

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, prevent urban and agricultural land use conflicts, and encourage sustainable development. 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.^{*26}

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.^{*5}
2. Churches and houses of worship, 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).^{*8, *39}
3. Gardens, community gardens and farms, as defined in Chapter 2.^{*37}
4. Group homes for not more than **ten persons**, subject to the following performance criteria:^{*11, *16}
 - 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.
 - c. Residents shall not be adjudicated.^{*39}
5. Schools, elementary and high.^{*19, *27, *39}

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6. Public and private forests and wildlife reservations.
7. 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. (This does not include public utility treatment and generating plants.)*⁵, *¹⁸, *³⁹
8. Golf courses including clubhouses located thereon, but not including miniature courses or practice driving tees operated for commercial purposes.
9. Libraries, museums, parks, playgrounds and community buildings, provided such uses are conducted on a nonprofit basis.*¹
10. Home occupations, subject to the following: *¹⁰, *³⁹, *⁴¹
 - a. The entrepreneur of a home occupation shall reside in the dwelling on the property in which the business operates.
 - b. The number of persons who are employed in connection with the occupants, but who are non-residents of the dwelling on the property in which the business operates, shall not exceed **three**.
 - c. The business shall be conducted entirely within a completely enclosed building, other than allowance for limited outdoor storage per item 'n' below. Physical business activity other than storage may occur within the area described per item 'n' below except that no mechanical equipment or power tools shall be operated out of doors, and in no instance shall any outdoor activity exceed the height of screening and not to exceed **eight (8) feet**.
 - d. The home occupation shall not interfere with the delivery of utilities or other services to the area.
 - e. The business shall not generate any noise (if the noise would be considered to have an adverse impact on the surrounding residential neighborhood per the Maricopa County Noise Ordinance), vibration, smoke, dust, odors, heat, glare, or electrical interference with radio or television

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

- f. No mechanical equipment or power tools shall be used, except that used for normal household purposes if the noise would be considered to have an adverse impact on the surrounding residential neighborhood per the Maricopa County Noise Ordinance.
- g. No toxic, explosive, flammable, radioactive, or other similar material shall be used, sold, or stored on the site.
- h. There shall be no change to the residential appearance of the premises, except that a separate business entrance shall be permitted. A maximum four (4) square foot sign shall be permitted, and the sign shall otherwise meet the requirements of Article 1402.2 of this Ordinance.
- i. Unless a passenger vehicle accessory to the residence or an employee, not 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.
- j. The number of customers, clients, or students on the premises shall not exceed **five** at any time.
- k. No non-resident employees, customers, 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.**
- l. Deliveries from commercial suppliers (vehicle weight greater than 10,000 lbs.) shall not restrict traffic circulation, and shall occur between **8:00 a.m.** and **5:00 p.m.**, Monday through Friday.
- m. If the home occupation requires that any non-resident employees, customers, clients, or students visit the property, a minimum of **one (1) additional off-street parking space** shall be provided per Chapter 11, Section 1102. of this Ordinance. The maximum number of additional off-street parking spaces permitted shall be **six**.

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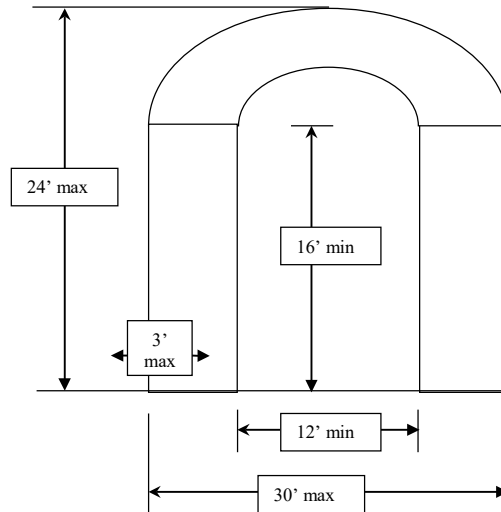
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- n. The outdoor storage of materials shall be limited to a maximum of **25%** of the total lot area and shall not be located within any required front or street side yard. Any outdoor storage shall be completely fenced with a solid masonry wall or wood fence to obstruct the view to a height equal to the elevation of the tallest materials to be stored with a maximum height of stored materials of **eight feet**.
 - o. All outdoor lighting shall be 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.
 - p. A Home Occupation Conditional Use Permit issued to **one** person shall not be transferable to any other person, is not attached to the land; and is not transferable from one place of residence to another.
 - q. The home occupation shall not begin operation without an approved Conditional Use Permit per Section 1303 of this Ordinance. However, if these conditions cannot be met, a Special Use Permit per Section 1301 of this Ordinance shall be required.
- 11. 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**.
 - 12. Corrals for the keeping of horses.
 - 13. Fences or freestanding walls per Article 1111.5 of this Ordinance, except for entry feature structures to a residence, ranch or farm, subject to the following:^{*24}
 - 1. The entry feature shall be over a driveway, and limited to one entry feature per parcel;
 - 2. The entry feature shall not contain lighting fixtures.

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3. The entry feature shall observe a maximum height of 24', a maximum width of 30', and the structural support components shall be no greater than 3' in diameter or 3' square.
4. The entry feature shall observe a minimum opening of 12' in width and 16' in height;
5. Any signage incorporated into the entry feature shall be a maximum of 24 square feet, shall be contained within the exterior dimensions of the entry feature, and shall not obstruct the minimum opening dimensions prescribed in Article 501.2.19.4 above.



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.*⁷

14. Accessory dwelling unit (ADU)/guest house. *²², *²³, *³³
 - a. Only one ADU/guest house shall be permitted where at least one, but no more than one, single family residence exists on the property.*²³

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- b. An ADU/guest house may not be rented or leased separate from the primary structure.*²³
 - c. An ADU/guest house shall not have a separate address or mailbox from the principal dwelling.*²³
15. Accessory buildings and uses customarily incidental to the above uses, including: *¹¹, *³¹
- a. Amateur radio antennas and antenna support structures.*³⁹
 - b. Private swimming pool along with incidental installations, such as pumps and filters, provided the following standards, and those in the current County Building Code, are met and maintained: *²¹
 - 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 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.*²¹ *³⁹
 - 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.*²¹
 - 5. It is the responsibility of the property owner to ensure that any pool enclosure fence and its appurtenances (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

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of swimming pool barriers as provided in the current County Building Code.^{*6, *7, *9, *11, *12, *17, *21}

- 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 separate ownership, and provided that tennis court fences or walls or recreational structures shall not exceed **14 feet** in height.^{*2, *40}
- d. 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.^{**11}
- 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.^{*40}
- f. Public equestrian uses accessory to a single-family residence limited to the following:^{*25}
 - 1. The boarding of up to five (5) horses and/or other equine not owned by the private property owner and/or resident. Documentation of ownership shall be maintained when more than five (5) horses and/or other equine are kept on the property.
 - 2. Non-commercial public activities (no admission fee shall be charged) involving up to a maximum of 24 persons (including staff, participants and spectators).
 - 3. All structures shall meet minimum setback requirements and the maximum lot coverage requirement. All parcels must meet minimum lot area and width requirements.
 - 4. Any public equestrian use that cannot meet these conditions will require a Special Use Permit in accordance with Article 1301.1.14 of this Ordinance.^{*39}

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- g. Renewable energy systems as set forth in Section 1206 of this Ordinance. Where renewable energy systems involve the generation of storage of electricity, only grid-connected or off-grid systems are permitted.^{*26}
 - h. Roadside stands offering for sale only farm products produced on the premises.^{*34}
- 16. Emergency housing: Temporary shelter required due to a natural disaster or fire or other circumstances determined to constitute an emergency by the zoning inspector.^{*11, *15}
- 17. Model home sales complex, temporary real estate offices and temporary construction administrative offices/yard complex - as part of an approved, recorded subdivision provided that the following conditions are met:^{*21, *38, *39}
 - a. The uses are only associated with the developer/owner and subdivision or project in which they are located.^{*39}
 - 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 temporary facility 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.^{*39}
 - 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 above.^{*39}
 - f. Signage shall follow the General Sign Regulations, Residential Identification, and development standards for Commercial On-Site Wall signs and Commercial On-Site Freestanding signs. No Electronic Message Displays are allowed.^{*38}

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- g. All items stored on site shall only be those required for the construction on site.
 - h. The allowed uses may encroach into setback areas.
18. Home daycare for up to four (4) children with the following stipulations:^{*29}
- a. A land use permit from Maricopa County is required establishing the use of the residence as day-care.
 - b. The permit holder of the daycare shall reside in the dwelling unit in which the daycare operates.
 - c. The rear and/or side yard is enclosed and provides a minimum of 75 sq. ft. per each child occupying the outdoor activity area.
 - d. There shall be no signs, advertising, display or other indications of the daycare on the premises.
 - e. The total number of children under compensated care shall not exceed **four (4)** at any one time.
 - f. The residential address of the business shall not be listed in any business directly or in any advertising.
 - g. There shall be no change to the residential appearance of the premises, including the creation of separate or exclusive business entrance(s).
 - h. No pick-up or drop off of children shall be permitted on the premises between the hours of 10:00 p.m. and 6:00 a.m.
19. Offices for homeowners associations (HOA) and other HOA related uses such recreation centers and ancillary uses, maintenance facilities, storage facilities, horse stables and other facilities for the benefit of subdivision / master-planned community residents.^{*39}

ARTICLE 501.3. HEIGHT REGULATIONS: The height of buildings shall not exceed **30 feet.**^{*30}

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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:^{*32}

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**.
4. **Lot Coverage:** The maximum lot coverage shall be **5%** of the lot area.

ARTICLE 501.6. PARKING REGULATIONS: The parking regulations are as provided in Chapter 11, Section 1102.^{*26}

ARTICLE 501.7. SIGN REGULATIONS: The sign regulations are as provided in Chapter 14, Section 1401.^{*26}