimum lots of not less than 70,000 square feet in area is to discourage small lot or residential subdivisions where public facilities such as water, sewage disposal, parks and playgrounds, and governmental services such as police and fire protection are not available or could not reasonably be made available. Principal uses permitted in this zoning district include both farm and nonfarm residential uses, farms and recreational institutional uses.

ARTICLE 502.2. USE REGULATIONS: The use regulations are the same as those in the Rural-190 Zoning District.

ARTICLE 502.3. HEIGHT REGULATIONS: The height of buildings shall not exceed 30 feet or two stories.

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ARTICLE 502.4. 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 60 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 one 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 30 feet.
3. **Rear Yard:** There shall be a rear yard having a depth of not less than 60 feet.

ARTICLE 502.5. INTENSITY OF USE REGULATIONS: The intensity of use regulations are as follows:

1. **Lot Area:** Each lot shall have a minimum lot area of 70,000 square feet.
2. **Lot Width:** Each lot shall have a minimum width of 250 feet.
3. **Lot Area per Dwelling Unit:** This minimum lot area per dwelling unit shall be 70,000 square feet.
4. **Lot Coverage:** The maximum lot coverage shall be 10% of the lot area.
5. **Distance between Buildings:** The minimum distance between buildings on the same lot shall be 15 feet.

ARTICLE 502.6. PARKING REGULATIONS: The parking regulations are as provided in Chapter 11, Section 1102. hereof.

ARTICLE 502.7. SIGN REGULATIONS: The sign regulations are as provided in Chapter 14, Section 1401. hereof.

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### SECTION 503. RURAL-43(Rural Zoning District - One Acre Per Dwelling Unit)

- ARTICLE 503.1. PURPOSE: The principal purpose of this zoning district is to conserve and protect farms and other open land uses, foster orderly growth in rural and agricultural areas, and prevent urban and agricultural land use conflicts; but when governmental facilities and services, public utilities and street access are available, or can reasonably be made available, applications for change of this zoning district to any single-family residential zoning district will be given favorable consideration. Principal uses permitted in this zoning district include both farm and non-farm residential uses, farms and recreational and institutional uses.
- ARTICLE 503.2. USE REGULATIONS: The use regulations are the same as those in the Rural-190 Zoning District.
- ARTICLE 503.3. HEIGHT REGULATIONS: The height of buildings shall not exceed 30 feet or two stories.
- ARTICLE 503.4. 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 40 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 one 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 30 feet.
  3. **Rear Yard:** There shall be a rear yard having a depth of not less than 40 feet.
- ARTICLE 503.5. INTENSITY OF USE REGULATIONS: The intensity of use regulations are as follows:

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1. **Lot Area:** Each lot shall have a minimum lot area of one acre.
2. **Lot Width:** Each lot shall have a minimum width of 145 feet.
3. **Lot Area per Dwelling Unit:** This minimum lot area per dwelling unit shall be one acre.
4. **Lot Coverage:** The maximum lot coverage shall be 15% of the lot area.
5. **Distance Between Buildings:** The minimum distance between buildings on the same lot shall be 15 feet.

ARTICLE 503.6. PARKING REGULATIONS: The parking regulations are as provided in Chapter 11, Section 1102. hereof.

ARTICLE 503.7. SIGN REGULATIONS: The sign regulations are as provided in Chapter 14, Section 1401. hereof.

### Date of Revisions

*1	Revised 10-13-70		
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