

**SECTION 1  
TITLE, PURPOSE AND CONSISTENCY**

Subsections:

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**1.01 Title**

This code shall be known and cited as the Litchfield Park Zoning Code (short title: Zoning Code).

**1.02 Purpose**

These regulations are adopted for the following purposes:

- a. To protect and provide for the public health, safety, and general welfare of the city.
- b. To implement the city's general plan.
- c. To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population.
- d. To protect the character and the social and economic stability of all parts of the city.
- e. To encourage the orderly and beneficial development of all parts of the city.
- f. To protect and conserve both the value of land and the improvements thereon throughout the city.
- g. To guide public and private policy and action in order to ensure adequate and efficient transportation, water, sewage, schools, parks, playgrounds, recreation and other public requirements and facilities.
- h. To provide the most beneficial relationship between the uses of land and buildings.
- i. To establish reasonable standards of design and procedures for subdivisions and redesigned subdivisions.
- j. To prevent the pollution of air and water; and to encourage the wise use of management of natural resources throughout the city.
- k. To preserve the natural beauty and topography of the city and to ensure appropriate development with regard to these natural features.
- l. To provide for open spaces. (Ord. 04-91 § 1 (part))

**1.03 Intent**

It is the intent of this code not to interfere with, abrogate, or annul any easement, covenant or other agreement between parties; provided, however, that where this code imposes a greater restriction upon the use of buildings, structures or land, the provisions of this code shall prevail.

**1.04 Consistency**

Actions initiated under this code shall be consistent with all applicable state and federal laws and regulations.

## SECTION 2 DEFINITIONS

Subsections:

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### 2.01 Purpose

It is the purpose of this section to define words, terms, and phrases contained within this code.

### 2.02 Word Usage

- a. Words used or defined in one tense or form shall include other tenses and derivative forms.
- b. Words in the singular number shall include the plural number, and words in the plural number shall include the singular number.
- c. The masculine gender shall include the feminine, and the feminine gender shall include the masculine.
- d. The word "shall" is mandatory.
- e. The word "may" is permissive.
- f. The word "person" includes individuals, firms, corporations, associations, trusts, and any other similar entities.
- g. In case of any difference of meaning or implication between the text of this code and any caption, illustration, or table, the text shall control.

### 2.03 For Brevity of Text

- a. Commission

The Litchfield Park Planning and Zoning Commission.

- b. Council

The Litchfield Park City Council.

### 2.04 Definitions

When used in this code, the following terms shall have the meanings herein ascribed to them:

**Abut** To physically touch or border upon or to share a common boundary, property line, or right-of-way.

**Access** The place, means, or ways by which pedestrians, vehicles, or both shall have safe, adequate, and usable ingress/egress to a property or use. A private access is an access not in public ownership and controlled by means of deed, dedication, or easement.

**Accessory Dwelling Unit** A dwelling unit on the same lot with and of a nature customarily incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use or building.

**Accessory Structure** A subordinate structure located on the same lot as the principal building.

**Accessory Structure, Habitable** A permanent enclosed accessory structure used for a noncommercial workshop or recreational activities, or a domicile for relatives of the owner or lessee of the principal building.

**Accessory Structure, Screened** An accessory structure inside a perimeter, opaque fenced yard, with a height less than the height of the opaque perimeter fence and not visible from public areas or neighboring properties.

**Accessory Structure, Shade** An unenclosed accessory structure that provides shade. A tent used for shade purposes is a shade accessory structure.

**Accessory Structure, Storage** An accessory structure used for storing household items and vehicles.

**Accessory Use** A use of land or structure subordinate to the principal use or building on a lot and serving a purpose customarily incidental to the use of the principal building, provided any such use of land or structure is established or built with or after the construction of the principal building.

**Acre** A measure of land containing 43,560 square feet.

**Addition** An extension or increase in floor area or height of a building or structure.

**Adjacent** Within five feet of a structure.

**Adjoining Lot or Land** A lot or parcel of land which shares all or part of a common lot line with another lot or parcel of land.

**Agent** Any person, firm, partnership, association, joint venture, corporation, or any other entity or combination of entities who represents or acts for or on behalf of a declarant.

**Agricultural Use** The production, keeping or maintenance for sale, lease or personal use of plants or animals useful to man, including but not limited to forages and sod crops, grains and seed crops, dairy animals and dairy products, poultry and poultry products, livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all such animals, bees and apiary products, fur animals, trees and forest products, fruits of all kinds, including grapes, nuts, and berries, vegetables, nursery, floral, ornamental and greenhouse products or lands devoted to a soil conservation or forestry management program.

**Agritainment** Farm-based entertainment including activities such as hayrides, wine tasting, cornfield-maze contests, harvest festivals, U-pick, tours, on-farm classes, fairs, festivals, pumpkin patches, community gardens, Christmas tree farms, social/corporate events, orchard dinners, youth camps, and barn dances. "Agritainment" may include farming, growing, and crop-harvesting activities.

**Agritourism** A commercial and educational enterprise, which may include some product processing, that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, historic, cultural, harvest-

your-own activities, or natural activities and attractions.

**Air Pollution** The presence of contaminants in the air of concentrations that interfere directly or indirectly with man's health, safety, or comfort, or with the full use and enjoyments of his property.

**Aisle** The travel way by which cars enter and depart parking spaces.

**Alley** A dedicated right-of-way providing a secondary means of public access to abutting property and not intended for general traffic circulation.

**Alteration** An alteration may be a change in construction or a change in occupancy. Where the term of alteration is applied to a change of construction, it is intended to apply to any change, addition, or modification in construction. When the term is used in connection with a change of occupancy, it is intended to apply to changes of occupancy from one trade or use to another.

**Amusement and Recreation Services Establishments** engaged in providing amusement or entertainment for fee or admission charge and including such activities as dance halls, studios, theatrical productions, bands, orchestras, and other musical entertainment, bowling alleys, and billiard and pool establishments, commercial sports such as arenas, rings, racetracks, public golf courses, and coin-operated devices, amusement parks, membership sports and recreation clubs, swimming pools, riding clubs, carnival operations, expositions, game parlors, and horse shows.

**Animal Hospital** The place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

**Animal Kennel** Any structure or premises where animals are kept, boarded, bred, trained or sold for commercial gain.

**Antenna** The specific device used to receive or transmit radio signals.

**Apartment** One building or portion thereof which is designed, built, rented, or leased to occupy residents of three or more families living independently of each other and doing their own cooking on the same premises.

**Apartment Unit** One or more rooms with a private bath and kitchen facilities comprising an independent, self-contained dwelling unit in a building which contains three or more dwelling units.

**Applicant** A person submitting an application for development, rezoning or other action.

**Approval, Conditional** An affirmative action by the commission and council indicating that approval of a preliminary plat or plan will be forthcoming upon satisfaction of certain specified stipulations.

**Approval, Final Unconditional** Approval of a preliminary plat or plan by the commission and council as evidenced by meeting minutes and noted upon copies of the preliminary plat or plan.

**Attention-Getting Device** A device designed or intended to attract by noise and/or a sudden, intermittent, or rhythmic movement, physical change or lighting change, such as banners, flags, streamers, balloons, propellers, whirligigs, search lights, and flashing lights.

**Automatic Car Wash** A structure containing facilities for washing automobiles using a chain conveyor or other method of moving the cars along and an automatic or semi-automatic application of cleaner, brushes, rinse water and heat for drying.

**Automobile Repair Services and Garages** Establishments primarily engaged in furnishing automotive repair, rental, leasing, and parking services to the general public.

**Automobile Sales** The use of any building, land area, or other premises for the display and sale of new or used automobiles, panel trucks, vans, trailers, or recreation vehicles and including any warranty repair work and other repair service conducted as any accessory use.

**Automobile Service Station** Any building, land area, or other premises or portion thereof used, or intended to be used, for the retail dispensing or sales of vehicular fuels, including, as an accessory use, the sale and installation of lubricants, batteries, tires and similar accessories.

**Automobile Wrecking Yard** See Junkyard.

**Balanced Basin** A drainage basin which contains floodwater channels, natural or man-made and/or flood control structures that are adequate to contain existing runoff from the base storm produced by the basin; but in which additional runoff cannot be safely contained by said channels or structures.

**Bar** An establishment including, but not limited to, a cocktail lounge, discotheque, night club or tavern, the main use of which is to serve spirituous liquors for on-site consumption. Such a facility may serve food, provide dancing and entertainment.

**Base Flood** The flood having a one percent chance of being equalled or exceeded in any given year.

**Base Map** A map having sufficient points of reference such as state, county, or municipal boundary lines, streets, easements, and other selected physical features to allow the plotting of any other data.

**Basement** A space having one-half or more of its floor to ceiling height below the average level of the adjoining ground and with a floor-to-ceiling height of not less than six and one-half feet.

**Bed Tax** A tax imposed pursuant to A.R.S. § 9-500.06.

**Bedroom** A private room planned and intended for sleeping, separable from other rooms by a door and accessible to a bathroom.

**Berm** A mound of earth or the act of pushing earth into a mound.

**Block** That property abutting one side of the street and lying between the two nearest intersecting streets or nearest intersecting street on subdivided land.

**Boarding House** A dwelling in which three, four, or five rooms are occupied as guest rooms and in which food may be served to the occupants thereof. Any dwelling in which more than five rooms are occupied as guest rooms shall be deemed to be a motel or hotel. A boarding house shall not include buildings for persons requiring physical or mental care by reasons of age, infirmity, or disease.

**Breakaway Wall** A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under special lateral loading forces, without causing damage to the elevated portion of the building supporting foundation system.

**Buildable Area** The area of a lot remaining after the minimum yard and open space requirements have been met.

**Building** Any structure, either temporary or permanent, having a roof, supported by columns or walls, and used or built for the shelter or enclosure of persons, animals, channels, or property of any kind. This shall include tents, awnings, or vehicles situated on private property and used for the purposes of building.

**Building Coverage** The horizontal area measured within the outside of the exterior walls on the ground floor of all principal and accessory buildings on a lot.

**Building Height** The vertical distance of a building measured from the lowest grade adjacent to the building to the highest point of the roof, fascia, or parapet.

**Building Line** A line parallel to the street line at a distance therefrom equal to the depth of the front yard required for the zoning district in which the lot is located.

**Building Permit** Written permission required by the city for the construction, repair, alteration, addition, removal or demolition to a building or structure.

**Building, Principal** A building in which is conducted the principal use of the lot on which it is located.

**Bulk Storage** The storage of chemicals, petroleum products, and other materials and aboveground containers for subsequent resale to distributors or retail dealers or outlets.

**Carport** A roofed structure providing space for the parking or storage of motor vehicles and entirely open on two or more sides.

**Certificate of Occupancy** A document issued by the zoning administrator allowing the occupancy or use of a building and certifying that the structure or use has been constructed or will be used in compliance with all the applicable codes of the city.

**Change of Use** Any use which differs from the previous use of a building or land.

**Child Care Center** A private facility maintained for the purpose of providing care, supervision or training for five or more children under the age of sixteen years and not related to the proprietor, for periods of more than one hour but less than twenty-four hours per day apart from their parents or guardians, for compensation.

**Chimney** A structure containing one or more flues for drawing off emissions from stationary sources of combustion.

**Church** A permanently located building or groups of buildings or structure wherein people regularly assemble for religious worship and which is maintained and controlled by a religious body to sustain public worship and church-related uses. This definition pertains, as well, to temporary facilities.

**Clinic** An establishment where patients are admitted for examination and treatment by one or more physicians, dentists, psychologists or social workers and where patients are not usually lodged overnight.

**Club** A group of people organized for a common purpose to pursue common goals, interests, and activities, and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, a constitution and bylaws.

**Co-Location** The use of a single support structure and/or site by more than one telecommunications provider.

**Commercial Vehicle** Any motor vehicle licensed by the state as a commercial vehicle.

**Common Accessway** A commonly shared or used pedestrian or vehicular way that connects or serves two or more properties.

**Common Ownership** Ownership by one or more individuals.

**Condominium Association** A declarant or other person who owns a unit or, unless otherwise provided in the lease, a lessee of a unit in a leasehold condominium whose lease expires simultaneously with any lease the expiration or termination of which will remove the unit from the condominium but does not include a person having an interest in a unit solely as security for an obligation. In the case of a contract for conveyance as defined in A.R.S. § 33-741, of real property, unit owner means the purchaser of the unit.

**Condominium Project** Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of the separate portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

**Condominium Unit** A portion of a condominium project designated for separate ownership.

**Construction Permit** See Building Permit.

**Contiguous** In contact with.

**Continuance** Postponement or adjournment to a later date.

**Court** A space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls of a building.

**Critical Basin** A drainage basin which contains floodwater channels, natural or man-made and/or flood control structures that cannot contain existing runoff produced by the base flood within the basin, and which has a documented history of severe flooding hazards.

**Critical Feature** An integral and readily identifiable part of a flood protection system without which the flood protection provided by the entire system would be compromised.

**Cul-de-sac** See Street, Cul-de-sac.

**Curb Cut** The opening along the curb line at which point vehicles may enter or leave the roadway.

**Decibel** A unit for expressing the relative intensity of sounds from zero (average least perceptible) to one hundred thirty (average pain level).

**Dedication** The designation of land by its owner for any general or public use.

**Density** The number of dwelling units per unit of land.

**Detention Basin** A storage facility for the temporary storage of stormwater runoff with metered discharge.

**Detention System** A type of flood control system which delays the downstream progress of flood waters in a controlled manner, generally through the combined use of a temporary storage area and a metered outlet device which causes a lengthening of the duration of flow, and thereby reduces downstream flood peaks.

**Developer** The legal or beneficial owner or owners of a lot or of any land included in a proposed development including a holder of an option or contract to purchase or other persons having enforceable, proprietary interests in such land.

**Development, Special Flood Hazard Area** Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

**Developmentally Disabled** A person who has autism, cerebral palsy, epilepsy or mental retardation, as provided for by A.R.S. § 36-581.

**Display Surface** The area made available by a sign for the purpose of displaying a message.

**District** A portion of the city within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this code.

**Drainage**

- a. Surface water runoff.
- b. The removal of surface water from land by drains, grading, or other means which include run-off controls to minimize erosion and sedimentation during and after construction or development. The means for preserving the water supply and the prevention or alleviation of flooding.

**Drainageway** Any natural or artificial watercourse, trench, ditch, swale, or similar depression into which surface water flows.

**Driveway** A private roadway providing access for vehicles to a parking space or parking lot, garage, dwelling, or other structure.

**Dwelling** An enclosed space providing complete independent living facilities for a family including permanent provisions for living, sleeping, eating, cooking, and sanitation. A split-off unit is not a dwelling.

**Dwelling, Attached** A one-family dwelling attached to one or more one-family dwellings by common vertical walls.

**Dwelling, Detached** A dwelling which is not attached to any other dwelling by any means.

**Dwelling, Multifamily** A building designed exclusively for occupancy by three or more families living independently of each other.

**Dwelling, Semi-Detached** A one-family dwelling unit attached to another one-family dwelling by common vertical wall in which each dwelling is located on a separate lot.

**Dwelling, Single-Family** A building containing one dwelling unit. A dwelling which is designed for and not occupied by more than one family and surrounded by open space or yards and which is not attached to any other building by any means.

**Egress** An exit.

**Elevation**

- a. A vertical distance above or below a fixed reference level.
- b. A flat scale drawing of the front, rear, or side of a building.

**Equipment Cabinet** A small structure used to house and protect the equipment necessary for processing telecommunications signals. Associated equipment may include air conditioning and emergency generators. An equipment cabinet shall not exceed eight feet in height.

**Existing Grade or Elevation** The vertical location of the ground surface prior to excavating or filling.

**Existing Use** The use of a lot or structure at the time of the enactment of this code.

**Facade** The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

**Family**

- a. An individual or two or more persons related by blood, marriage, or adoption, living together as a single housekeeping unit in a dwelling unit.
- b. Not more than five persons, who need not be related, living together as a single housekeeping unit within a dwelling unit.

**Farmers Market, Outdoor** A market at which predominantly farmers and producers sell agricultural products and other items directly to the general public. These items may include fresh fruits, vegetables, meat products, dairy, grains, and originally packaged ready-to-eat items such as nuts, honeys, oils, and juices. Sellers of other goods and services may comprise up to twenty percent of the total number of vendors. Second hand sales of clothing, household items, or other used goods is prohibited.

**Fast Food Service** The retail sale in a building of convenience food or specialty menu items, and ordered and served at a counter or window, whether for consumption on or off the premises, when the facility is designed primarily to serve customers arriving by automobile.

**Fence** An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

**Findings** A written statement of facts, conclusions and determinations based on the evidence presented in relation to the approval criteria and prepared by the approval authority in support of a decision.

**Floor Area, Gross** The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings but not including interior parking spaces, loading space for motor vehicles, or any space

where the floor-to-ceiling height is less than six feet.

**Floor Area, Livable** The total interior living space of a residential dwelling unit within the walls proper of the structure or unit, excluding open porches, patios, garages, basements and storage or equipment rooms.

**Floor Area, Net** The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor when used or intended to be used for human habitation or service to the public.

**Fraternal Organization** A group of people formally organized for a common interest, usually cultural, religious or entertainment, with regular meetings, rituals, and formal written membership requirements.

**Frontage** That portion of a parcel of property which abuts a public street.

**Gateway Treatment** A combination of wall signs, structure and landscaping consisting of trees, shrubbery and ground cover designed to identify and introduce entry into the city or a planned development to passersby.

**Grade** The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than five feet from the building, between the building and line five feet from the building.

**Grade, Finished** The final elevation of the ground surface after development.

**Grade, Natural** The elevation of the ground surface in its natural state, before man-made alterations.

**Group Home for the Handicapped** A dwelling shared by unrelated handicapped persons who reside together as a single housekeeping unit and who receive care, supervision or counseling from one or more staff persons. This definition shall include adult care homes, homes for the mentally ill, group care agencies and similar residential living arrangements for handicapped persons, but shall not include boarding houses, nursing homes, or substance abuse treatment facilities.

**Guesthouse** A permanent habitable accessory structure used as sleeping quarters by family, servants or temporary guests of the owner or lessee of the principal building.

**Handicapped** A person who: (1) has a physical or mental impairment which substantially limits one or more of such person's major life activities; (2) has a record of having such an impairment; or (3) is regarded as having such an impairment. However, "handicapped" shall not include current illegal use of or addiction to a controlled substance (as defined in Section 102 of the Controlled Substance Act [21 United States Code 802]).

**Height** For the purpose of determining the height limits in all zones set forth in this code and shown on the official zoning map, the datum shall be above grade elevation unless otherwise specified.

**Home Occupation** A lawful use conducted in or on the premises of a dwelling unit by the permanent residents thereof, only said use being secondary to the use of the dwelling purposes, and which complies with the terms and conditions of this code.

**Hookah Bar** An establishment that provides a smoking device consisting of a bowl mounted on a vessel of water which is provided with a long tube and arranged so that the smoke is drawn through the water.

**Hospital** An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

**Hotel** A facility offering transient lodging accommodations to the general public and may provide additional services such as restaurants, meeting rooms, and recreation facilities.

**Ingress** Access or entry.

**Junkyard** Any area, lot, land, parcel, building, structure or part thereof used for the storage, collection, processing, purchase, sale or abandonment of waste paper rags, scrap metal or other scrap or discarded goods, materials, machinery or two or more unregistered, inoperable motor vehicles or other type of junk.

**Key Lot** A lot adjacent to a corner lot having its side lot line in common with the rear lot line of the corner lot and fronting on the street which forms the side boundary of the corner lot.

**Land Use Law** Means any statute, rule, ordinance, resolution or law enacted by this state or a political subdivision of this state that regulates the use of land or any interest in land or that regulates accepted farming or forestry practices.

**Landscaping** Shall consist of any of the following or combinations thereof: material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees or palms; and nonliving durable material commonly used in landscaping, such as, but not limited to, rocks, pebbles, sand, walls or fences, but excluding paving.

**Levee** A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

**Livestock** Meat animals, cattle, sheep, swine, horses, ponies or goats, or any mutations or hybrids thereof.

**Lot** The smallest platted parcel of real property created by a legal subdivision.

**Lot Area** The total area within the boundary lines of a lot.

**Lot Coverage** That portion of the lot that is covered by buildings and structures.

**Lot Line** A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

**Lot Width** The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback.

- a. If the side lot lines are parallel, the shortest distance between these side lines.
- b. If the side lot lines are not parallel, the width of the lot shall be the length of a line measured at right angles to the axis of the lot at a point which is equal to or greater than the required front yard

setback for the district in which located. The axis of a lot shall be a line joining the midpoints of the front and rear lot lines.

**Maintain** To cause or allow to continue in existence; when the context indicates, maintain shall mean to preserve and care for a structure, improvement, condition or area so that it remains attractive, safe and presentable and carries out the purposes for which it was installed, constructed or required.

**Manufactured Home or Housing** Means a structure manufactured in a factory after June 15, 1976, which is delivered to a homesite in more than one section and placed on a permanent foundation. The dimensions of the completed house shall not be less than twenty feet by forty feet, the roof must be sloping, the siding and roofing must be the same as those on site-built houses, and the house must be eligible for thirty year real estate mortgage financing. For flood plain management purposes, the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than one hundred eighty consecutive days.

**Manufactured Home Park** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for sale or rent.

**Medical Marijuana** Those portions of the plant of the genus cannabis administered and used by a registered qualifying patient, as that term is defined in A.R.S. § 36-2801, solely for the purpose of treating or alleviating the patient's debilitating medical condition or symptoms associated with that debilitating medical condition.

**Medical Marijuana Designated Caregiver Cultivation** The cultivation of marijuana by a registered designated caregiver for a registered qualifying patient, as defined in A.R.S. § 36-2801.

**Medical Marijuana Dispensary** A not-for-profit facility that, pursuant to A.R.S. § 36-2804, is registered with and certified by the Arizona Department of Health Services to acquire, possess, cultivate, manufacture (including medical marijuana infusion) or deliver, transfer, transport, supply, sell or dispense medical marijuana or related supplies and educational materials to cardholders, as that term is defined in A.R.S. § 36-2801.

**Medical Marijuana Dispensary Cultivation Location** An enclosed, locked facility, whether on site or off site, used for the cultivation of medical marijuana for a registered medical marijuana dispensary and medical marijuana infusion using the product of such cultivation.

**Medical Marijuana Infusion** The process by which medical marijuana is incorporated into consumable or edible goods by means of blending, cooking, processing or other means of incorporation.

**Medical Marijuana Qualifying Patient Cultivation** The cultivation of marijuana by a registered qualifying patient, as defined in A.R.S. § 36-2801.

**Motel** Shall mean hotel as defined herein.

**Nonchartered Financial Institution** Any business, including accessory uses, other than a state or federally chartered bank, credit union, mortgage lender or savings and loan association, that offers check cashing services, vehicle title loans, and loans for payment of a percentage or graduated fee. Specifically included are check cashing and payday loan businesses that charge a percentage or graduated fee for cashing a check or negotiable instrument and which make loans upon assignment of wages received, or businesses that function as deferred presentment services. Exception: Automobile dealers shall not be considered as nonchartered financial institutions.

**Nonconforming Use** A lawful use of land that does not comply with the use regulations for its zoning district but which complied with applicable regulations at the time the use was established.

**Nursery and Day Care School** See Child Care Center.

**Office** A place where a particular kind of business is transacted or a service is supplied, excluding retailing, according to the following:

- a. A place in which functions, such as consulting, record keeping, or clerical work are performed.
- b. A place in which a professional person (e.g. a physician or lawyer) conducts professional services.

**Off-Street Parking Space** A storage area for a motor vehicle that is directly accessible to an access aisle, and which is not located on a dedicated street right-of-way.

**On-Street Parking Space** A temporary storage area for a motor vehicle which is located on a dedicated street right-of-way.

**Off-Track Betting Establishment** Any establishment, business or organization that accepts wagers, bets, monies or other consideration for a game, race, track (i.e., horse, car, or otherwise) or other recreational activity.

**Open Space** Any parcel or area of land or water essentially unimproved and set aside, dedicated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open spaces.

**Open Space, Common** Land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development and may include such complementary structures and improvements as are necessary and appropriate. Such space does not include private or public street rights-of-way.

**Open Space, Private** Common open space held in private ownership, the use of which is normally limited to the occupants of a single dwelling or building.

**Open Space, Public** Open space owned by a public agency and maintained by it for the use and enjoyment of the general public.

**Overlay District** A supplementary zoning classification, in combination with the base district designation, that provides additional regulatory, guideline and/or incentive criteria for consideration of development approval.

**Palm Readers, Palmistry, Fortune Teller** Any individual, establishment or business that professes to foretell future events or engages in astrology, clairvoyance or other means of predicting the future of customers or patrons for a fee or gratuity. This definition shall also include, but is not limited to, phrenology, interpreting of hand reading, fortune telling by a crystal gazing, mind reading or any other type of fortune telling. Exception: It shall not include opinions in newspaper articles or commentaries.

**Parking Access** The area of a parking lot that allows motor vehicles ingress and egress from the street.

**Parking Area** Any public or private land area designed and used for parking motor vehicles including parking lots, garages, private driveways and legally designated areas of public streets.

**Parking Space** A space for the parking of a motor vehicle within a public or private parking area.

**Pathway** Lineal open space, surfaced and maintained to city specifications, that is designed and intended to provide a connection for pedestrian, bicycle and electric cart circulation purposes or recreation of transport.

**Paved** Ground covered with stone, brick, concrete, asphalt, gravel, decomposed granite, or other surface approved by the design review board that makes a firm, smooth and level surface.

**Pawn Shops, Brokers** Any establishment or business which loans money and receives as security for such loans pawns, or pledges of personal or real property; or such establishment or business that purchases personal or real property with the intent to resell, trade or exchange such articles at a price agreed upon at or before the time of such sale or purchase.

**Plan, Development** A preliminary map indicating tentative layout of streets and location of schools, recreation areas, and other community facilities for the entirety of a landholding of which a portion is to be submitted as a preliminary plat; a map meeting the needs of this code.

**Plat** A map of a subdivision.

**Plat, Final** A map of all or part of a subdivision essentially conforming to an approved preliminary plat prepared in accordance with this code.

**Plat, Preliminary** A preliminary map including supporting data indicating a proposed subdivision design prepared in accordance with this code.

**Primary Condominium Unit** The largest separate portion of a residential condominium unit intended for separate occupancy by the owner or as a resort rental unit.

**Principal Use** The main use to which the premises are devoted and the primary purpose for which the premises exist.

**Recreational Vehicle** A vehicular type unit (motor home, camper, boat, motorcycle, travel trailer and the like) primarily designed for recreational, temporary or travel use.

**Repair** To put back in good condition after damage or decay.

**Residential Condominium Project** A condominium project for residential uses.

**Residential Condominium Unit** A condominium unit in a residential condominium project occupied by one family.

**Resort Rental Unit** A primary condominium unit or a split-off unit used in the room inventory of a resort for nightly rentals in accordance with Sections [16.06](#), [17.06](#) or [18.06](#).

**Restaurant** An establishment where meals are prepared and served to the public for consumption on the premises entirely.

**Restaurant, Drive-In** An establishment where meals may or may not be consumed on the premises.

**Retail Services** Establishments providing services or entertainment, as opposed to products, to the general public, including eating and drinking places, hotels and motels, finance, real estate and insurance, personal services, motion pictures, amusement and recreation services, health, educational and social services, museums and galleries.

**Retention Basin** A pond, pool or basin used for the permanent storage of water runoff.

**School** An institution licensed by the Arizona Department of Education.

**Service Station** See Automobile Service Station.

**Setback** The minimum allowable horizontal distance from a given point or line of reference to the vertical wall or other element of a principal building or structure as defined herein. The point or line of reference will be the lot line.

**Sidewalk** A surfaced pedestrian way maintained on public right-of-way or private property.

**Site Plan** The development plan for one or more lots on which is shown the existing and proposed conditions of the lot including: topography, vegetation, drainage, flood plains, marshes and waterways, open spaces, walkways, means of ingress and egress, utility services, landscaping, structures and signs, lighting and screening devices and any other information that reasonably may be required in order that an informed decision can be made by the approving authority.

**Slope** The degree of deviation of a surface from the horizontal, usually expressed in percent or degrees, or as a ratio.

**Solar Energy Collector Panel** A panel designed to absorb sunlight and convert energy for generating electricity or heating fluids/conductors.

**Split-Off Unit** A single room portion of a residential condominium unit that has separate bathroom facilities, a separate living area, and a separate entrance from the primary condominium unit.

**Square Footage, Net** The net square footage is determined by subtracting from the total square footage of the parcel that area deemed necessary for street dedication and that area used for private streets and common driveways, if any.

**Street** Any existing or proposed street, avenue, boulevard, road, lane, parkway, place, bridge, viaduct, or easement for public vehicular access, or a street shown in a plat heretofore approved pursuant to law, or a street in a plat duly filed and recorded in the Maricopa County recorder's office. A street includes all land within the street right-of-way, whether improved or unimproved, and includes such improvements as pavement, shoulders, curbs, gutters, sidewalks, parking spaces, bridges and viaducts.

**Street, Arterial** A street whose primary function is to carry traffic between and through major traffic generators.

**Street, Collector** A street whose primary function is to carry traffic from local streets to arterial streets and whose secondary function is to provide access to abutting properties.



**Street, Cul-de-sac** A short local street with a maximum length of four hundred feet having one end permanently terminated in and including a vehicular turning area.

**Street, Frontage** A local street parallel and adjacent to an arterial street which provides access to abutting property, intercepts other local streets and controls access to the arterial street.

**Street, Local** A street serving the primary function of providing access to abutting property.

**Structure** Anything constructed or erected, the use of which requires a fixed location on the ground, including a tent.

**Subdivision** Improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into two or more lots, tracts or parcels of land, or any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two parts. Subdivision also includes any condominium, cooperative, community apartment, townhouse or similar project containing four or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or the manner in which the building or airspace above the property shown on the plat are to be divided.

Note: Subdivision does not include the following:

1. The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
2. The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership.
3. The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil or gas leases.

**Substantial Improvement** Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure. The term does not, however, include either:

- a. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.
- b. Any alteration of a structure listed on the National Register of Historical Places or a State Inventory of Historical Places.

**Support Structure** The structure to which antennas and other hardware is mounted for the purposes of a wireless communications facility.

**Tattoo Establishment, Body Piercing Establishment** A business, establishment, club, or other organization that marks the skin with any indelible design, letter, scroll, symbol, figure or other mark placed with the aid of needles or other instruments upon or under the skin that will leave color or objects permanently and that cannot be removed, repaired or reconstructed except through a surgical procedure (also includes body piercing, modification establishments).

**Tent** A fabric shade canopy at a fixed location.

**Tract** An area, parcel, site or piece of land and property.

**Unlisted Uses** Uses are listed in Section 28, Zoning Matrix/District Requirements Summary. If a proposed use is not listed in Section 28, the zoning administrator shall determine if the proposed use is substantially similar to a permitted use; in that event, the zoning administrator shall assign the proposed use to a permitted use definition.

**Use** The purpose or activity for which land or buildings are designed, arranged, or intended, or for which land or buildings are occupied or maintained.

**Use Permit** Approval by the council of a conditional use, with or without specific stipulations pertinent to development of the requested use or its manner of operation, in a district listing the use as one which may be conducted therein subject to obtaining a use permit.

**Use, Temporary** A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

**Utility Poles and Wires** Poles, structures, wires, cable, conduit, transformers and related facilities used in or as a part of the transportation or distribution of electricity or power or in the transmission of telephone, telegraph, radio or television communications, but the term "utility poles and wires" shall not include wireless communication facilities.

**Variance** Written permission by the board of adjustment to differ from the zoning regulations.

**Wall** A screening structure or barrier constructed primarily of masonry.

**Wall or Fence, Full View** A wall or fence, constructed so that at least seventy-five percent of the top four feet of its height is open and unobstructed when viewed on a horizontal plane, from any point perpendicular to the fence line. A wall or fence is considered to be open and unobstructed even though metal rods, metal balusters, or fence posts are utilized within the top four feet so long as seventy-five percent of such area remains open.

**Wall or Fence, Partial View** A wall or fence, constructed so that at least seventy-five percent of the top two feet of its height is open and unobstructed when viewed on a horizontal plane, from any point perpendicular to the fence line. A wall or fence is considered to be open or unobstructed even though metal rods, metal balusters, or fence posts are utilized within the top two feet so long as seventy-five percent of such area remains open.

**Wholesale** The bulk sale of goods generally for resale to a person other than the direct consumer.

**Winery/Distillery** A place where wine or liquor is manufactured.

**Wireless Communications Facility** An unstaffed facility for the transmission and reception of personal wireless services radio or microwave signals. Personal wireless services includes commercial mobile services, common carrier wireless exchange access services, and unlicensed wireless services, but not direct-to-home satellite services. Wireless communications facilities are composed of two or more of the following components:

- a. Antennas;
- b. Support structure;

c. Equipment cabinet or building;

d. Security fencing.

**Yard, Front** An area extending the full width across the front of a lot, measured from the front property line inward to the front building setback line on the lot.

**Yard, Rear** An area extending the full width across the back of a lot, measured from the rear property line inward to the rear building setback line on the lot.

**Yard, Side** A yard measured from the side property line of the lot inward to the side building setback line and lying between the front yard and the rear yard, or in absence of either a front or rear yard, the front or rear lot setback lines respectively.

**Yard Sale** Also called garage sale or moving sale. The occasional sale of surplus personal property held on premises by the owner or occupant of a lot in a residential district. (Ord. 16-211 § 1 (part); Ord. 15-203 § 1 (part); Ord. 14-197 § 1 (part); Ord. 11-168 § 1 (part); Ord. 11-167 § 1 (part); Ord. 11-166 § 1 (part); Ord. 11-163 § 1; Ord. 07-134 § 1 (part); Ord. 07-132 § 1 (part); Ord. 07-128 § 1 (part); Ord. 06-111 § 1 (part); Ord. 04-91 § 1 (part); Ord. 00-61 § 1 (part); Ord. 97-44 § 1 (part); Ord. 97-42 § 1 (part))

### SECTION 3 ADMINISTRATION

Subsections:

[3.01 Planning and Zoning Commission](#)

[3.02 Board of Adjustment](#)

[3.03 Zoning Administrator](#)

[3.04 Design Review Board](#)

3.05 Appeals of Required Dedications and Exactions and of Zoning Regulations Pursuant to A.R.S. §§ 9-500.12 and 9-500.13

[3.06 Reconsideration of Certain City Council Decisions](#)

[3.07 Changes in Land Use Laws](#)

#### 3.01 Planning and Zoning Commission

##### a. Purpose

The planning and zoning commission is created to provide analysis and recommendation of the city's general plan, proposed development, rezoning and ordinance amendments to the council. Its purpose is to review all aspects of a proposed and future development including, but not limited to, present and projected growth of the city, site planning and the relationship of the development to the surrounding environment and the community. The commission recognizes the interdependence of land values, aesthetics and good site planning by promoting harmonious, safe, attractive and compatible development, that is therefore considered to be in the best interest of health, safety and general welfare.

##### b. Organization

The commission shall consist of seven members. All members shall be residents of the city of Litchfield Park, and shall be appointed by the council. The word "commission," when used in the code shall mean the planning and zoning commission. Members of the commission shall serve a term of three years and may be reappointed by the council to successive three-year terms. Any vacancy shall be filled by the council for the unexpired term. The members of the commission shall serve without compensation but may be reimbursed if said expenses are approved prior to incurral.

##### c. Officers

Officers are limited to two consecutive terms in the same capacity.

##### 1. Chairman

The election of a chairman will be held at the first meeting after the new commissioners, appointed in March, have been sworn in.

##### 2. Vice-Chairman

The election of a vice-chairman will be held at the first meeting after the new commissioners, appointed in March, have been sworn in.

##### 3. Secretary

The commission shall designate one of its members or the appropriate municipal authority shall designate one of its employees of the city who is familiar with planning and zoning matters to act as secretary of the commission. It shall be the duty of the secretary to conduct all official correspondence of the commission, send out all notices required by law, code or these rules of procedure; to perform all the customary duties of the office; to be the custodian of the records of the commission; to supervise the clerical work and technical preparations necessary to the disposition of business before the commission; and to perform all other duties required by law, code or these rules of the commission.

##### 4. Legal Counsel

The city attorney, or his designated representative, shall be the legal counsel for the commission. Advice of counsel shall be received and entered in the minutes before disposition of any question of law or matter requiring legal interpretation or advice.

##### d. Meetings

##### 1. Regular Meetings

The commission meeting dates and time are to be set at the same time as the election of the chairman and vice-chairman.

##### 2. Special Meetings

Special meetings for good cause may be held by the commission on call of its chairman or a quorum of members, which call shall be filed with the secretary, or as may be scheduled by a majority of the members at any previous meeting. The manner of the call shall be specified in the minutes of the special meeting, and at least 48 hours notice of the meeting shall be given to each member.

##### 3. Public Meetings

All meetings and hearings of the commission, except executive sessions, shall be open to the public. Any action calling for a formal vote shall take place only at a public meeting. The minutes of its proceedings, showing the vote of each member and records of its examinations and other official actions shall be kept and filed in the office of the planning department as a public record.

A quorum necessary for the transaction of business shall consist of a majority of the members of the commission. The business of the commission shall be transacted by the majority vote of members present. Robert's Rules of Order shall be used in conducting meetings.

##### 4. Order of Business

The order of business and agenda shall be set by the chairman and notified to the public at least twenty four hours prior to the meeting. It shall include the following if pertinent:

- A. Roll Call - Roll is called by the secretary. A quorum must be present to transact business.

B. Pledge of Allegiance.

C. Reading and approval of minutes of previous meeting - the minutes are read by the secretary and approved by the commission members.

D. Communications from council and call to the community.

E. Business.

F. Adjournment.

e. Duties and Responsibilities

The commission shall be charged with the following duties and responsibilities:

1. Preparation and/or review of all present, future, and proposed planning, zoning, and subdivision codes for the city and amendments thereto;
2. The holding of public hearings on such proposed planning, subdivision, and building ordinances, and amendments thereto, and the making of recommendations to the council for action;
3. The holding of public hearings when necessary and the making of recommendations to the council on matters concerning or relating to the creation of zoning districts, the boundaries thereof, the appropriate regulations to be enforced therein, the amendments of this code, the granting of use permits, and any other matter within the scope of zoning powers; and
4. Reviewing, conducting public hearings as may be required, and making recommendations to the council, the board of adjustment, the design review board, or the zoning administrator, whichever is applicable, for action on all requests for plans of development, subdivisions, zoning clearances referred by the zoning administrator, and the interpretation of the city's planning, subdivision, and building ordinances.

5. Approve or deny requests for the granting of use permits required and stipulated by this code.

6. Hear requests for planned developments and subdivisions and in connection with said requests recommend approval, denial, or approval with revisions upon such requests to the council, as requested by the council or zoning administrator.

f. Official Records

1. Definition

The official records shall include these rules and regulations, and the minutes of the commission together with all findings, decisions and other official actions.

2. Recording of Vote

The minutes shall show the vote of each member on every question on which the commission is required to act, or if absent, or if failing to vote, and shall indicate that fact.

3. Files - Retention

All applications and other matters coming before the commission shall be filed in city hall in accordance with the general file system. Original papers of all applications shall be retained for not less than three years after date of application. The secretary shall keep a permanent file of all plats, maps, charts, reports, resolutions, notices, correspondence, or other matter filed with or issued by the commission.

4. Public Record

All of the records of the commission shall be public records and shall be open to public inspection during customary working hours. The commission shall arrange with the council to provide for the safekeeping of the records of the commission. (Ord. 14-198 § 1 (part); Ord. 05-100 § 1 (part); Ord. 04-91 § 1 (part); Ord. 99-53 § 1; Ord. 96-37 § 1 (part); Ord. 96-33 § 1 (part))

**3.02 Board of Adjustment**

a. Purpose

The board of adjustment is an administrative body with responsibility for determining when exceptional or extraordinary conditions exist that will cause an unnecessary hardship not created by the applicant or property owner. The board shall also hear appeals from administrative decisions based on this code.

b. Organization

The board shall consist of five members. The membership shall be composed of the members of the design review board as set forth in Section [3.04\(b\)](#). The board shall select a chairman and vice-chairman at the first meeting after March 1st of each year.

c. Meetings

All meetings of the board shall be held at the call of the chairman and at such other times as the board of adjustment may determine. All meetings of the board shall be open to the public.

d. Rules

The board shall make and publish rules and regulations to govern its proceedings.

e. Records

The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions, all of which shall be of public record and be filed in the office of the city clerk.

f. Powers and Duties of the Board

The board shall hear all applications for variances from the provisions of the code. The board shall determine when exceptional or extraordinary circumstances exist that will cause an unnecessary hardship not created by the applicant or property owner. The board shall also hear appeals from administrative decisions based on the code.

g. Public Hearing and Notice

## 1. Public Hearing

Upon receipt in proper form of an application for a variance, the board shall proceed to hold a public hearing on the application following the posting of a public notice as prescribed below.

## 2. Notice

Notice of the public hearing shall be given in the following manner:

A. Notice of the time, date and place of the hearing including a general explanation of the matter to be considered and including a general description of the area affected shall be given at least fifteen days before each hearing. The notice shall state that anyone wanting to protest may appear in person or by writing. Each notice of public hearing shall be published at least once in a newspaper of general circulation, circulated in the city of Litchfield Park, and posted at city hall, the public library, and at other locations in the city that the city clerk may deem necessary or advisable.

B. Notice of the time, date, and place of the hearing on the variance shall be posted on the affected property.

C. Notice of the time, date, and place of the hearing for interpretation or variance shall be mailed by certified mail at least fifteen days in advance to the owner and applicant or his agent.

D. Notice of the time, date, and place of hearings on variances shall be sent to all owners of property within three hundred feet of the affected property. The failure of a property owner to receive notice shall not invalidate an action if a good faith attempt was made to comply with the requirements of the code for notice. In addition to persons who receive notice as required by the matter under consideration, the city may provide notice to others if it has reason to believe that they are affected or otherwise represent an interest that may be affected by the proposed interpretation or variance.

## h. Appeals from Administrative Decisions

The board shall hear appeals from administrative decisions made by administrative official(s) who interpret or enforce this code. Appeals shall be filed within thirty days of such decisions in the form prescribed by the board, except appeals shall be filed within a shorter time period of specifically so provided in this code. The board may grant appropriate relief to persons aggrieved. The board shall determine those matters over which it has jurisdiction.

1. An appeal shall stay all proceedings in the matter appealed from, unless the office from whom the appeal is taken certifies to the board that, by reason of the fact stated in the certificate, the stay would in his opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed, except by a restraining order granted by the board or by a court of record on application and notice to the officer from whom the appeal is taken. The board shall fix a reasonable time for hearing the appeal and give notice thereof to the parties in interest and the public.

2. The concurring vote of the majority of the board shall be necessary to reverse any order or decision of an administrative official, or to pass or to affect any variations from the terms and conditions of this zoning code.

## i. Findings and Actions by the Board

1. A variance from the provision of this code shall not be authorized unless the board shall find upon sufficient evidence:

A. That there are special circumstances or conditions applying to the land, building or use referred to in the application which do not apply to other properties in the district; and

B. That such special circumstances were not created by the owner or applicant; and

C. That the authorizing of the variance is necessary for the preservation and enjoyment of substantial property rights; and

D. That the authorizing of the application will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.

2. The board shall prescribe in connection with any variance such conditions as it may deem necessary in order to fully carry out the provisions and intent of this zoning code. Such conditions may include, among other things, a limitation of the time for which such variance shall be valid. Violation of any such condition shall be a violation of this code and such violation shall render the variance null and void.

## j. Review of Board Decisions

A person aggrieved by a decision of the board or a taxpayer, officer, or department of the municipality affected by a decision of the board, may, at any time within thirty days after the board has rendered its decision file a complaint for special action in the superior court to review the board decision. Filing the complaint does not stay proceedings on the decision sought to be reviewed, but the court may on application, grant a stay and on final hearing may affirm or reverse, in whole or in part, or modify the decision reviewed. (Ord. 14-198 § 1 (part); Ord. 97-42 § 1 (part))

**3.03 Zoning Administrator**

## a. Purpose

The purpose of the office of zoning administrator is to enforce the zoning code through the building permit process, subdivision review process, code enforcement, and related techniques as defined, to parallel the local planning, zoning, and land development procedures.

## b. Organization

In the city of Litchfield Park, the office of zoning administrator shall be filled by the city manager or his designee.

## c. Authority and Duties of the Zoning Administrator

1. Shall enforce the provisions of this code;

2. Shall carry out all administrative actions required by the zoning code, including the giving of notice, preparation of reports, and receiving and processing appeals;

3. Subject to the supervision and general and specific policy laid down by the city, shall

interpret this code to members of the public, city departments, and to other branches of government;

4. Shall review and make recommendations with respect to all complete applications for zoning to the commission at the time of such referral;
5. Shall examine premises for which zoning has been requested;
6. Shall make necessary inspections in accordance with rules of procedure established under Section 3.03-c-12 to secure compliance with the provisions of this code.
7. Shall, when requested by the council and/or the city manager or when the interests of the city so require, make investigations in connection with any matter referred to in the code and render written reports thereof;
8. Grant, for a period of time not to exceed thirty days, or deny applications for temporary use permits;
9. Shall receive applications for zoning as required by the code;
10. Shall keep careful and comprehensive records of applications for zoning, of inspections made, of reports rendered and of notices or orders issued. He shall further retain on file, copies of all papers in connection with zoning applications for such time as may be required by law;
11. Shall have the authority to administratively approve minor design review applications filed with the design review board. Minor design review applications include:
  - A. Exterior finishes and color changes consistent with the color palette adopted by the design review board;
  - B. Rear patio additions not visible from public areas or streets and not exceeding five hundred square feet of covered area;
  - C. Landscaping changes to design review board-approved landscape plans, but utilizing the same quantity and size of landscape materials;
  - D. Site plan revisions to design review board-approved site plans involving not more than five percent of the site area;
  - E. Yard walls on interior residential lots that have little or no exposure to public areas;
  - F. Other applications that the board determines are minor;

Administrative design review approvals shall not result in a reduction of any development standard and shall not significantly alter the design character established by the design review board;

12. Shall have the authority to approve, deny, or approve with conditions minor design review applications; and
13. May adopt rules and procedures consistent with the code for the implementation thereof.

d. Referral to Planning and Zoning Commission

The zoning administrator may and, in the case of any application for zoning clearance other than one pertaining solely to a single-family dwelling, shall refer complete applications for zoning to the commission for its review and recommendation. Such referral shall be accompanied by the recommendation of the zoning administrator, and shall be made within fifteen days after receipt by the zoning administrator of a complete application. The commission shall review such application and shall deliver its own recommendation thereon to the zoning administrator within forty-five days of the referral of the application to the commission by the zoning administrator. The zoning administrator shall render a decision with respect to the application within ten days after receipt of the commission's recommendation, but in no event later than seventy days after receipt of the complete application.

e. Time Limits

The zoning administrator shall act upon any application or other matter brought before him for decision within forty-five days of the date of filing or within such longer period of time as may be agreed to by the zoning administrator and applicant. If no decision has been made at the expiration of such time limit, the application shall be deemed to have been approved and further administrative review of said application shall be suspended. (Ord. 07-133 § 1 (part); Ord. 04-91 § 1 (part))

### 3.04 Design Review Board

a. Purposes

The general purposes of design review are to protect public health, safety, and general welfare, and to preserve and enhance property values by promoting and maintaining a functional and aesthetic community character based on sound site planning, urban design, architecture, landscape design, and energy efficiency, consistent with the general plan, zoning code and design guidelines of the city. Design review will enhance the city's distinctive character and attractiveness as a resort center and enrich the lives of all the residents of Litchfield Park by promoting harmonious, safe, attractive, and compatible development in furtherance of public health, safety, and general welfare.

More specifically, design review is intended to ensure that:

1. Adopted design guidelines are applied consistently to developments subject to design review approval in the city;
2. Siting and architectural design of structures harmonizes visually with neighboring development and creates a built environment that is safe and aesthetically pleasing;
3. The arrangement of buildings, parking areas, drive aisles, storm water retention areas, pedestrian ways and other features of the site combine to create a functional project consistent with the city's development objectives and that is convenient for users of the property;
4. Unsightly uses, features or activities are screened from public view and from adjacent property, and dissimilar uses are separated by buffers to prevent conflicts, promote privacy, and maintain property values;
5. Landscaping provides a visually pleasing setting for structures on the site, complements the architecture of the project, blends harmoniously with the surrounding landscape, contributes to the streetscape, conserves water, does not conflict with public or private

utilities, and is suited to the site and the area's climatic conditions;

6. Project materials and colors are appropriate to the architectural style of the structures, suited to the desert climate, complement neighboring properties and project a high quality image; and
7. Signage, building graphics, exterior lighting, and other decorative structures and features are compatible with the design of the structure(s) and with the architectural character of the surrounding area.

b. Applicability

1. Design review approval is required prior to issuance of a building or sign permit for any new:

- A. Commercial and residential construction.
- B. Walls, fences and other screening devices.
- C. Signs.
- D. Commercial and subdivision common-area landscaping.
- E. Solar energy collector panel installations.

2. Design review approval is required for any substantial alteration of walls, fences and other screening devices, signs, commercial and subdivision common area landscaping, and any alteration of or modification to the exterior of commercial and residential construction.

c. Organization

1. There is hereby created a design review board consisting of a council member, a planning and zoning commission member, and three public members who shall be appointed by the council; two of whom shall be architects, landscape architects or persons otherwise qualified by design background training or experience; and one of whom shall represent the general public. Public members shall be appointed to serve two-year terms; members of the council and the commission shall serve one-year terms.
2. Meetings of the design review board shall be open to the public and shall be at the call of the chairman, or at such other time as the rules of the design review board may determine. The design review board shall select a chairman and vice chairman at the first meeting after the new board members, appointed in September, have been sworn in. Minutes of the design review board's proceedings, showing the vote of each member and other official actions, shall be kept in the office of the city clerk as a public record.
3. The design review board may adopt by-laws and rules as it deems necessary (subject to council approval) for the time and place of its meetings and such other matters relative to its work and administration of its duties which are not otherwise provided for by statute, ordinance or resolution.

d. Powers, Duties, Jurisdiction

1. The design review board shall review applications for design review and may approve, conditionally approve or deny such applications.
2. The board's action shall be based solely on the design guidelines and site design regulations set forth in Section 39; landscaping regulations set forth in Section 30; Section [31.22](#), Solar Energy Collector Panels; sign regulations set forth in Section 35; and the site plan regulations set forth in Section 37. The design review board may consider any action taken or recommendation of a homeowner's or property owner's association with respect to the design of the structure.
3. For nonresidential and mixed-use planned developments, the board may approve a design package that deviates from the design guidelines set forth in Section 39, landscaping regulations set forth in Section 30, solar energy collector panel installation regulations set forth in Section [31.22](#), the sign regulations set forth in Section 35, and the site plan regulations set forth in Section 37, if it determines that the proposed design meets the goals set forth in those sections. The board shall require, as a condition of approval for nonresidential uses or mixed-use planned developments, a document establishing design guidelines in text and graphic illustrations as a reference for subsequent improvements, construction or reconstruction on the subject site.
4. The design review board may impose such reasonable conditions as it may deem necessary in order to fully carry out the provisions and intent of this section. Violations of any such condition shall be a violation of this section and such violations shall render any permit null and void.
5. The board shall not hear applications for design review for properties that do not comply with applicable zoning or subdivision plat approval unless the application is being processed concurrently with such zoning or subdivision plat approval.

e. Administration

1. Application

Applications shall be made by the owner of the property or his authorized agent. If the applicant is not the property owner, a letter from the property owner authorizing the agent to act in his behalf shall accompany said application.

- A. City staff shall prescribe the form and content of applications and necessary accompanying data. The application shall be filed with the city manager or his designee and be accompanied by payment of the applicable review fee, no part of which is returnable.
- B. An application shall be accompanied by a fee as authorized in Section 5; and set forth on the fee schedule kept on file in city hall.

2. Findings

- A. The design review board may deny an application if it finds that any requirements of this section, the general plan, or the development policies and standards of the city of Litchfield Park have not been complied with.
- B. The design review board may approve an application if it finds that:

- I. All provisions of the code of the city of Litchfield Park have been complied with.
  - II. Where applicable, all provisions of master plans, the general plan, and development policies and standards of the city of Litchfield Park have been complied with.
  - III. Prior to design review board approval of specific improvements for a municipal use, a master site plan for ultimate development of that municipal use shall have been approved by the city council.
3. Expiration of Approval
- A. The approval of plans for development shall become effective on the thirty-first day after approval if no appeal is filed and shall expire and become null and void one year from the date of approval if a building permit has not been issued, unless a different time period is made a condition of design review board approval. This requirement shall not apply to planned development site plans for municipal uses.
  - B. A one-time extension of approval for up to one year may be granted if the applicant files for the extension prior to the approval becoming void and the design review board finds that the reasons justify extension of approval.
4. Enforcement
- A. Prior to the issuance of a building permit for any project subjected to design review, the building inspector shall ascertain that the permit application complies with the plans approved by the design review board and that the time limitations imposed by this section or the design review board have not elapsed. The design review board requirements shall be incorporated and shall become conditions of the issued building permit.
  - B. The building inspector of the city shall insure that all matters approved by the design review board are undertaken and completed according to the approval of the design review board and is hereby authorized and required to cause to be stopped any work attempted to be done without or contrary to the approval of the design review board and shall cause any violator to be prosecuted.
- f. Appeal and City Council Review
- 1. The approval, with or without conditions, or denial by the design review board of an application shall be final unless within thirty days from the date of the design review board's decision the applicant shall appeal therefrom in writing to the council. Such appeal shall be in writing in care of the city clerk, shall be accompanied by payment of an appeal fee as authorized in Section 5 and set forth on the fee schedule kept on file in city hall, and shall indicate where, in opinion of the appellant, the design review board was in error. The city clerk shall schedule the appeal for a council agenda, and the council shall uphold, modify or overrule the decision of the design review board. The decision of the council shall be final.
  - 2. A member of the council may appeal a decision of the design review board and the council shall uphold, modify or overrule said decision. Notice of such council-initiated review of any decision of the design review board shall be given to the applicant by the city clerk within thirty days after action upon the application in question or the decision of the design review board shall be deemed to be final and binding upon the city of Litchfield Park.
- g. Compliance
- 1. Any failure to comply with the process and procedures of this section by any person shall be prohibited and unlawful and such person shall be deemed to be guilty of a misdemeanor punishable upon conviction in accordance with the general penalty provisions of the code of the city of Litchfield Park, Arizona, and further, in addition to other remedies, the provisions of this section may be enforced by means of injunctive relief.
  - 2. Prior to any building being occupied, there must be full compliance with all applicable requirements of the design review board. (Ord. 13-191 § 1 (part); Ord. 11-167 § 1 (part); Ord. 07-133 § 1 (part); Ord. 07-130 § 1 (part); Ord. 96-37 § 1 (part))

**3.05 Appeals of Required Dedications and Exactions and of Zoning Regulations Pursuant to A.R.S. §§ 9-500.12 and 9-500.13**

a. Appeals

Appeals of a required dedication or exaction filed pursuant to A.R.S. § 9-500.12 and of a zoning regulation alleged to create a taking pursuant to A.R.S. § 9-500.13 shall comply with the procedures of this section and A.R.S. § 9-500.12(G). No fee shall be charged for the appeal. Appeals shall only be filed by a property owner. Appeals shall be filed on a form established by the city within thirty days of the date of the final action imposing the dedication or exaction or adopting or amending the zoning regulation. The city shall notify the property owner of the right to appeal pursuant to this section and provide a description of the appeal procedure.

b. Notice of Hearing

The property owner shall be given at least ten days' written notice of the time and place of the hearing by certified mail. The property owner may agree to a shorter time for such notice.

c. Hearing

The hearing shall not be a public hearing. Prior to the hearing, the city shall submit a takings report to the zoning hearing officer. The hearing shall be held not later than thirty days after the appeal is filed.

d. Appeals Filed Pursuant to A.R.S. § 9-500.12

An appeal of a required dedication or exaction as a condition of approval for the use, improvement or development of real property shall comply with this subsection. No appeal of a dedication or exaction may be filed under this subsection if the dedication or exaction is imposed by a legislative act of the city council that does not give discretion to a city official or city department to determine the nature or extent of the dedication or exaction.

1. Findings

In determining whether a dedication or exaction is in violation of the law, the city has the burden to establish that:

- A. There is an essential nexus between the dedication or exaction and a legitimate governmental interest of the city; and



- B. The required dedication or exaction is roughly proportional to the impact of the proposed use.

2. Decision

If the zoning hearing officer finds that the city has not met its burden as described in subsection (d)(1) of this section, the zoning hearing officer may modify or delete the dedication or exaction requirement. If the zoning hearing officer finds that the city has met its burden, the zoning hearing officer may affirm the dedication or exaction requirement. The zoning hearing officer shall decide the appeal within five working days after the appeal is heard.

e. Appeals Filed Pursuant to A.R.S. § 9-500.13

An appeal of the adoption or amendment of a zoning regulation by the city council alleged to create a taking shall comply with this subsection.

1. Findings

In determining whether an adopted or amended zoning regulation creates a taking of property in violation of A.R.S. § 9-500.13, the city has the burden to establish that the zoning regulation does not create a taking. The zoning hearing officer shall consider whether the zoning regulation would deny all economic use of the property. In determining whether the action would deny the owner all economic use of the property, the zoning hearing officer shall consider the following factors:

A. Uses Permitted

Evaluation of the range of uses allowed under the general plan and this code.

B. Economic Impact Study

Any economic impact study submitted related to the impact of the conditions of an amendment on the property.

2. Decision

If the zoning hearing officer finds that the city has not met its burden as described in subsection (e)(1) of this section, the zoning hearing officer shall transmit a recommendation to the city council and the city council may reconsider its prior action. If the zoning hearing officer finds that the city has met its burden, the zoning hearing officer may affirm the zoning regulation. The zoning hearing officer shall decide the appeal within five working days after the appeal is heard.

f. Appeal of Decision of Zoning Hearing Officer

A property owner aggrieved by a decision of the zoning hearing officer to modify or affirm a dedication or exaction requirement or to affirm a zoning regulation may file within thirty days after the decision a complaint in superior court, pursuant to A.R.S. § 9-500.12(G). (Ord. 04-91 § 1 (part))3.05

**3.06 Reconsideration of Certain City Council Decisions**

a. Request for Reconsideration

An applicant may request a reconsideration of a city council decision on any of the following grounds:

1. An alleged violation of the fair housing act;
2. An alleged violation of the Americans with Disabilities Act or Arizonans with Disabilities Act;
3. An alleged violation of the Religious Land Use and Institutionalized Persons Act or the Arizona Free Exercise of Religion Act; and
4. An alleged violation of the telecommunications act.

b. Reconsideration Procedure

1. Time of Filing

The request for reconsideration shall be filed within ten days of the city council decision.

2. Fact Finding Hearing

- A. Prior to reconsideration by the city council, the zoning hearing officer shall conduct a fact-finding hearing to gather a complete record of all information pertaining to the request.
- B. The zoning hearing officer shall have the authority to request all information necessary to compile a complete record pertaining to the request.
- C. City officials and the applicant shall fully disclose all information relevant to the fact finding.
- D. The zoning hearing officer shall prepare a report and recommendation for city council consideration within sixty days of the filing of the request.

3. City Council Reconsideration

- A. The city council shall conduct a public hearing on the request.
- B. In its deliberation, the city council shall consider only the applicant's written request, the findings of fact prepared by the zoning hearing officer, and the zoning hearing officer's recommendation. No new evidence shall be submitted.
- C. The city council shall uphold, reverse, or modify its prior decision or remand the matter to the zoning hearing officer to develop additional findings. (Ord. 04-91 § 1 (part))

**3.07 Changes in Land Use Laws**

a. Applications for Change in Land Use Laws; Waiver

1. Any property owner applying for a change in a land use law shall include, as part of its application, an agreement to waive claims for diminution of value in a form prescribed by the city consistent with A.R.S. § 12-1134 and executed by all owners of the property. Prior to and as a condition of final approval of a change in a land use law, the city may require execution of

an updated agreement by the property owner(s) of record. The applicant shall verify property ownership by submitting a title report. The waiver will be recorded by the city.

2. A change in land use regulations includes, but is not limited to, amendments to the zoning map, general plan land use designations, a use permit, variance or annexation.

**b. Claims for Diminution in Property Value**

**1. Filing of Claim**

Any claim for diminution in property value pursuant to A.R.S. § 12-1134 due to a change in a land use law shall be filed with the city clerk. All claims for diminution in value pursuant to A.R.S. § 12-1134 shall be filed on a form prescribed by the city.

**2. City Review**

After a claim is filed, city staff shall review the claim to determine whether the enactment or application of a land use law has diminished the value of the claimant's property. A certified land appraiser, economist, or other qualified expert may be consulted by staff to determine the amount of the diminishment of value, if any.

**3. Staff Recommendation**

The city manager shall prepare a recommendation to council to deny the claim, pay compensation for diminishment in value or rescind or modify the land use law.

**4. City Council Determination**

Within ninety days of the filing of the claim, the city council shall make a determination whether to deny the claim or pay compensation, rescind or modify the land use law or its application to the claimant's property. The city council's determination shall be made in writing and a copy shall be provided to the claimant. Any rescission or modification of the application of a land use law to an individual property shall be recorded in the office of the Maricopa County recorder.

**5. Satisfaction of Notice of Claims Requirements**

Filing a claim pursuant to this section shall be deemed to satisfy the requirements set forth in A.R.S. § 12-821.01 for filing an administrative claim against the city. (Ord. 07-134 § 1 (part))

## SECTION 4 AMENDMENTS

Subsections:

- [4.01 Introduction](#)
- [4.02 Type of Amendment](#)
- [4.03 Initiation of Amendment](#)
- [4.04 Application for Amendment](#)
- [4.05 Citizen Review Process](#)
- [4.06 Notice of Public Hearing](#)
- [4.07 Public Hearing by Commission on Applications](#)
- [4.08 Protests Against Amendments](#)
- [4.09 Reconsideration of Denied Map Amendments](#)
- [4.10 General Plan Amendments](#)

### 4.01 Introduction

The council may from time to time amend, supplement, change or repeal the regulations, restrictions and district boundaries herein established. All amendments to this code and the district map shall be consistent with the adopted general plan, as may, from time to time, be amended, and shall be a reflection of the city's land use planning goals. Requests to amend this code may be initiated by the council or the commission on their own motions, or by petition from property owners as in this article.

### 4.02 Type of Amendment

#### a. Text Amendment

The application for an amendment to the text of this code shall state in particular the article, section, subsection, and paragraph sought to be amended. The application for amendment shall contain the language of the proposed amendment and shall recite the reason for such proposed change in the text.

#### b. Map Amendment

An application which seeks to change or modify the classification imposed upon a particular piece of property by the district map.

c. An application for an amendment to the general plan land use element shall include proposed revisions of land use intensity, plans for roadways and deletions of requirements to reserve or dedicate land for public purpose and/or as otherwise specified in Section [4.09](#). (Ord. 04-91 § 1 (part))

### 4.03 Initiation of Amendment

a. The initiation of a change to the text and/or district map may be accomplished by a simple majority of the property owners of record in the area of proposed change or their authorized agents, a majority vote of the council, or majority vote of the commission.

b. Any property owner applying for change in a land use law shall execute an agreement to waive claims for diminution in value as set forth in Section [3.07](#). (Ord. 07-134 § 1 (part))

### 4.04 Application for Amendment

#### a. Application Form for Text Amendment

Application for amendment of the text of this code shall be made to the city on a standard form provided for this purpose. The application shall include:

1. The applicant's name, address, and interest in the amendment;
2. The language of the proposed amendment to the code;
3. Statements in support of the application, including a list of the present conditions justifying the proposed amendment; and
4. An agreement to waive claims for diminution in value as set forth in Section [3.07](#) of this code.

#### b. Application for District Map Amendment

An application for an amendment to a district map shall include:

1. The name and address of all owners of the property for which a change is sought, together with proof of ownership. Proof of ownership shall consist of a verified application for a title policy dated not more than thirty days prior to the date of the application by a title company authorized to conduct business in the state of Arizona. In the event that the application includes other property in addition to that owned by the applicant, there shall be filed by the applicant on a city form provided therefor, a petition in favor of the request signed by the real property owners representing at least fifty-one percent of the land area to be included in the application. Such petition shall be filed and checked for authenticity of ownership before the application is accepted by the city.

In the event that the application includes properties owned by more than one owner, the city clerk shall notify, by first class mail, all property owners as listed on the county assessor's records included in the area proposed to be changed by the application. Such notice shall be postmarked not later than fifteen days prior to any commission public hearing on the application.

2. Where the applicant represents another person, firm, partnership or corporation, proof of agency, including a listing of every real party in interest, whether a beneficiary of a trust or otherwise, shall be provided to the city.

A. If the land is owned by a corporation, proof of agency shall consist of a corporate resolution designating the individual to act as an agent. The corporate resolution must be certified by the secretary of the corporation and authenticated by the corporate seal, or acknowledged in the form prescribed by Arizona Revised Statutes § 33-506.2.

B. If the land is owned by a partnership, proof of agency shall consist of a written document of the partner(s) designating an individual to act as agent. The document must be certified and acknowledged in the form prescribed by Arizona Revised Statutes § 33-506.3.

C. If the land is owned by an individual, proof of agency shall consist of a written document designating an individual to act as agent. The document must be certified and acknowledged in the form prescribed by Arizona Revised Statutes § 33-506.1.

3. The proposed amendment to the district classification or boundary.
4. A map drawn to scale showing the existing and proposed district boundaries and an accurate legal description of the area being proposed for the amendment. If the legal description of the property is less than the entirety of a lot, block or parcel described in a recorded subdivision, then said legal description and map shall be prepared and certified by a registered surveyor or licensed by the state of Arizona.
5. A vicinity ownership map drawn to scale showing all parcels in the vicinity adjacent to and surrounding the property proposed to be changed, within a radius of three hundred feet of the exterior boundaries of the property.
6. A typed or printed list containing the names and mailing addresses of the owners of parcels within a radius of three hundred feet of the boundaries as indicated in subsection (a)(5) of this section, and identified by the same number as on the vicinity ownership map. Correct zip codes must be shown for each address.
7. Statements reflecting the present conditions justifying the proposed amendment; statements showing that the parcel fulfills the criteria for establishment of the proposed district or, in the absence of ability to comply, statements as to why the presumption against the rezoning should be overcome; and any other factors or reasons in support of the proposed amendments.
8. An agreement to waive claims for diminution in value as set forth in Section [3.07](#) of this code. (Ord. 07-134 § 1 (part); Ord. 05-100 § 1 (part))

#### 4.05 Citizen Review Process

- a. Prior to a public hearing on any application for a rezoning of property or creation of a specific plan or issuance of a special use permit, a citizen review process complying with this subsection shall be conducted. The purpose of the citizen review process is to provide an opportunity for citizen involvement and public awareness of applications for rezoning of property, adoption of specific plans, approval of special use permits, and adoption of zoning code text amendments.
- b. Applications for rezoning, specific plans and issuance of a special use permit.
  1. The applicant, in coordination with the planning department, shall establish a time, date, and place for a citizen review session to provide a reasonable opportunity for the applicant, adjacent landowners, and other potentially affected citizens to discuss issues or concerns they may have with the application proposed by the applicant. Planning staff shall attend the meeting as an observer and shall not conduct the meeting. The applicant shall supply the planning department with minutes of the neighborhood meeting and a list of all individuals in attendance. The staff member in attendance shall report the results of the neighborhood meeting and a list of all individuals in attendance. The staff member in attendance shall report the results of the neighborhood meeting to the planning and zoning commission and/or city council at such time as they take action on the rezoning or specific plan or special use permit application, if any.
  2. Written notice of the citizen review session shall be given at least five days prior to the meeting and shall include the time, date, and location of the citizen review meeting and sufficient details regarding the substance of the proposed rezoning or specific plan or special use permit application so as to allow citizens and other affected persons to determine how they might be affected by the proposed application.
  3. The applicant shall provide to the city for mailing such notice by first class mail to: 1) each property owner within one thousand feet of the boundary of the property subject to the application; 2) all other interested parties who have requested that they be placed on a notification list maintained by the planning department; and 3) adjoining municipalities sharing borders with the property subject to the application.
  4. The planning director may establish additional procedures for the citizen review process as is deemed necessary to enhance public participation.
- c. Text amendments to the zoning code.
  1. A citizen review session shall be held at a work-study session of the planning and zoning commission scheduled at least five days prior to the public hearing for the consideration of a proposed text amendment that imposes a regulation not previously imposed or that removes or modifies any such regulation previously imposed. Landowners and other citizens potentially affected by the proposed text amendments will be invited to gather further information regarding the proposed text amendments at the citizen review session and to express any issues or concerns they may have with the proposed text amendment.
  2. Notice of the citizen review session shall be given to landowners and other citizens potentially affected by the proposed text amendments at least ten days prior to the planning and zoning commission work-study session scheduled for the citizen review of the proposed text amendments. This notice shall state the date, time, and place of the citizen review session and shall include a general explanation of the substance of the proposed text amendment to the zoning ordinance. The form of notice to be used will vary according to the type of text amendment proposed, and any means deemed by the city to provide the appropriate method of notice for the proposed text amendment shall be considered sufficient. The form of notice given may include, but is not limited to, the following:
    - A. Publication in a local newspaper distributed to residents living within the city.
    - B. Posting at official city posting locations.
    - C. Posting on the city's web site.
  3. After the citizen review session, the planning and zoning commission may take all issues and concerns raised by landowners and other citizens potentially affected by the proposed text amendments at such session into account when it considers its recommendation to the city council on the proposed text amendment and shall, prior to the council's public hearing on the proposed text amendment, report to the council the issues and concerns raised during the citizen review input and discussion session. (Ord. 05-100 § 1 (part); Ord. 03-85 § 1 (part))

#### 4.06 Notice of Public Hearing

- a. All applications for text amendments shall be considered by the commission and council at a

public hearing, notice of which shall be given in accordance with provisions of the Arizona Revised Statutes.

b. 1. All applications for map amendments shall be considered by the commission and council at a public hearing, notice of which shall be given in accordance with the provisions of Arizona Revised Statutes. Additional notice shall be given in the following manner: each notice of public hearing shall be posted at City Hall, the public library and at other locations in the city that the city clerk may deem as necessary or advisable.

2. Notice of the time, date and place of hearings on map amendments shall be sent to all owners of property within one hundred fifty feet of the affected property. Unless otherwise provided, addresses for a mailed notice required by this code shall be obtained from the county's real property tax records. The failure of a property owner to receive notice shall not invalidate an action if a good faith attempt was made to comply with the requirements of this code for notice. In addition to persons whom receive notice as required by the matter under consideration, the city may provide notice to others if it has reason to believe that they are affected or otherwise represent an interest that may be affected by the proposed development.

c. See Section 25.04(b) for special notice requirements for amendment of open space designation. (Ord. 04-91 § 1 (part); Ord. 03-85 § 1 (part); Ord. 95-30 § 1)

#### **4.07 Public Hearing by Commission on Applications**

Every application for amendment of this code shall be considered by the commission at a public hearing. See Section 25.04(a) for additional hearing requirements for amendment of open space designation.

##### **a. Procedures**

The order of proceedings for the hearing shall be as follows:

1. The chairman will state the case and call the public hearing to order. The chairman may establish the time allowed for the presentation of information.
2. Presentation of staff report.
3. Presentation of information by the applicant.
4. Presentation by public in favor of the application.
5. Presentation by public opposing the application.
6. Response of applicant to matters raised by those in opposition.
7. Response of staff to matters raised by those in opposition.
8. Questions by commissioners.
9. At the close of presentations and responses, the chairman shall declare the public hearing closed unless there is a motion to continue the public hearing. Additional written materials may be permitted at the discretion of the commission.
10. Once a hearing has been closed, it shall be reopened only upon a majority vote of the commission.

##### **b. Criteria**

Map amendments shall:

1. Be consistent with adopted plans or policies of the city.
2. Not have adverse impacts on the level of municipal or utility service to other properties.

##### **c. Decision by Commission**

1. After the public hearing, the commission shall render its decision in the form of a written recommendation to the council.
2. The recommendation shall include the reasons for the recommendation. The recommendation may include approval of a change of zone conditioned upon a schedule of development of the specific use or uses for which rezoning is requested and conditioned upon conformance with additional restrictions or requirements recommended by the commission. (Ord. 04-91 § 1 (part); Ord. 03-85 § 1 (part))

#### **4.08 Protests Against Amendments**

If the owners of twenty percent or more, (1) either of the area of the lots included in a proposed change or (2) of those immediately adjacent in the rear or any side thereof extending one hundred and fifty feet therefrom, or (3) of those directly opposite thereto extending one hundred and fifty feet from the street frontage of the opposite lots, file a written protest against a proposed amendment, it shall not become effective except by the favorable vote of three-fourths of all members of the council. If any members of the council are unable to vote on such a question because of a conflict of interest, then, the required number of votes for passage of the question shall be three-fourths of the remaining membership of the council, provided that such required number of votes for passage shall in no event be less than a majority of the full membership of the council. (Ord. 03-85 § 1 (part))

#### **4.09 Reconsideration of Denied Map Amendments**

In the event that an application for a map amendment is denied by the council or is withdrawn after the commission hearing, the commission shall not reconsider the application nor consider another application for the same map amendment of this code as it applies to the same property described in the original application or any part thereof, for a period of not less than one year from the date of such denial action. The commission may, however, after due deliberation and approval of a specific motion consider denial without prejudice leaving open the opportunity for the applicant to ask for another hearing on the matter within the one year prohibition period. In any case, if fees are required then they must be paid with each application for hearing.

##### **a. Significance of Approval and Restoration**

Approval of a map amendment constitutes authorization for the development of property under applicable regulation. Approval is valid for a period of twelve months from date. If approval expires prior to receipt of required permits and readily apparent evidence of site grading, implementation of drainage measures or installation of site infrastructure elements on the property, the council may revert the zoning designation to that which existed before the map amendment was granted.

##### **b. Map Amendment Conditioned Upon Site Plan Approval**

The council may approve a map amendment conditional upon a schedule for development of the specific use or uses for which the change is requested. Applicants requesting change under this section shall submit for consideration by the commission and council, a statement of the use or uses for which the change is requested, a specific schedule for development detailing the commencement and completion dates of the development of the proposed use and a site plan, prepared in accordance with the provisions of this code, detailing the development plan for the proposed use. The submitted items will be considered by the commission and council at public hearings in accordance with the provisions of this section. Approval of the site plan by the commission shall be conditional upon approval of the amendment by the council. The council may approve the amendment. If the council chooses to approve the amendment, approval shall be conditional upon development of the use or uses shown on the approved site plan within the period of time stated in the schedule of development. If at the expiration of this period the property has not been improved for the use for which it was conditionally approved, the council may revert the zoning of the property to its former classification following notice and hearing required by A.R.S. § 9-462.01(E). (Ord. 04-91 § 1 (part); Ord. 03-85 § 1 (part))

#### 4.10 General Plan Amendments

General plan amendments include revisions of land use intensity, plans for limited access roadways and deletion of a requirement to reserve or dedicate land for public purpose.

a. Criteria

Any of the following criteria is considered as grounds for a major general plan amendment, requiring a vote of at least two-thirds of the members of city council:

1. Change of use — Redesignation of land, ten acres or more in area and not a part of a larger, mixed-use planned development, from a residential classification to commercial or industrial use.
2. Change in intensity — Redesignation of land from one residential use classification to another residential classification of fifty percent or greater additional density or to resort residential classification.
3. Change in open space or golf course designation — Redesignation of land from open space or golf course use to another land use classification.

b. Special Study Area

Any property contained within a previously-approved master plan of development may be initiated by the property owner for consideration as, and designated by city council, in its discretion, as a special study area. Recommended adjustments to land use or development intensity in the special study area shall be processed through planning commission and city council hearings for any necessary rezoning, subdivision or site plan approval. (Ord. 04-91 § 1 (part))

**SECTION 5  
FEES\***

Subsections:

[5.01 Fee Schedule](#)

[5.03 Waiver or Refund](#)

[5.04 Impact Fees](#)

\* Editor's Note: § 5.02 was repealed by Ord. 02-79.

**5.01 Fee Schedule**

Fees for all zoning change amendments (map or text), use permits, variances, plan review, design review, signs, impact mitigation or appeals are established; and, from time to time, revised by the Litchfield Park city council. Fee schedules are kept on file in city hall.

**5.03 Waiver or Refund**

Applicable fees, in whole or in part, may be waived only for nonprofit organizations and by the city council. No refunds of application fees may be approved other than subsequent fee waivers approved by city council.

**5.04 Impact Fees**

Fees to defray costs for establishing and maintaining municipal improvements (including, but not limited to, streets, sidewalks, carpaths, water, sewer, drainage, parks, public landscaping, libraries, recreation centers and public arts) will be charged according to a schedule of proportionate service allocations for residential and nonresidential properties adopted, and from time to time revised, by the council. Such fees are due and payable prior to the issuance of a certificate of occupancy for any included structure or property.

**SECTION 6  
INTERPRETATION AND CONFLICT**

Subsections:

[6.01 Interpretation](#)

[6.02 Conflict](#)

**6.01 Interpretation**

In interpreting and applying the provisions of this code, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity, and general welfare.

**6.02 Conflict**

It is not intended by this code to interfere with, abrogate or annul any ordinances, rules, regulations, or permits previously adopted or issued, and not in conflict with any of the provisions of this code, or which shall be adopted or issued pursuant to law relating to the use of buildings or premises and likewise not in conflict with this code; nor is it intended by this code to interfere with or abrogate or annul any easements, covenants, or other agreements between parties, except that if this code imposes a greater restriction, this code shall control.



**SECTION 7  
SAVING CLAUSE AND EFFECTIVE DATE**

Subsections:

[7.01 Saving](#)

[7.02 Effective Date](#)

**7.01 Saving**

The invalidity of any section of the code shall not affect the validity of the remainder of said section or the remainder of this code.

**7.02 Effective Date**

This code shall be in full force and effect from and after its passage, approval and publications, as required by law.

**SECTION 8  
VIOLATIONS, ENFORCEMENT AND PENALTIES**

Subsections:

[8.01 Invalid Permits and Approvals](#)

[8.02 City Reliance on Information Supplied](#)

[8.03 Code Enforcement Officer](#)

[8.04 Enforcement Responsibilities](#)

[8.05 Violation: Notice and Opportunity to Correct](#)

[8.06 Violations and Citations](#)

[8.07 Penalties](#)

[8.08 Habitual Offenders](#)

[8.09 Cumulative Procedures and Remedies](#)

[8.10 Failure to Provide Evidence of Identity](#)

**8.01 Invalid Permits and Approvals**

Any permit issued or administrative approval granted in conflict with any provision of the zoning code, a zoning ordinance, a use permit, a variance, or a design review approval is void, unless relief is granted pursuant to Section [3.02\(h\)](#) or [3.04\(f\)](#). (Ord. 06-113 § 1 (part))

**8.02 City Reliance on Information Supplied**

a. Duty to Supply Accurate Information

Any person seeking a permit or approval from the city of Litchfield Park, Arizona, shall submit accurate information to the city of Litchfield Park, Arizona, and shall promptly notify the city of Litchfield Park, Arizona, in writing, of any inaccuracies in information previously submitted.

b. No Warranty

The city of Litchfield Park, Arizona, in issuing a permit or approval is not expressly or impliedly warranting the location of property lines, accuracy of plans or any other information supplied by an applicant.

c. Revocation

If the city of Litchfield Park, Arizona, discovers a permit or approval was issued in reliance on inaccurate information supplied by the applicant, and the permitted or approved structure, work or use in fact does not or will not comply with applicable city code(s), in addition to the general penalty set forth in this section, the city of Litchfield Park, Arizona, reserves the right to revoke the permit or approval, and shall not be liable for any resulting costs or inconvenience. (Ord. 11-160 § 1 (part))

**8.03 Code Enforcement Officer**

The code enforcement officer shall have the authority to enforce the provisions of the zoning code, zoning ordinances, use permits, variances, and design review approvals and to issue citations for violations thereof. The code enforcement officer shall be appointed by the city manager. (Ord. 11-160 § 1 (part); Ord. 06-113 § 1 (part). Formerly 8.02.)

**8.04 Enforcement Responsibilities**

a. Building Department

Prior to issuance of building permits, the building department shall ascertain that plans presented with the building permit application comply with those approved subject to the requirements of the zoning code, a zoning ordinance, a use permit, a variance or a design review approval, as applicable.

b. Code Enforcement Officer

The code enforcement officer shall enforce the provisions of the zoning code, zoning ordinances, use permits, variances and design review approvals and is authorized to stop any work undertaken not in compliance with any provision of the zoning code, a zoning ordinance, a use permit, a variance, or a design review approval.

c. City Attorney

The city attorney may commence an action in superior court to abate a violation of the zoning code, a zoning ordinance, a use permit, a variance or a design review approval. (Ord. 11-160 § 1 (part); Ord. 06-113 § 1 (part). Formerly 8.03.)

**8.05 Violation: Notice and Opportunity to Correct**

a. Notice

Before issuing a citation for a violation of the zoning code, a zoning ordinance, a use permit, a variance, or a design review approval, the code enforcement officer shall provide a written notice of the violation to the property owner and person in control, or to the authorized agent of the property. The notice shall set forth:

1. The violation.
2. What is required to bring the property into compliance.
3. The time period allowed to bring the property into compliance.

b. Time Period

The time period provided to correct violations of the zoning code, a zoning ordinance, a use permit, a variance, or a design review approval other than signs shall be a minimum of ten days, unless the violation creates a safety hazard, in which case the time period for correction shall be determined by the code enforcement officer based on the severity of the danger. The time period provided to correct violations of sign regulations are set forth in Sections 35.12, 35.14, 35.15, and 35.31(a)(12), all of which set forth times for notice to correct violations of Section 35, Signs. A citation is considered an appropriate notice in the case of violations of Section 35 for signs installed without required permits.

c. Failure to Receive Notice

Failure of the property owner, person in control, or authorized agent of the property to receive a notice shall not preclude issuance of a citation. (Ord. 11-160 § 1 (part); Ord. 06-113 § 1 (part).)

Formerly 8.04.)

#### **8.06 Violations and Citations**

If a violation of the zoning code, a zoning ordinance, a use permit, a variance, or a design review approval continues past the time set forth in the notice of violation, a citation shall be issued to the property owner, person in control, or authorized agent of the property.

- a. A civil action for violations shall be commenced by filing the citation in the city of Litchfield Park magistrate court.
- b. Citations may be issued by the code enforcement officer, by a city of Litchfield Park police officer, or by a sworn officer of another police or sheriff's office acting on behalf of the city of Litchfield Park.
- c. Each day a violation continues, or the failure to perform any act or duty required by the zoning code, a zoning ordinance, a use permit, a variance, a design review approval or by the city of Litchfield Park magistrate court continues, shall constitute a separate civil offense.
- d. Every civil action or proceeding under this section shall be commenced and prosecuted in accordance with the laws of the state of Arizona relating to civil traffic procedures and the Arizona Rules of Procedure in civil traffic violation cases. (Ord. 11-160 § 1 (part); Ord. 06-113 § 1 (part). Formerly 8.05.)

#### **8.07 Penalties**

- a. A citation issued pursuant to Section [8.04](#) shall direct the person to whom the citation is issued to pay a fine in the amount set forth in the city of Litchfield Park magistrate court's adopted schedule of fines within ten days of the issuance of the citation or to appear before the city of Litchfield Park magistrate court. Payment of the fine shall constitute a finding of responsibility for the violation for purposes of Section [8.07](#).
- b. Upon a finding by the city of Litchfield Park magistrate court that a person is responsible for a civil violation of the zoning code, a zoning ordinance, a use permit, a variance or a design review approval, that person, corporation, or other legal entity shall be subject to a civil fine of not more than five hundred dollars for each violation imposed by the city magistrate court.
- c. Any judgment for civil fines or penalties may be collected as any other civil judgment, as provided for in the Arizona Revised Statutes. (Ord. 11-160 § 1 (part); Ord. 06-113 § 1 (part). Formerly 8.06.)

#### **8.08 Habitual Offenders**

- a. Any person found responsible by the city of Litchfield Park magistrate court for committing three or more civil violations of the zoning code, a zoning ordinance, a use permit, variance or design review approval within a twenty-four-month period, whether by admission, by payment of the fine, by default or by judgment after hearing shall be determined to be a habitual offender. For purposes of calculating the twenty-four-month period under this subsection a, the dates of the commission of the offenses are the determining factor.
- b. A habitual offender who subsequently violates the zoning code, a zoning ordinance, a use permit, variance, or design review approval shall be guilty of a Class 1 misdemeanor offense.
- c. Upon the conviction of a habitual offender for a violation of the zoning code, a zoning ordinance, a use permit, variance, or design review approval, the court may:
  1. Impose a sentence of incarceration not to exceed six months in jail; or
  2. Impose a fine not to exceed two thousand five hundred dollars, exclusive of penalty assessments prescribed by law; or
  3. Impose a term of probation; or
  4. Impose any combination of incarceration, fine, and probation.
- d. Notwithstanding the above elective penalty, upon conviction of a habitual offender of a violation of the zoning code, a zoning ordinance, a use permit, variance, or design review approval, the court shall impose a fine of not less than five hundred dollars for each count upon which a conviction is obtained.
- e. A judge shall not grant probation to a habitual offender or suspend any part of a sentence or fine imposed upon a habitual offender for any sentence required by this subsection, except on the condition that the habitual offender pays the fine imposed by the court, as provided in this section.
- f. Every action or proceeding under this section shall be commenced and prosecuted in accordance with the laws of the state of Arizona relating to misdemeanors and the Arizona Rules of Criminal Procedure. (Ord. 11-160 § 1 (part); Ord. 06-113 § 1 (part). Formerly 8.07.)

#### **8.09 Cumulative Procedures and Remedies**

The procedures and remedies provided for herein shall be cumulative and in addition to any other procedures and remedies to which the town may be entitled by law or equity. (Ord. 11-160 § 1 (part); Ord. 06-113 § 1 (part). Formerly 8.08.)

#### **8.10 Failure to Provide Evidence of Identity**

A person who fails or refuses to provide evidence of his or her identity to the city of Litchfield Park building official, a building inspector, the code enforcement officer, or a police officer or any other authorized agent of the city upon request, when such agent has reasonable cause to believe the person has committed a violation of the zoning code, is guilty of a Class 1 misdemeanor. Evidence of identity shall consist of a person's full name, residence address, and date of birth. (Ord. 11-160 § 1 (part); Ord. 06-113 § 1 (part). Formerly 8.09.)

**SECTION 9  
DISTRICTS AND BOUNDARIES THEREOF**

Subsections:

[9.01 Purpose](#)

[9.02 Boundaries and Map](#)

[9.03 Annexation](#)

[9.04 Boundary Line](#)

[9.05 General Conditions](#)

[9.06 Map Appended](#)

[9.07 Overlay Districts](#)

**9.01 Purpose**

In order to implement the city of Litchfield Park general plan policies to accommodate compatible, accessible mixtures of land use in a village context where persons may reside, shop, engage in community activities, work and play in close proximity; classify, regulate, and restrict the location of business, trades, industries, residences and other land uses, and the location of buildings designed for specific uses; to regulate and limit the height and bulk of buildings thereafter erected, reconstructed, or structurally altered; to regulate and limit the intensity of the use of lot areas, and to regulate and determine the area of yards, courts and other open spaces within and surrounding such buildings, the city of Litchfield Park, Arizona is hereby divided into eighteen "districts." The use, heights and area regulations are set forth for each district and said districts shall be known as:

RE	Residential Estate
R1	Low Density Residential
R1-15	Low Medium Density Residential
R1-8	Medium Density Residential
R1-6	High Medium Density Residential
RC (Cluster)	High Density Residential
MFL	Low Density Multifamily Residential
MFH	Medium Density Multifamily Residential
MFH	High Density Multifamily Residential
PH	Patio Home Residential
RT	Resort
NC	Neighborhood Commercial
CS	Community Commercial
RS	Regional Commercial
I	General Industrial
OS	Open Space
PD	Planned Development
PF	Public Facilities
HPOD	Historic Preservation Overlay District

(Ord. 04-91 § 1 (part))

**9.02 Boundaries and Map**

The boundaries of these districts are shown upon the map or supplementary maps and made a part of this code, which map is designated as the "Litchfield Park Zoning Map." The zoning map and all notations, references and other information shown thereon were fully set forth and described herein, which zoning map is attached hereto and made a part of this code by reference and any supplementary zoning map adopted by ordinance shall become a part of this code by reference as though fully set forth herein.

**9.03 Annexation**

a. All territory which may hereafter be annexed to the city of Litchfield Park, Arizona shall automatically continue Maricopa County zoning designations for a period not more than six months. Within such six-month period, a map amendment shall be adopted establishing city zoning.

b. As part of any application for annexation to the city, the property owners of the territory proposed to be annexed shall submit an agreement to waive claims for diminution in value as set forth in Section [3.07](#). (Ord. 07-134 § 1 (part); Ord. 04-91 § 1 (part))

**9.04 Boundary Line**

Whenever any street, alley, or other public way is vacated by official action of the council, the zoning districts adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended districts.

**9.05 General Conditions**

Except as hereinafter provided:

- a. No building shall be erected, converted, enlarged, reconstructed, or structurally altered, nor shall any building or land be used except in conformity with use, height, area, and parking regulations in the district in which the building or land is located.
- b. The minimum yards and other open spaces, including lot area per family, required by this code for each and every building existing at the time of passage of this code, or for any building hereafter erected, shall not be encroached upon or considered as yard or open space requirements for any other building; nor shall any lot area be reduced beyond the district regulations of this code.
- c. Every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one main building on one lot, except as otherwise provided.
- d. No accessory building shall be leased, subleased, or rented, separate and apart from the main building and no main building shall be leased, subleased, or rented, separate and apart from an accessory building.

- e. No lot may be resubdivided into smaller lot or lots.
- f. No farm livestock may be kept on any residential lot.
- g. Housepets may be kept in reasonable number and so long as they do not constitute a nuisance in the neighborhood.
- h. No business or professional offices may be maintained on residential lots or in the residences thereon unless the office is determined to be a home occupation. A group home for the handicapped is permitted so long as the group home is operated in accordance with applicable federal and state law and this code.
- i. Signs may be displayed under restrictions set forth in the ensuing section applying to residential districts.
- j. Any store, warehouse, or repair shop activity is prohibited on any residential lot.
- k. Only an entire lot together with improvements thereon may be rented to a single family. Occupancy of trailers, recreational vehicles, or vans is prohibited on any residential lot. (Ord. 97-42 § 1 (part))

**9.06 Map Appended**

Appended to this code is a map of the city of Litchfield Park appropriately marked to designate the various zoning districts.

**9.07 Overlay Districts**

Site plan approval is required for developments located in overlay districts.

- a. Regulations pertaining to the base, or underlying district, and general conditions set forth in Section [9.05](#), shall apply to uses, lots or portions of lots included within an overlay district unless specifically modified in the map amendment or by condition of zoning.
- b. Additional requirements may be established to further the purposes of the overlay district.
- c. Historic preservation overlay district development proposals shall observe architectural themes, structural scale and building massing consistent with other properties in the district. Use permit approval may, in appropriate circumstances, be granted as an incentive for property owners' consent to be included in the district. (Ord. 04-91 § 1 (part))

**SECTION 10  
RESIDENTIAL ESTATE (RE) DISTRICT**

Subsections:

[10.01 Land Use Definition](#)

[10.02 Use Regulations](#)

[10.03 Property Development Standards](#)

[10.04 Height Regulations](#)

[10.05 Setback Regulations](#)

[10.06 Additional Regulations](#)

**10.01 Land Use Definition**

Residential estate (RE): the principal land use is a single-family dwelling on a subdivision lot having an area of one acre or greater. In this category, no residences shall have a livable floor area of less than three thousand square feet.

**10.02 Use Regulations**

A building or premises shall be used only for the purposes set forth in the city of Litchfield Park zoning matrix (Section 28).

**10.03 Property Development Standards**

Unless otherwise accepted as part of a development plan at the time of zoning approval, the following development standards shall be observed:

- a. In the residential estate district, every residential lot shall have an area of not less than forty three thousand five hundred sixty square feet, and a width of not less than one hundred fifty feet.
- b. Primary buildings and other structures shall not cover more than thirty percent of the lot.
- c. Open Space Density Bonus

Provision of common open space totaling not less than twenty percent of the net site area, shall entitle the developer to observe the property development standards of the low density residential (R1) district. (Ord. 04-91 § 1 (part))

**10.04 Height Regulations**

No building shall exceed one story nor twenty-five feet in height; or if accepted as part of a development plan at the time of zoning approval, two stories or thirty-five feet.

**10.05 Setback Regulations**

Unless otherwise accepted as part of a development plan at the time of zoning approval, the following setbacks shall be provided:

a. Front Yard

1. There shall be a front yard having a depth of not less than forty feet.
2. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot. No accessory building shall project into yards required to conform with the front yard requirements.

b. Side Yard

There shall be a side yard on each side of a building having a width of not less than thirty feet.

c. Rear Yard

There shall be a rear yard having a depth of not less than forty feet.

**10.06 Additional Regulations**

- a. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section 31.15.
- b. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city of Litchfield Park and the Maricopa County Flood Control District; the procedures for which shall be approved by the council.

**SECTION 11  
LOW DENSITY RESIDENTIAL (R1) DISTRICT**

Subsections:

[11.01 Land Use Definition](#)

[11.02 Use Regulations](#)

[11.03 Property Development Standards](#)

[11.04 Height Regulations](#)

[11.05 Setback Regulations](#)

[11.06 Additional Regulations](#)

**11.01 Land Use Definition**

Low density residential (R1): the principal land use is a single-family dwelling on a subdivision lot of at least one half acre in area. No residences in this category shall have livable floor area of less than two thousand three hundred fifty square feet.

**11.02 Use Regulations**

A building or premises shall be used only for the purposes as set forth in the city of Litchfield Park zoning matrix (Section 28).

**11.03 Property Development Standards**

Unless otherwise accepted as part of a development plan at the time of zoning approval, the following development standards shall be observed:

- a. In the low density residential district, every residential lot shall have an area of not less than twenty one thousand seven hundred eighty square feet, and a width of not less than one hundred ten feet.
- b. Primary buildings and other structures shall not cover more than thirty percent of the lot.
- c. Open Space Density Bonus

Provision of common open space totaling not less than twenty percent of the net site area, shall entitle the developer to observe the property development standards (except minimum development area) and the setback regulations of the next less restrictive residential district. (Ord. 04-91 § 1 (part))

**11.04 Height Regulations**

No building shall exceed one story nor twenty-five feet in height, or if accepted as part of a development plan approved at the time of zoning approval, two stories or thirty-five feet.

**11.05 Setback Regulations**

Unless otherwise accepted as part of a development plan at the time of zoning approval, the following setbacks shall be provided:

- a. Front Yard
  1. There shall be a front yard having a depth of not less than thirty-five feet.
  2. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot. No accessory building shall project into yards required to conform with the front yard requirements.
- b. Side Yard

There shall be a side yard on each side of a building having a width of not less than fifteen feet.

- c. Rear Yard

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

**11.06 Additional Regulations**

- a. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section 31.15.
- b. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city of Litchfield Park and the Maricopa County Flood Control District; the procedures for which shall be approved by the council.

**SECTION 12**  
**LOW MEDIUM DENSITY RESIDENTIAL (R1-15) DISTRICT**

Subsections:

[12.01 Land Use Definition](#)

[12.02 Use Regulations](#)

[12.03 Property Development Standards](#)

[12.04 Height Regulations](#)

[12.05 Setback Regulations](#)

[12.06 Additional Regulations](#)

**12.01 Land Use Definition**

Low medium density residential (R1-15): the principal land use is a single-family dwelling on a subdivision lot of at least fifteen thousand square feet in area. Each residence must have a minimum livable floor area of one thousand eight hundred fifty square feet.

**12.02 Use Regulations**

A building or premises shall be used only for the purposes as set forth in the city of Litchfield Park zoning matrix (Section 28).

**12.03 Property Development Standards**

Unless otherwise accepted as part of a development plan at the time of zoning approval, the following development standards shall be observed:

- a. In the low medium density residential district, every residential lot shall have an area of not less than fifteen thousand square feet, and a width of not less than eighty feet.
- b. Primary buildings and other structures shall not cover more than thirty percent of the lot.
- c. Open Space Density Bonus

Provision of common open space totaling not less than twenty percent of the net site area, shall entitle the developer to observe the property development standards (except minimum development area) and the setback regulations of the next less restrictive residential district. (Ord. 04-91 § 1 (part))

**12.04 Height Regulations**

No building shall exceed one story nor twenty-five feet in height; or, if accepted as part of a development plan at the time of zoning approval, two stories or thirty-five feet.

**12.05 Setback Regulations**

Unless otherwise accepted as part of a development plan at the time of zoning approval, the following setbacks shall be provided:

- a. Front Yard
  1. There shall be a front yard having a depth of not less than thirty feet.
  2. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot. No accessory building shall project into yards required to conform with the front yard requirements.

b. Side Yard

There shall be a side yard on each side of a building having a width of not less than fifteen feet.

c. Rear Yard

There shall be a rear yard having a depth of not less than thirty feet.

**12.06 Additional Regulations**

- a. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section 31.15.
- b. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city of Litchfield Park and the Maricopa County Flood Control District; the procedures for which shall be approved by the council.



**SECTION 13**  
**MEDIUM DENSITY RESIDENTIAL (R1-8) DISTRICT**

Subsections:

[13.01 Land Use Definition](#)

[13.02 Use Regulations](#)

[13.03 Property Development Standards](#)

[13.04 Height Regulations](#)

[13.05 Setback Regulations](#)

[13.06 Additional Regulations](#)

**13.01 Land Use Definition**

Medium density residential (R1-8): the principal land use is a single-family dwelling, including cluster housing. No residence in this category shall have livable floor area of less than one thousand five hundred square feet.

**13.02 Use Regulations**

A building or premises shall be used only for the purposes as set forth in the city of Litchfield Park zoning matrix (Section 28).

**13.03 Property Development Standards**

Unless otherwise accepted as part of a development plan at the time of zoning approval, the following development standards shall be observed:

- a. In the medium density residential district, every residential lot shall have an area of not less than eight thousand square feet, and a width of not less than sixty feet.
- b. Primary buildings and other structures shall not cover more than forty percent of the lot.
- c. Open Space Density Bonus

Provision of common open space totaling not less than twenty percent of the net site area, shall entitle the developer to observe the property development standards (except minimum development area) and the setback regulations of the next less restrictive residential district. (Ord. 04-91 § 1 (part))

**13.04 Height Regulations**

No building shall exceed one story nor twenty-five feet in height; or if accepted as part of a development plan at the time of zoning approval, two stories or thirty-five feet.

**13.05 Setback Regulations**

Unless otherwise accepted as part of a development plan at the time of zoning approval, the following setbacks shall be provided:

- a. Front Yard
  1. There shall be a front yard having a depth of not less than twenty-five feet.
  2. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot. No accessory building shall project into yards required to conform with the front yard requirements.

b. Side Yard

There shall be a side yard on each side of a building having a width of not less than twelve feet.

c. Rear Yard

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

**13.06 Additional Regulations**

- a. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section 31.15.
- b. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city of Litchfield Park and the Maricopa County Flood Control District; the procedures for which shall be approved by the council.

**SECTION 14**  
**HIGH MEDIUM DENSITY RESIDENTIAL (R1-6) DISTRICT**

Subsections:

[14.01 Land Use Definition](#)

[14.02 Use Regulations](#)

[14.03 Property Development Standards](#)

[14.04 Height Regulations](#)

[14.05 Setback Regulations](#)

[14.06 Additional Regulations](#)

**14.01 Land Use Definition**

High medium density residential (R1-6): the principal land uses of this district are single-family dwellings. No residence in this district shall have livable floor area of less than one thousand two hundred square feet.

**14.02 Use Regulations**

A building or premises shall be used only for the purposes set forth in the city of Litchfield Park zoning matrix (Section 28).

**14.03 Property Development Standards**

Unless otherwise accepted as part of a development plan at the time of zoning approval, the following development standards shall be provided:

- a. In the high medium density residential district, every residential lot shall have an area of not less than six thousand square feet, and a width of not less than forty feet.
- b. Primary buildings and other structures shall not cover more than fifty percent of the lot.
- c. Open Space Density Bonus

Provision of common open space totaling not less than twenty percent of the net site area, shall entitle the developer to observe the property development standards (except minimum development area) and the setback regulations of the next less restrictive residential district. (Ord. 04-91 § 1 (part))

**14.04 Height Regulations**

No building shall exceed one story nor twenty-five feet in height; or if accepted as part of a development plan at the time of zoning approval, two stories or thirty-five feet.

**14.05 Setback Regulations**

Unless otherwise accepted as part of a development plan at the time of zoning approval, the following setbacks shall be provided:

- a. Front Yard
  1. There shall be a front yard having a depth of not less than twenty feet.
  2. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot. No accessory building shall project into yards required to conform with the front yard requirements.

b. Side Yard

There shall be a side yard on each side of a building having a width of not less than ten feet.

c. Rear Yard

There shall be a rear yard having a depth of not less than twenty feet.

**14.06 Additional Regulations**

- a. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section 31.15.
- b. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city of Litchfield Park and the Maricopa County Flood Control District; the procedures for which shall be approved by the council.

**SECTION 15  
HIGH DENSITY RESIDENTIAL (RC Cluster) DISTRICT**

Subsections:

[15.01 Land Use Definition](#)

[15.02 Use Regulations](#)

[15.03 Property Development Standards](#)

[15.04 Height Regulations](#)

[15.05 Setback Regulations](#)

[15.06 Additional Regulations](#)

**15.01 Land Use Definition**

High density residential (RC Cluster): this zoning provides for multifamily housing only. Dwelling units in this category shall have livable floor area as may be approved by the commission upon submittal of a use plan by the developer.

**15.02 Use Regulations**

A building or premises shall be used only for the purposes as set forth in the city of Litchfield Park zoning matrix (Section 28).

**15.03 Property Development Standards**

a. Development Area

Each development shall have a minimum area of five acres.

b. Lot Area Per Dwelling Unit

The minimum lot area per dwelling unit shall be three thousand six hundred square feet within the development.

c. Coverage

The maximum coverage shall be sixty percent of the development area.

d. Distance Between Buildings

The minimum distance between buildings on the same lot shall be ten feet.

e. Buffers

Buffer yards, consisting at a minimum of landscaping for the required setback distance, including pathways as appropriate, as approved by the design review board, shall be provided between dissimilar uses or other districts.

f. Open Space Density Bonus

Provision of common open space totaling not less than twenty percent of the net site area, shall entitle the developer to observe the property development standards (except minimum development area) and the setback regulations of the next less restrictive residential district. (Ord. 04-91 § 1 (part))

**15.04 Height Regulations**

The height of all structures shall not exceed one story nor twenty-five feet in height; or if accepted as part of a development plan at the time of zoning approval, two stories or thirty-five feet.

**15.05 Setback Regulations**

Unless otherwise accepted as part of a development plan at the time of zoning approval, the following setbacks shall be provided:

a. Front Yard

1. There shall be a front yard having a depth of not less than ten feet.
2. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot. No accessory building shall project into yards required to conform with the front yard requirements.

b. Side Yard

There shall be a side yard on each side of a building having a width of not less than ten feet.

c. Rear Yard

There shall be a rear yard having a depth of not less than ten feet.

**15.06 Additional Regulations**

a. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section 31.15.

b. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city of Litchfield Park and the Maricopa County Flood Control District; the procedures for which shall be approved by the council.

**SECTION 16**  
**LOW DENSITY MULTIFAMILY (MFL) DISTRICT**

Subsections:

[16.01 Land Use Definition](#)

[16.02 Use Regulations](#)

[16.03 Property Development Standards](#)

[16.04 Height Regulations](#)

[16.05 Setback Regulations](#)

[16.06 Residential Condominium Projects](#)

[16.07 Additional Regulations](#)

[16.08 Violation: Penalty](#)

**16.01 Land Use Definition**

Low density multifamily (MFL): this zoning provides for multifamily housing. Dwelling units in this category shall have livable floor area as may be approved by the commission upon submittal of a use plan by the developer.

**16.02 Use Regulations**

A building or premises shall be used only for the purposes set forth in the city of Litchfield Park zoning matrix (Section 28).

**16.03 Property Development Standards**

a. Development Area

Each development shall have a minimum area of five acres.

b. Lot Area Per Dwelling Unit

The minimum lot area per dwelling unit shall be two thousand four hundred square feet within the development.

c. Coverage

The maximum coverage shall be sixty percent of the development area.

d. Distance Between Buildings

The minimum distance between buildings on the same lot shall be ten feet.

e. Buffers

Buffer yards, consisting at a minimum of landscaping for the required setback distance, including pathways as appropriate, as approved by the design review board, shall be provided between dissimilar uses or other districts.

f. Open Space Density Bonus

Provision of common open space totaling not less than twenty percent of the net site area shall entitle the developer to observe the property development standards (except minimum development area) and the setback regulations of the next less restrictive residential district. (Ord. 04-91 § 1 (part))

**16.04 Height Regulations**

The height of all structures shall not exceed: two stories, nor thirty-five feet in height.

**16.05 Setback Regulations**

a. Front Yard

1. There shall be a front yard having a depth of not less than twenty feet, unless otherwise approved as a part of a development plan.

2. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot. No accessory building shall project into yards required to conform with the front yard requirements.

b. Side Yard

There shall be a side yard on each side of a building having a width of not less than twenty feet.

c. Rear Yard

There shall be a rear yard having a depth of not less than twenty feet.

**16.06 Residential Condominium Projects**

In addition to the regulations set forth in this section, residential condominium projects shall comply with the following regulations:

a. Compliance with Zoning District Requirements and Subdivision Regulations

Residential condominium projects shall comply with the requirements of the low density multifamily district, as such requirements may be specifically modified by the applicable rezoning ordinance, if any. Residential condominium projects shall comply with city subdivision regulations.

b. Use of Residential Condominium Units as Resort Rental Units

Primary condominium units and split-off units may be used as resort rental units only in compliance with the requirements of this subsection b.

1. Master Agreement with Resort

There shall be a written master agreement between a resort that includes the resort rental units in its hotel room inventory and the owner of the residential condominium unit whereby the (a) split-off unit, or (b) both the primary condominium unit and the split-off unit are authorized to be used as resort rental units. If the master agreement is terminated or expires, the use of the split-off unit and primary condominium unit as a resort rental unit shall cease. The agreement shall provide at a minimum that a primary condominium unit shall not be used as a resort rental unit unless the master agreement includes the split-off unit of the residential condominium unit as a resort rental unit. Prior to use of any residential condominium unit as a resort rental unit, the resort shall file an affidavit of compliance with the city stating that the resort is in compliance with the requirements of this subsection b. The use of a split-off unit or

a primary condominium unit as a resort rental unit is not a lease prohibited by subsection c.

2. Management Office

There shall be a management office located in the city that can provide twenty-four-hour service to the resort rental units.

3. Bed Tax

The bed tax shall be paid on both primary condominium units and split-off units used as resort rental units.

4. Kitchens

A split-off unit shall not include built-in cooking facilities and shall not be equipped for kitchen appliances requiring two-hundred-twenty-volt electric service or natural gas.

5. Parking

Parking shall be provided at a ratio of two spaces for each condominium unit.

c. No Leasing or Conveyance of Split-Off Units

Split-off units shall not be leased, subleased or otherwise conveyed separate from the primary condominium unit. (Ord. 06-111 § 1 (part))

**16.07 Additional Regulations**

a. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section 31.15.

b. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city of Litchfield Park and the Maricopa County Flood Control District, the procedures for which shall be approved by the council. (Ord. 06-111 § 1 (part). Formerly 16.06)

**16.08 Violation; Penalty**

Any person found guilty of violating any provision of Section [16.06](#) shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed two thousand five hundred dollars or by imprisonment for a period not to exceed six months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as described in this subsection. (Ord. 06-111 § 4 (part))

**SECTION 17**  
**MEDIUM DENSITY MULTIFAMILY (MFM) DISTRICT**

Subsections:

[17.01 Land Use Definition](#)

[17.02 Use Regulations](#)

[17.03 Property Development Standards](#)

[17.04 Height Regulations](#)

[17.05 Setback Regulations](#)

[17.06 Residential Condominium Projects](#)

[17.07 Additional Regulations](#)

[17.08 Violation: Penalty](#)

**17.01 Land Use Definition**

Medium density multifamily (MFM): this zoning provides for multifamily housing. Dwelling units in this category shall have livable floor area as may be approved by the commission upon submittal of a use plan by the developer.

**17.02 Use Regulations**

A building or premises shall be used only for the purposes set forth in the city of Litchfield Park zoning matrix (Section 28).

**17.03 Property Development Standards**

a. Development Area

Each development shall have a minimum area of five acres.

b. Lot Area Per Dwelling Unit

The minimum lot area per dwelling unit shall be two thousand square feet within the development.

c. Coverage

The maximum coverage shall be sixty percent of the development area.

d. Distance Between Buildings

The minimum distance between buildings on the same lot shall be ten feet.

e. Buffers

Buffer yards, consisting at a minimum of landscaping for the required setback distance, including pathways as appropriate, as approved by the design review board, shall be provided between dissimilar uses or other districts.

f. Open Space Density Bonus

Provision of common open space totaling not less than twenty percent of the net site area shall entitle the developer to observe the property development standards (except minimum development area) and the setback regulations of the next less restrictive residential district. (Ord. 04-91 § 1 (part))

**17.04 Height Regulations**

The height of all structures shall not exceed the lower of: (a) two habitable stories; (b) thirty-five feet from natural grade through any structure cross-section.

**17.05 Setback Regulations**

a. Front Yard

1. There shall be a front yard having a depth of not less than twenty-five feet, unless otherwise approved as a part of a development plan.

2. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot. No accessory building shall project into yards required to conform with the front yard requirements.

b. Side Yard

There shall be a side yard on each side of a building having a width of not less than twenty-five feet.

c. Rear Yard

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

**17.06 Residential Condominium Projects**

In addition to the regulations set forth in this section, residential condominium projects shall comply with the following regulations:

a. Compliance with Zoning District Requirements and Subdivision Regulations

Residential condominium projects shall comply with the requirements of the medium density multifamily district, as such requirements may be specifically modified by the applicable rezoning ordinance, if any. Residential condominium projects shall comply with city subdivision regulations.

b. Use of Residential Condominium Units as Resort Rental Units

Primary condominium units and split-off units may be used as resort rental units only in compliance with the requirements of Section [16.06\(b\)](#).

c. No Leasing or Conveyance of Split-Off Units

Split-off units shall not be leased, subleased or otherwise conveyed separate from the primary condominium unit. (Ord. 06-111 § 1 (part))

**17.07 Additional Regulations**

a. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section 31.15.

b. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city of Litchfield Park and the Maricopa County Flood Control District, the procedures for which shall be approved by the council. (Ord. 06-

111 § 1 (part). Formerly 17.06)

**17.08 Violation; Penalty**

Any person found guilty of violating any provision of Section [17.06](#) shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed two thousand five hundred dollars or by imprisonment for a period not to exceed six months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as described in this subsection. (Ord. 06-111 § 4 (part))

**SECTION 18**  
**HIGH DENSITY MULTIFAMILY (MFH) DISTRICT**

Subsections:

[18.01 Land Use Definition](#)

[18.02 Use Regulations](#)

[18.03 Property Development Standards](#)

[18.04 Height Regulations](#)

[18.05 Setback Regulations](#)

[18.06 Residential Condominium Projects](#)

[18.07 Additional Regulations](#)

[18.08 Violation; Penalty](#)

**18.01 Land Use Definition**

High density multifamily (MFH): this zoning provides for multifamily housing. Dwelling units in this category shall have livable floor area as may be approved by the commission upon submittal of a use plan by the developer.

**18.02 Use Regulations**

A building or premises shall be used only for the purposes set forth in the city of Litchfield Park zoning matrix (Section 28).

**18.03 Property Development Standards**

a. Development Area

Each development shall have a minimum area of five acres.

b. Lot Area Per Dwelling Unit

The minimum lot area per dwelling unit shall be one thousand eight hundred square feet within the development.

c. Coverage

The maximum coverage shall be sixty percent of the development area.

d. Distance Between Buildings

The minimum distance between buildings on the same lot shall be ten feet.

e. Buffers

Buffer yards, consisting at a minimum of landscaping for the required setback distance, including pathways as appropriate, as approved by the design review board, shall be provided between dissimilar uses or other districts. (Ord. 04-91 § 1 (part))

**18.04 Height Regulations**

The height of all structures shall not exceed three stories nor forty feet in height.

**18.05 Setback Regulations**

a. Front Yard

1. There shall be a front yard having a depth of not less than thirty feet, unless approved as a part of a development plan.

2. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot. No accessory building shall project into yards required to conform with the front yard requirements.

b. Side Yard

There shall be a side yard on each side of a building having a width of not less than thirty feet.

c. Rear Yard

There shall be a rear yard having a depth of not less than thirty feet.

**18.06 Residential Condominium Projects**

In addition to the regulations set forth in this section, residential condominium projects shall comply with the following regulations:

a. Compliance with Zoning District Requirements and Subdivision Regulations

Residential condominium projects shall comply with the requirements of the high density multifamily district, as such requirements may be specifically modified by the applicable rezoning ordinance, if any. Residential condominium projects shall comply with city subdivision regulations.

b. Use of Residential Condominium Units as Resort Rental Units

Primary condominium units and split-off units may be used as resort rental units only in compliance with the requirements of Section [16.06\(b\)](#).

c. No Leasing or Conveyance of Split-Off Units

Split-off units shall not be leased, subleased or otherwise conveyed separate from the primary condominium unit. (Ord. 06-111 § 1 (part))

**18.07 Additional Regulations**

a. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section 31.15.

b. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city of Litchfield Park and the Maricopa County Flood Control District, the procedures for which shall be approved by the council. (Ord. 06-111 § 1 (part). Formerly 18.06)

**18.08 Violation; Penalty**

Any person found guilty of violating any provision of Sections [18.06](#) shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed two thousand five hundred dollars or by imprisonment for a period not to exceed six months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as



described in this subsection. (Ord. 06-111 § 4 (part))

**SECTION 19**  
**PATIO HOME RESIDENTIAL (PH) DISTRICT**

Subsections:

[19.01 Land Use Definition](#)

[19.02 Use Regulations](#)

[19.03 Property Development Standards](#)

[19.04 Height Regulations](#)

[19.05 Setback Regulations](#)

[19.06 Additional Regulations](#)

**19.01 Land Use Definition**

Patio Home Residential (PH): the principal land use is a single-family dwelling on a subdivision lot of four thousand square feet in area. Each residence must have a minimum livable floor area of one thousand square feet.

**19.02 Use Regulations**

A building or premises shall be used only for the purposes set forth in the city of Litchfield Park zoning matrix (Section 28).

**19.03 Property Development Standards**

Unless otherwise accepted as part of a development plan at the time of zoning approval, the following development standards shall be provided:

a. Development Area

Each development shall have a minimum area of two acres.

b. Lot Area

In the patio home residential district, every residential lot shall have an area of not less than four thousand square feet, and width of not less than forty feet.

c. Minimum Unit Size

No residence shall have a livable floor area of less than one thousand square feet.

d. Coverage

The maximum coverage shall be sixty percent of the development area.

e. Distance Between Buildings

The minimum distance between buildings on the same lot shall be ten feet.

f. Buffers

Buffer yards, consisting at a minimum of landscaping for the required setback distance, including pathways as appropriate, as approved by the design review board, shall be provided between dissimilar uses or other districts.

**19.04 Height Regulations**

No building shall exceed one story nor twenty-five feet in height, or if accepted as part of a development plan at the time of the zoning approval, two stories or thirty-five feet.

**19.05 Setback Regulations**

a. Front Yard

1. There shall be a front yard having a depth of not less than ten feet, unless approved as a part of a development plan.

2. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot. No accessory building shall project into yards required to conform with the front yard requirements.

b. Side Yard

The combined side yard for any two adjacent lots shall equal ten feet, in any combination, from zero feet for one lot and ten feet for the other, to five feet for each lot. In any case, no two adjacent buildings on separate lots shall have a combined side lot dimension of less than ten feet.

c. Rear Yard

There shall be a rear yard having a depth of not less than ten feet.

**19.06 Additional Regulations**

a. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See section 31.15.

b. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city of Litchfield Park and the Maricopa County Flood Control District; the procedures for which shall be approved by the council.

**SECTION 20  
RESORT (RT) DISTRICT**

Subsections:

[20.01 Land Use Definition](#)

[20.02 Use Regulations](#)

[20.03 Property Development Standards](#)

[20.04 Additional Regulations](#)

\* Editor's Note: § 20.05 was repealed by Ord. 06-111.

**20.01 Land Use Definition**

Resort: this category provides commercial hospitality lodgings in spacious settings that are principally intended for vacationing, relaxation and conference activities for visitors to the community.

Permitted are tourist lodgings such as hotels or motels, with commonly incidental, recreation-oriented uses, including golf courses, horseback riding, swimming, tennis, and other similar outdoor activities; as well as facilities contained within the principal resort building: restaurants, cocktail lounges, car rental, health clubs, childcare, professional business offices, and convention services.

Other accessory or temporary uses: fraternal or civic clubs, freestanding commercial recreation (including stables), retail shops, or financial institutions and any manufactured structures require use permit approval. (Ord. 06-111 § 1 (part))

**20.02 Use Regulations**

Buildings or premises shall be used only for the purposes as set forth in the city of Litchfield Park zoning matrix (Section 28).

**20.03 Property Development Standards**

a. Development Area

Each development shall have a minimum area of ten acres. The resort development must provide a minimum of four thousand square feet of area for each lodging unit.

b. Development Width

The minimum development width shall be three hundred feet.

c. Coverage

The maximum coverage shall be sixty percent of the development area.

d. Buffers

Buffer yards, consisting of a minimum of landscaping for the required setback distance, including pathways as appropriate, as approved by the design review board, shall be provided between dissimilar uses or other districts. (Ord. 04-91 § 1 (part))

**20.04 Additional Regulations**

a. 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 specifically noted herein. Use permit approval shall be required for any intensification, expansion or alteration of uses, conditions or buildings including, but not limited to, golf course maintenance facilities.

b. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section 31.15.

c. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city and the Maricopa County Flood Control District, the procedures for which shall be approved by the council.

**SECTION 21  
NEIGHBORHOOD COMMERCIAL (NC) DISTRICT**

Subsections:

[21.01 Land Use Definition](#)

[21.02 Use Regulations](#)

[21.03 Property Development Standards](#)

[21.04 Height Regulations](#)

[21.05 Setback Regulations](#)

[21.06 Additional Regulations](#)

**21.01 Land Use Definition**

Neighborhood commercial: this category provides areas for commercial centers located within close proximity to residential neighborhoods which provide everyday goods and services. The neighborhood commercial area should be located convenient to the neighborhood(s) it serves.

Permitted are professional/business offices, retail and service shops, child care, community facilities, financial institutions, government facilities, information center, restaurants, and health clubs.

Accessory uses, temporary uses, churches, clinics, cocktail lounges, fraternal or civic clubs, arcades and game centers, auto service stations, department stores, equipment rental, commercial recreation, convenience stores, miniwarehousing, schools, supermarkets, rental cars, research and development, vehicle repair or storage, veterinary services, and any manufactured structures require use permit approval. (Ord. 13-183 § 1 (part))

**21.02 Use Regulations**

A building or premises shall be used only for the purposes as set forth in the city of Litchfield Park zoning matrix (Section 28).

**21.03 Property Development Standards**

a. Development Area

Each development shall have a minimum area of two acres.

b. Lot Width

Not applicable.

c. Coverage

The maximum coverage shall be sixty percent of the development area.

d. Distance Between Buildings

The minimum distance between buildings on the same lot shall be ten feet.

e. Buffers

Buffer yards, consisting at a minimum of landscaping for the required setback distance, including pathways as appropriate, as approved by the design review board, shall be provided between dissimilar uses or other districts.

f. Site Plan Review

Development plans shall be submitted for approval by the design review board in accordance with the provisions of Section 37 of this code. (Ord. 04-91 § 1 (part))

**21.04 Height Regulations**

The height of buildings shall not exceed thirty feet above grade nor two stories, except that the height of any building or structure closer than thirty feet to a rural or residential zone or structure shall not exceed fifteen feet above grade nor one story. Streets and alleys may be included in calculating the distance.

**21.05 Setback Regulations**

a. Front Yard

1. There shall be a front yard having a depth of not less than fifty feet unless approved as a part of a development plan.

2. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot. No accessory building shall project into yards required to conform with the front yard requirements.

b. Side Yard

None required, except that:

1. Where a lot is adjacent to a residential zoning district there shall be a side yard on the side of the lot adjacent to such residential zoning district having a width of no less than fifty feet.

2. Where a lot fronts on two streets there shall be a side yard on the street side of such corner lot having a width of no less than thirty feet.

3. If a side yard is otherwise provided it shall have a width of not less than thirty feet.

c. Rear Yard

None required, except that:

1. Where a lot abuts a residential zoning district whether or not separated by an alley, there shall be a rear yard having a depth of not less than fifty feet.

2. If a rear yard is otherwise provided it shall have a depth of not less than thirty feet.

**21.06 Additional Regulations**

a. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section [31.15](#).

b. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city, and the Maricopa County flood control district, the procedures for which shall be approved by the council.

- c. Commercial signage shall comply with the requirements of Litchfield Park sign standards set forth in Section 35.31(b).
- d. When an application for site plan approval pursuant to Section 37 of this zoning code or minor land division or preliminary plat approval pursuant to Chapter 14 of the city code does not include all of the parcel(s) included in the adopted rezoning ordinance for the parcel(s), a master development plan shall be submitted that complies with this subsection. Such site plan, minor land division or preliminary plat shall not be approved except in conformance with this subsection. The planning and zoning commission shall review the master development plan and forward a recommendation to the council. The council may approve or deny the master development plan.
1. The master development plan shall encompass all of the parcel(s) that were rezoned pursuant to one zoning ordinance.
  2. The design and development of the parcel(s) in the master development plan shall be consistent architecturally and materials and colors shall be harmonious.
  3. The master development plan shall be comprehensive, embracing land, buildings, landscaping and their interrelationships.
  4. The master development plan shall provide for circulation, off-street parking, drainage and related amenities. Buildings, structures and facilities in the parcel(s) shall be integrated, oriented and related to the topographic and natural landscape features of the site.
  5. Circulation patterns on the parcel(s) shall be compatible with circulation patterns on adjoining properties.
  6. The internal street system shall not be a dominant feature in the overall design; rather, it should be designed for the efficient and safe flow of vehicles without creating a disruptive influence on the activity and function of any common areas and facilities. (Ord. 12-178 § 1 (part); Ord. 04-91 § 1 (part))

**SECTION 22  
COMMUNITY COMMERCIAL (CS) DISTRICT**

Subsections:

[22.01 Land Use Definition](#)

[22.02 Use Regulations](#)

[22.03 Property Development Standards](#)

[22.04 Height Regulations](#)

[22.05 Setback Regulations](#)

[22.06 Additional Regulations](#)

**22.01 Land Use Definition**

Community commercial: this category provides areas for commercial centers which provide everyday goods and services for a number of neighborhoods. The community commercial area should be located convenient to several neighborhoods and be accessed by major arterial streets.

All uses permitted in the neighborhood commercial district and, in addition, arcades and game centers, auto service stations, cocktail lounges, car washes, churches, clinics, commercial recreation, convention services, convenience stores, department stores, fraternal or civic clubs, take-out restaurants, supermarkets, car rental and sales, and veterinary services are, likewise, permitted.

Accessory uses, temporary uses, equipment rental, service industries, miniwarehousing, research and development, schools, vehicle repair or storage, and any manufactured structures require use permit approval.

**22.02 Use Regulations**

A building or premises shall be used only for the purposes as set forth in the city of Litchfield Park zoning matrix (Section 28).

**22.03 Property Development Standards**

a. Lot Area

Each lot shall have a minimum area of fifteen acres.

b. Lot Width

Each lot shall have a minimum width of one hundred fifty feet.

c. Lot Coverage

The maximum lot coverage shall be sixty percent of the lot area.

d. Buffers

Buffer yards, consisting at a minimum of landscaping for the required setback distance, including pathways as appropriate, as approved by the design review board, shall be provided between dissimilar uses or other districts.

e. Site Plan Review

Development plans shall be submitted for approval by the design review board in accordance with the provisions of Section 37 of this code. (Ord. 04-91 § 1 (part))

**22.04 Height Regulations**

The height of buildings shall not exceed forty feet above grade nor two stories.

**22.05 Setback Regulations**

a. Front Yard

1. There shall be a front yard having a depth of not less than fifty feet unless approved as a part of a development plan.

2. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot. No accessory building shall project into yards required to conform with the front yard requirements.

b. Side Yard

None required, except that:

1. Where a lot is adjacent to a residential zoning district there shall be a side yard on the side of the lot adjacent to such residential zoning district having a width of not less than thirty feet but at least equal to one foot of setback for each one foot of vertical height of the principal building.

2. Where a lot abuts two streets there shall be a side yard on the street side of such corner lot having a width of not less than fifty feet.

3. If a side yard is otherwise provided it shall have a width of not less than fifty feet.

c. Rear Yard

None required, except that:

1. Where a lot abuts a residential zoning district whether or not separated by an alley, there shall be a rear yard having a depth of at least thirty feet but not less than one foot of setback for each one foot of vertical height of the principal building.

2. If a rear yard is otherwise provided it shall have a depth of not less than fifty feet.

**22.06 Additional Regulations**

a. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section [31.15](#).

b. Provision of on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city and the Maricopa County flood control district, the procedures for which shall be approved by the council.

c. Commercial signage shall comply with the requirements of Litchfield Park sign standards set forth in Section 35.31(a).

d. When an application for site plan approval pursuant to Section 37 of this zoning code or minor

land division or preliminary plat approval pursuant to Chapter 14 of the city code does not include all of the parcel(s) included in the adopted rezoning ordinance for the parcel(s), a master development plan shall be submitted that complies with this subsection. Such site plan, minor land division or preliminary plat shall not be approved except in conformance with this subsection. The planning and zoning commission shall review the master development plan and forward a recommendation to the council. The council may approve or deny the master development plan.

1. The master development plan shall encompass all of the parcel(s) that were rezoned pursuant to one zoning ordinance.
2. The design and development of the parcel(s) in the master development plan shall be consistent architecturally and materials and colors shall be harmonious.
3. The master development plan shall be comprehensive, embracing land, buildings, landscaping and their interrelationships.
4. The master development plan shall provide for circulation, off-street parking, drainage and related amenities. Buildings, structures and facilities in the parcel(s) shall be integrated, oriented and related to the topographic and natural landscape features of the site.
5. Circulation patterns on the parcel(s) shall be compatible with circulation patterns on adjoining properties.
6. The internal street system shall not be a dominant feature in the overall design; rather, it should be designed for the efficient and safe flow of vehicles without creating a disruptive influence on the activity and function of any common areas and facilities. (Ord. 12-178 § 1 (part); Ord. 04-91 § 1 (part))

**SECTION 23  
REGIONAL COMMERCIAL (RS) DISTRICT**

Subsections:

[23.01 Land Use Definition](#)

[23.02 Use Regulations](#)

[23.03 Property Development Standards](#)

[23.04 Height Regulations](#)

[23.05 Setback Regulations](#)

[23.06 Additional Regulations](#)

**23.01 Land Use Definition**

Regional commercial: this category provides areas for commercial centers to provide a variety of everyday goods and services for a widely dispersed area. The regional commercial district should be located convenient to several cities or communities and be accessed by major arterial streets or highways.

All uses permitted in the community commercial district, with the exception of fraternal or civic clubs, which require use permit approval are, likewise, permitted.

Uses requiring use permit approval in the community commercial district, with the addition of heliports, truck terminals, and fraternal or civic clubs, require use permit approval.

**23.02 Use Regulations**

A building or premises shall be used only for the purposes as set forth in the city of Litchfield Park zoning matrix (Section 28).

**23.03 Property Development Standards**

a. Lot Area

Each lot shall have a minimum area of thirty acres.

b. Lot Width

Each lot shall have a minimum width of three hundred feet.

c. Lot Coverage

The maximum lot coverage shall be sixty percent of the lot area.

d. Buffers

Buffer yards, consisting at a minimum of landscaping for the required setback distance, including pathways as appropriate, as approved by the design review board, shall be provided between dissimilar uses or other districts.

e. Site Plan Review

Development plans shall be submitted for approval by the design review board in accordance with the provisions of Section 37 of this code. (Ord. 04-91 § 1 (part))

**23.04 Height Regulations**

The height of buildings shall not exceed eighty feet above grade nor eight stories.

**23.05 Setback Regulations**

a. Front Yard

1. There shall be a front yard having a depth of not less than eighty feet unless approved as a part of a development plan.

2. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot. No accessory building shall project into yards required to conform with the front yard requirements.

b. Side Yard

None required, except that:

1. Where a lot is adjacent to a residential zoning district there shall be a side yard on the side of the lot adjacent to such residential zoning district having a width of not less than one hundred feet.

2. Where a lot abuts two streets there shall be a side yard on the street side of such corner lot having a width of not less than eighty feet.

3. If a side yard is otherwise provided it shall have a width of not less than eighty feet.

c. Rear Yard

Not required, except that:

1. Where a lot abuts a residential zoning district whether or not separated by an alley, there shall be a rear yard having a depth of not less than one hundred feet.

2. If a rear yard is otherwise provided it shall have a depth of not less than eighty feet.

**23.06 Additional Regulations**

a. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section [31.15](#).

b. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city and the Maricopa County flood control district, the procedures for which shall be approved by the council.

c. Commercial signage shall comply with the requirements of Litchfield Park sign standards set forth in Section 35.31(a).

d. When an application for site plan approval pursuant to Section 37 of this zoning code or minor land division or preliminary plat approval pursuant to Chapter 14 of the city code does not include all of the parcel(s) included in the adopted rezoning ordinance for the parcel(s), a master development plan shall be submitted that complies with this subsection. Such site plan, minor land division or preliminary plat shall not be approved except in conformance with this subsection. The planning and zoning commission shall review the master development plan and forward a



recommendation to the council. The council may approve or deny the master development plan.

1. The master development plan shall encompass all of the parcel(s) that were rezoned pursuant to one zoning ordinance.
2. The design and development of the parcel(s) in the master development plan shall be consistent architecturally and materials and colors shall be harmonious.
3. The master development plan shall be comprehensive, embracing land, buildings, landscaping and their interrelationships.
4. The master development plan shall provide for circulation, off-street parking, drainage and related amenities. Buildings, structures and facilities in the parcel(s) shall be integrated, oriented and related to the topographic and natural landscape features of the site.
5. Circulation patterns on the parcel(s) shall be compatible with circulation patterns on adjoining properties.
6. The internal street system shall not be a dominant feature in the overall design; rather, it should be designed for the efficient and safe flow of vehicles without creating a disruptive influence on the activity and function of any common areas and facilities. (Ord. 12-178 § 1 (part); Ord. 04-91 § 1 (part))

**SECTION 24**  
**GENERAL INDUSTRIAL (I) DISTRICT**

Subsections:

[24.01 Land Use Definition](#)

[24.02 Use Regulations](#)

[24.03 Property Development Standards](#)

[24.04 Height Regulations](#)

[24.05 Setback Regulations](#)

[24.06 Additional Regulations](#)

**24.01 Land Use Definition**

General industrial: this land use category applies to areas for industrial structures and uses having physical and operational characteristics which are neither offensive, hazardous, or which otherwise adversely affect the economic welfare of nearby residential and commercial uses.

All uses permitted in the regional commercial district, with the exception of retail and service uses, child care, cocktail lounges, and convention and government services, which require use permit approval; and clinics which are prohibited; and, in addition, equipment rental, heliports, construction industry, service industry, kennels, miniwarehousing, plant nurseries, research and development, truck terminals, and vehicle storage are permitted.

Uses requiring use permit approval in the regional commercial district, except for those permitted, and, as noted, cocktail lounges, child care, convention and government services, retail and service and, in addition, hospitals, and solid waste stations require use permit approval.

**24.02 Use Regulations**

A building or premises shall be used only for the purposes set forth in the city of Litchfield Park zoning matrix (Section 28).

**24.03 Property Development Standards**

a. Lot Area

Each lot shall have a minimum area of forty acres.

b. Lot Width

Each lot shall have a minimum width of three hundred feet.

c. Lot Coverage

The maximum lot coverage shall be sixty percent of the lot area.

d. Buffers

Buffer yards, consisting at a minimum of landscaping for the required setback distance, including pathways as appropriate, as approved by the design review board, shall be provided between dissimilar uses or other districts. (Ord. 04-91 § 1 (part))

**24.04 Height Regulations**

The height of buildings shall not exceed fifty feet above grade nor three stories.

**24.05 Setback Regulations**

a. Front Yard

1. There shall be a front yard having a depth of not less than one hundred feet, unless approved as a part of a development plan.
2. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot. No accessory building shall project into yards required to conform with the front yard requirements.

b. Side Yard

None required, except that:

1. Where a lot is adjacent to a residential zoning district there shall be side yard on the side of the lot adjacent to such residential zoning district having a width of not less than one hundred feet.
2. Where a corner lot abuts two streets there shall be a side yard on the street side of such corner lot having a width of not less than one hundred feet.
3. If a side yard is otherwise provided it shall have a width of not less than one hundred feet.

c. Rear Yard

None required, except that:

1. Where a lot abuts a residential zoning district whether or not separated by an alley, there shall be rear yard having a depth of not less than one hundred feet.
2. If a rear yard is otherwise provided it shall have a depth of not less than one hundred feet.

**24.06 Additional Regulations**

a. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section [31.15](#).

b. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city and the Maricopa County flood control district, the procedures for which shall be approved by the council.

c. When an application for site plan approval pursuant to Section 37 of this zoning code or minor land division or preliminary plat approval pursuant to Chapter 14 of the city code does not include all of the parcel(s) included in the adopted rezoning ordinance for the parcel(s), a master development plan shall be submitted that complies with this subsection. Such site plan, minor land division or preliminary plat shall not be approved except in conformance with this subsection. The planning and zoning commission shall review the master development plan and forward a recommendation to the council. The council may approve or deny the master development plan.

1. The master development plan shall encompass all of the parcel(s) that were rezoned pursuant to one zoning ordinance.

2. The design and development of the parcel(s) in the master development plan shall be consistent architecturally and materials and colors shall be harmonious.
3. The master development plan shall be comprehensive, embracing land, buildings, landscaping and their interrelationships.
4. The master development plan shall provide for circulation, off-street parking, drainage and related amenities. Buildings, structures and facilities in the parcel(s) shall be integrated, oriented and related to the topographic and natural landscape features of the site.
5. Circulation patterns on the parcel(s) shall be compatible with circulation patterns on adjoining properties.
6. The internal street system shall not be a dominant feature in the overall design; rather, it should be designed for the efficient and safe flow of vehicles without creating a disruptive influence on the activity and function of any common areas and facilities. (Ord. 12-178 § 1 (part))

**SECTION 25**  
**OPEN SPACE (OS) DISTRICT**

Subsections:

[25.01 Land Use Definition](#)

[25.02 Use Regulations](#)

[25.03 Additional Regulations](#)

[25.04 District Changes and Rezoning](#)

**25.01 Land Use Definition**

Open space: this category applies to open space areas such as agricultural land, greenbelt, parks, golf courses, and other areas to be preserved as open space. Commercial recreation, cemeteries/mausoleums, golf courses, farms and resort-related open space are uses permitted.

Accessory uses, temporary uses, churches, community or government facilities, health clubs, plant nurseries, stables and any manufactured structures require use permit approval.

**25.02 Use Regulations**

Buildings and premises are only to be used for the purposes as defined in the city of Litchfield Park zoning matrix (Section 28).

**25.03 Additional Regulations**

- a. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section 31.15.
- b. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city and the Maricopa County Flood Control District; the procedures for which shall be approved by the council.

**25.04 District Changes and Rezoning**

Requests for changes to, or the rezoning of, lands within the open space district shall require:

- a. Special Hearings
  1. A public hearing of the commission to consider only applications for changes to and/or amendment of open space designations; and
  2. A special public hearing of the council for the sole purpose of considering commission recommendations regarding application(s) for changes to and/or amendment of open space designations.
- b. Special Notice
  1. Publication in a local newspaper of general circulation of a notice, of not less than one-eighth page, of the time, date and place of special hearings on proposed open space district changes and/or amendments;
  2. Posted notice of the time, date and place of special hearings on requested changes to and/or amendments of open space designations on the subject property; and
  3. Mailed notice to the owner of record of properties within three hundred feet of the subject property. (Ord. 04-91 § 1 (part))

**SECTION 26  
PLANNED DEVELOPMENT (PD) DISTRICT**

Subsections:

[26.01 Land Use Definition](#)

[26.02 Application Requirements](#)

[26.03 Design Criteria and Development Standards](#)

[26.04 Property Development Standards Modification Procedure](#)

**26.01 Land Use Definition**

A planned development is a development improved in accordance with an overall project plan. The approved density and land use regulations shall be applied to the total area of the planned development rather than separately to individual lots. The planned development district is an overlay district, combined with one or more underlying district designations. The planned development overlay will only be granted for parcels of forty acres or more unless an exception is obtained from the council.

Planned developments should, and are encouraged to, include business uses which contribute to neighborhood quality and convenience as well as the community economy. Site planning techniques are applied to integrate establishments providing goods, services, leisure activities and jobs that are easily accessible to nearby residents.

Zoning in growth areas designated in the city of Litchfield Park general plan shall be planned development districts with appropriate buffering treatment for the integration of adjacent uses.

Existing planned developments contain the uses and are maintained to the specific conditions of development set forth in their respective plans of development or covenants, codes and restrictions (CC&Rs). Alterations, expansions, additions, or intensification of uses (including, but not limited to, requests for home occupation) beyond that which is permitted in the most comparable zoning district which may have been assigned to the existing planned development, require use permit approval.

Requests for planned development district designation may be approved in accord with a conceptual plan of development describing the intended use and intensity of development. However, no building permits shall be issued unless and until specific zoning district classifications, as herein described, are approved and affixed by the council upon the planned development or portion thereof for which such permits are intended. (Ord. 04-91 § 1 (part))

**26.02 Application Requirements**

Applications for planned development shall specify the intended, underlying zoning district or districts, with the presumption that the nearest similar use regulations or other regulatory provision shall apply except as specifically adjusted for the particular development, such as, but not limited to, reduced lot sizes or setbacks.

The application shall be accompanied by a development plan which shall consist of:

- a. A map or maps drawn to a suitable scale, showing at least the following:
  1. The boundary of the proposed district;
  2. The topographic character of the land;
  3. Drainage accommodations;
  4. Accommodations for all utilities;
  5. Proposed streetscape themes, landscaping plans for common open space and landscape materials palette;
  6. The approximate location of all public streets;
  7. Location of public uses proposed, such as schools, parks, playgrounds, bicycle and equestrian trails, or other recreational facilities;
  8. Where appropriate, the approximate location and configuration of different types or densities of dwelling units;
  9. Where appropriate, said plan shall include recommendations as to desirable or compatible uses in the areas surrounding said development;
  10. Within the planned development, units may be established of any size whatever but shall be logical in size and shape and shall function by themselves and in relationship to other development units within the community or adjacent property.
  11. An agreement to waive claims for diminution in value as set forth in [Section 3.07](#).
- b. A development program including:
  1. A legal description of the district boundary;
  2. Size of the area;
  3. The overall density proposed;
  4. The nature of development proposed;
  5. The disposition of land proposed for public facilities and common open space constituting not less than ten percent of the net site or lot area unless otherwise modified by city council;
  6. A phasing schedule, if the applicant contemplated construction in increments;
  7. The approximate size, in acres, of each development unit;
  8. General landscaping and street tree plan, including attention to efficient water use.
- c. All proposed restrictive covenants.
- d. All conditions agreed to by the applicant which are not included in the written documentation required under subsections a, b, and c of this section are part of the development plan. (Ord. 07-134 § 1 (part); Ord. 04-91 § 1 (part))

**26.03 Design Criteria and Development Standards**

- a. Design Criteria

The planned development shall observe the following design criteria:

1. The overall plan shall be comprehensive, embracing land, buildings, landscaping and their interrelationships and shall conform in all respects to all adopted plans of all governmental agencies for the area in which the proposed development is located.
2. The plan shall provide for adequate open space, circulation including pathway connections, off-street parking, and pertinent amenities. Buildings, structures and facilities in the parcel shall be well integrated, oriented and related to the topographic and natural landscape features of the site.
3. The proposed development shall be compatible with existing and planned land use, and with circulation patterns on adjoining properties. It shall not constitute a disruptive element to the neighborhood and community.
4. The internal street system shall not be a dominant feature in the overall design, rather it should be designed for the efficient and safe flow of vehicles without creating a disruptive influence on the activity and function of any common areas and facilities.
5. Common areas and recreational facilities shall be so located so as to be readily accessible to the occupants of the dwelling units and shall be well related to any common open spaces provided.
6. Architectural harmony within the development and within the neighborhood and community shall be obtained so far as practicable.

b. Property Development Standards

1. All structures or buildings, except detached single-family residences, shall have design review approval.
2. Any use requiring a use permit must be obtained prior to approval of the PD.
3. All provisions of the zoning code shall apply to development in the PD district except as specifically permitted in this section.
4. All structures built within the district shall, as a requirement for a building permit, indicate on the structural plans the manner in which all mechanical equipment is to be screened.
5. Allowable signage and requirements vary by size of development. (See Sections 35.31 and 35.32) (Ord. 04-91 § 1 (part))

**26.04 Property Development Standards Modification Procedure**

The application shall be accompanied by written terminology and graphic material, and will illustrate the conditions that the modified standards will produce, so as to enable the commission and the council to make the determination that the modification will produce a living environment, landscape quality and lifestyle superior to that produced by the existing standards.

**SECTION 27  
PUBLIC FACILITIES (PF) DISTRICT**

Subsections:

[27.01 Land Use Definition](#)

[27.02 Use Regulations](#)

[27.03 Property Development Standards](#)

[27.04 Height Regulations](#)

[27.05 Setback Regulations](#)

[27.06 Additional Regulations](#)

[27.07 Continuum of Care Developments](#)

**27.01 Land Use Definition**

Public facilities: this land use category applies to areas for churches, schools, hospitals, continuum of care developments, government buildings, and utility facilities which, together with convention services, child care and information centers, are permitted.

Accessory uses, temporary uses, arcades and game centers, cemeteries/mausoleums, clinics, commercial recreation, convalescent homes, outdoor farmers markets, fraternal or civic clubs, health clubs, plant nurseries, professional/business offices, solid waste stations, stables, veterinary services, and manufactured structures require use permit approval. (Ord. 16-211 § 1 (part); Ord. 01-74 § 1 (part))

**27.02 Use Regulations**

Buildings and premises shall only be used for the purposes as defined in the city of Litchfield Park zoning matrix (Section 28).

**27.03 Property Development Standards**

a. Lot Area

Not Applicable.

b. Lot Width

Each lot shall have a minimum width of sixty feet.

c. Lot Coverage

The maximum lot coverage shall be sixty percent of the lot area.

d. Buffers

Buffer yards, consisting at a minimum of landscaping for the required setback distance, including pathways as appropriate, as approved by the design review board, shall be provided between dissimilar uses or other districts. (Ord. 04-91 § 1 (part))

**27.04 Height Regulations**

The height of buildings shall not exceed forty-five feet above grade nor three stories, except that the height of any church tower or steeple may not exceed sixty feet.

**27.05 Setback Regulations**

a. Front Yard

A minimum front yard of twenty feet is required in the PF district.

b. Side Yard

None required, except that:

1. 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 thirty feet.
2. Where a corner lot abuts two streets there shall be a side yard on the street side of such corner lot having a width of not less than twenty feet.
3. If a side yard is otherwise provided it shall have a width of not less than twenty feet.

c. Rear Yard

None required, except that:

1. 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 thirty feet.
2. If a rear yard is otherwise provided it shall have a depth of not less than twenty feet.

**27.06 Additional Regulations**

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

b. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section [31.15](#).

c. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city and the Maricopa County Flood Control District; the procedures for which shall be approved by the council.

**27.07 Continuum of Care Developments**

a. Purpose

A continuum of care development provides a variety of health related services, including independent living facilities, with only the minimum of health care related services provided, to skilled nursing facilities with a wide range of health care related services provided. A continuum of care development is neither strictly residential nor strictly commercial, but is a blend of land uses within a single coordinated campus setting of not less than twenty acres. The purpose of this section is to regulate continuum of care development in order to provide additional land use and property development regulations for continuum of care developments in public facility districts within the city of Litchfield Park.

## b. Definitions

The following terms shall have the meanings indicated when used in this section:

1. Continuum of Care Development Any coordinated development in which an individual is provided a living environment with some level of health related service. These shall include, but are not limited to, independent housing facilities; congregate care facilities, assisted living facilities, dementia care facilities, skilled nursing facilities and supporting facilities.
2. Independent Housing Facility A facility where a minimum of health care related services are provided.
3. Congregate Care Facility A facility for age restricted individuals where the level of service includes some meals and housekeeping.
4. Assisted Living Facility A facility for individuals, which includes meals and housekeeping and some level of assistance with activities of daily living.
5. Dementia Care Facility A facility for individuals, which includes meals, housekeeping, assistance with activities of daily living and provides some level of assistance to those suffering from some form of memory impairment.
6. Skilled Nursing Facility A facility for individuals who require twenty-four-hour health care related services.
7. Supporting Facilities A subordinate use which provides support for, or convenience to, continuum of care developments, including by example but not limited to, medical/professional offices, pharmaceutical, urgent care, primary care and acute care facilities, ambulatory, diagnostic and treatment facilities, medical laboratories, outpatient facilities, personal care businesses, banks, and neighborhood markets. Supporting facilities shall be integrated into the design and function of the continuum of care development and shall be open for and may be used by members of the general public.

## c. Application Requirements

In addition to application requirements contained elsewhere in this code, an application for a continuum of care development shall be accompanied by a development plan that shall be reviewed by the planning and zoning commission, who shall forward their written recommendations to the city council. The development plan shall be approved by the city council as part of approval of the zoning application and incorporated therein.

## d. Land Use and Operational Regulations

## 1. Property Development Regulations

Continuum of care development shall comply with the requirements of the public facility district, except that a planned development (PD) overlay may include supplemental requirements and standards as therein specified.

## 2. Location of Sales Office

A sales office for a continuum of care development may be located temporarily in a modular building or other temporary facility. This temporary facility shall be subject to approval of the design review board and the issuance of a use permit by the city council. Prior to approving any use permit, the planning and zoning commission shall hold a public hearing and submit its written recommendation to the city council. Once units have been completed on site and a certificate of occupancy for such units has been issued, the sales center may be located in one or more of the units or clubhouse. (Ord. 01-74 § 1 (part))



**SECTION 27A  
AGRITOURISM (AT) DISTRICT**

Subsections:

[27A.01 Land Use Definition](#)

[27A.02 Use Regulations](#)

[27A.03 Property Development Standards](#)

[27A.04 Height Regulations](#)

[27A.05 Setback Regulations](#)

[27A.06 Additional Regulations](#)

**27A.01 Land Use Definition**

Agritourism: This category provides areas for agritourism uses that encompass multiple commercial and agricultural enterprises at one location consistent with the protection of adjacent residential uses.

Permitted uses in this district include crop growing, harvesting, farmers' markets, farm stands, general retail and services, plant nurseries, U-pick, tours, on-farm classes, fairs, festivals, pumpkin patches, Christmas tree farms, social/corporate events, orchard dinners, youth camps, barn dances, restaurants, winery, microbrewery, health spa, and community garden to the extent such uses further the agritourism use.

Accessory uses, temporary uses, farm stays, bed and breakfasts, hotels, outdoor music, video broadcasting, beekeeping, and processing/milling/distilling require a use permit. (Ord. 15-203 § 1 (part))

**27A.02 Use Regulations**

A building or premises shall be used only for the purposes as set forth in the City of Litchfield Park Zoning Matrix (Section 28). (Ord. 15-203 § 1 (part))

**27A.03 Property Development Standards**

a. Lot Area

Each lot shall have a minimum area of five acres.

b. Lot Width

Each lot shall have a minimum width of one hundred fifty feet.

c. Lot Coverage

The maximum lot coverage shall be twenty-five percent of the lot area. Shade structures related to growing and agricultural production may cover an additional fifteen percent of the lot for a total allowed lot coverage of forty percent of the lot area.

d. Buffers

Buffer yards, consisting at a minimum of landscaping for the required setback distance, including pathways as appropriate, as approved by the design review board, shall be provided between dissimilar uses or other districts.

e. Site Plan Review

Development plans shall be submitted for approval by the design review board in accordance with the provisions of Section 37. (Ord. 15-203 § 1 (part))

**27A.04 Height Regulations**

The height of the buildings shall not exceed forty feet above grade nor two stories. (Ord. 15-203 § 1 (part))

**27A.05 Setback Regulations**

a. Front Yard

1. There shall be a front yard having a depth of not less than fifty feet unless approved as part of a development plan.

2. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot. No accessory building shall project into yards required to conform with the front yard requirements.

b. Side Yard

None required, except that:

1. Where a lot is adjacent to a residential zoning district there shall be a side yard on the side of the lot adjacent to such residential zoning district having a width of not less than thirty feet but at least equal to one foot of setback for each one foot of vertical height of the principal building.

2. Where a lot abuts two streets there shall be a side yard on the street side of such corner lot having a width not less than fifty feet.

3. If a side yard is otherwise provided, it shall have a width of not less than fifty feet.

c. Rear Yard

None required, except that:

1. Where a lot abuts a residential zoning district whether or not separated by an alley, there shall be a rear yard having a depth of at least thirty feet but not less than one foot of setback for each one foot of vertical height of the principal building.

2. Where a lot abuts two streets there shall be a side yard on the street side of such corner lot having a width not less than fifty feet. (Ord. 15-203 § 1 (part))

**27A.06 Additional Regulations**

a. An application for an agritourism district shall include a master development plan showing the proposed locations of the permitted agritourism uses and the general sequence of proposed development. The master development plan shall become part of the approved re-zoning ordinance. The council may require that a development agreement pursuant to A.R.S. § 9-500.05 be processed and approved concurrently with the approval of the agritourism district.

- b. Any site plan approved pursuant to Section 37 or minor land division or preliminary plat approval pursuant to Chapter 14 of the city code shall be consistent with the master development plan approved as part of the ordinance establishing the agritourism district.
- c. Development of the parcel requires review and approval of the design review board in accordance with Section 39.
- d. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section [31.15](#).
- e. Provision of on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city and the Maricopa County Flood Control District, the procedures for which shall be approved by the council.
- f. Property signage shall conform with commercial zoning district signage standards as described in Section 35.
- g. All requirements of the Maricopa County health department, the Arizona Department of Health Services and other applicable laws shall be complied with.
- h. The processing, milling, or distilling locations of agricultural products must be shown on a project site plan and are subject to use permit approval. Any associated noise, smell, smoke, light or other potential negative impacts on adjacent properties must be identified. Greater setbacks than based district standards may be imposed on the location of these facilities.
- i. Tour and charter bus access and staging areas shall be shown on the project site plan. Buses may only idle for fifteen minutes before and after passenger drop-off.
- j. Outdoor music or video broadcasts are subject to use permit approval.
- k. Special events require a special event permit pursuant to Chapter 19 of the city code. (Ord. 15-203 § 1 (part))

**SECTION 27B  
COMMERCIAL-FLEX (CF) DISTRICT**

Subsections:

[27B.01 Land Use Definition](#)

[27B.02 Use Regulations](#)

[27B.03 Property Development Standards](#)

**27B.01**

**Land Use Definition**

Commercial-flex: This category provides areas for commercial centers which provide everyday goods and services for a number of neighborhoods, but also provides for residential uses if certain conditions are met. The community commercial area should be located convenient to several neighborhoods and be accessed by major arterial streets.

All uses permitted in the community commercial district are permitted in compliance with the property development standards set forth in Section 22.

Accessory uses and temporary uses require use permit approval. (Ord. 16-214 § 1 (part))

**27B.02**

**Use Regulations**

A building or premises shall be used only for the purposes as set forth in the city of Litchfield Park zoning matrix (Section 28). (Ord. 16-214 § 1 (part))

**27B.03**

**Property Development Standards**

The requirements of Section 22, Community Commercial (CS) District, shall apply to this district, except as modified below.

**a. Area**

The property shall have a minimum area of twelve acres.

**b. Residential Uses**

Single-family residential uses are permitted in compliance with the requirements of subsections c and d of this section.

**c. Development Agreement**

A development agreement shall be entered into with the city governing the development of the property. The development agreement shall set forth the circumstances under which the property may be used for residential uses. If the circumstances permitting a residential use exist, the property owner shall notify the city and thereafter the use of the property shall be residential in compliance with subsection d of this section and no commercial use shall thereafter be commenced without approval of a rezoning ordinance.

**d. Property Development Standards for Residential Uses**

**1. Density**

Density shall not exceed five and one-half dwelling units per acre.

**2. Lot Area Per Dwelling Unit**

The minimum lot area per dwelling unit shall be six thousand square feet.

**3. Floor Area**

Residences shall have a livable floor area of at least one thousand two hundred square feet.

**4. Coverage**

The maximum coverage shall be fifty percent of the lot area.

**5. Distance between Buildings**

The minimum distance between buildings on the same lot shall be ten feet.

**6. Buffers**

Buffer yards, consisting at a minimum of landscaping for the required setback distance, including pathways as appropriate, as approved by the design review board, shall be provided between dissimilar uses or other districts.

**7. Open Space Density Bonus**

At least twenty percent of the net site area shall be open space.

**8. Height**

The height of all structures shall not exceed the lower of: (A) two stories; (B) thirty-five feet from natural grade through any structure cross-section.

**9. Front Yard**

There shall be a front yard having a depth of not less than twenty feet. Where a lot is located at the intersection of two or more streets, there shall be a yard conforming to the front yard requirements on each street side of a corner lot.

**10. Side Yard**

There shall be a side yard of at least ten feet, except that on the street side the side yard setback shall be twenty feet unless adjacent to a ten-foot landscape tract, in which case the side yard setback shall be at least ten feet.

**11. Rear Yard**

There shall be a rear yard having a depth of not less than twenty feet.

**12. Private Streets**

All streets within the project shall be private.

13. Any exterior lighting shall be directed downward and away from adjacent property in accordance with the city code and this zoning code. See Section [31.15](#).
14. Provisions for on-site stormwater retention/drainage and off-site stormwater drainage both entering and leaving the property shall be as required by the city of Litchfield Park and the Maricopa County Flood Control District, the procedures for which shall be approved by the council.
15. Parking requirements set forth in Section 29 applicable to high medium density residential (R1-6) shall apply.
16. Requirements for walls, landscaping and fences set forth in Section 30 shall apply.
17. Signage requirements set forth in Section 35 applicable to high medium density residential (R1-6) shall apply. (Ord. 16-214 § 1 (part))

SECTION 28  
ZONING MATRIX/DISTRICT REQUIREMENTS SUMMARY

LAND USES	ZONING MATRIX																		
	ZONING CATEGORIES																		
	Residential Estate	Low Dens. Residential	L-M Dens. Residential	Med. Dens. Residential	H-M Dens. Residential	High Dens. Residential	Low Dens. Multifamily	Med. Dens. Multifamily	High Dens. Multifamily	Patio Home Residential	Resort	Neighborhood Commercial	Community Commercial	Regional Commercial	General Industrial	Open Space	Planned Development	Public Facility	Agritourism
	RE	R1	R1-15	R1-8	R1-6	RC	MFL	MFH	MFH	PH	RT	NC	CS	RS	I	OS	PD	PF	AT
Agritainment																		P	
Arcades, games and centers						L	L	L	L			U	P	P			O	U	P**
Auto fueling and service stations												U	P	P	P		O		P**
Bar, tavern, cocktail lounge											P	U	P	P	U		O		P**
Barber												P	P	P	P				P**
Beauty shops												U	P	P	P				P**
Billiard/pool hall*												U	P	P	P				P**
Building contractors (storage of goods, materials, and equipment)*															U				
Building materials/home improvement													U	U	U				U**
Car rentals											P	U	P	P	P		O		P**
Car wash													P	P	P		O		P**
Cemeteries/mausoleums															U	P	O	U	
Chemical storage requiring a material safety data sheet*												U	U	U	U				U**
Child care centers	L	L	L	L	L	L	L	L	L	L	P	P	P	P	U		O	P	L
Churches	U	U	U	U	U	U	U	U	U	U		U	P	P	P	U	O	P	P
Cleaners, dry*												U	P	P	P				P
Clinics (health, medical)												U	P	P			O	U	P**
Commercial recreation											U	U	P	P	P	P	O	U	P
Community facilities	L	L	L	L	L	L	L	L	L	L		P	P	P	U	U	O	P	P
Continuum of care facility																		P	P
Convention services											P		P	P	U		O	P	P**
Convalescent home					U	U	U	U	U	U							O	U	U+
Convenience stores												U	P	P	P		O		P**
Crematorium															P				
Department stores												U	P	P			O		P**
Designated caregiver cultivation location															M				
Equipment rental												U	U	U	P		O		U**
Farmers' market, outdoor											U	U	U	U	U			U	P
Financial institutions (chartered banks, brokers, investment, loans)											U	P	P	P			O		P**
Fraternal and civic clubs						U	U	U	U	U	U	U	P	U	U		O	U	P**
Funeral parlors, mortuaries												U	U	P	P				U**
Gasoline or propane dispensing, wholesale (other than service station)															U				
Golf courses											P					P	O		
Government facilities	L	L	L	L	L	L	L	L	L	L		P	P	P	U	U	O	P	P**
Group homes for the handicapped	H	H	H	H	H	H	H		H	H							H	H	H+
Hardware store																			P**
Health clubs											P	P	P	P	P	U	O	U	P**
Heliports														U	P		O		
Home business	L	L	L	L	L	L	L	L	L	L							U		L+
Home improvement store																			
Hookah bar												U	U	P	P				U**
Hospitals															U		O		
Hotel/motel											P		P	P	P		O	U	P**
Industries, construction															P		O		
Industries, manufacturing															P				

Industries, service														U	U	P		O				U**
Information center	L	L	L	L	L	L	L	L	L	L	P	P	P	P	P		O	P			P** L+	
Kennels																P		O				
Manufactured structures	L	L	L	L	L	L	L	L	L	L	U	U	U	U	U	U	U	U			U** L+	
Medical marijuana dispensary																M						
Medical marijuana dispensary cultivation location																M						
Miniwarehouse												U	U	U	U	P		O			U**	
Model home sales complex	L	L	L	L	L	L	L	L	L	L							U				L+	
Nonchartered financial institutions*													U	U	U						U**	
Nurseries (day) and kindergarten (licensed)												U	P	P	P	P					P**	
Offices, medical, dentist												P	P	P	P	P					P**	
Offices, professional/business											P	P	P	P	P	P		O	U	P	P**	
Off-track betting establishments*												U	U	U	U	U					U**	
Palms, palm reading, fortune telling*													U	U	U	U					U**	
Pawn shops/brokers*													U	U	U	U					U**	
Pest control services*																U						
Plant nurseries, greenhouse commercial*																P	U	O	U	P		
Research and development												U	U	U	U	P		O			U**	
Residential, cluster			U	U	P	P	P	P	P	P								O		U		
Residential condominium projects							P	P	P	P										U		
Restaurants											P	P	P	P	P	P		O		P	P**	
Restaurants, take-out													P	P	P	P		O			P**	
Retail (e.g., hardware, paint, wallpaper, fabrics, supplies, curtains, linens, knitting supplies, china, glass, pottery)												U	P	P	P	P				P	P**	
Retail and services, general											U	P	P	P	P	U		O		P	P**	
Schools												U	U	U	U	U		O	P		U**	
Solid waste stations																U		O	U			
Stables											U						U	O	U			
Supermarkets												U	P	P	P	P		O			P**	
Tattoo/body piercing shops or establishments*														U	U	P					U**	
Timeshare developments																						
Temporary uses	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	O	U	U	U	
Truck terminals															U	P		O				
Variety store													P	P	P						P**	
Vehicle repair, business												U	U	U	P	P		O			U**	
Vehicle sales, business													P	P	P	P		O			P**	
Vehicle storage, home	U	U	U	U	U	U	U	U	U	U								O			U+	
Vehicle storage, business												U	U	U	P	P		O			U**	
Veterinary services, domestic (hospital or clinic)												U	P	P	P	P		O	U		P**	
Winery/distillery																				U		
Wireless communications facilities	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W	W**	
‘C’ - Permitted pursuant to a development agreement.																						
‘P’ - Permitted without special conditions.																						
‘O’ - Conceptual overlay approval only - further district classification required.																						
‘U’ - Permitted with a use permit.																						
‘L’ - Permitted when compatible with surrounding uses.																						
‘M’ - Permitted when in compliance with Section 31.21.																						
‘H’ - Permitted subject to the conditions of Section 31.17.																						
‘W’ - Permitted under limited circumstances in compliance with Section 36 and upon obtaining a use permit.																						

\*\*\* - When developed as commercial; prohibited when developed as residential as per Section 27B unless otherwise noted.

4' - Applies to residential portion when developed as per Section 27B.

\*\* - Uses which shall be required to maintain a separation from other like uses and other types of uses as defined in Section 33.02(c)(6).

Zoning Code Sections 10 through 27 prevail.

(Ord. 16-214 § 1 (part); Ord. 16-211 § 1 (part); amended during February 2016 supplement; Ord. 15-203 § 1 (part); Ord. 13-183 § 1 (part); Ord. 11-168 § 1 (part); Ord. 11-166 § 1 (part); Ord. 06-111 § 1 (part); Ord. 01-71 § 1 (part); Ord. 97-42 § 1 (part))

SECTION 28

DISTRICT REQUIREMENTS SUMMARY										
ZONING DESIGNATION SECTION NUMBER	RE 10	R1 11	R1-15 12	R1-8 13	R1-6 14	RC 15	MFL 16	MFH 17	MFH 18	PH 19
MAXIMUM BUILDING HEIGHT										
Stories	1-2"	1-2"	1-2"	1-2"	1-2"	1-2"	2"	2"	3"	1-2"
Feet	25-35'	25-35'	25-35'	25-35'	25-35'	25-35'	35	35	40	25-35'
BUILDING SIZE - PRINCIPAL BUILDINGS										
Minimum Square Footage	3,000	2,350	1,850	1,500	1,200	*	*	*	*	1,000
MINIMUM YARD DATA										
Front	40'	35'	30'	25'	20'	10'	20	25	30	10'
Rear	40'	35'	30'	25'	20'	10'	20	25	30	10
Interior Side	30'	15	15	12	10	10'	20'	25'	30'	5'
Street Side	40'	35'	30'	25'	20'	10'	20	25	30	10'
USE INTENSITY DATA										
Units Per Acre	(-) 0.8	0.8-1.6	1.7-2.3	2.4-4.1	4.2-6.5	6.6-12.0	12.0-18.0	18.1-24.0	24.1-30.0	4.8-8.2
Minimum Development - Acres	2	2	2	2	2	5	5	5	5	2
Minimum Lot Area - Square Feet	43,560	21,780	15,000	8,000	6,000	3,600	2,400	2,000	1,800	4,000
Minimum Width	150	110	80	60	40	N/A	N/A	N/A	N/A	40
Maximum Coverage	30%	30%	30%	40%	50%	60%	60%	60%	60%	60%
Building Distance	N/A	N/A	N/A	N/A	N/A	10	10	10	1	10
*Review pertinent section for limitations										
Note: Zoning Code Sections 10 through 27 prevail										

SECTION 28

DISTRICT REQUIREMENTS SUMMARY (continued)										
ZONING DESIGNATION SECTION NUMBER	RT 20	NC 21	CS 22	RS 23	I 24	OS 25	PD 26	PF 27	CF RESIDENTIAL 27B	CF COMMERCIAL 27B
MAXIMUM BUILDING HEIGHT										
Stories	2	2"	2	8	3"	1	*	3"	1-2"	2
Feet	35	30'	40	80	50'	15	*	45'	35' max	40
BUILDING SIZE - PRINCIPAL BUILDINGS										
Minimum Square Footage	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1,200	N/A
MINIMUM YARD DATA										
Front	30	50'	50'	80'	100'	30	*	20	20'	50'
Rear	30	50'	50'	80'	100'	30	*	30'	20'	50'
Interior Side	30	30'	50'	80'	100'	15	*	30'	10'	50'
Street Side	30	50'	*	80'	100'	30	*	20	20'	*
USE INTENSITY DATA										
Units Per Acre	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	5.5 or less	N/A
Minimum Development - Acres	10	2	15	30	40	2	*	1	2	12
Minimum Lot Area - Square Feet	4,000'	4,000	15,000	70,000	45,000	*	N/A	N/A	6,000	15,000
Minimum Width	300	N/A	150	300	300	60	N/A	60	40	150
Maximum Coverage	60%	60%	60%	60%	60%	5%	N/A	60%	50%	60%
Building Distance	10"	10"	20"	50"	50"	N/A	N/A	10	N/A	20"
*Review pertinent section for limitations										
Note: Zoning Code Sections 10 through 27 prevail										

(Ord. 16-214 § 1 (part))

**SECTION 29  
PARKING AND LOADING REGULATIONS**

Subsections:

[29.01 Applicability](#)

[29.02 Purpose and Intent](#)

[29.03 Definitions](#)

[29.04 Requirements for Off-Street Parking](#)

[29.05 Location of Required Parking Spaces and Parking Areas](#)

[29.06 Calculation of Required Off-Street Parking](#)

[29.07 Dimensions and Circulation](#)

[29.08 General Design Requirements](#)

[29.09 Parking Area Surfacing Improvements](#)

[29.10 Handicapped Parking](#)

[29.11 Parking Restrictions for Residential Uses](#)

[29.12 Off-Street Loading Requirements](#)

[29.13 Parking Matrix](#)

[29.14 Violation; Penalties](#)

**29.01 Applicability**

The following provisions shall apply to new uses and expanded existing uses. (Ord. 09-147 § 1 (part))

**29.02 Purpose and Intent**

The purpose of this section is to minimize congestion of the public streets and to promote the safety and welfare of the public. (Ord. 09-147 § 1 (part))

**29.03 Definitions**

- a. **Driveway** means that portion of a parcel adjacent to a parking area that is used for ingress to and egress from the parcel.
- b. **Gross Floor Area** means the total area of a building calculated by measuring the outside dimensions of all of the building's floor levels except attics.
- c. **Parking Area** means the total area including parking spaces, parking aisles and loading and unloading areas. This area is calculated by adding the requirements for parking spaces, parking aisles, and loading and unloading areas.
- d. **Parking Aisles** means an area consisting of lanes providing circulation between parking spaces and driveways.
- e. **Parking Space** means a portion of the parking area required for the parking of one vehicle.
- f. **Use** means the purpose or activity for which a building, parcel or structure is arranged, designed, occupied or maintained. (Ord. 09-147 § 1 (part))

**29.04 Requirements for Off-Street Parking**

- a. General
  1. Off-street parking is required as set forth in this Section 29. If there is a use for which no parking requirements are set forth in this section, the zoning administrator shall impose a parking requirement based on the use most similar that is consistent with the parking ratios or allocations as set forth in the institute for traffic engineer standards.
  2. Maintenance of Parking Areas
 

All parking areas shall be maintained in good condition. Maintenance shall include but not be limited to fixing potholes, filling cracks, and maintaining the appearance of the parking area.
  3. No Storage
 

The use of an off-street parking space for the storage of merchandise, supplies, equipment, vehicles for sale or rent, vehicles used for business identification signage, or for repair of vehicles, is prohibited.
  4. Change In Use
    - A. When the use of any existing building, structure, or premises is changed such that the change requires an increase in the total number of required parking spaces for the parcel of greater than ten percent or twenty spaces, then such additional parking spaces and parking and loading areas shall be provided for the entire building, structure or premises either on the premises or by joint off-site parking agreement.
    - B. When the use of any existing building, structure or premises is changed such that an increase in parking spaces required is less than ten percent of the total required for the site or twenty spaces, then the change of use or intensity is exempt from the requirements of this section.

**5. Required Improvements**

Construction of required parking areas shall be completed in accordance with this section prior to commencement of the use or occupancy of the parcel. (Ord. 09-147 § 1 (part))

**29.05 Location of Required Parking Spaces and Parking Areas**

**a. Residential Uses**

Parking spaces for residential uses shall be on site.

**b. Nonresidential Uses**

1. Except as provided in paragraph 2, parking areas shall be located on site.
2. Parking areas may be located off site only in accordance with the following requirements:
  - A. The parking area is located within three hundred feet of the building or use it is intended to serve. The distance shall be measured from the nearest point of the building



or use.

B. Shared parking areas may be approved by the council for large scale planned commercial developments more than ten acres in size. Such shared parking areas shall not be located farther than one thousand three hundred feet from the nearest point of such building or use.

C. Off-site parking areas may be approved by the zoning administrator if the parking area is within six hundred feet of the associated business as part of a development plan when it can be demonstrated to be of benefit to the public interest. A decision to deny a development plan with off-site or on-street parking may be appealed to the board of adjustment. (Ord. 09-147 § 1 (part))

#### 29.06 Calculation of Required Off-Street Parking

##### a. General

Except as otherwise provided in this subsection, one parking area may contain required parking spaces for more than one use, but the required parking space assigned to one use may not be credited to any other use. The number of required parking spaces shall be the sum of the number of parking spaces required for each use.

##### b. Nonsimultaneous Uses

Where there is a combination of uses on a parcel, if, in the opinion of the zoning administrator, the uses would not be operated simultaneously, the number of parking spaces shall be determined by the use with the highest parking demand. A properly drawn and executed instrument shall be signed and notarized by the various parties involved that details how the reduced parking shall be provided if one or more of the users of the shared parking contract vacate the premises.

If the uses change the owners of the new uses shall once again submit to the city a draft shared parking agreement for the city to review. The city will evaluate the proposed uses and determine if ample parking is provided on the site. If the city's determination is such that ample parking is provided on site the shared parking agreement shall be recorded as a property drawn and executed instrument, signed and notarized, and a copy of the instrument shall be given to the city. If the city determines that the site would be inadequately parked for the proposed uses the additional parking spaces shall be provided or such uses will not be approved and a certificate of occupancy shall not be issued.

##### c. Shared Parking

Shared parking may be approved by the zoning administrator if a permanent parking easement is recorded and is in a form approved by the city attorney. The number of required parking spaces for any one use may be reduced up to a maximum of twenty percent of the total spaces required. Any requested reduction greater than twenty percent shall be substantiated by calculations based on Urban Land Institute (ULI) standards and in a manner acceptable to the city.

##### d. No Reserved Parking

When more than one business shares parking areas, parking spaces shall not be reserved for one business to the exclusion of the other businesses.

##### e. Property Owners' Association

All commercial subdivisions shall create a property owners' association which shall maintain the common parking areas. Provisions shall be made through the creation of covenants, conditions and restrictions (CC&Rs) for the continued maintenance of common parking areas, parking and loading areas, landscaping, and signage. Owners shall have the right to access or place a lien upon the individual lot owners for all necessary costs and/or expenses. A letter of maintenance responsibility will be required as part of a zoning clearance procedure. (Ord. 09-147 § 1 (part))

#### 29.07 Dimensions and Circulation

##### a. Parking Spaces

Each parking space shall contain a rectangular area at least twenty feet long (including a maximum of an eighteen-inch overhang) and nine feet wide. Lines demarcating parking spaces shall be drawn as a rectangle one foot wide by twenty feet long. Such lines shall not be included in the required parking space dimensions. Each rectangular demarcation line may be drawn at various angles in relation to curbs or aisles, so long as the parking spaces so created contain within the rectangular area meet the requirements of this section.



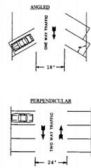
##### b. Parking Aisles

Parking aisle widths shall conform to the following table, which varies the width requirement according to the angle of parking:

	Parking Angle				
	90°	60°	45°	30°	0°
Required Aisle Width					
One-Way Traffic	24 ft.	18 ft.	13 ft.	11 ft.	13 ft.
Two-Way Traffic	24 ft.	23 ft.	21 ft.	20 ft.	19 ft.

##### Not Permitted Design



**Permitted Designs****c. Commercial Parking Areas Adjacent to Residential Districts**

Commercial parking areas adjacent to residential districts and not separated by a public street shall have installed and maintained a solid decorative masonry wall six feet in height on the commercial district boundary line. This solid decorative masonry wall shall be reduced to four feet in height when located within the front yard area of the property abutting a residential district.

**d. Driveways**

Driveways shall be provided only at locations approved by the city engineer and city planner. Driveways shall not be located less than thirty feet from any street intersection.

**e. Passenger Drop-Off Points**

Drop-off points separated from street traffic and readily accessible without hazardous maneuvering, shall be provided in conjunction with the following uses: hotels, motels, hospitals and clinics, educational facilities with fifty or more pupils, daycare centers, religious facilities with one hundred or more seats, transit terminals, major recreational facilities, commercial airports, public buildings and offices and financial services. (Ord. 09-147 § 1 (part))

**29.08 General Design Requirements**

a. Vehicle parking areas shall be designed such that vehicles shall not exit from the driveway by backing onto a collector or arterial street. This requirement does not apply to parking areas consisting of driveways that serve single family residential with less than one hundred-feet of frontage on collector streets.

b. Parking areas shall be designed so that sanitation, emergency, and other public service vehicles can serve such developments.

c. Parking areas shall be designed so that vehicles do not extend beyond the perimeter of such area onto adjacent properties or public rights-of-way.

d. All lights used to illuminate commercial, office and industrial parking spaces shall be installed pursuant to Section 31.15 (Lighting). Said lights shall be no greater than eighteen feet in height.

e. Requirements for handicapped parking and access are required pursuant to Section 29.10 and A.R.S. § 41-1492.01 et seq. (Ord. 09-147 § 1 (part))

**29.09 Parking Area Surfacing Improvements**

a. All parking areas shall be improved and paved in a manner that addresses air quality protection and shall meet the standards adopted by the city council.

**b. Other Than Residential**

All persons who are owners, tenants or operators shall maintain parking, maneuvering, ingress and egress areas at developments other than residential buildings with four or fewer units with one or more of the following dust-proofing paving methods:

1. Asphaltic concrete;
2. Cement concrete;
3. Penetration treatment of bituminous material and seal coat of bituminous binder and a mineral aggregate; and/or
4. A stabilization method approved by the city.

**c. Residential**

All persons who are owners, tenants or operators shall maintain parking, maneuvering, ingress and egress areas that are three thousand square feet or more in size at residential buildings with four or fewer units with a paving or stabilization method authorized by a permit issued by the city engineer. (Ord. 09-147 § 1 (part))

**29.10 Handicapped Parking**

Handicapped parking shall comply with the requirements of the Americans with Disability Act, including all regulations adopted pursuant to that act, and to the following.

- a. Each parking area is required to have accessible (handicap) parking spaces.
- b. Accessible parking spaces must be the closest spaces to the building's accessible entrance.
- c. Accessible spaces must be at least eleven feet wide with a clearly marked adjacent access aisle of sixty inches. Two spaces may share a common aisle.
- d. The access aisle must connect directly to the accessible route.
- e. Accessible parking spaces and parking aisles must be level with no slope greater than 1:50.
- f. All accessible parking spaces shall be designated with an unobscured vertical sign that shows the universal symbol of accessibility and references A.R.S. § 28-881 et seq.
- g. Number of Accessible Parking Spaces Per Number of Total Spaces in Lot

Total Parking In Lot	Min. # of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 and over	3 + 1 space/50 spaces

(Ord. 09-147 § 1 (part))

#### 29.11 Parking Restrictions for Residential Uses

Off-street parking is prohibited except on paved driveways and paved, designated parking spaces. Every structure or part thereof hereafter erected, any building concerted to such uses or occupancy or any addition thereto shall be provided on the premises accessible off-street parking as follows:

##### a. Dwellings

Calculation of the required number of parking spaces for all types of dwellings shall be as shown in the matrix in Section 29.13 including fractions of spaces rounded to the next whole space. In addition, the following restrictions apply:

##### 1. Single-Family Dwellings and Town Houses

A minimum two-car garage shall be provided for each dwelling unit. Driveways and parking spaces shall be contiguous and shall comply with the following requirements:

- A. The maximum allowable total driveway(s) entry width shall equal: thirteen + (0.2 x front property line lot width) feet.
- B. The maximum allowable paved front yard area that may be utilized for driveways or parking spaces shall equal: (maximum allowable total driveway(s) entry width) x (depth of the front setback, measured at a ninety-degree angle from the front property line to the front setback line) in square feet.
- C. Driveways shall be connected to garages by a paved driveway.
- D. Parking spaces and driveways shall be paved. Parking spaces or driveways paved in materials other than asphalt or concrete shall be durably marked and designated and require administrative approval.
- E. Parking spaces in a sidestreet side yard shall be limited to the garage apron and one additional space not required to be contiguous.
- F. Parking space(s) may be located in only one side yard.
- G. Circular driveways may be discontinuous from other paved areas in front or side yards.

##### 2. Multiple-Family Dwellings

Three parking spaces for every two dwelling units. Paving surfaces shall be limited to concrete or asphalt.

- A. Efficiency units in a multiple-family dwelling: one and one-quarter parking spaces for each efficiency unit.
- B. Multiple-family dwelling units with one or two bedrooms shall provide two parking spaces per unit, and two and a half spaces shall be required for three or more bedroom multiple family units, plus one guest parking space per five dwelling units.
- C. Boardinghouses, lodging houses, fraternity and sorority houses and other such uses: one parking space for each one guest room or dwelling unit. (Ord. 09-147 § 1 (part))

#### 29.12 Off-Street Loading Requirements

In all zoning districts, for every building or part thereof erected or enlarged after the effective date of the ordinance codified in this section, which is occupied by a use receiving or distributing materials or merchandise by motor truck, there shall be provided and maintained on the same premises as the building or use, adequate off-street loading space meeting the minimum requirements hereinafter specified. Loading space shall not be considered as satisfying requirements for off-street parking space.

##### a. Schedule of Loading Space Requirements

Total Floor Area of Building	Number of Loading Spaces Required
20,000 sq. ft. to 30,000 sq. ft.	1 space
30,001 sq. ft. to 50,000 sq. ft.	2 spaces
For each 100,000 additional sq. ft.	1 additional space

##### b. Location

Required off-street loading space shall not be permitted in any front yard, or in any required side yard except in a nonresidential district where a side yard abuts an alley. Off-street loading space may occupy all or any part of a required rear yard, except as otherwise required for screening or buffering from neighboring uses, and may be partially or entirely enclosed within a building.

##### c. Alleys

Where a building or use in a nonresidential district abuts an alley, such alley may be used as maneuvering space for loading and unloading spaces; provided, however, that no alley abutting any residential district may be so used.

##### d. Size

Every required off-street loading space shall have a minimum width of twelve feet, a minimum length of forty-five feet and a minimum height of fourteen feet, exclusive of access aisles and maneuvering space. (Ord. 09-147 § 1 (part))

#### 29.13 Parking Matrix

Schedule of Required Off-Street Parking Spaces		
Use (current code)	Required Spaces (current code)	Proposed Additional Uses
Automobile Sales Lot – New or Used	1/200 sq. ft. of building 1/10 outdoor vehicle display spaces	
Bowling Alleys	4/bowling lane + 1/employee on largest shift 2/billiard table 1/5 seats in visitor's gallery	

Business Schools	1/150 sq. ft. gross floor area	
Child Care Center	1/200 sq. ft. gross floor area	
Churches	1/4 fixed seats in main auditorium or 1/30 sq. ft. floor area Does not include Sunday School and special rooms	
Commercial	1/200 sq. ft. gross floor area	
Medical Office	1/150 sq. ft.	
Pharmacy	1/75 sq. ft.	
Grocery Store	1/150 sq. ft.	
Office Buildings	1/200 sq. ft. gross floor area	
Community or Recreation Buildings	1/200 sq. ft. gross floor area	
Dance Halls, Skating Rinks, Similar	1/300 sq. ft. gross floor area	
Dwellings		
Single-Family	2-car garage minimum/dwelling unit	
Townhouse	2-car garage minimum/dwelling unit + 1 guest space/5 dwelling units	
Multiple-Family	2 spaces per 1- and 2-bedroom dwelling units; 2.5 spaces per 3-bedroom dwelling unit + 1 guest space per 5 dwelling units	
Efficiency Units in Multiple-Family	1-1/4 /each efficiency unit	
Boarding House	1/guest room or dwelling unit	
Lodge Houses	1/guest room or dwelling unit	
Fraternity and Sorority Houses	2/guest room or dwelling unit	
Elementary Schools	1/staff + 1/3 seats in public assembly	
Funeral Homes	1/3 seats in the viewing room + 1/30 sq. ft. public assembly + 1/funeral service vehicle + 1/employee	
Furniture Store over 25,000 sq. ft.	1 sq. ft. parking/1 sq. ft. retail floor area	
Golf Course		
Public	1/200 sq. ft. building floor area 1/2 practice tees in driving range 4/each green in the playing area	
Private/Semi-Private	1/200 sq. ft. building floor area 2/each green in the playing area	
High School	1/each staff 1/3 students or 1/each 3 seats in public assembly area	
Hospitals	1/each bed + 1/employee on largest shift + 30 for emergency room services	
Hotels and Motels	1/guest room or unit	
Residential Health Care Facilities		
Specialized Care and Group Home Facilities	1 parking space per 2 beds + 1 space per employee at peak shift	
Minimal Care Facilities	7 parking spaces per 10 dwelling units or 0.7 parking spaces per each dwelling unit + 1 space per employee at peak shift	
Resort Hotels	4/5 space/guest room or unit + 1/3 employees @ peak shift	
Resort Hotel, Hotel and Motel	1/50 sq. ft. restaurant, dining rooms, bars and dance areas + 20% employees	
Auxiliary Standards	1/400 sq. ft. commercial uses 1/5 fixed seats or 1/100 sq. ft. assembly (public assembly parking may be reduced by 1 for every 4 guest rooms)	
Manufacturing and Industrial	1/500 sq. ft. floor area	
Parks and Open Space	3/acre or 1/3 adult patrons and employees at peak hour use for public or private outdoor recreation uses	
Plant Nurseries, Building Material Yards, Equipment Rental or Sales Yards and Similar Uses	1/300 sq. ft. of sales and display area	
Post Offices on Private Property	1/200 sq. ft. gross floor area	
Restaurants, Cafes, Bars, Cocktail  (part of a larger center where shared parking and restrooms, cross access agreements exist)	1 space per 50 sq. ft. floor area, excluding hallways, restrooms, storage areas, equipment rooms, kitchens, and outdoor seating areas.  1 space per 150 sq. ft. kitchen and employee service areas  1 space per 150 sq. ft. outdoor seating area	w/ drive-through  100 linear feet of queuing exclusive of aisles  75 linear feet for each

		additional drive-through
Restaurants, Cafes, Bars, Cocktail  (stand-alone, not part of larger center)	1 space per 50 sq. ft. floor area	w/ drive- through  100 linear feet of queuing exclusive of aisles  75 linear feet for each additional drive-through
Theaters, Auditoriums, Gymnasiums and Similar Public Assembly	1/400 sq. ft. or 1/3 seats + 1/employee on largest shift	
Warehousing or Wholesaling	1/500 sq. ft. of sales or display area + 1/1000 sq. ft. storage +1/300 sq. ft. of retail or office	minimum of 4 spaces
Tennis Clubs		
Public	1/200 sq. ft. of building 3/each court (applicant must reserve space for parking in order to be permitted to hold tournaments)	
Private or Semi-Private	per above or other available parking provided by owner within 300'	
Handicapped		
Multiple Dwellings, Commercial, Retail, Office, Manufacturing, Warehousing, Recreation, etc.	1/25 spaces for first 75 spaces + 1/50 for 76 spaces and over	

(Ord. 09-147 § I (part))

#### 29.14 Violation; Penalties

Any person found guilty of violating any provision of this section shall be subject to the penalties set forth in Section 8 of the Litchfield Park Zoning Code. Each day that a violation continues shall be a separate offense punishable as herein described. (Ord. 09-147 § IV)

**SECTION 30  
WALLS, LANDSCAPING AND FENCES**

Subsections:

[30.01 Gateway Treatments](#)

[30.02 Height and Design](#)

[30.03 Right-of-Way or Easement](#)

[30.04 Property Owner Responsibility](#)

[30.05 Landscaping Design Standards and Requirements](#)

[30.05-01 Purpose and Applicability](#)

[30.05-02 Definitions](#)

[30.05-03 Single-Family District Standards](#)

[30.05-04 Multifamily Districts](#)

[30.05-05 Nonresidential/Resort Districts](#)

**30.01 Gateway Treatments**

Combinations of landscaping, monumentation signs and masonry walls may be approved by the design review board at locations where appropriate. Privately-constructed entry signs may be placed on public property, subject to the prohibitions of Section [30.03](#), upon obtaining conditional and/or temporary approval from the city. (Ord. 04-91 § 1 (part))

**30.02 Height and Design**

a. The height of walls and fences shall be measured vertically from the finished grade on each side of the wall or fence. Raising the finished grade by placing fill solely for the purpose of adding additional height to a wall or fence is prohibited. If a wall or fence is placed on a berm, the height shall be measured vertically from the base of the berm. The maximum height of walls and fences shall be six feet, except as set forth below:

1. Tennis court fences shall not exceed fifteen feet in height.
2. Where the structure has a load-bearing function, such as earth retention, a masonry wall is required and shall be properly engineered. Retaining walls shall not exceed eight feet in height.
3. Within the front yard setbacks of residential lots, walls and fences shall not exceed three feet in height and shall be set back from the front property line a distance equal to or greater than one-half the depth of the front yard setback, except a wall or fence not to exceed three feet in height may extend along the side property line to the front property line.
4. In side yards of residential lots, from the midpoint of the side yard building wall to the front yard, walls and fences shall not exceed three feet in height, except the design review board has authority to approve a wall or fence up to six feet in height from the midpoint of the side yard building wall elevation to a point set back at least ten feet from the front yard.
5. In cases where a corner lot abuts a key lot, the fence or freestanding wall over three feet but not more than six feet in height on the corner lot shall be set back from the street side property line not less than one-half the depth of the required front yard.

b. The design of walls and fences constructed after June 6, 2007, shall comply with the following requirements:

1. Walls and fences shall be masonry or metal grill. Masonry walls or fences shall be finished on the exterior side of the fence or wall. The minimum standard for the exterior side finish of a masonry wall or fence is stucco and paint, except the design review board may vary this requirement to provide design compatibility with nearby architectural elements. If the person constructing the wall or fence is not able to obtain reasonable access to adjoining property in order to comply with this requirement, that person shall not be required to comply with this subsection.
2. In residential districts, walls and fences on rear lot lines adjoining golf courses, public pathways and parks shall be full view walls or full view fences.
3. In residential districts, walls and fences on side yard property lines adjoining golf courses, public pathways or parks shall be partial view walls or partial view fences.
4. In resort and open space districts, walls and fences separating golf courses from adjoining residential districts shall be full view walls or full view fences.
5. Tennis court fences may be chain link.

c. Construction of walls and fences after June 6, 2007, requires a building permit issued by the city. No building permit shall be issued until the wall or fence has received design review board approval.

d. The design of any gate installed after March 6, 2009, shall comply with the following requirements:

1. Gates shall be wood, metal grill, or a combination thereof. A gate shall have a design compatible with or complementary to the attached building, wall or fence.
2. Tennis court gates may be chain link, if the tennis court is fenced by a chain link fence.
3. Within the front yard setbacks of residential lots, gates shall not exceed five feet in height.

e. A gate installed as part of the construction of a new wall or fence shall be approved as part of the process set forth in subsection c of this section. (Ord. 09-146 § 1; Ord. 07-128 § 1 (part); Ord. 04-91 § 1 (part))

**30.03 Right-of-Way or Easement**

A masonry wall, as herein defined, is required, and shall be properly engineered, where the structure has a load-bearing function such as earth retention. No wall or fence may be placed upon any street, walkway or access. (Ord. 04-91 § 1 (part))

**30.04 Property Owner Responsibility**

Each property owner shall landscape and maintain all property abutting streets or rights-of-way. Property owners must provide a wall or fence around a swimming pool as stipulated in the city

building codes.

**30.05 Landscaping Design Standards and Requirements**  
(Ord. 10-156 § 1 (part))

**30.05-01 Purpose and Applicability**

- a. The purpose of these landscaping standards is to implement the goals of the general plan, to preserve the natural beauty of the area, to enhance the beauty of the city, to preserve and enhance the value of land and buildings in the city, to provide for Arizona Department of Environmental Quality PM-10 dust mitigation and to protect the quality of the city's environment.
- b. The landscape requirements set forth in this subsection shall apply to all new development, redevelopment or building expansion (greater than twenty-five percent of gross building area) projects in the city after August 6, 2010, and to uses where there is a substantial modification to the existing use.
- c. Each property owner shall landscape and maintain such landscaping on his property and on property abutting streets or rights-of-way in compliance with the requirements set forth in this section. (Ord. 10-156 § 1 (part))

**30.05-02 Definitions**

**Arizona Department of Water Resources Plant Materials List** means the list of low-water-use/drought-tolerant plants published by the Arizona Department of Water Resources.

**Caliper** means the diameter of a tree, in inches, measured four feet above finished grade or adjacent ground.

**Common Open Space** means land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development and may include such complementary structures and improvements as are necessary and appropriate. Common open space does not include private or public street rights-of-way.

**Drought Tolerant/Low-Water-Use** means a landscaping method that maximizes the conservation of water by the use of site and climate-appropriate plants and an efficient watering system.

**Foundation Planting** means the area of a lot within ten feet of the foundation of any structure where landscaping can be used to visually buffer the impact, create visual interest and enhance the architectural details of the structure.

**Groundcover, Vegetative** means living landscape materials characterized by horizontal as well as vertical growth but which generally do not exceed eighteen inches in height. The intent of groundcovers, when properly installed, is to form a continuous cover over the ground.

**Groundcover, Nonvegetative** means landscape materials that are not living. These materials include, but are not limited to, decomposed granite, gravel, crushed rock, boulders, river rock, synthetic turf or other similar materials. Pavement shall not be considered groundcover for the purposes of this section.

**Hardscape** means any inorganic materials intended and maintained for decorative use as part of an overall landscape design and may include, but not be limited to, decorative rock, granite, stones, river rock, pavers, patterned concrete and similar materials.

**Irrigation/Irrigation System** means an overall system of various components, including pipelines, sprayers, bubblers, drip emitters and other materials, including timers, designed and installed to ensure that all landscaped areas and plant materials are adequately watered on a regular basis. An irrigation system shall include a backflow prevention device. An irrigation system does not include the use of portable sprinklers, hoses, or hand watering.

**Landscape Buffer** means a landscape area located on the perimeter of a site, typically on the interior, that serves to screen the visual and noise impacts caused by differences in use.

**Landscape Material** means any materials, vegetative and nonvegetative, used for the purpose of landscape improvements which may include, but shall not be limited to, the following: trees, shrubs, groundcovers, turf, vines, berms, nonvegetative groundcover materials, irrigation equipment, fences and walls.

**Landscape Plan** means a graphic representation of a development site, residential or nonresidential, indicating the location of existing and proposed landscape improvements to be present on the site at the completion of the construction of the project.

**Landscaping** means the planting and continuous maintenance of a combination of trees, shrubs, vines, groundcovers, and turf on a property. Landscaping includes the installation of various decorative features, such as water features and sculptures and the use of hardscape as part of an overall design. Landscape includes the use of xeriscape design, techniques, planting, and irrigation.

**Maintenance** means the process of keeping a landscape healthy, clean, safe and attractive by landscape irrigation management, general care of landscape areas including, but not limited to, weeding, erosion control and revegetation, turf care, pest control, and maintenance of site enhancement features such as fountains and sculptures.

**Multiple Trunk or Multi-Trunk Tree** means a tree with more than one main trunk. To be considered a multiple trunk tree, additional trunks should originate either from the soil line or no higher than twelve inches above ground. Any tree that has additional trunks higher than twelve inches are not considered multiple trunk trees.

**Net Land Area** means for all districts, the area of a lot or parcel that remains after subtracting area necessary for a legal structure, required parking and driveways, sidewalks and any other hard-surface improvements.

**Palm Tree** means a vertical palm that can reach twenty feet or greater in height at maturity.

**Plant Material** means all vegetative landscaping material.

**Required Landscape Areas**

- a. For single-family districts:
  1. The area between the front, rear and side property lines and the respective front, rear and side of the building, unless such areas are enclosed by an opaque fence meeting the requirements of [Section 2.04](#).
  2. Common open space designated on subdivision plats.

3. Property abutting streets and rights-of-way.
- b. For multifamily districts, the areas required to be landscaped pursuant to Section [30.05-04](#).
- c. For commercial, industrial and resort districts, the areas required to be landscaped pursuant to Section [30.05-05](#).

**Shrub** means a woody plant which has several stems that rise from the ground level.

**Tree** means a woody plant that has a single or multiple trunk(s) at ground level.

**Turf** means continuous plant coverage consisting of grass species that is mowed to maintain an established, common height. (Ord. 10-156 § 1 (part))

#### **30.05-03 Single-Family District Standards**

- a. Landscaping in required landscape areas shall be installed prior to issuance of a certificate of occupancy for the property. In lieu of installation of landscaping prior to issuance of a certificate of occupancy, a cash deposit or an irrevocable letter of credit in an amount of one hundred fifty percent guaranteeing the completion of landscaping within three months may be accepted by the zoning administrator, or his designee. Failure to install the landscaping in the three-month time period shall be a violation of this section and the city may use the cash deposit or funds set aside by letter of credit to complete the required landscaping. An extension, not to exceed three months, to this requirement may be requested, in writing, addressed to the zoning administrator explaining the extenuating circumstances that exist that would support the request.
- b. All required landscaped areas must be covered with any combination of vegetative and nonvegetative landscape materials.
- c. Landscaping shall include a combination of groundcover(s), shrub(s) and tree(s).
- d. Landscaping, and irrigation systems if necessary, shall be installed and properly maintained on all portions of single-family residential lots open to view from a public street not used for buildings, vehicle access or parking.
  1. Decomposed granite is permitted; however, if used, a minimum of twenty-five percent shall be vegetative landscape material at maturity and/or synthetic turf.
  2. Trees and shrubs should be species that are regionally appropriate and suitable for site-specific conditions, including water conservation, sun and heat exposure, soil pH and other environmental factors.
  3. Paving materials, water features and sculptures may be included as landscape design materials to create useful open space. The addition of color and texture to the design is encouraged to create visual interest. Such materials may not cover more than twenty percent of the required landscaped area.
  4. Underground automatic irrigation systems are encouraged for landscaping which cannot survive on natural precipitation. The use of drip, emitter or other water conservation irrigation methods is encouraged. The overall irrigation system design should emphasize efficient water use and conservation. (Ord. 10-156 § 1 (part))

#### **30.05-04 Multifamily Districts**

- a. A landscape plan prepared to the standards outlined in this section must be submitted for design review board approval prior to issuance of a building permit.
- b. Landscaping in required landscape areas shall be installed prior to issuance of a certificate of occupancy for the property. In lieu of installation of landscaping prior to issuance of a certificate of occupancy, a cash deposit or an irrevocable letter of credit in an amount of one hundred fifty percent guaranteeing the completion of landscaping within three months may be accepted by the zoning administrator or his designee. Failure to install the landscaping in the three-month time period shall be a violation of this section and the city may use the cash deposit or funds set aside by letter of credit to complete the required landscaping. An extension, not to exceed three months, to this requirement may be requested, in writing, addressed to the zoning administrator explaining the extenuating circumstances that exist that would support the request.
- c. **Required Landscaping and Maintenance**
  1. An average fifteen-foot-wide landscaped area is required along all interior property lines. Trees with a minimum size of twenty-four-inch box (two-inch caliper) shall be planted in a manner as to provide a buffer to adjacent single-family residential property. A six-foot-high masonry wall is required along interior property lines.
  2. Along public street frontages, an average twenty-foot-wide landscape area is required and shall incorporate minimum fifteen-gallon-sized trees in a manner that provides a buffer as to mitigate the spillage of light and noise onto and off the property. A minimum of twenty-five percent of the required trees shall be twenty-four-inch box (two-inch caliper) size. Open space areas along public street frontages shall receive special landscaping treatment to provide a lush setting for both the residents of the project and the general public. The following standards shall apply to landscaping of public street frontages:
    - A. Special entry features shall be provided at major entrances into a project to provide a sense of identification and uniqueness.
    - B. Walls, planters, and earth berms shall be provided in the front yard to add variety to the landscape and to increase privacy for the residents.
    - C. No more than fifty percent of the required front yard landscaped area may be used for stormwater retention purposes.
  3. Within common open space, minimum twenty-four-inch box (two-inch caliper) sized trees shall be planted at a ratio of one tree per dwelling unit.
  4. Foundation plantings shall be utilized to complement building elevations, provide shade, and increase privacy. A minimum of fifty percent of the building frontage facing public streets shall have foundation plantings.
  5. Landscaped parking islands within parking areas shall be installed at least every twelve consecutive parking spaces. Trees shall be of a variety that minimizes tree litter drop, interference with vehicle and pedestrian movement and degradation of surrounding pavement. Such space shall be a minimum of five feet wide and contain at least one twenty-four-inch box (two-inch caliper) sized tree.
  6. All landscaping shall be maintained in a neat and orderly manner and in a healthy growing



condition appropriate to the season. Landscaping and irrigation systems shall be installed and properly maintained on all portions of the property open to view from a public street not used for buildings, vehicle access or parking. Dead plants shall be removed and replaced within forty-five calendar days.

7. The maintenance of landscaping in the public right-of-way shall be the responsibility of the adjacent property owner per Section [30.04](#) of this code.

8. Soil not required to be landscaped shall be stabilized in a manner approved by the city engineer. At a minimum this shall require compliance with all applicable PM-10 standards for fugitive dust. (Ord. 10-156 § 1 (part))

#### **30.05-05 Nonresidential/Resort Districts**

a. A landscape plan prepared to the standards outlined in this section must be submitted for design review board approval prior to issuance of a building permit.

b. Landscaping in required landscape areas shall be installed prior to issuance of a certificate of occupancy for the property. In lieu of installation of landscaping prior to issuance of a certificate of occupancy, a cash deposit or an irrevocable letter of credit in an amount of one hundred fifty percent guaranteeing the completion of landscaping within three months may be accepted by the zoning administrator or his designee. Failure to install the landscaping in the three-month time period shall be a violation of this section and the city may use the cash deposit or funds set aside by letter of credit to complete the required landscaping. An extension, not to exceed three months, to this requirement may be requested, in writing, addressed to the zoning administrator explaining the extenuating circumstances that exist that would support the request.

#### **c. Required Landscaping and Maintenance**

1. A minimum of ten percent of net land area of any site located in a commercial district shall be landscaped. A minimum of five percent of net land area of any site located in an industrial district shall be landscaped. Additional required landscape areas may be required in a rezoning ordinance or approved site plan.

2. Landscaping is required along the street frontage between the street or sidewalk and any buildings, parking areas, loading or storage areas in accordance with the following standards:

A. Required landscape areas along public street frontages shall be contoured or bermed to provide variations in grade, visual relief, parking lot screening, and a more pleasing aesthetic value. All on-site parking areas shall be screened from street view by a landscaped berm or decorative wall not less than four feet in height. The required height of the berm or wall shall be measured from the highest finished grade of the adjacent on-site parking area.

B. The intersections of arterial or section line streets are a dominant feature of the urban landscape, serving as major focal points of activity in the community. Because of the importance of these intersections, additional landscaped setbacks and design features, beyond the required minimum standards, may be required on property at these intersections by the city at the time of rezoning and/or site plan approval. Such additional features may involve:

1. Wider setbacks;
2. Unique building orientation and design;
3. Special landscape features such as fountains, walls, and screening devices;
4. Unique building architecture.

C. Required yards fronting on a public street in the commercial districts shall be entirely landscaped, excluding driveways and walkways. In industrial districts the following landscaped setbacks shall apply to any building site:

1. Along section-line arterial streets, required yards shall be entirely landscaped;
2. Along all other streets, a ten-foot landscaped yard shall be required;
3. All street frontage landscaping located adjacent to driveway exits and street intersections shall be designed, installed, and maintained in accordance with the height, location, and sight visibility at street intersection requirements.

D. Where existing buildings or nearby parcels are built to the street property line, landscaping may be modified or located elsewhere on approval of the zoning administrator.

3. Any part of a site not used for buildings, parking, driveways and sidewalks shall be landscaped.

4. An automatic irrigation system shall be provided to all landscaped areas requiring water.

5. All landscaped areas adjacent to vehicular parking and access areas shall be protected by six-inch vertical concrete curbing in order to control stormwater flows and minimize damage by vehicular traffic.

6. All trees and plant material used are recommended to conform to the Arizona Department of Water Resources plant material list, with the exception that the following tree varieties shall be prohibited per City Code Section 11-4-2:

- A. Mulberry trees.
- B. Olive trees with the exception of the Swan Hill and/or other pollenless and fruitless varieties.

7. Fifteen-gallon trees shall have a minimum trunk height of eight feet, with a minimum two-inch caliper measured four feet above the ground. Multi-trunk trees may have smaller average caliper measurements.

8. Twenty-four-inch box trees shall have a minimum trunk height of ten feet with a minimum two-inch caliper measured four feet above the ground. Multi-trunk trees may have smaller average caliper measurements. Palms shall have a minimum trunk height of eight feet.

9. Inorganic ground cover, specifically decomposed granite, shall be one-fourth-inch minus in all arterial and collector right-of-way landscaping areas.

10. All shrubs shall be a minimum of five gallons in size.

11. Twenty-five percent of the required number of trees may be substituted with palm trees.

All Mexican fan palms (*Washingtonia robusta*), California fan palms (*Washingtonia filifera*), date palms (*Phoenix dactylifera*), and queen palms (*Cocos plumosa*) shall have a minimum five-foot trunk height measured from the base of the trunk to the base of the fronds when located within the public right-of-way or within fifty feet of the street property line.

12. Upon approval of the zoning administrator, the installation of twenty square feet of vegetative groundcover in any required landscape area shall substitute for one required shrub, up to a maximum of thirty percent of the required shrubs in any particular landscaped area.

13. Soil not required to be landscaped shall be stabilized in a manner approved by the city engineer. At a minimum this shall require compliance with all applicable PM-10 standards for fugitive dust.

14. Maneuvering areas shall not be permitted in the required landscape areas with the exception of driveway access to parking across the required landscape area and walkways across and along the required landscape area.

15. A minimum of five percent of the parking area, exclusive of front yard or perimeter landscaping and street trees, shall be required landscape area located in parking islands. The parking islands shall be located within the perimeter of the parking lot.

16. Parking islands shall be installed at least every twelve consecutive parking spaces; such islands shall be a minimum of five feet wide and contain a minimum of fifty square feet in area. A minimum of one tree shall be provided for every parking island. Trees shall be of a variety that minimizes tree litter drop, interference with vehicle and pedestrian movement and degradation of surrounding pavement.

17. All parking areas shall be separated from adjacent residential uses or districts by a ten-foot landscaped strip. Trees with a minimum size of twenty-four-inch box (two-inch caliper) shall be planted in a manner as to provide a buffer. A six-foot-high masonry wall is required along all interior property lines.

18. The front setback area of commercial (nonresidential) properties may be used for maneuvering but shall not be allowed for parking of vehicles. Any landscaped area used for vehicular overhang shall not be counted towards the required landscaping.

19. Permanent containment barriers (concrete curbs or bumper guards) shall be installed and properly secured within or adjacent to all proposed parking areas and along all driveways and vehicular access ways to prevent the destruction of landscape materials by vehicles.

20. The city recommends the use of low-water-consumptive plants indigenous to this region as set forth in the Arizona Department of Water Resources plant materials list.

21. A minimum of twenty-five percent of all frontage landscaped areas shall be covered with vegetative or organic ground cover consisting of living plant materials characterized by horizontal growth which generally does not exceed eighteen inches in height.

22. Vegetative ground cover shall be so located to accentuate landmarks or focal points on a site and to create a "lush" appearance to the landscaped area from public streets and areas.

23. All required landscape areas shall be finished with a natural topping material which may include, but not be limited to, the following: turf, groundcover, planting, decomposed granite (two inches minimum depth), river run rock, expanded shale, or bark. A pre-emergent treatment shall be applied to the ground prior to the placement of natural surface materials (decomposed granite, river run rock, etc.) in any landscaped area to prevent weed growth.

24. All landscaped areas requiring irrigation shall be supported by an automatic irrigation system which may be a spray, flood, soaker, or drip type system. All irrigation systems and landscaped areas shall be designed, constructed, and maintained so as to promote water conservation and prevent water overflow or seepage into the street, sidewalk, or parking areas.

25. Foundation planting is required adjacent to buildings fronting on public streets. A minimum of thirty-three percent of the building frontage shall be landscaped, with a minimum width planter area of three feet excluding vehicle overhang.

26. All portions of a site not occupied by buildings, structures, vehicle access and parking areas, loading/unloading areas, and approved storage areas shall be landscaped. Future building pads within a phased development shall be improved with temporary landscaping or otherwise maintained weed-free in such a manner as may be approved by the zoning administrator.

#### **d. Obstructions to Visibility on the Public Right-of-Way**

All landscaping and landscaping materials installed on public right-of-way or on private property in proximity to a driveway or street intersection shall be installed and maintained in compliance with the sight visibility requirements.

1. Shrubs and ground covers shall be maintained at height no greater than two feet.
2. Trees shall be trimmed and maintained as to prevent branching and leaves to project no closer than seven feet from finished grade.

#### **e. Street Right-of-Way Landscaping**

The landscaping of all street rights-of-way contiguous with the property not used for street pavement, curbs, gutters, sidewalks, or driveways shall be required in addition to the on-site landscaped areas.

#### **f. Retention Basins**

1. All private retention basins in commercial and industrial projects shall be landscaped. Such basins may not occupy more than fifty percent of any landscaped area fronting on a public street; except, where exceptional design or shallow depths are proposed for the retention basin, the zoning administrator may permit a greater use of the frontage landscaped area.
2. Retention basins shall be contoured and designed as an integral part of any frontage landscaping and shall not take on the appearance of a ditch. Maximum side slopes of basins shall be a four to one (4:1) ratio; side slopes of six to one (6:1) are preferred.

#### **g. Maintenance**

1. All landscaping shall be maintained in a neat and orderly manner and in a healthy growing

condition appropriate to the season. Landscaping and irrigation systems shall be installed and properly maintained on all portions of the property open to view from a public street not used for buildings, vehicle access or parking. Dead plants shall be removed and replaced within forty-five calendar days. The code compliance officer may extend the time for replacement an additional forty-five days for good cause shown.

2. The maintenance of landscaping in the public right-of-way shall be the responsibility of the adjacent property owner, whether an individual, corporation, or homeowner's association.  
(Ord. 10-156 § 1 (part))

**SECTION 31  
GENERAL PROVISIONS**

Subsections:

- [31.01 Intent](#)
- [31.02 Special Height Regulations](#)
- [31.03 Accessory Uses and Structures](#)
- [31.04 Screening of Non-Principal Uses](#)
- [31.05 Structures in Yard Areas](#)
- [31.06 Exceptions to Yard Regulations](#)
- [31.07 Porches and Patios](#)
- [31.08 Yard Regulations for Cluster Residences](#)
- [31.09 Temporary Buildings](#)
- [31.10 Distance Between Buildings](#)
- [31.11 Storage](#)
- [31.12 Adjustments of Yard Regulation](#)
- [31.13 Safety Considerations](#)
- [31.14 Prohibition of Time-Share Projects](#)
- [31.15 Lighting](#)
- [31.16 Drainage](#)
- [31.17 Group Homes for the Handicapped](#)
- [31.18 Yard Sales](#)
- [31.19 Environmental Concerns](#)
- [31.20 Pathway Improvement Standards](#)
- [31.21 Medical Marijuana](#)
- [31.22 Solar Energy Collector Panels](#)

**31.01 Intent**

The regulations hereinafter set forth in this section qualify or supplement, as the case may be, the regulations appearing elsewhere in this code.

**31.02 Special Height Regulations**

a. Purpose

The purpose of this code is to promote the safe installation, operation and visual and aesthetic compatibility within the community of projections, appurtenances, mechanical equipment, antennas and other similar structures which project skyward. Due to certain safety risks, such as lightning strikes or other natural phenomena, the placement and specifications of such structures are of importance to protect citizens of the community. Furthermore, the placement of such structures, particularly on residential property, has a significant impact on views from surrounding property and alters the open character of front, side, and rear yards. The following requirements establish reasonable standards for use and enjoyment of projections, appurtenances, mechanical equipment, antennas and other similar structures which project skyward and promotes their safe and aesthetic compatibility with surrounding property.

b. General

Structures governed by this section shall meet all applicable codes, be of noncombustible and corrosive resistant material and shall be erected in a secure, wind resistant manner. Every such structure shall be adequately grounded for protection against a direct strike of lightning.

c. Location and Screening

Except as provided in subsection d of this section, projections, appurtenances, mechanical equipment, antennas and other similar structures which project skyward are permitted in all districts subject to the following conditions:

1. Such structures shall not be located on a vacant lot.
2. Such structures shall be located and designed so as to not be visible from an adjoining street or from surrounding properties at the same or lower elevation as the subject property.
3. In addition, such structures shall satisfy the following requirements:
  - A. Ground-mounted structures shall:
    - I. Be placed in the rear yard;
    - II. Not project into the required wall setbacks;
    - III. Not be greater than eight feet in height above the natural grade including any platform upon which such structure is mounted;
    - IV. Be screened by walls, opaque fencing, dense landscaping or natural terrain; and
    - V. Be camouflaged with paint to reasonably blend with their surroundings.
  - B. Roof-mounted structures shall:
    - I. Not expose a surface area, including supporting structures, of more than five square feet;
    - II. Not exceed twenty-five feet in height above the natural grade or three feet in height above the highest point of the roof line, whichever is lower;
    - III. Not be located nearer to the roof edge or eave than its projecting height;
    - IV. Be placed on the rear half of the roof;

V. Be screened by an integral part of the building and not a parapet or other screen added merely to comply with this section; and

VI. Be camouflaged with paint to reasonably blend with their surroundings.

d. Exceptions

1. Section 31.02 shall not apply to wireless communications facilities or roof-mounted chimneys on a building which are an architectural component of the principal building.
2. Upon showing of necessity, a landowner may obtain a use permit to erect a structure which does not satisfy all of the requirements of paragraph c. provided:
  - A. Failure to satisfy the specific requirement does not pose an unreasonable safety risk to the landowner or the community;
  - B. Any ground-mounted structure shall not exceed twelve feet in height above the natural grade;
  - C. Any roof-mounted structure shall not exceed thirty-three feet in height above the natural grade or six feet in height above the highest point of the roof line, whichever is lower;
  - D. Such structure shall not expose a surface area, including supporting structures, greater than twenty-five square feet; and
  - E. The landowner satisfies such other reasonable conditions which may be imposed to assure compatibility with surrounding property including location, color, type, landscaping and screening requirements.
3. A showing of necessity shall include that a specific requirement in paragraph C. renders the structure unusable or inoperable or imposes excessive costs in light of the purchase and installation costs of the structure.
4. Approval and Appeal

Prior to installation, the zoning administrator shall review and approve every structure governed by this subsection for compliance. Appeals shall be made to the board of adjustment. (Ord. 97-44 § 1 (part))

### 31.03 Accessory Uses and Structures

a. General

1. Accessory Structures Permitted

Accessory structures are permitted only as provided in this section.

2. Construction

No accessory structure shall be constructed upon a lot until the construction of the principal building has commenced.

3. 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 specifically noted herein.

b. Uses

1. Storage accessory structures shall be used solely for storage uses.
2. Habitable accessory buildings shall only be used (A) for a guesthouse to be used by family, owner's domestic help or temporary guests of the owner or lessee of the principal building, (B) for noncommercial workshops or (C) for pool cabanas. Guesthouses shall have on-site parking, shall not be leased separately from the principal building, shall not have separate utility connections, and shall not have cooking facilities.
3. Accessory structures other than habitable accessory structures shall not contain toilets.

c. Location

Habitable accessory structures are permitted only in single-family residential districts. Other accessory structures are permitted in all districts, subject to requirements of this subsection and requirements applicable to the zoning district in which the accessory structure is located.

d. Setbacks

1. Except as otherwise provided in subsections (d)(2) through (8) of this section, accessory structures shall be located between the rear property line and the principal building and shall be set back at least five feet from the rear and side property lines and at least ten feet from the principal building.
2. Screened accessory structures one hundred twenty square feet or less in size may have a zero setback.
3. Accessory structures with a height greater than the height of an opaque perimeter fence but ten feet in height or less shall be set back from property lines at least five feet.
4. Accessory structures more than ten feet in height shall be set back from property lines five feet plus one foot for every foot of height over ten feet (step back).
5. For corner lots, accessory structures shall be set back the required side street setback distance.
6. Storage accessory structures used as a garage and located on an alley shall be set back not less than four feet from the rear property line and are not subject to step back requirements in subsection (d)(4) of this section.
7. Shade accessory structures other than tents may be located between the side setback line and the principal building and when located as such shall comply with the setback requirements for the principal building.
8. Guesthouses may be located in the area between the side yard setback line and the principal building and between the front yard setback line and the principal building and when located as such shall comply with the setback requirements for the principal building.
9. Rear setbacks on properties with side yard view fences shall be equal to or greater than

the length of the view fence portion of the side yard wall.

**e. Height**

Accessory structures shall not exceed the height of the principal building or fifteen feet in height, whichever is less.

**f. Lot Coverage; Size**

No accessory structure or combination of structures shall occupy more than twenty-five percent of the area lying between the rear of the principal building and the rear property line or exceed five hundred square feet in area, whichever is less. No accessory structure shall cause the maximum lot coverage applicable to the lot to be exceeded.

**g. Architecture**

Design of accessory structures shall be compatible with the principal building with respect to color, materials and form. Accessory structures except for screened accessory structures shall be subject to design review board approval.

**h. Building Permit**

A building permit is required for all habitable accessory structures and all other accessory structures occupying one hundred twenty square feet or more. (Ord. 13-188 § 1; Ord. 11-163 § 1)

**31.04 Screening of Non-Principal Uses**

a. Except as provided in Litchfield Park City Code Section 9-5-5(H) for temporary parking of recreational vehicles on residential lots, recreational vehicles, boats, trucks, buses, utility trailers, or other non-building or landscaping equipment shall be stored only in the side or rear yard and only in accordance with the following:

1. Such items shall be completely screened from view of adjacent and nearby properties and the public rights-of-way and parks by a wall or fence not to exceed six feet in height or dense landscaping. Items that are more than six feet in height shall be set back a minimum of two feet for every foot of height from any side or rear property line.

2. Nothing in this section shall prohibit subvans, vans, sport utility vehicles, and pickup trucks, excluding attached trailers, from parking on residential lots in a front driveway.

b. No new mechanical devices shall be installed, replaced or structurally altered except in compliance with this subsection. As used herein, the term "mechanical devices" shall include air conditioners, evaporative coolers and all similar devices and structures.

c. New mechanical devices shall be ground-mounted and screened from view with materials the same as the wall of the building which the device serves or with shrubbery.

d. Replacement mechanical devices shall be screened from view with similar materials and color as the wall or roof of the building which the device serves, or with vegetation if ground-mounted. (Ord. 07-132 § 1 (part); Ord. 05-105 § 1)

**31.05 Structures in Yard Areas**

Every part of a required yard space (residual from maximum lot coverage) shall be open to the sky.

**31.06 Exceptions to Yard Regulations**

Open lattice-enclosed fire-proof outside stairway, and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into the required rear yard not more than five feet are permitted.

**31.07 Porches and Patios**

An open unenclosed porch not more than one story in height or paved terrace may project into the required front yard. An enclosed vestibule containing not more than forty square feet may project into the required front yard.

Terraces, uncovered porches, platforms and ornamental features which do not extend more than three feet above the floor level of the ground (first) story may project in a required yard, provided these projections be distant at least five feet from the adjacent side lot line.

**31.08 Yard Regulations for Cluster Residences**

For the purpose of the side yard regulations, a two-family dwelling or a multiple dwelling shall be considered as one building occupying one lot.

**31.09 Temporary Buildings**

Temporary buildings that are used in conjunction with construction work only may be permitted in any district during the period that the building is being constructed, but such temporary buildings shall be removed upon completion of the construction work, or upon the expiration of a period of one year from the time of erection of such temporary buildings, whichever is sooner.

**31.10 Distance Between Buildings**

In the event that a lot is to be occupied by a group of two or more related buildings to be used for institutional or hotel purposes, there may be more than one main building on the lot; provided, however, that open spaces between buildings shall have a minimum dimension of thirty feet.

Where an open space is more than fifty percent surrounded by a building the minimum width of the open space shall be at least forty feet.

**31.11 Storage**

Buildings that are to be used for storage purposes only may exceed the maximum number of stories that are permitted in the district in which they are located, but such buildings shall not exceed the number of feet of building height permitted in such district. Note: This section does not apply to single family residential districts.

Exterior storage of recreational vehicles, trucks, buses, and other non-accessory items in excess of twenty three feet will not be permitted in single-family residential districts.

**31.12 Adjustments of Yard Regulation**

Front yards heretofore established shall be adjusted in the following cases:

a. Where forty percent or more of the frontage on one side of the street between two intersecting streets is developed with buildings that have observed (with a variation of five feet or less) a front yard greater in depth than herein required, new buildings shall not be erected closer to the street than the average front yards so established by the existing buildings.

b. Where forty percent or more of the frontage of one side of a street between two intersecting streets is developed with buildings that have observed a front yard as described above, then:

1. Where a building is to be erected on a parcel of land that is within one hundred feet of existing buildings on both sides, the minimum front yard shall be line drawn between the two closest front corners of the adjacent buildings on the two sides; or
2. Where a building is to be erected on a parcel of land that is within one hundred feet of an existing building on one side only, such building may be erected as close to the street as the existing adjacent building.

### 31.13 Safety Considerations

As an aid to freer safe movement of vehicles at and near street intersections with other streets, cart paths and pedestrian ways and in order to promote more adequate protection for the safety of children, pedestrians, and operators of vehicles, there shall be limitations on the height of fences, walls, gateways, ornamental structures, hedges, shrubbery and other fixtures, construction and planting on corner lots in all districts where front yards are required.

Such barriers to clear, unobstructed vision at corners of intersecting streets shall be limited to a height of not over three feet above the established elevations, for a distance of fifty feet along both the front and side lot lines and as appropriate at other intersections.

### 31.14 Prohibition of Time-Share Projects

Time-share projects are not allowed in single-family residential districts.

### 31.15 Lighting

Any lighting shall be in accordance with the city code and is intended to conserve energy to reduce unnecessary aura in the night sky and to encourage new lighting technology which is useful in reducing light above the horizontal. All outdoor light fixtures, permanent or portable, shall be fully shielded so as to project their emitted rays below a horizontal plane running through the lowest part of the fixture where light is emitted.

- a. Exemptions: The following illuminating devices are exempt from full shielding requirements; incandescent fixtures of 75 watts or less located no higher than seven feet above finished grade; interior-illuminated signs, fossil fuel fixtures.
- b. Prohibitions: The following fixtures or uses are prohibited: searchlights; outdoor lighting for recreational facilities between 10:00 p.m. and sunrise; mercury vapor fixtures.

### 31.16 Drainage

Provisions for on-site stormwater retention and drainage, off-site storm water drainage both entering and leaving the property and any other surface water not disposable through the sanitary waste disposal system shall be made so as to limit on-site water storage to a period not to exceed forty-eight hours, and to meet or exceed such other applicable standards as may be required by the Maricopa County Flood Control District.

### 31.17 Group Homes for the Handicapped

- a. Group homes for the handicapped are permitted in all zones indicated in the Zoning Matrix (Section 28 of this code), so long as such homes are in compliance with the following conditions:
  1. A maximum of eight residents per home, not including staff;
  2. No sign, graphics, display or other visual means of identifying the group home shall be visible from a public sidewalk or street;
  3. Compliance with all city codes, ordinances, and regulations, including fire and building code regulations, except as may be exempted by the Federal or State Fair Housing Act;
  4. A separation of such homes of a minimum distance of one thousand two hundred feet, which is presumed to be a reasonable accommodation; provided, however, such presumption may be rebutted by substantial evidence of the following:
    - A. If traffic generated by the existing and proposed group homes would be using the same residential streets, the cumulative effect of such traffic on the public safety and residential character of the neighborhood, may justify a greater separation. Likewise, a lesser separation may be appropriate if traffic generated by the proposed group home normally would not be using the same residential streets as the existing group home.
    - B. If the existing and proposed group homes are separated by a significant intervening physical feature, such as an arterial street, park, golf course, church, school or other similar buffering feature or development, a lesser separation may be appropriate.
  5. Current license, certifications or registration required for the group home by a state or federal agency.
  6. Compliance with garbage and trash collection regulations (City Code of the City of Litchfield Park, Chapter 9). The city may require the group home to dispose of its own wastes or schedule more frequent trash removal, as needed.
  7. The appearance of the exterior of the group home shall be consistent with the residential character of the neighborhood.
  8. No group home shall house any person whose tenancy would constitute a direct threat to others or would result in substantial physical damage.
  9. An application with the city of Litchfield Park shall be filed for any proposed group home use and for any requested individualized exception from compliance with group home conditions.
- b. Written Decision of Zoning Administrator
  1. An applicant for a group home shall submit an application for such use on a form provided by the zoning administrator. Such application shall include sufficient information to make an individualized determination of the applicant's needs and to address the city's safety and welfare concerns and to assure compliance with this section.
  2. An application shall be considered by the zoning administrator at a public hearing scheduled within thirty days from the date of application, or any longer period of time deemed necessary and reasonable or as may be expressly agreed to by applicant. Notice of the proposed use and public hearing shall be mailed to the applicant and the following persons:
    - A. All owners of land lying within three hundred feet of the boundaries of the land included in the application. For purposes of the calculation of this notice area public rights-of-way shall be excluded in determining the extent of the notice area;
    - B. Any person or organization who files with the zoning administrator a request to

receive such notice upon payment of a reasonable fee;

C. Adjacent political subdivisions where the property which is the subject of the application is within five hundred feet of the city boundary; and

D. Such other persons as the zoning administrator determines are likely to be affected by the proposed use.

Failure of any of the above persons (except the applicant) to receive notice shall not affect any rights of applicant.

3. The notice shall contain:

A. A description of the proposed use and its location; and

B. The place and time of the public hearing at which comments on the proposed use may be filed.

4. The zoning administrator shall review each application, and issue a written decision approving or denying the use in accordance with this section within ten days from the date of the public hearing. The written decision shall include all of the following:

A. Whether the proposed group home meets applicable requirements and may be located at the proposed location;

B. Any individualized condition required of the group home;

C. Any individualized exception from compliance with a condition, granted to the group home, or the denial thereof;

D. Any condition which is required to avoid an undue financial or administrative hardship on the city;

E. The factual bases and reasons for requiring an individualized condition or granting/denying an individualized exception to make a reasonable accommodation of the handicapped in residential areas, including a discussion of: nature of the handicapped persons' abilities and/or needs; preservation of the residential character of the surrounding neighborhood; city's health, safety and welfare concerns; and the city's financial or administrative concerns; and

F. Procedures for appeal of the decision.

5. Written notice of the zoning administrator's decision shall be provided by the zoning administrator to:

A. The applicant;

B. Any person notified of the application.

6. A written decision approving the group home use may be revoked or suspended at any time upon failure to comply with the conditions of Section [31.17\(a\)](#) or failure to comply with individualized conditions or exceptions provided for in the written decision. The zoning administrator shall act as follows:

A. Notice of the time, date and place of a hearing, including a general explanation of the matter to be considered, shall be sent by registered mail to the operator of the group home and posted on the affected property at least fifteen days before the hearing. The notice shall state that anyone wanting to protest may appear in person or by writing.

B. At the hearing, the zoning administrator shall review items of concern. The operator of the group home and any residents thereof shall have the opportunity to present evidence of compliance, or reasons for noncompliance and efforts to cure the same.

C. Within ten days following the hearing, the zoning administrator shall issue a written decision based on substantial evidence to revoke or suspend the approval of a group home use for noncompliance, allow continued operation of the group home upon finding substantial compliance, or in his discretion allow continued operation of the group home pending the filing of a new application for approval and public hearings under Section [31.17\(b\)](#) and (d). Upon revocation of approval, operations of the group home shall cease within a time reasonably necessary to provide for relocation of residents.

c. Appeal to Board of Adjustment

1. Any aggrieved person may appeal the Zoning Administrator's written decision within ten days from the date of the written decision. An appeal shall stay all proceedings, pursuant to Section [3.02\(h\)](#) of this code. An appeal shall be filed with the city clerk and be accompanied by the following items and such other evidence prescribed by the board:

A. Any alleged error in an order, requirement or decision made by the zoning administrator in the enforcement of the zoning ordinance; and

B. The requested relief; and

C. Any other materials appellant wishes to have considered.

2. Upon receipt of such an appeal by the city clerk, the zoning administrator shall immediately notify the board of adjustment and forward all records pertaining to the decision appealed to the board of adjustment.

3. The board of adjustment will follow the public hearing and notice requirements and general procedures for appeals as provided for pursuant to Section [3.02\(g\)](#) of this code.

4. At the public hearing the board of adjustment shall review the appeal, all records pertaining to the zoning administrator's decision, and any other public comments or materials submitted.

5. The board of adjustment shall issue a written decision within ten days following the public hearing. The board of adjustment may reverse or affirm wholly or partly, or modify the order, requirement or decision of the zoning administrator appealed from, and make such order, requirement, decision or determination as necessary.

6. A decision of the board of adjustment may be reconsidered or further reviewed in a court of law pursuant to Section [3.02\(j\)](#) of this code and under Arizona law.

d. Upon request by the applicant, a group home may be allowed an individualized exception from



compliance with any of the conditions of this subsection or any other applicable code provision, but only if the city determines that such exception is required by the Federal and State Fair Housing Acts or other applicable law and is reasonable and does not cause undue financial or administrative hardship for the city.

e. The permittee shall provide to the zoning administrator written notice of any changes in the name, address and telephone numbers of both the operators and owners of the group home; type of group home and state licensing agency; total number of residents; number of nonambulatory residents; or suspension or revocation of the permittee's state license. Such information shall be provided within fifteen days of such change.

f. Notwithstanding the foregoing, a group home for the developmentally disabled with a maximum of six residents, not including staff, is allowed in a residential area as mandated by Arizona Revised Statutes Section 36-582.

g. In the event federal or state laws are amended so as not to require this use in a residential zoning district, any use established pursuant to this section shall cease. (Ord. 97-42 § 1 (part))

#### **31.18 Yard Sales**

The owner or occupant of a lot in a residential district may conduct no more than two yard sales in any calendar year. A sign permit for the yard sale is required pursuant to Section 35, Signs, Section [35.08](#), Temporary Signs. A yard sale shall not exceed three consecutive days. This section shall not apply to yard sales sponsored by the city. (Ord. 16-207 § 1; Ord. 00-61 § 1 (part))

#### **31.19 Environmental Concerns**

In accordance with general plan policies, proposals submitted for approval by the city council, planning and zoning commission, design review board or board of adjustment shall indicate measures or techniques to be included in construction of improvements which will aid in the conservation of water, energy and clean air. Such environmental preservation methods may include, but are not limited to the following: xeriscape, drought-resistant plant materials and turf limitations in landscape plans; integration of circulating heat pumps, solar receptors and low water use fixtures in structures; battery chargers or alternative fuel stations in parking lots; and such other devices as may from time-to-time be proposed by developers and/or recorded on an "environmental concerns" checklist maintained by the city. New uses shall be evaluated with the intent to reduce negative impacts on current or future natural resources in the community. (Ord. 04-91 § 1 (part))

#### **31.20 Pathway Improvement Standards**

Pathways shall be constructed of the approved colored concrete or other paved surface ten feet in width, unless otherwise modified by the city. Unless dedication is accepted by the city, the property owner(s) shall maintain the pathway surface and keep it free of obstruction from vegetation or other impediment, including a minimum vertical clearance of eight feet above the pathway surface. Planned pathway improvements shall include signage and lighting plans approved by the city. (Ord. 04-91 § 1 (part))

#### **31.21 Medical Marijuana**

##### **a. General**

1. The requirements of this section shall apply to all medical marijuana dispensaries, medical marijuana dispensary cultivation locations, medical marijuana designated caregiver cultivation locations and medical marijuana qualifying patient cultivation locations in the city.
2. Medical marijuana dispensaries, medical marijuana dispensary cultivation locations, medical marijuana designated caregiver cultivation locations and medical marijuana qualifying patient cultivation locations shall be operated in accordance with state, county and city laws, codes, ordinances, rules and regulations.

##### **b. Medical Marijuana Dispensaries**

1. Applications for medical marijuana dispensaries shall be submitted to the planning department and shall include:
  - A. If the application is by someone other than the owner of the property, an authorization signed by the property owner and an explicit acknowledgement that the property owner knows that the proposed use of the property is for a medical marijuana dispensary.
  - B. The address and legal name of the medical marijuana dispensary.
  - C. The name, address and contact information of all persons who are authorized as owners, agents, volunteers and employees of the medical marijuana dispensary, including emergency contact information for one or more registered dispensary agents responsible for the operation of said dispensary.
  - D. The name(s) and location(s) of any medical marijuana dispensary cultivation locations associated with the medical marijuana dispensary.
  - E. A copy of the operating procedures for the medical marijuana dispensary adopted in compliance with A.R.S. § 36-2804(B)(1)(c).
  - F. A floor plan showing the layout and dimensions of the medical marijuana dispensary to demonstrate compliance with the requirements set forth in this section and show the security measures proposed to comply with A.R.S. § 36-2806, the standards contained in this section and any additional requirements as may be necessary to protect against medical marijuana diversion and theft.
2. Medical marijuana dispensaries shall:
  - A. Be located in a permanent building and shall not be located in a trailer, cargo container, mobile or modular building, mobile home, recreational vehicle or other motor vehicle.
  - B. Have a maximum gross floor area not exceeding two thousand five hundred square feet.
  - C. Have a secure storage area not exceeding five hundred square feet of the total of the two thousand five hundred square feet maximum gross floor area of the medical marijuana dispensary.
  - D. Have an interior customer waiting area equal to twenty-five percent of the gross floor area.
  - E. Be open for business only between eight a.m. and seven p.m.

- F. Not have a drive-through service.
- G. Not offer a service that provides off-site delivery of the medical marijuana.
- H. Not provide outdoor seating areas.
- I. Not sell merchandise other than medical marijuana.
- J. Prohibit consumption of medical marijuana on the premises.
- K. Provide unrestricted access to city code enforcement officers or law enforcement officers who request admission for the purpose of determining compliance with these standards.
- L. Have on site a secure storage area which has a single point of access and whose walls and roof are constructed of materials (eight-inch concrete block or equivalent) sufficient to deter and prevent theft of marijuana being processed.
- M. Assure that all medical marijuana shall be placed within the secure storage area at any time when the dispensary is not open for business.
- N. Provide for the proper disposal of marijuana remnants or by-products, and such material shall not be placed within the dispensary's exterior refuse containers.
- O. Ensure that there is no emission of dust, fumes, vapors, or odors into the environment from the dispensary.
- P. Have only one secure entrance to the dispensary and any other doors required for exiting shall be locked to the outside and have an alarm that sounds when opened from the inside.
- Q. Shall have an alarm system with a redundant power supply and circuitry to prevent deactivation.
- R. Shall post and maintain "no loitering" sign(s) in sufficient quantity, size and location so that they are clearly visible by anyone in the immediate vicinity of the entrance or premises.
- S. Shall have adequate exterior security lighting.
- T. Limit entry to only those persons who either possess a valid registration card or need access to perform their duties in enforcing local, state or federal laws or regulations. No one under eighteen years of age shall be permitted inside the dispensary, unless such person is a registered qualifying patient and is accompanied by a parent or legal guardian.
- U. Develop and maintain a security plan which demonstrates compliance with requirements set forth in this section and any additional requirements as may be necessary to protect against medical marijuana diversion and theft.
- V. Obtain, maintain and display a valid city of Litchfield Park business registration or license as may be required by the city code.
- W. If medical marijuana is supplied to the dispensary by a qualifying patient or designated caregiver, provide the name and contact information of the qualifying patient or designated caregiver.
- X. Within ten days of any change, provide and update the names and contact information for all persons who are authorized as owners, agents, volunteers and employees, to access the dispensary.
3. Medical marijuana dispensaries shall be a minimum distance from the uses set forth in the table below. Measurements shall be made in a straight line in any direction from the closest perimeter business walls.

Use or Use Classification	Separation Requirement (Feet)
Another medical marijuana dispensary	1,325
Day care center, public or private	1,325
Schools, public or private	1,325
Public park, library or public community center	1,325
Place of worship	1,325
Licensed substance abuse diagnostic or treatment facility or other licensed drug or alcohol rehabilitation facility	1,325
Sexually oriented business	1,325
Residential district boundary	500

**c. Medical Marijuana Dispensary Cultivation Locations and Designated Caregiver Cultivation Locations**

1. Unless included in the application for the associated medical marijuana dispensary at the same location, the application for a medical marijuana dispensary cultivation location and all designated caregiver cultivation location applications shall be submitted to the planning department and shall include:
- A. If the application is by someone other than the owner of the property, an authorization signed by the property owner and an explicit acknowledgement that the

property owner knows that the proposed use of the property is for a medical marijuana dispensary cultivation location or a designated caregiver cultivation location.

B. The address and legal name of the medical marijuana dispensary or designated caregiver cultivation location.

C. The name(s) and location(s) of any medical marijuana dispensary associated with the medical marijuana dispensary cultivation location.

D. If a medical marijuana designated caregiver cultivation location, evidence that there is no medical marijuana dispensary within twenty-five miles of the caregiver's qualifying patient.

E. The name, address and contact information of all persons who are authorized as owners, agents, volunteers and employees of any medical marijuana dispensary associated with the medical marijuana dispensary cultivation location, including emergency contact information for one or more registered dispensary agents responsible for the operation of said cultivation location.

F. A copy of the operating procedures for the medical marijuana dispensary cultivation location adopted in compliance with A.R.S. § 36-2804(B)(1)(c).

G. A floor plan showing the layout and dimensions of the medical marijuana dispensary or designated caregiver cultivation location to demonstrate compliance with the development standards contained herein and show the security measures proposed to comply with A.R.S. § 36-2806 and the standards contained herein.

2. Medical marijuana dispensary and designated caregiver cultivation locations shall:

A. Be located in a permanent building and shall not be located in a trailer, cargo container, mobile or modular building, mobile home, recreational vehicle or other motor vehicle.

B. Have a gross floor area not exceeding five thousand square feet.

C. Have a secure storage area not exceeding one thousand square feet of the five thousand square feet maximum gross floor area of the medical marijuana dispensary or designated caregiver cultivation location.

D. Provide unrestricted access to city code enforcement officers or law enforcement officers who request admission for the purpose of determining compliance with these standards.

E. Have a secure storage area which has a single point of access and whose walls and roof are constructed of materials (eight-inch concrete block or equal) sufficient to deter and prevent theft of marijuana being processed.

F. If a medical marijuana dispensary cultivation location, assure that all marijuana being processed shall be placed within the secure storage area at all times when the cultivation location is not open for business.

G. Provide for the proper disposal of marijuana remnants or by-products, and such material shall not be placed within the dispensary's or designated caregiver's exterior refuse containers.

H. Ensure that there is no emission of dust, fumes, vapors, or odors into the environment from the cultivation location.

I. Not allow on-site consumption of medical marijuana.

J. Have only one secure entrance to the dispensary or the designated caregiver cultivation location and any other doors required for exiting shall be locked to the outside and have an alarm that sounds when opened from the inside.

K. Have an alarm system with a redundant power supply and circuitry to prevent deactivation.

L. Have adequate exterior security lighting.

M. Limit entry to only the principal officers, board members and designated agents of the medical marijuana dispensary or designated caregiver associated with the medical marijuana dispensary or designated caregiver cultivation location or persons who need access to perform their duties in enforcing local, state or federal laws or regulations.

N. Develop and maintain a security plan which demonstrates compliance with all of the minimum standards specified in this section.

O. Within ten days of any change, provide and update the names and contact information for all persons who are authorized as owners, agents, volunteers and employees, to access the medical marijuana dispensary or designated caregiver cultivation location.

3. Medical marijuana dispensary and designated caregiver cultivation locations shall be a minimum distance from the uses set forth in the table below. Measurements shall be made in a straight line in any direction from the closest perimeter business walls.

Use or Use Classification	Separation Requirement (Feet)
Another medical marijuana dispensary or designated caregiver cultivation location or a medical marijuana dispensary if the cultivation location is not on a medical marijuana dispensary premises	1,325
Day care center, public or private	1,325

Schools, public or private	1,325
Public park, library or public community center	1,325
Place of worship	1,325
Licensed substance abuse diagnostic or treatment facility or other licensed drug or alcohol rehabilitation facility	1,325
Sexually oriented business	1,325
Residential district boundary	500

**d. Medical Marijuana Qualifying Patient Cultivation Locations**

1. Medical marijuana qualifying patient cultivation is permitted in all residential zoning districts as an accessory use provided the primary residence of the registered qualifying patient for whom the medical marijuana is being cultivated, is more than twenty-five miles from an operating medical marijuana dispensary and is done in conformance with the development standards contained in this section.
2. All medical marijuana qualifying patient cultivation shall be conducted in conformance with the provisions of A.R.S. § 36-2801 et seq. and any rules adopted by the Arizona Department of Health Services pursuant to said statutes.
3. Medical marijuana qualifying patient cultivation shall be conducted at the primary residence of a registered qualifying patient only if that residence is more than twenty-five miles from an operating medical marijuana dispensary and shall:
  - A. Be an accessory use to the primary residence of the registered qualifying patient and in conformance with the requirements set forth in this subsection d.
  - B. Shall be conducted in an enclosed, locked facility such as a closet, room, greenhouse or other building that does not exceed fifty square feet.
  - C. Shall be conducted in such a manner that it is not detectable from the exterior of the building in which the cultivation takes place. (Ord. 11-166 § 1 (part))

**31.22 Solar Energy Collector Panels<sup>1</sup>**

- a. Design review board approval is required prior to the installation of solar energy collector panels. The design review board is authorized to approve deviations from the design and installation standards set forth in this subsection if it determines that strict compliance with the standards is impractical or may approve an alternative proposal if the requirements listed under subsection b of this section cannot be met without significant loss of efficiency.
- b. The design and installation of solar energy collector panels shall be in compliance with the following standards:
  1. Reflective glare of solar energy collector panels on neighboring properties shall be minimized by the positioning of the solar energy collector panels or by the use of non-glare glazing.
  2. Piping, wiring and other mechanical accessories otherwise visible to the public shall be fully concealed within the roof or by a roof mounted solar energy collector panel, unless this would conflict with manufacturer's specifications. In the event of such conflict, the piping, wiring and other mechanical accessories shall be concealed to the extent practicable.
  3. Pitched roof solar energy collector panels shall be subject to the following requirements:
    - A. Shall be in a flat configuration, be parallel to the roof plane and appear to be an integral part of the building.
    - B. Should be configured in a regular quadrangular shape, and aligned with the existing roof edges.
    - C. Shall be positioned within the field of the roof plane with a proportional margin of roof between the panel and the roof edges.
    - D. The surface of a solar energy collector panel shall be not more than ten inches above the surface of the pitched roof.
  4. Flat roof solar energy collector panels shall be positioned within the field of the roof plane as far from the roof edge as possible and, if ten inches above roof surface, whether rack mounted or flat mounted, shall be subject to the following requirements:
    - A. Shall be screened from public view.
    - B. The height of such screening, at minimum, shall be the height of the solar energy collector panel.
    - C. The screening may be by a parapet or by a screening wall replicating the materials of the building.
  5. Ground-mounted solar energy collector panels shall be subject to the following requirements:
    - A. Shall be located in a rear yard.
    - B. Shall be fully screened from public view by a surrounding yard wall. (Ord. 11-167 § 1 (part))

<sup>1</sup> Ordinance 11-167 added this section as Section 31.21. It has been editorially renumbered to avoid duplication.

## SECTION 32 NONCONFORMING USES

Subsections:

[32.01 – Continued Use](#)

[32.02 – Alterations](#)

[32.03 – Prohibition Against Reuse/Discontinuance](#)

[32.04 – Special Circumstances](#)

### 32.01 Continued Use

A nonconforming use of land may be continued unless it is a danger to the public health and safety in which case it shall be unlawful to make such use of land, but if it shall be discontinued for a period of one year or more, any future use shall be in conformity with the provisions of this code.

### 32.02 Alterations

No structural alterations of a structure or building that is a nonconforming use shall be made unless they be required by code or law, or permitted under other provisions of this code. A nonconforming use, structure or building shall not be expanded in area nor increased in intensity except as expressly authorized by other provisions of this code. Notwithstanding any other provision of this code, it shall be unlawful to maintain any building, structure or use or land which violates any section or provision of the zoning code of the city of Litchfield Park.

In the event that the owner of a nonconforming structure or building, or structure devoted to a nonconforming use shall desire to make structural alterations therein, he shall make application for use permit approval to the board of adjustment for authorization to do so. The board may grant such application in conformity with the standards set forth in this code, or where different standards pertain in the particular vicinity by reason of continuing private deed restrictions, may take such alternative standards into consideration when rendering its decisions. Except that the board shall not authorize any of the following:

- a. A change in the use to which the structure is devoted unless such use is more restrictive than the nonconforming use existing;
- b. An increase in the size of a structure or building on property zoned for residential use where the structure or building is or would be used, in whole or in part, for a nonresidential purpose; or
- c. An alteration to a nonconforming use or structure which contains substandard conditions affecting health, safety or welfare, unless such nonconformities are corrected to the satisfaction of the building department. (Ord. 04-91 § 1 (part))

### 32.03 Prohibition Against Reuse/Discontinuance

If at any time a structure devoted to a nonconforming use or a nonconforming use structure or building shall be destroyed by fire, explosion, act of God or act of the public enemy to the extent of fifty percent of its value, the right to use or devote such structure to the nonconforming use shall terminate, and future use of the structure shall be subject to the provisions of this code.

Nothing in this article shall authorize the continuance of the use of a structure, building or premises in violation of any provision of this code if such structure, building, or use is not a nonconforming use.

### 32.04 Special Circumstances

- a. Continuance of Nonconforming Use of Land; Abandonment

The lawful use of land existing at the time of the passage of this code, although such does not conform to the provisions hereof for said land, may be continued, but if such non-conforming use is abandoned, and a non-conforming use discontinued for a period of three months is presumed abandoned, then any future use of said land shall be in conformity with the provisions of this code.

- b. Continuance of Non-conforming Use of Building or Land; Change to Another Non-conforming Use

The lawful use of a building or land existing at the time of the passage of this code may be continued, although such use does not conform with the provisions of this code for such building or land and such use may be continued providing only reasonable repairs and alterations are made. If no structural alterations are made, a non-conforming use of a building or land may be changed to another non-conforming use of a building or land which is for the same or more restrictive classification, subject to a use permit. Whenever a non-conforming use of a building or land has been changed to a more restrictive use or to a conforming use, such use shall not thereafter be changed to a less restrictive use.

- c. Non-conforming Use Created by Change in Zoning Code or District Boundaries

Whenever the use of building or land becomes non-conforming through a change in the zoning code or district boundaries, such use may be continued and, if no structural alterations are made, it may be changed to another non-conforming use of the same or of a more restrictive classification, subject to a use permit.

- d. Abandonment of Non-conforming Use of Building or Land

In the event that a non-conforming use of any building is abandoned, and non-conforming use discontinued for a period of three months is presumed abandoned, then any future use of said building or land shall be in conformity with the provisions of this code.

- e. Enlargement, Extension, Reconstruction or Structural Alteration of Building or Land

No existing building or land designed, arranged, or intended for or devoted to a use not permitted under the regulations of this code for the district in which such building or land is located shall be enlarged, extended, reconstructed, or structurally altered unless such building and such enlargement, extension, reconstruction, and structural alterations, and further use hereof conform in every respect with the regulations specified by this code for such district in which said building or land is located, provided nothing herein shall prohibit any reasonable repairs or alterations to a building or land used for such existing purposes.

- f. Destruction of Non-conforming Building or Land

If at any time any building or land in existence or maintained at the time of the adoption of this code, which does not conform to the regulations for the district in which it is located shall be destroyed by fire, explosion, act of God or act of the public enemy to the extent of fifty percent of its value as determined by three competent appraisers, then and without further action by the council the said building and the land on which said building was located or maintained shall from and after the date

of such destruction be subject to all the regulations specified by this code for the district in which such land and building are located.

g. Non-Conforming Side Yard Setbacks in Single-Family Residential Districts

The side yard setback requirements of this code shall not apply to lots where a single-family dwelling was lawfully constructed prior to July 1, 1988, and such lot and the dwelling thereon was subject to side yard setback requirements contained in a deed restriction, plat or similar document recorded prior to July 1, 1988. The side yard setback requirements shall be as set forth in such deed restriction, plat or similar document.

h. Use in Violation of Previous Zoning Regulations

Nothing in this code shall be interpreted as authorization for or approval of the continuance of the use of a building or land in violation of zoning regulations in effect at the time of the effective date of this code. (Ord. 11-162 § 1)

## SECTION 33 USE PERMITS

Subsections:

[33.01 Purpose](#)

[33.02 Review Procedures](#)

[33.03 Revocation of Use Permit](#)

[33.04 Automatic Termination of Use Permit](#)

### 33.01 Purpose

Each district in the city contains designated permitted uses. Some uses might not be compatible with other uses permitted in a zoning district unless conditions are imposed to mitigate negative impacts surrounding those uses. In those cases, where permitted in the zoning matrix, use permits may be issued subject to conditions and based on compliance with criteria set forth in this section.

It is the intent of this section to provide procedures and criteria for uses of land and structures which, because of their unique characteristics relative to locational features, design, size, operation, circulation and public interest or service, require conditions to mitigate or eliminate negative impacts on adjacent properties and the community as a whole. The purpose of use permits is to:

- a. Allow certain uses that would otherwise not be permitted in a zoning district due to negative impacts on adjacent uses and the community, so long as those uses comply with conditions of the use permit.
- b. Provide the process for periodic review of use permits to assure conformity of such uses to the public welfare. (Ord. 11-168 § 1 (part))

### 33.02 Review Procedures

#### a. Application

An application for a use permit shall be submitted on a form prescribed by the city zoning administrator. The application shall include an agreement to waive claims for diminution in value as set forth in Section [3.07](#).

#### b. Submittal Requirements

1. Narrative of proposed use with the following information:
  - A. Detailed description of proposed use.
  - B. Anticipated number of employees.
  - C. Hours of operation.
  - D. Proposed square footage of building or space to be devoted to the proposed use for parking calculation purposes.
  - E. Locations of other uses on adjacent properties within 300 feet and estimated distance from those uses.
  - F. Discussion of each review criterion set forth in subsection c of this section.
  - G. Detailed description of subject site's and adjacent sites' zoning and uses.
  - H. Copy of material safety data sheets (MSDS) if appropriate for the requested use.
2. Site plan of the proposed site drawn to a scale. The site plan shall include the following information:
  - A. Nearest cross-streets.
  - B. North arrow.
  - C. Parking spaces/area.
  - D. Building where the use will be located. If the use is proposed to be located within a new building not designed yet, a stipulation will be added requiring council approval of the site plan prior to construction. This will allow the business owner an opportunity to obtain approval for the use prior to the expenditure of money to design the building.
  - E. Adjacent uses, clearly labeled.
  - F. Open space areas delineated.
  - G. All rights-of-way and easements, clearly delineated and labeled.
  - H. Measurements for all features listed above shall also be included on the plan.

#### c. Review Criteria

1. The location, size, design and operational characteristics of the proposed use will not be detrimental to the health, safety or general welfare of the surrounding area and the community as a whole.
2. The site plan, circulation plan and schematic architectural designs for the use are compatible with the character of the surrounding area relative to scale, height, landscaping, screening, lot coverage and density.
3. The proposed use shall minimize negative impacts on existing uses in the area and in the city. These impacts include, but are not limited to, the creation of noise, glare, fumes, dust, smoke, vibration, fire hazard or other injurious or noxious impacts. The applicant shall provide adequate mitigation solutions to the above-identified impacts.
4. The proposed use shall minimize and mitigate all negative impacts which affect existing uses in the area and in the city, including but not limited to impacts on public infrastructure and on public services and the ability of existing infrastructure and service agencies to adequately provide necessary services.
5. The proposed use shall be in conformance with the city's general plan, zoning code and any other statutes, ordinances, codes or policies that may be applicable.
6. Uses requiring a use permit and marked with an "\*" on the use matrix in Section 28 shall be required to maintain a separation distance of five hundred feet, measured in a

perpendicular line from property line to property line, from a similar use and from the following types of uses:

- A. Residential zoning districts.
- B. Schools, public, private or other educational institution.
- C. Churches and other religious use.
- D. Child care facilities.

**d. Consideration by the Commission**

1. All applications for use permits shall be first considered by the commission at a public hearing. Notice of the proposed use shall be mailed to the following persons:
  - A. All owners of land lying within one thousand feet of the boundaries of the land included in the application. For purposes of the calculation of this notice area, public rights-of-way shall be excluded in determining the extent of the notice area;
  - B. Any person or organization who files with the zoning administrator a request to receive such notice upon payment of a reasonable fee;
  - C. Applicable adjoining political subdivisions where the property which is the subject of the application is within five hundred feet of the city boundary; and
  - D. Such other persons as the zoning administrator determines are likely to be affected by the proposed use.
2. The notice shall contain:
  - A. A description of the proposed use and its location; and
  - B. The place and time of the public hearing at which comments on the proposed use must be filed.
3. The commission shall review each application for compliance with the criteria and requirements set forth in this section and forward a recommendation by resolution to the council.
4. The commission may recommend some or all of the following conditions to a use permit if it determines the use requires additional measures to mitigate any negative impacts created by the proposed use, including (but not limited to):
  - A. Larger building setbacks.
  - B. Additional landscaping such as trees and/or shrubs for visual screening purposes.
  - C. Additional on-site parking or loading spaces for traffic-intense uses.
  - D. Structural height and area limitations.
  - E. Limited vehicular access.
  - F. Walls, fences and screening devices (no chain link fences, slatted or otherwise).
  - G. Noise attenuation construction.
  - H. Off-site improvements in public rights-of-way.
  - I. Any other restrictions necessary to protect and preserve adjacent properties.

**e. Council Consideration and Action**

1. After a public hearing is advertised and conducted, the council may approve, approve with conditions, or deny the application for a use permit. An application shall not be approved unless the applicant provides evidence substantiating that all the requirements of the code relative to the proposed use are satisfied, and demonstrates that the proposed use satisfies the review criteria set forth in subsection c of this section.
2. The council may include some or all of the following conditions in a use permit if it determines the use requires additional measures to mitigate any negative impacts created by the proposed use, including (but not limited to):
  - A. Larger building setbacks.
  - B. Additional landscaping such as trees and/or shrubs for visual screening purposes.
  - C. Additional on-site parking or loading spaces for traffic-intense uses.
  - D. Structural height and area limitations.
  - E. Limited vehicular access.
  - F. Walls, fences and screening devices (no chain link fences, slatted or otherwise).
  - G. Noise attenuation construction.
  - H. Off-site improvements in public rights-of-way.
  - I. Any other restrictions necessary to protect and preserve adjacent properties.

3. Written notice of the council's decision shall be provided by the zoning administrator to the applicant.

4. Issuance of a use permit is an administrative act of the council. (Ord. 11-168 § 1 (part); Ord. 07-134 § 1 (part). Formerly 33.03)

**33.03 Revocation of Use Permit**

a. Any previously granted use permit may be revoked by the council, after a hearing conducted in the manner required for approval of a use permit initially, upon any one of the following grounds:

1. Failure to comply with the conditions of approval.
2. Discontinuance of the use for a period in excess of one year.

b. Revocations have the effect of making the previously granted use permit void until a new application is submitted and granted. (Ord. 11-168 § 1 (part). Formerly 33.04)



**33.04 Automatic Termination of Use Permit**

a. Unless otherwise provided by the council in the resolution granting approval of the use permit, a use permit shall automatically become null and void one year after the effective date upon which it was granted unless one of the following events occur:

1. The applicant or his successor in interest has secured a building permit within said one-year period, if a building permit is required, and has actually commenced construction of the building or structure authorized by the permit within said one-year period.
2. The applicant or his successor in interest has commenced the activity or installation of the facility or structure authorized by the use permit within said one-year period.

b. The applicant may submit a request to the council for an extension of time on the use permit to avoid the permit's becoming null and void. The request for extension must be filed with the city clerk prior to the expiration of the time established by subsection a of this section. The council may, in the resolution granting such use permit, provide for an extension of time beyond one year. (Ord. 11-168 § 1 (part). Formerly 33.05)

**SECTION 34  
VARIANCES**

Subsections:

[34.01 Application](#)[34.02 Findings and Actions by the Board of Adjustment](#)[34.03 Alternative Prevailing Standards](#)**34.01 Application**

An application for a variance from the provisions of this code shall be made to the board of adjustment on its prescribed form. The application shall be filed with the city clerk and be accompanied by the following items and such other evidence prescribed by the board:

- a. Plans and descriptions sufficient to indicate the nature of the project involved and the proposed use with ground plans and elevations of all proposed buildings; together with estimate of cost.
- b. Evidence satisfactory to the board of the ability and intention of the applicant to proceed with actual construction work in accordance with said plans within six months after issuance of the variance.
- c. An agreement to waive claims for diminution in value as set forth in Section [3.07](#) of this code.
- d. From the time of filing the application until the time of such hearing, the application and all maps, plans and other accompanying data shall be available for public inspection during office hours at the office of the secretary of the board. (Ord. 07-134 § 1 (part))

**34.02 Findings and Actions by the Board of Adjustment**

A variance from the provisions of the code shall not be authorized unless the board shall find upon sufficient evidence:

- a. That there are special circumstances or conditions applying to the land, building, or use referred to in the application which do not apply to other properties in the district;
- b. That such special circumstances were not created by the owner or applicant;
- c. That the authorizing of the variance is necessary for the preservation and enjoyment of substantial property rights; and
- d. That the authorizing of the application will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.

The board shall prescribe in connection with any variance such conditions as it may deem necessary in order to fully carry out the provisions and intent of this code. Such conditions may include, among other things, a limitation of the time for which such variance shall be valid. Violation of any such condition shall be a violation of this code and such violation shall render the variance null and void.

**34.03 Alternative Prevailing Standards**

Where the property subject to a request for variance relief has been developed and maintained in conformance with private deed restrictions which materially differ from, but are not substantially less restrictive than, ordinance provisions affecting the requested relief, the board may consider such difference as constituting a special circumstance not created by the owner or applicant. (Ord. 04-91 § 1 (part))

## SECTION 35 SIGNS

Subsections:

[35.01 Purpose and Objectives](#)

[35.02 Definitions](#)

[35.03 General Requirements](#)

[35.04 Comprehensive Sign Program](#)

[35.05 Residential and Public Facility Sign Standards](#)

[35.06 Commercial Sign Standards](#)

[35.07 Resort Sign Standards](#)

[35.08 Temporary Signage](#)

[35.09 Flagpole Requirements](#)

[35.10 Nonconforming Signs](#)

[35.11 Violation; Enforcement](#)

### 35.01 Purpose and Objectives

The purpose of this section is to establish regulations for signs within the city to enable communication through signs consistent with the need to regulate aesthetics and avoid clutter and the protection of free speech, to protect safety of the traveling public and to promote economic development in commercial districts.

The objectives on which the provisions and specifications regulating signs are founded are:

- a. Preserving the city's character, scenic appeal and uncluttered appearance.
- b. Adopting balanced regulations that represent a reasonable and defensible compromise between prohibiting signs altogether and proliferation of signs of all sizes, shapes and colors, particularly along major thoroughfares.
- c. Encouraging the use of comprehensive sign programs, where applicable, to provide flexibility that will encourage creativity and quality in signage design appropriate to the character of Litchfield Park, as well as to provide adequate identification and information, and to promote traffic safety. (Ord. 14-197 § 1 (part))

### 35.02 Definitions

- a. Terms Defined

**A-Frame Sign** A temporary sign supported by its own frame in the shape of an "A" when in use, or an upside down "T"; also referred to as a "sandwich" or "tent" sign. "A-frame sign" does not include signs not visible from streets or public rights-of-way.

**Abandoned Sign** A sign that pertains to a business, use, time or event which no longer exists or when the purpose for which the permit for the sign was approved has been fulfilled or no longer exists.

**Awning Sign** A structure often made of plastic or canvas that serves as a shelter or projection over a storefront, window, door or deck that displays the name and/or logo of a commercial business.

**Banner** Any sign of lightweight fabric or similar material that is permanently or temporarily mounted to a pole or a building by a permanent or temporary frame at one or more edges. "Banner" includes pennants and streamers. "Banner" does not include national flags, state or municipal flags, or the official flag of any institution or business.

**Billboard Sign** A sign which is intended to advertise a business, commodity, service, entertainment, product, or attraction sold, offered, or existing elsewhere than on the property where the sign is located. "Billboard sign" does not include city, church, civic organization special event signs or temporary special event signs.

**Building Front Footage** The maximum dimension of the building front measured on a straight line parallel to any fronting street.

**Business Front Footage** The lineal distance of the building space occupied by the particular business measured on a straight line parallel to the face of the building in which the main entrance into that particular business is located.

**City, Church, Civic Organization Special Event Sign** A temporary sign used primarily to promote a special event to be held in the city by the city, a church or civic organization.

**Contractor or Subcontractor Sign** A temporary sign which identifies the firm, business, person(s), or entity responsible for the work or activity in progress at the location of the sign.

**Development Sign** A temporary sign which identifies a development in progress, or one in prospect, and which displays the name of a development, the developer's name and contact information, and information regarding the designer and contractor for the site to which it is placed.

**Directional Sign** A sign whose purpose is to indicate the route to be followed in traveling to the destination named on the sign.

**Directory Sign** A sign whose purpose is to indicate the route to be followed to a specific business or place within a multiple-tenant commercial building or complex.

**Drive-Thru/Menu Board** Reader panel sign that contains menus for a drive-thru restaurant.

**Fascia** A parapet-type wall (see definition for parapet) used as part of the facade of a flat-roofed building and projecting not more than six feet from the building face immediately adjacent thereto and enclosing at least three sides of the projecting flat roof.

**Freestanding Sign** A sign mounted or erected on its own self-supporting structure that is detached from any building, fence or wall.

**Garage Sale/Yard Sale Sign** A sign displayed on the date when a garage sale, yard sale, moving sale, estate sale or similar event involving the occasional sale of used goods on residential property.

**Grand Opening Sign** A sign introducing, promoting, and/or announcing a new business, store,

shopping center, office, or an established business that has new ownership or management.

**Ground Level** The finished grade of existing sidewalks or where there is no sidewalk, six inches above the street grade. In native terrain, ground level is the mean level of the area immediately around the sign.

**Identification Sign** A sign that only includes the name of a business with no additional message.

**Ideological Sign** A sign other than a political sign which expresses, conveys, or advocates a noncommercial message that is not related to the advertisement of any product or service or the identification of any business.

**Illegal Sign** Any sign except the following:

1. A sign allowed by this section and not requiring a permit;
2. A sign allowed by this section for which a valid permit has been issued and is in force;
3. A sign whose permit renewal is delinquent for fourteen days or more.

**Indirect Lighting** A source of external illumination, either to backlight the sign, or located a distance away from the sign, but which is, itself, not visible from any normal position of view.

**Internal Lighting** A source of illumination entirely within the sign which makes the contents of the sign visible at night by the light being transmitted through a translucent material but wherein the source of the illumination is not visible.

**Lighting** The method of illuminating a sign for visibility.

**Maintenance** The replacing or repairing of a part of a sign without changing the wording, location, composition, or color of said sign.

**Monument Sign** A visually prominent, nonmovable sign, not attached to a building, which identifies a single or multiple building development.

**Multifamily Complex Sign** A monument sign used to identify name of multifamily development.

**Multi-Tenant Building or Complex** A structure or structures which houses or is intended to house a variety of separate residential living units or commercial activities.

**Nonconforming Sign** A sign which does not conform to the provisions of this code but which, when first constructed, was legally established.

**Open House Sign** A sign inviting the public for a walk-through inspection of property which is for sale or for lease.

**Parapet Wall** A wall extending above the plate line of a building.

**Permanent Sign** A sign which is intended to be displayed for an indefinite or long-lasting period.

**Plate Line** The point at which any part of the main roof structure first touches or bears upon an external wall.

**Political Sign** A sign designed, used or intended to induce voters to vote for either the election or defeat of a candidate for nomination or election to any public office, or which identifies or expresses a position, conveys a message concerning, or advocates a position on an issue in an upcoming election and includes without limitation banners, campaign signs, posted handbills and notice of any kind.

**Portable Sign** Any sign not permanently attached to the ground or other permanent structure; signs converted to A-frames; menu and sandwich board signs; balloons used as signs; umbrellas for advertising; does not include signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

**Public Right-of-Way or ROW** Land which by deed, conveyance, agreement, easement, dedication, usage or process of law is reserved for or dedicated to the general public for street, highway, alley, public utility, pedestrian walkway or landscape purposes.

**Quasi-Governmental** An agency or business supported by the local, county, state or federal government but managed privately; an agency or business that, by general practice, possesses some of the legal characteristics of both the government and private sectors (e.g., a quasi-governmental healthcare agency).

**Real Estate Sign** A sign located at the property or premises advertising the sale, lease or rental of the property or premises upon which the sign is located.

**Reader Panel Sign** An on-site sign which is designed to permit immediate change of copy.

**Setback** The shortest straight line distance in feet from the nearest property or lot boundary to a main or accessory building, structure, sign, or the like located on the same property or lot.

**Shingle Sign** A sign which identifies a business or activity whose front is under an extended roof (e.g., an overhang), a covered walkway, a covered porch, or the like.

**Sign Area** Sign area is the sum of the areas of all permitted signs, except directional signs, street addresses or safety signs (e.g., stop engine, no smoking). Sign area shall be measured as follows:

1. For sign copy mounted or painted on a background panel or area distinctively painted, textured or constructed, the sign area is the area within the outside dimensions of the background panel or surface.

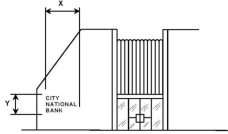
Example Sign Copy Area



2. For sign copy consisting of individual letters and/or graphics affixed to a wall or portion of a building that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy, the sign area is the area within the smallest rectangle that will enclose the sign copy. Sign area shall not include any architectural enhancements, decorative embellishments or support structures so long as said support structures, decorative embellishments or architectural enhancements are appropriately scaled to the size of the copy

as determined by the design review board and shall not extend more than two feet above the height of the measurable sign area.

**Example Sign Copy Area**



3. Unless modified as part of a comprehensive sign program, for sign copy mounted or painted on an internally illuminated sign or internally illuminated element of a building, the entire internally illuminated surface or architectural element that contains sign copy will be counted as sign area.

**Example Illuminated Sign Copy Area**

4. Unless modified as part of a comprehensive sign program, number of sign faces:

- A. One: Area of the single face only.
- B. Two: If the interior angle between the two sign faces is forty-five degrees or less, the sign area is the area of one face only; if the angle between the sign faces exceeds forty-five degrees, the sign area is the sum of the areas of the two faces.
- C. Three or more: For any sign containing three or more faces, the sign area shall be measured as the sum of areas of all the sign faces.

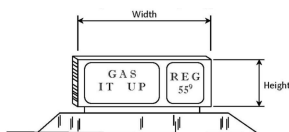
**Example Sign Copy Area**

5. Unless modified as part of a comprehensive sign program, three-dimensional, sculptural or other nonplanar signs: Sign area will be the sum of the areas of the vertical faces of the smallest polyhedron that will encompass the sign structure.
6. Unless modified as part of a comprehensive sign program, signs having more than one component (e.g., a service station identification/price sign combination mounted on a common base), the sign area is the area of the rectangle enclosing all components of the sign.

**Example Dimensional Sign Copy Area**



**Example Fuel Price Sign Copy Area**



#### Sign Copy

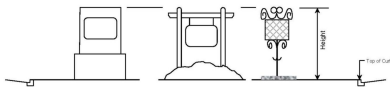
- Any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge, or insignia of any local, state, or federal governmental agency.
- The term "sign" shall mean and include any display of any letter, numeral, figure, emblem, picture, outline, character, announcement or means whereby the same are made visible and for the purpose of attracting attention to make anything known, whether such display be made on, attached to, or as a part of, a structure, surface or thing including, but not limited to, the ground or any rock, tree, or other natural object, which display is visible beyond the boundaries of the lot or parcel of property on or over which the display appears.

**Sign Height** Sign height is defined as follows:

- Freestanding Sign

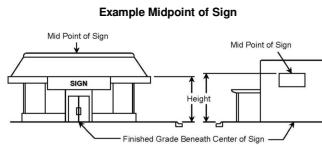
Sign height is the distance from the top of the measurable sign area to the top of curb of the public road nearest the sign, or to the crown of public road nearest the sign if no curb exists. Nonilluminated architectural embellishments may extend an additional eighteen inches in height from the highest point of sign copy.

**Example Freestanding Maximum Sign Height**



## 2. Wall or Fascia Mounted Signs

Sign height is the distance measured from a point perpendicular to the top of the midpoint of the sign structure to the top of the finished floor of the ground floor level directly below the midpoint of the sign.



**Structural Member A** support that is a constituent part of any structure or building.

**Subdivision Sign** A monument sign or individual letters mounted on a wall to identify a residential subdivision.

**Temporary Sign** A sign displayed that is not permanently anchored to the ground, to a structure, or permanently affixed to a permanent sign that relates to an infrequent or sporadic activity or use. Temporary signs include, but are not limited to, open house signs, political signs, development signs, and yard sale signs.

**Traffic Directional Sign** Those signs whose purpose and placement are solely to define and streamline the flow of vehicular and pedestrian traffic so as to minimize congestion and promote safety.

**Umbrella Sign** A sign printed on or painted to an umbrella that identifies a business name or logo.

**Wall Sign** A sign attached to, painted on or erected against a wall of a building or structure with the face of the sign in the plane of the wall or on a surface parallel to the face of the wall and which may only be used to identify the business.

**Window Sign** A sign visible through and/or affixed in any manner to a window or exterior glass door that is intended to be viewable from the exterior (beyond the sidewalk immediately adjacent to the window), including signs located inside a building but visible primarily from the outside of the building.

**Window Sign, Neon** An illuminated tubular neon sign, not larger than four square feet in area, visible through and/or affixed in any manner to a window or exterior glass door that is intended to be viewable from the exterior (beyond the sidewalk immediately adjacent to the window), including signs located inside a building but visible primarily from the outside of the building. (Ord. 14-197 § 1 (part))

### 35.03 General Requirements

#### a. Sign Permit

A sign permit approved by the city shall be required prior to any sign, other than those specifically exempted herein, being erected, exhibited, re-erected, altered in any material way, or relocated in the city.

#### 1. Illuminated Signs

Signs which are to be illuminated electrically shall require a separate electrical permit in conformity with the electrical code of the city.

#### 2. Permit Exceptions

A permit is not required for the following signs or sign alterations, but all such signs and alterations shall be subject to the requirements of this section:

- A. Signs expressly excepted from the requirement for a permit in this section.
- B. Repainting without changing wording, composition or colors or minor nonstructural repairs except electrical repair.
- C. Relocation of sign as required by city.
- D. Window signs, nonilluminated, and having an area of four square feet or less.
- E. One real estate sign no larger than four square feet exhibited or placed by the proprietors of properties or premises on the properties or premises advertised.

#### 3. Permit Application and Expiration

A. To obtain a permit, the applicant shall file an application on a form furnished by the city. The application shall contain the location by street and number of the proposed signs and the name and address of the sign contractor. All applications shall be accompanied by the written consent of the owner, lessee, agent, or trustee having charge of the property on which the sign is posted.

B. Every permit issued under this section shall expire and become null and void if the work authorized by such permit is not completed within ninety days from the date of such permit. Before such work can be recommenced, a new permit shall be obtained and the fee for the new permit shall be one-half of the fee required for a new permit for such work, provided no changes have been or will be made in the original plans and specifications for such work.

#### 4. Permit Fees

Application and fees:

- A. All applications for a sign permit shall be submitted with a fee established by the council.
- B. The fee will be refunded to the applicant if the application for permit is denied.

## 5. Requirement of Plans

A. The original and one copy of plans and specifications shall be submitted with the application for each sign larger than four square feet. Such plans shall show the size of the sign, the method of attachment or support, locations and materials to be used, and the name and address of the person who designed and set the specifications for such sign. Plans for supports for any sign subject to excessive stresses, as determined by the city engineer or building inspector, shall be accompanied by structural computations.

Sufficient data shall be submitted to show that supporting surfaces and other members of an existing building to which the sign is to be attached are in good condition and are adequately strong to support the load, including the proposed sign.

B. One copy of such plans and specifications shall be returned to the applicant at the time the permit is granted and shall indicate the permit number and date of issuance.

## 6. Sign Permit

The zoning administrator or designee is authorized to issue sign permits in accordance with this section.

## b. Code Limitations

Nothing contained herein shall prevent the erection, construction and maintenance of official traffic, fire or police signs, signals, devices and markings of the state of Arizona and/or the city or other public authorities or the posting of notices required by law.

## c. Conflicting Provisions

In the event a provision in this section conflicts with another provision or another code then the more restrictive provision shall apply.

## d. Procedures and Enforcement of Code

The zoning administrator is authorized to enforce this section pursuant to the procedures set forth in this section and applicable law.

## e. Design and Construction

## 1. Building Code

In addition to the requirements of this section, all signs shall conform to the requirements of the building codes of the city.

## 2. Permanent Sign Materials

All permanent signs shall be constructed using structural members of materials subject to approval of the zoning administrator or designee. Nonstructural trim may be of wood, metal, approved plastics or any combination thereof.

## 3. Materials for Temporary Signs

Materials proposed to be used in constructing temporary signs shall be stated in the application for the sign permit. Adequacy of the material proposed from the standpoints of stability and safety and of composition and color shall be subject to approval by the zoning administrator or designee.

## f. Lighting and Movement

1. All wall mounted signs in the neighborhood commercial zoning district shall be constructed with reverse pan channel letters and may be backlit with no visible lighting source. The reverse pan channel letters shall be constructed of metal with no translucent material on the outward face of the letter.

2. All wall mounted signs in the community commercial zoning district shall be constructed with either pan channel letters or reverse pan channel letters. Pan channel letters must feature a translucent material on the outward face of the letter (not clear or open) so that the internal lighting source is not directly visible. Reverse pan channel letters may be backlit with no visible lighting source and constructed of metal with no translucent material on the outward face of the letter.

3. All freestanding monument signs shall be internally illuminated with no visible lighting source unless otherwise approved by the design review board through a comprehensive sign program.

4. No single light source element which exceeds fifteen watts (or its equivalent) shall be used in connection with a sign or to illuminate a sign in a way that exposes the face of the bulb light or lamp when viewed from a public street or adjacent residential use.

5. Illumination resulting from all signs and lighting on any one property in a nonresidential zone shall be shielded so that the light source elements (light bulbs) are not directly visible from property in a residential zone that is adjacent to or across a street from the property in the nonresidential zone.

6. No internally illuminated sign, other than reverse pan channel and backlit, shall be allowed on property in a residential zone. Lighting from all light sources operated for the purposes of sign illumination on property in a residential zone shall be shielded from other property in the residential zone.

7. Other signs including ground directional signs less than four square feet may be internally illuminated or externally illuminated. Exterior illumination shall be top mounted and shielded to aim downward only.

8. A sign or signs or any part thereof which moves or may be moved by any means shall be prohibited.

## g. Location

## 1. Obstruction of Exits

No sign shall be installed so as to obstruct any door, window or fire escape of any building or to interfere in any way with a person's moving freely through any one of them.

## 2. Traffic Hazards

No sign shall be erected in such a way as:

- A. To interfere with or to confuse traffic;
- B. To create any traffic hazard; or
- C. To obstruct the vision of motorists.

### 3. Construction over Public Property

No sign shall be erected in a manner which projects over any public sidewalk, street, alley, or public place without the city's express approval for a limited time.

### h. Maximum Size, Height, and Number of Signs, and Minimum Setbacks

The permissible areas, height, setbacks, and number of signs depend upon the type, purpose and location of the proposed sign(s) and such criteria as are defined herein in those sections and subsections pertaining to the particular sign.

- i. Signs not specifically authorized herein, temporary or permanent, are prohibited, including, but not limited to, the following:

### j. Inspections and Maintenance

#### 1. Inspections

Unless waived by the zoning administrator, all signs shall be subject to the following inspections:

- A. Footing inspection on all freestanding signs;
- B. Electrical inspection on all illuminated signs;
- C. Inspection of braces, anchors, supports and connections on all signs;
- D. Inspection to ensure that the sign has been constructed according to an approved application and sign permit.

#### 2. Inspection Markings

All signs shall be marked with the permit number. This marking shall be permanently placed by the fabricator of the sign. The permit number shall be assigned and recorded on the permit at the time the permit is issued. The permit number shall be shown on the face of the sign, preferably in the lower right-hand corner, and shall be in numbers between two and one-half and four inches high.

#### 3. Maintenance

Failure to maintain signage in compliance with this section or an approved sign program constitutes a violation of this section.

- A. Any sign or component of a sign which is in a damaged or deteriorated condition and constitutes a danger or hazard to public safety or a visual blight shall be promptly repaired or replaced. Surface materials and components shall be kept free of chipping, peeling, fading, cracks, holes, buckles, warps, splinters, or rusting visible from an adjacent property or street. Illuminated signs shall be maintained in good operating condition including prompt removal and replacement of all defective bulbs, light emitting diodes, fluorescent tubes, neon or other inert gas light segments, damaged or deteriorated electrical wiring, and malfunctioning control devices and related circuitry.

- B. All signs are subject to the following:

- I. Footing inspection on all freestanding signs;
- II. Electrical inspection on all illuminated signs;
- III. Inspection of braces, anchors, supports and connections on all signs;
- IV. Inspection to ensure that the sign has been constructed according to an approved application and sign permit.

### C. Abandoned Signs

Abandoned signs shall be removed. When a sign is removed, the structure behind the sign shall be restored to its original condition and color. No additional sign permits will be issued until this is completed. Any on-site sign or abandoned sign, including its supporting structure, which no longer identifies the current occupancy of the premises upon which such sign is located or otherwise fails to serve its original purpose, shall be deemed a public nuisance after a six-month lapse and shall be removed by the owner of the land or building upon which such sign is located.

### k. Sign Walkers

Sign walkers shall be permitted, subject to the following regulations:

#### 1. Location

Sign walkers shall be located only:

- A. At least thirty feet from a street intersection or driveway intersection measured from the back of the curb or edge of pavement if no curb exists.
- B. At least five feet from the street measured from the back of curb or edge of pavement if no curb exists.
- C. Sign walkers shall yield right-of-way to pedestrians, bicycles and all others traveling or located on the sidewalks.
- D. At grade level.

#### 2. Prohibited Locations

Sign walkers shall not be located:

- A. In raised or painted medians.
- B. In parking aisles or stalls.
- C. In driving lanes or driveways.



D. On fences, boulders, planters, other signs, vehicles, utility facilities, or any structure.

E. Within a minimum distance of twenty feet from any other sign walker.

F. In a manner that results in sign walkers physically interacting with motorists, pedestrians, or bicyclists.

3. Display

Signs shall be:

- A. Displayed only during the hours the business is open to conduct business.
- B. Held, worn or balanced at all times.

4. Elements Prohibited

The following shall be prohibited:

- A. Any form of illumination, including flashing, blinking, or rotating lights;
- B. Animation on the sign itself;
- C. Mirrors or other reflective materials;
- D. Attachments, including, but not limited to, balloons, ribbons, or speakers.

I. Requirement for Conformity

It shall be illegal for a sign to be placed or maintained in the city, except as provided in this code.  
(Ord. 14-197 § 1 (part))

**35.04 Comprehensive Sign Program**

The comprehensive sign program affords flexibility that will encourage creativity and quality in signage design appropriate to the character of Litchfield Park, as well as to provide adequate identification and information, and to promote traffic safety. All new construction or developments (residential and nonresidential) consisting of multi-tenants or multiple buildings shall be required to submit a comprehensive sign program.

a. Consistent Themes

For all commercial projects under one ownership or controlled by a single development, a uniform standard in design and materials quality for signage apply.

b. Flexibility

The comprehensive sign program may allow greater flexibility in sign location, number, area or proportion of sign types within the total maximum aggregate allowed, as well as height, illumination and any other standards contained herein consistent with applicable district standards, project scale, sign elements, design enhancements and visual improvements.

c. Building Wall Mounted

Under the comprehensive sign program, wall signs may have a maximum area not to exceed 0.75 square feet for each lineal foot of the building frontage or sixty-four square feet in area, whichever is less.

d. Approval

All comprehensive sign program submittals shall be reviewed and approved by the design review board.

e. Evaluation Criteria

In reviewing a comprehensive sign program, the design review board evaluation shall include, but not be limited to, consideration of the following criteria: visibility and readability for sign function, location relative to traffic movement and access points, size of development, design compatibility with architectural and/or natural features of the project, context of the surrounding area and landscape enhancements. The program shall propose, and the design review board shall consider for approval, proportionate substitutions or trade-offs of signage and project enhancements.

f. Design Elements

The comprehensive sign program shall require that certain design elements be considered and addressed. The consideration and inclusion of other design elements is encouraged to enhance the quality of the signage program and to conform to village planning concepts of the city of Litchfield Park. Comprehensive sign program preparation should include investigation of new lighting technologies and methods for incorporation, where practicable, to reduce unwanted light emission from signage.

1. The design elements that must be described and illustrated include:

- A. Type and style of lettering and numbering;
- B. Size of lettering and numbering;
- C. Size of any logotype and/or graphic representation, which shall be included in total signage area calculations;
- D. Color of sign elements, including color of sign background;
- E. Composition of sign elements;
- F. Lighting: internal, external with manufacturer specifications pertaining to lumens;
- G. Sign materials;
- H. Construction details;
- I. Placement of sign on building;
- J. Location of monument sign(s) on the site;
- K. Relation of sign to other development signage.

2. In addition to the otherwise permitted signage, the design review board may approve a project identification monument sign at the corner of two arterial streets or principal entry into

a project; such sign shall not include tenant names and shall not exceed eight feet in height or sixty-four square feet in area.

g. Monument Signage

One monument sign, not more than eight feet in height and width with a maximum of one identification panel for each tenant, is allowed on each arterial road frontage. Where arterial street frontage is five hundred feet or more, an additional monument sign is allowed for every additional two hundred fifty linear feet of arterial street frontage. An additional ten square feet of sign area may be approved for every one foot of height below eight feet. Location of all monument signs must be approved by the city engineer as not to interfere with vehicular sight visibility along the adjacent public streets and ingress and egress to adjacent streets or private property.

h. Major Tenant Signage (Within a Comprehensive Sign Program)

1. Any single building tenant occupying more than ten thousand square feet gross leasable area shall be allowed a wall sign maximum area of one and one-half square feet for each linear foot of the building frontage upon which the sign is displayed, or two hundred fifty square feet in area, whichever is less.
2. Allowable major tenant signage may include three individual franchise identification signs and two product service signs, each not exceeding thirty square feet.

i. Program Submittal Requirements

Consideration of the comprehensive sign program includes a two-stage review process: the first conducted by staff; the second, by the design review board.

1. Submittal of three copies of a written presentation, in a bound format, containing all the required elements.
2. Following review and comments by staff, the applicant shall prepare a completed revised package for consideration by the design review board.
3. A minimum of ten copies shall be submitted to the city's planning department a minimum of two weeks before meeting will be scheduled.
4. City staff review and transmittal, with findings, shall accompany the program submitted to the design review board for determination that the sign program has met a higher design standard.
5. The design review board shall review the submittal and approve, approve with stipulations or deny the application.
6. Decisions of the design review board are appealable to the city council. (Ord. 14-197 § 1 (part))

**35.05 Residential and Public Facility Sign Standards**

Sign regulations govern residential and public facility districts and residential and public facility uses in planned development (PD) districts unless the signs are governed by a comprehensive sign program pursuant to Section [35.04](#). Any new development shall be required to submit a comprehensive sign program to be reviewed and approved by the design review board.

Subdivision Signs	Single-Family
Design	Monument style or individual letters mounted on freestanding wall.
Location	Monument style signage shall be located within a landscaped area of 2 sf per 1 sf of sign area.
Size/Area	≤ 40 sf.
Height	6' maximum.
Approval	Final location approved by city zoning administrator or designee.

Apartments and Condominium Signs	Multifamily
Design	1 freestanding sign located within a landscaped area of 2 sf per 1 sf of sign area. Wall mounted sign permitted as an alternative.
Location	5' setback from property line.
Size/Area	≤ 40 sf for freestanding sign. ≤ 24 sf for wall mounted sign. Must be located below roofline. ≤ 60 sf with design review board approval of a comprehensive sign program.
Height	6' maximum.
Approval	Final location approved by city zoning administrator or designee.

Reader Panel	All Residential and Public Facility Districts
Uses	Municipal, religious, academic institution, fraternal organizations and quasi-government.
Number	1 reader panel sign permitted.
Size/Area	≤ 20 sf.
Height	4' maximum.
Lighting	External illumination is allowed. Light source must be shielded from direct view.
Prohibited Content	No advertising of daily/weekly deals is allowed.

<b>Monument for Nonresidential Uses within a Residential District</b>	<b>All Residential And Public Facilities Districts</b>
Uses	Municipal, religious, academic institution, fraternal organizations and quasi-government.
Number	1 per street side.
Size/Area	≤ 24 sf.
Height	6' maximum.
Content	May include name and hours, shall include address. No advertising.
Approval	New signs subject to design review board approval.

(Ord. 14-197 § 1 (part))

### 35.06 Commercial Sign Standards

Sign regulations govern neighborhood commercial (NC), community commercial (CS) and regional commercial (RS) districts, and those uses in planned development (PD) districts, unless the signs are governed by a comprehensive sign program pursuant to Section [35.04](#). Any new development shall be required to submit a comprehensive sign program to be reviewed and approved by the design review board.

<b>A-Frame Signs</b>	<b>All Commercial Developments</b>
General Requirements	1. Permitted with one-time zoning administrator approved permit. 2. Displayed only during posted open hours. 3. At grade and on the property of business advertised. 4. Designed and constructed to withstand 30 mph gusts of wind. 5. Must be maintained – no chipping paint, cracks, gouges, missing letters, etc.
Number	1 per business permitted with zoning administrator or designee approved permit.
Area	6 sf maximum.
Size	≤ 2' width and 3' height.
Location	Prohibited: 1. Parking aisles or stalls, driving lanes, on trails. 2. Fences, boulders, trees, planters, other signs, vehicles, utility facilities, or any structure. 3. Within a min. 20' of A-frame signs and of any access drive or street intersection. 4. Min. 3' clearance for pedestrians on all walkways.
Design	1. Min. 1/2" high density exterior grade compressed wood, i.e., Omega or medium. 2. Density overlay board. 3. Water resistant coating/impervious to adverse weather conditions. 4. Cut vinyl graphics (zip tracks may be used). 5. No attachments (balloons, ribbons, speakers, etc.). 6. Similar materials may be approved by the zoning administrator.
Lighting	Prohibited: Any form of illumination – including flashing, blinking, rotating lights, no animation or reflective materials.

<b>Awning Signs</b>	<b>Neighborhood Commercial</b>	<b>Community and Regional Commercial</b>
Size/Area	20% maximum of front awning face.	20% maximum of front awning face.
Content	Name and/or logo. Shall not include any additional advertising.	Name and/or logo. Shall not include any additional advertising.
Sign Calculations	50% of awning sign area shall be included in aggregate sign calculations.	–

<b>Directional Signs</b>	<b>Neighborhood Commercial</b>	<b>Community and Regional Commercial</b>
Size/Area	6 sf.	6 sf.
Height	4'.	4'.
Maximum	25% of total center allowable sign area. Does not count against site's allowable aggregate signage.	25% of total center allowable sign area. Does not count against site's allowable aggregate signage.
Location	Outside of visibility triangles.	Outside of visibility triangles.
Lighting	Internal or external illumination allowed. All lighting sources must be shielded from view.	Internal or external illumination allowed. All lighting sources must be shielded from view.
Allowances	Use, number, and location approved only through comprehensive sign program and comply with other	Use, number, and location approved only through comprehensive sign program and comply with other

	requirements.	requirements.
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Directory Signs	Neighborhood Commercial	Community and Regional Commercial
Size/Area	24 sf max (does not count toward site's total aggregate allowable signage).	24 sf max (does not count toward site's total aggregate allowable signage).
Height	6'.	6'.
Lighting	May be illuminated subject to Section 35.03(f).	May be illuminated subject to Section 35.03(f).
Purpose	Used to identify the location of buildings, offices or businesses within a complex.	Used to identify the location of buildings, offices or businesses within a complex.
Allowances	Use, number, and location approved only through comprehensive sign program and comply with other requirements.	Use, number, and location approved only through comprehensive sign program and comply with other requirements.

Drive-Thru Restaurant Menu Boards	Neighborhood Commercial	Community and Regional Commercial
Number	NA	1 review and 1 ordering/menu board per vehicle queuing lane.
Setback	NA	45' from street side.
Visibility	NA	Front of the boards shall not be visible from any public street.
Size/Area	NA	24 sf (does not count toward site's total allowable aggregate signage).
Height	NA	6'.
Design	NA	Freestanding menu boards shall have a monument style base matching the architecture and construction materials of the building.
Landscaping	NA	2 sf for each sf of sign area.
Lighting	NA	Internal and/or external illumination is allowed. Light sources must be shielded from view.

Monument	Neighborhood Commercial	Community and Regional Commercial
Number	One monument per development, except as permitted otherwise. For multiple building developments or commercial centers 1 additional sign.	One monument per development, except as permitted otherwise. 1 per arterial frontage for multiple building developments or commercial centers.
Size/Area	24 sf for single building/tenant. 24 sf for multi-tenant/building.	24 sf for single building/tenant. 60 sf for multiple building commercial center, approved by the design review board.
Separation	—	Additional freestanding signs may be placed along street frontage with a comprehensive sign program. Minimum 300' between signs, max 24 sf in area and may be either a center ID sign or a multi-tenant ID sign.
Height	Max of 6'.	Max of 6' or 24 sf for single building or single tenant.
Content	Name and/or logo of business and shall include address.	Name and/or logo of business and shall include address.
Exceptions	Individual buildings/pads shall not be considered separate developments for signage purposes.	Individual buildings/pads shall not be considered separate developments for signage purposes.
Signage Calculations	Monument sign(s) for multi-tenant, multi-building or commercial center developments shall not count toward individual businesses/major tenants if their name is not part of center ID.	Monument sign(s) for multi-tenant, multi-building or commercial center developments shall not count toward individual businesses/major tenants if their name is not part of center ID.

Reader Panel Signs	Neighborhood Commercial	Community and Regional Commercial
Additional Uses Permitted	Municipal, religious, academic institutions, fraternal organizations or quasi-government uses.	Municipal, religious, academic institutions, fraternal organizations or quasi-government uses.
Number	1 freestanding reader panel.	1 freestanding reader panel.
Size/Area	20 sf.	32 sf.
Height	4'.	6'.
Lighting	No scrolling or flashing.	No scrolling or flashing.
Sign Area	Sign area will be included in the total site aggregate signage calculation.	Sign area will be included in the total site aggregate signage calculation.
Sign Design	Change panel and marquee signs and service station price signs shall be allowed.	Change panel and marquee signs and service station price signs shall be allowed.

Shingle Signs	Neighborhood Commercial	Community and Regional Commercial
Number	1 shingle sign per business.	1 shingle sign per business.
Height	8' clearance minimum.	8' clearance minimum.
Size/Area	3 sf maximum.	4 sf maximum.
Content	Name and/or logo of business. No additional advertising allowed.	Name and/or logo of business. No additional advertising allowed.
Placement	Placed perpendicular to the building immediately adjacent to the business.	Placed perpendicular to the building immediately adjacent to the business.

Umbrella Signs	Neighborhood Commercial	Community and Regional Commercial
Number	1 per outdoor table or service bar.	1 per outdoor table or service bar.
Height	8' clearance maximum.	10' clearance maximum.
Size/Area	3 sf maximum per umbrella.	4 sf maximum per umbrella.
Content	Name and/or logo of business. No additional advertising allowed.	Name and/or logo of business. No additional advertising allowed.
Placement	Outdoor patio and service areas, as approved by the design review board.	Outdoor patio and service areas, as approved by the design review board.

Wall Mounted Signs	Neighborhood Commercial	Community and Regional Commercial
Size/Area	0.67 sf / 1 linear foot. 32 sf maximum each.	0.67 sf / 1 linear foot. 50 sf maximum.
Location	May be placed on any side of the building business is located.	May be placed on any side of the building business is located.
Setback	If > 300' from arterial, 1.5 sf / 1 linear foot permitted with a maximum 160 sf.	If > 300' from arterial, 1.5 sf / 1 linear foot permitted with a maximum 250 sf.
Maximum Aggregate	Single tenant = 120 sf. Multi-tenant = 240 sf.	Single tenant = 250 sf. Multi-tenant = 1 sf / 1 linear foot on arterials.
Placement Requirements	Horizontal length < 50% of width of building. 36+ in. between top of sign and top of building.	Horizontal length < 50% of width of building. 36+ in. between top of sign and top of building.
Lighting	Subject to lighting standards in Section 35.03(f).	Subject to lighting standards in Section 35.03(f).

Window Signage	Neighborhood Commercial	Community and Regional Commercial
Size/Area	20% of total window area through which sign will be visible.	25% of total window area through which sign will be visible.
Location	Signs may be displayed within 3' behind the window. Sign copy shall be limited to business identification and a graphic symbol or any combination thereof. In no case shall product signs be allowed.	Signs may be displayed within 3' behind the window. Sign copy shall be limited to business identification and a graphic symbol or any combination thereof. In no case shall product signs be allowed.

(Ord. 14-197 § 1 (part))

**35.07 Resort Sign Standards**

Sign regulations govern resort districts and resort uses in planned development (PD) districts. Any new development shall be required to submit a comprehensive sign program to be reviewed and approved by the design review board.

Location and Size/Area	<p>1. Resort identification signs may be located at each primary entrance to the resort from a major or minor arterial or collector street. The maximum height shall be 8' and the maximum sign area shall be 70 sf, aggregate per entry. Dual entrance monuments are permitted if total sign area does not exceed 70 sf.</p> <p>2. Use identification monuments for businesses that are located within the resort shall be allowed smaller monument signs not to exceed 4' in height and 8 sf in area per sign face. These business identification monuments may be 4-sided or 3-dimensional (3D).</p> <p>3. Wall signs are permitted for individual uses within the resort not to exceed 60 sf in area.</p>
Lighting	Signs shall be illuminated by backlit or indirect lighting.
General Requirements	<p>1. No moving or animated signs shall be permitted. Changeable copy is permitted within the allowable sign area.</p> <p>2. Traffic and directional signs within the site shall not exceed 8 sf in area, aggregate, and shall not exceed 5' in height.</p> <p>3. Signs mounted on an exterior wall of any structure that are not identification signs shall contain only building identification (i.e., numbers or letters) as necessary for emergency access with a maximum area of 24 sf.</p> <p>4. Signs placed at resort pedestrian gate entrances and exits shall be allowed and shall contain directions for entrance/exit, deliveries, and any restrictions and shall not exceed 4 sf in area maximum.</p> <p>5. Resorts may also obtain temporary special event banners as defined within the temporary sign section below.</p> <p>6. Total quantity and aggregate size of internal direction and identification signs shall be approved by the design review board as part of the comprehensive sign package.</p>

(Ord. 14-197 § 1 (part))

#### 35.08 Temporary Signage

Temporary signs located in any zoning district shall comply with the following regulations:

- a. Signs alerting motorists or pedestrians to potential hazards such as road construction, work in progress, open excavation, detours and the like are required; flashing light signs required during periods of low visibility.
- b. Permits for temporary signs may be issued or renewed by the zoning administrator or designee for a period not to exceed one year (except subdivision signs until last residence is sold) in all zones unless otherwise specified.
- c. "No Trespassing" signs are permitted in all districts without permit, may be freestanding, and not to exceed four square feet not in R-O-W or within one hundred feet of similar sign on same parcel.
- d. Rights-of-way (R-O-W or ROW) as used in this section means those lands or easements, whether improved or unimproved, dedicated to or owned by the city, state or other government entity for use by the public for public access or transportation.
- e. Prohibited Temporary Signs

Same as prohibited permanent signs and vehicle-mounted or transported (other than bumper sticker or mounted on taxi, buses or other public transportation); attached to utility poles.

- f. No temporary sign shall block a public right-of-way or sidewalk, nor be placed in a location to be a hazard or obstruct visibility.

Sign Type	Temporary signs are permitted subject to the following regulations:				
	Number	Area	Setbacks	Height	General Requirements
City, Church, Civic Organization Signs	On premises: 1 per abutting street (max of 2). Off premises: 1 at each change of direction (max of 4).	On premises: 16 sf. Off premises: 4 sf.	On premises: not in ROW. Off premises: in ROW as approved by zoning administrator.	6'.	No illumination. Erected 2 weeks prior and removed 2 days after event. Single or double faced. Not between utility poles, vehicles, or other ways that create hazards or nuisance. Permit required – no permit fee.

Development, Contractor, or Subcontractor Signs (Developer, Contractor, and Subcontractor Identification)	1 sign is permitted per abutting street to the development.	The sign shall not exceed 32 sf.	Minimum setback for the sign shall be 5'.	Sign shall not exceed 6' in height to the top of the placard or framing.	On-premises only. Removed 10 days after development completed. May be single or double faced.
Political Signs on Private Property	6 signs per candidate; 6 signs per issue for each property address.	2' 2'; 2-sided.	Not allowed in a location where it would be a hazard or obstructs vision.	4'.	May not be placed more than 60 days prior to election. Must be removed within 15 days after election. No permit required.
Political Signs in ROW	Maximum 50 signs per candidate, maximum 50 signs per issue.	10 sf.	Not allowed in a location where it would be a hazard or obstructs vision.	3'.	May not be placed more than 60 days before election and must be removed within 30 days after election. Not allowed in a commercial tourism, commercial resort and hotel political sign free zone adopted by city council resolution.
Temporary Special Event	Zoning administrator or designee may approve signs for special events on a temporary basis. The zoning administrator or designee has the authority to approve design standards including number of signs, size, height and setback. The temporary special use signs may be approved for a time frame of 30 days and under special circumstances may be renewable once for an additional 30 days.				
Yard Sale	6 yard sale signs shall be permitted.	Sign area shall not exceed 4 sf per sign.	Signs shall be placed a minimum of 2 feet from any curb.	Maximum height for each sign shall be 2.5 feet.	
Off-Premises Open House Directional Signage	1 sign for each change of direction, plus 1 sign per mile of arterial/collector roadway, not to exceed 5 signs total.	Sign area shall not exceed 4 sf per sign.	Signs shall be placed a minimum of 2 feet from any curb.		Signs shall only be displayed while the salesperson is attending the open house and shall be removed at the end of the day.
Real Estate Signs	1 sign on premises of property advertised per listing agent, property owner, or management company.	Sign area shall not exceed 4 sf per sign.	Signs shall be placed a minimum of 2 feet from any curb.		

(Ord. 14-197 § 1 (part))

### 35.09 Flagpole Requirements

- Flagpoles shall not exceed the maximum building height allowed in each zoning district and shall be located and constructed that if it should collapse, its reclining length would be contained on the property for which it was installed.
- Unless specifically permitted by the zoning administrator or designee, no more than one flag may be flown or hung on any site, structure, or pole; provided, however, that one state of Arizona and one foreign national flag may be flown in addition to the one permitted flag on such site, structure, or pole.
- The maximum size of any corporate flags shall not exceed fifteen square feet, with no single dimension to exceed six feet.
- A sign permit is required to display any corporate flag and must be included as part of the total aggregate sign area.
- Display of the United States flag must meet all requirements of the United States Flag Code,

including national and local lighting standards.

f. A model home complex may use flags in addition to the United States flag and state of Arizona flag, in the following manner:

1. There can be no more than two flags on the lot of one model home and one flag on each additional lot with a model home located upon it, not to exceed five total flags.
2. The maximum size of any model home flag shall not exceed eight square feet.
3. Model home flags shall not be illuminated.
4. Flagpole shall not exceed twenty-five feet in height.

g. Permits are required for sign poles. No sign permits are required for flags unless otherwise noted.

h. The maximum size of a United States flag, state of Arizona flag or foreign national flag shall be sixty square feet. This limit does not apply to a United States flag or state of Arizona flag flown on a national or state holiday. (Ord. 14-197 § 1 (part))

### 35.10 Nonconforming Signs

Nonconforming signs are any signs which do not conform to the provisions of this code, but which, when first constructed, were legally allowed by the political subdivision then having control over signs.

a. Reasonable repairs and alterations may be made to nonconforming signs. However, in the event any such sign is damaged after January 1, 1989, the cost of repair of which exceeds fifty percent of the cost to replace it, such cost to be determined by a competent appraiser, or in the event such sign is removed by any means, including an act of God, such sign may be restored, reconstructed, altered or repaired only to conform with the provisions of this code. (Ord. 14-197 § 1 (part))

### 35.11 Violation; Enforcement

a. The procedures and penalties set forth in Section 8, Violations, Enforcement and Penalties, for violations of the zoning code, a zoning ordinance, a use permit, a variance or a design review approval shall apply to violations of this section except as modified in this subsection.

b. Time Periods; Removal of Sign.

The time periods provided for correction of the violation of this section shall be:

#### 1. Permanent Signs

A ten-calendar-day written notice shall be provided.

#### 2. Temporary Signs

A two-calendar-day written notice shall be provided.

#### 3. Portable Signs

A two-calendar-day written notice shall be provided, except for portable signs within the right-of-way, which may be removed by the code enforcement officer pursuant to subsection (b)(4)(B) of this section.

#### 4. Signs in Right-of-Way

A. Political signs in the right-of-way that are hazardous to public safety, obstruct clear vision in the area or interfere with the requirements of the Americans with Disabilities Act may be removed by the code enforcement officer without prior notice; provided, that the candidate or campaign committee that placed the sign shall be notified within twenty-four hours after removal. If the political sign is placed in violation of A.R.S. § 16-1019 and the placement is not hazardous to public safety, does not obstruct clear vision in the area and does not interfere with the requirements of the Americans with Disabilities Act, the code enforcement officer shall notify the candidate or campaign committee that placed the sign and, if the sign remains in violation at least twenty-four hours after such notification, the code enforcement officer may remove the sign. The code enforcement officer shall contact the candidate or campaign committee and shall retain the sign for at least ten business days to allow the candidate or campaign committee to retrieve the sign without penalty.

B. Nonpolitical signs in the right-of-way may be removed without notice. The owner of the sign shall be notified of the removal if contact information is available. The owner shall pay city (I) the cost to the city of removing and impounding the sign; (II) a recovery fee set by the city; and (III) a daily storage charge set by the city. Upon payment of such costs, the city shall return the sign to the owner.

#### 5. Signs without Permits

When a permit is required for a sign and no permit was issued, the sign may be removed by the code enforcement officer without notice. The owner shall pay city (I) the cost to the city of removing and impounding the sign; (II) a recovery fee set by the city; and (III) a daily storage charge set by the city. Upon payment of such costs, the city shall return the sign to the owner.

#### 6. Safety Hazard

A sign that presents a safety hazard may be removed by the code enforcement officer without notice. The code enforcement officer shall make a reasonable effort to notify the owner of the sign that it will be removed immediately. The owner shall pay city (I) the cost to the city of removing and impounding the sign; (II) a recovery fee set by the city; and (III) a daily storage charge set by the city. Upon payment of such costs, the city shall return the sign to the owner.

#### c. Abatement of Nuisance

A violation of this section shall constitute a public nuisance. In addition to issuance of a civil citation or criminal citation pursuant to Section 8, the code enforcement officer is authorized to abate the nuisance and charge the cost to the property owner following the procedures set forth in Article 9-5 of the city code if the owner of the sign fails to remove a sign after any notice required by subsection (b)(4)(B) of this section is given. (Ord. 14-197 § 1 (part))



**SECTION 36  
WIRELESS COMMUNICATIONS FACILITIES**

Subsections:

[36.01 Purpose](#)

[36.02 Permitted Locations of WCFs](#)

[36.03 WCFs Permitted by Use Permit](#)

[36.04 Site and Construction Standards](#)

[36.05 Co-Location](#)

[36.06 Radio Frequency Standards; Interference; Noise](#)

[36.07 Applicant's Submittal Requirements](#)

[36.08 Approval Process](#)

[36.09 Permit Term and Limitations](#)

[36.10 Renewal of Permit](#)

[36.11 Applicability](#)

**36.01 Purpose**

The purpose of this section is to establish appropriate regulation of wireless communications facilities within the city. The regulations are intended to encourage competition in the telecommunications industry and remove regulatory barriers consistent with the city's responsibility to protect the health, welfare and safety of its residents. It is further the purpose of this section to preserve the city's residential character and uncluttered appearance, ensure compliance with federal radio frequency emissions standards, provide for nondiscriminatory treatment of substantially equivalent telecommunications providers and allow for the provision of telecommunications services within the city. (Ord. 97-44 § 1 (part))

**36.02 Permitted Locations of WCFs**

Wireless communications facilities (WCFs) are an allowed use upon obtaining a use permit in compliance with this section, in the following locations:

- a. Resort (RT), Neighborhood Commercial (NC), Community Commercial (CS), and Regional Commercial (RS) zoning districts;
- b. Any zoning district, if the WCF is located on property owned by a governmental entity, including a school district or community college district, so long as such property is used for its governmental purposes, or owned by a church and used for its worship or social purposes. (Ord. 97-44 § 1 (part))

**36.03 WCFs Permitted by Use Permit**

- a. The city council may issue a use permit subject to all the conditions of this section and Section 33 of the Litchfield Park Zoning Code. In granting a use permit, the city council may impose conditions to the extent it concludes such conditions are necessary to minimize any adverse effect of the proposed WCF on adjacent properties.
- b. The city council may allow placement of a monopole in the city or waive or modify requirements of this section only upon finding that strict compliance with the provisions of this section would result in noncompliance with applicable federal or state law. The city council may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements waived or modified. (Ord. 97-44 § 1 (part))

**36.04 Site and Construction Standards**

- a. Support Structures

Support structures for WCFs shall be any of the following:

1. Building

As used in this section, a building means an existing nonresidential building.

2. An Existing Structure

An existing structure including but not limited to, light poles, water towers, smokestacks, and flag poles. This term does not include a lattice tower or buildings.

3. An Alternative Tower Structure

Clock towers, steeples, functioning security or recreational light poles and similar alternative-design support structures that camouflage or conceal the WCFs.

- b. Height Regulations

1. Building-mounted WCFs shall not exceed a height of ten feet measured from the top of the WCF to the point of attachment to the building.
2. WCFs mounted on an existing structure shall be limited to the height of the existing structure, unless adequately camouflaged.
3. Alternative tower structures shall be limited to sixty-five feet in height above the original grade except a functioning security or recreational light pole shall have a height consistent with existing light poles or height usually allowed for such light poles. A greater height may be permitted by the city council upon further review.

- c. Setback Regulations

For the purpose of determining whether a WCF complies with setback requirements, the dimensions of the entire lot shall control, even though the WCF may be located on leased parcels within such lot. Support structures must comply with all of the following:

1. All WCF antennae, other than WCF antennae placed on existing structures in the public rights-of-way along major streets, shall be set back from all residentially zoned property lines a minimum distance of seventy-five feet.
2. For WCF antennae placed on existing structures in the public rights-of-way along major streets, defined for the purposes of this section, as any of the following streets: Bird Lane, Green Tree Drive, Litchfield Road, Litchfield Road Bypass, Villa Nueva, and Indian School Road/Wigwam Boulevard, no setback requirement applies.

3. Any equipment cabinet or building used in conjunction with a WCF shall comply with the required setbacks for buildings of the zoning district in which it is located.

d. Screening/Aesthetics

1. Building-mounted WCFs shall be screened from residential views and public rights-of-way in a manner architecturally compatible with the building.
2. WCFs mounted on an existing structure shall be camouflaged from residential views and public rights-of-way in a manner architecturally compatible with the structure.
3. The design, screening or camouflaging and site-specific location of WCFs mounted on an alternative tower structure shall be subject to review and approval by the city council.
4. WCFs including all components thereof shall be painted when this would serve the purposes of architectural compatibility or camouflage. The city shall approve the paint colors which must be nonreflective.
5. Artificial lighting of a WCF, including its components, is prohibited, unless otherwise required by the Federal Aviation Administration. A motion-sensor light may be used, if the beam is directed downwards and shielded from adjacent properties.
6. A maximum of one WCF antenna may be placed on any one street light pole in the public rights-of-way. Any antenna placed on a street light pole shall be a maximum size of thirteen inches in length, seven inches in width, and five inches in height, except that a receiving wire with a maximum diameter of three-fourths inch and maximum length of twenty-four inches may be attached thereto. Any antenna placed on a street light pole in the public rights-of-way in a manner architecturally compatible with the structure. Nothing herein shall be construed to preempt additional screening or design requirements established by contractual agreement.

e. Equipment Cabinets and Buildings

1. Equipment cabinets shall be located within the building upon which antennae are placed if technically feasible. Otherwise, equipment cabinets shall be screened from view by a wall or landscaping, as approved by the city. Any wall shall be architecturally compatible with the building or immediate surrounding area.
2. An equipment cabinet shall not exceed eight feet in height and a building shall not exceed one story.

f. Security Fencing

Security fencing, if any, shall not exceed six feet in height, except fencing shall be eight feet in height if screening a cabinet of such height. Fencing shall be effectively screened from view through the use of landscaping. No chain link fences shall be visible from public view.

g. Anti-Climbing Features

Anticlimbing features shall be incorporated into the WCF, as needed, to reduce potential for trespass and injury.

h. Building Codes; Safety Standards

All WCFs must be constructed and maintained in a structurally sound manner and comply with applicable local building codes and standards of the Electronic Industries Association. If, upon inspection, the city determines that a WCF fails to comply with said codes and standards, the city shall provide a notice to the owner, and the owner shall have thirty days to bring such facility into compliance. If the owner fails to bring the facility into compliance, then the city may remove the facility and charge such costs to the owner or property owner where the facility is located. (Ord. 99-49 § 1; Ord. 97-44 § 1 (part))

**36.05 Co-Location**

a. Applicants shall cooperate and exercise good faith in co-locating WCFs on the same support structures or site. Good faith shall include sharing technical information to evaluate the feasibility of co-location, and may include negotiations for erection of a replacement support structure to accommodate co-location. A competitive conflict to co-location or financial burden caused by sharing such information normally will not be considered as an excuse to the duty of good faith.

b. In the event a dispute arises as to whether a permittee has exercised good faith in accommodating other users, the city may require the applicant to obtain a third party technical study at applicant's expense. The city may review any information submitted by applicant and permittee(s) in determining whether good faith has been exercised.

c. No co-location may be required where the shared use would or does result in significant interference in the broadcast or reception capabilities of the existing telecommunications facilities or failure of the existing WCFs to meet federal standards for emissions.

d. Failure to comply with co-location requirements when feasible may result in denial of a permit request or revocation of an existing permit. (Ord. 97-44 § 1 (part))

**36.06 Radio Frequency Standards; Interference; Noise**

a. The WCF shall comply with federal standards for radio frequency emissions. Failure to meet federal standards may result in termination or modification of the permit.

b. The permittee shall ensure that the WCF will not cause interference with the reception of existing WCF devices, cable television, community antennae television systems, or satellite broadcast television systems. If at any time the city finds that the WCF interferes with such reception, and if such interference is not cured within thirty days, the city may revoke or modify the permit.

c. A WCF and any related equipment, including backup generators and air conditioning units, shall not generate continuous noise in excess of forty decibels (dBA) measured at the property line of any residential property, and shall not generate continuous noise in excess of fifty decibels (dBA) during the hours of seven a.m. to ten p.m. and forty decibels (dBA) during the hours of ten p.m. to seven a.m. measured at the property line of any non-residential property. (Ord. 97-44 § 1 (part))

**36.07 Applicant's Submittal Requirements**

An applicant shall submit the following items to the planning and zoning department:

a. Inventory: An inventory list and map of existing WCFs operated by the applicant and other providers within two miles of the proposed site ("service area"). The inventory list must include specific information as to location, height and design of each facility. The city may share such information with other applicants seeking to locate WCFs within the service area, in order to

encourage co-location.

b. Report on Alternatives: A report explaining why the WCF is needed at the requested location. If applicant is seeking to construct a new monopole pursuant to Section 36.03(b), applicant shall explain why co-location or location on another kind of support structure is not feasible, including efforts made to develop such an alternative. If the city has requested that applicant co-locate its WCF on a site, applicant shall explain why collocation is not feasible, including efforts made to develop such an alternative. If the city has requested applicant to consider location of the WCF in possible alternative sites in adjacent cities, applicant shall include in its report efforts made to develop such alternatives, and a discussion of the feasibility of such alternatives. Failure to make a report on alternatives and develop viable alternatives when so requested may result in denial of a permit.

c. Structural plans for the WCF: Plans should include a diagram of the proposed facility and antennae, including height, shape, size and nature of construction. The plans should include a diagram showing the separation between the proposed WCF and any existing WCF(s) on the same support structure or site, if co-location is planned.

d. A site/landscaping plan showing the specific placement of the WCF on the site, including setbacks from adjacent property lines; showing the location of existing structures, trees, and other significant site features; and indicating type and locations of plant materials used to screen WCF components and the proposed color(s) for the WCF.

e. Photosimulations of the view of the proposed facility from residential properties and public rights-of-way at varying distances.

f. A signed statement stating that:

1. The applicant agrees to allow co-location of additional WCF equipment by other providers on the applicant's support structure or within the same site location, when feasible; and
2. If the applicant locates its WCF on leased property, the applicant agrees it will not request the landowner to exclude other providers from co-locating a WCF on such site when co-location may be feasible.

g. Prior to beginning operations, the permittee shall submit a verified report which provides a calculation of its installed peak radio frequency ("RF") emissions capacity at the site, the cumulative installed peak RF emissions capacity at the site (including a description of any co-location providers), and compares the results with established federal standards.

h. Any other information required by the city for issuance of a use permit pursuant to Section 33 of the Litchfield Park Zoning Code.

i. If applicant seeks a waiver or modification of any requirement herein, the city will request applicant to submit additional information to determine whether strict compliance with this section is feasible.

j. Applicants shall pay a permit fee as established by resolution of the council, which fee shall include all consulting costs as may be required by the city to review the application. (Ord. 97-44 § 1 (part))

#### **36.08 Approval Process**

a. The city shall act on any application for authorization to place, construct or modify a WCF within a reasonable period of time after such application is duly filed with the city, taking into account the nature and scope of such request.

b. The planning and zoning department shall be the first to review any application submitted, and shall forward any recommendation to approve or deny the application request and any other relevant information to the planning and zoning commission.

c. Any final decision to approve or deny a request shall be in writing and set forth the reasons and substantial evidence for the decision. (Ord. 97-44 § 1 (part))

#### **36.09 Permit Term and Limitations**

a. A use permit for a WCF shall expire fifteen years after the effective date of the permit approval.

b. Any permitted facility must be constructed and placed into use within twelve months of the date of the city council's approval or the approval shall expire, pursuant to Section 33.05 of this code.

c. Upon failure to comply with conditions of approval or discontinuance of the WCF use for over one year, the permit may be revoked pursuant to Section 33.04 of this code and permittee must remove the facility or the city may cause the facility to be removed at the expense of the permittee or property owner where the facility is located.

d. Permittee shall maintain the WCF, including paint and landscaping, to standards imposed by the city at the time of granting the permit. If the permittee fails to maintain the facility, the city may undertake maintenance at the expense of the applicant or terminate the permit, at its sole option.

e. The applicant/permittee shall notify the city in writing of all changes in ownership of the facility within sixty days of the change. (Ord. 97-44 § 1 (part))

#### **36.10 Renewal of Permit**

A permittee may apply for a renewal of its permit within six months prior to expiration. (Ord. 97-44 § 1 (part))

#### **36.11 Applicability**

The requirements of this section apply to all new WCFs and the expansion and/or alteration of any existing WCFs; provided that an in-kind or smaller replacement transmission equipment will only require a written notification to the city. (Ord. 97-44 § 1 (part))

**SECTION 37  
SITE PLAN REVIEW**

Subsections:

[37.01 Site Plan Review](#)

[37.02 Application Requirements](#)

[37.03 Review Criteria](#)

[37.04 Site Plan Appeals](#)

**37.01 Site Plan Review**

Site plan review is intended to ensure that proposed development plans for more complex projects or projects on sites with city-wide importance comply with the provisions of this section. Site plan review is conducted administratively by the zoning administrator or his designee unless referral to the design review board is specifically stipulated. Site plan review is required for projects in the overlay (HPOD) and commercial (NC, CS, RS) districts or on such other properties as required by city council as a condition of rezoning. (Ord. 04-91 § 1 (part))

**37.02 Application Requirements**

Applications for site plan review, when required herein, shall be submitted to the zoning administrator with exhibits consisting of:

- a. A graphic depiction of intended improvements to the site, drawn to a suitable scale, showing at least the following:
  1. Dimensions of the site, subparcels, if any, and streets, sidewalks, pathways or easements within or adjacent to the site;
  2. Locations and dimensions of all principal and accessory structures;
  3. Parking, loading, circulation and maneuvering areas consistent with appropriate code requirements;
  4. Landscaping, drainage, open space and pedestrian connections;
  5. Phasing lines indicating incremental development parcels, if applicable.
- b. Illustrative materials, including but not limited to the following, in the form of artist renderings, elevations, schematic drawings or photographs of projects similar to that which is intended, depicting:
  1. Architectural design treatments applicable to all four elevations of principal structures and to portions of accessory buildings visible from public streets or adjacent properties;
  2. Landscape materials, including parking lot islands, where appropriate;
  3. Signage treatments and/or entry monumentation;
  4. Street furniture, paving treatments, site lighting and related elements. (Ord. 04-91 § 1 (part))

**37.03 Review Criteria**

The proposed site plan shall be approved, with appropriate modifications, upon findings of consistency with city requirements pertaining to:

- a. Property development standards of the district in which the site is located;
- b. Applicable engineering design guidelines pertaining to ingress/egress, drainage, utility placement and related matters;
- c. Design review criteria for appearance, site and building massing, and compatibility with desired neighborhood character. (Ord. 04-91 § 1 (part))

**37.04 Site Plan Appeals**

Applicants for site plan review may appeal decisions of the zoning administrator, in whole or in part, by filing a request for design review board hearing, pursuant to Section [3.04](#). (Ord. 04-91 § 1 (part))

**SECTION 38**  
**PROTECTED DEVELOPMENT RIGHT PLANS**

Subsections:

[38.01 - Protected Development Right Plans](#)

**38.01 Protected Development Right Plans**

a. Applications

1. Applications for protected development right plans shall be filed in accordance with A.R.S. §§ 9-1201 through 9-1205 and this section. Only plans submitted to the city that have been designated as "protected development right plans" at the time of submittal shall be considered for processing as protected development right plans. Applications for protected development right plans for phased developments shall comply with the application requirements for overlay districts. Applications for protected development right plans for nonphased developments shall comply with the application requirements for site plan approval set forth in Section 37 and for subdivision plat approval.
2. Applications for a protected development right plan shall describe all of the following:
  - A. The proposed uses of the property;
  - B. The boundaries of the property;
  - C. Significant topographical and other natural features affecting development of the property;
  - D. The location of all existing and proposed utilities and a provision for other infrastructure on the property, including water, sewers, road and pedestrian walkways.
3. Applicants shall submit all other studies and reports required by this code, the subdivision code and other codes of the city, including traffic reports, drainage reports, master street plans, development phasing schedules and phased public infrastructure schedules.
4. The council shall set by resolution a fee for review and processing of protected development right plans. An application is not complete unless accompanied by such fee.

b. Developments Other than Phased Developments

1. A protected development right plan for a nonphased development shall be submitted as a site plan or preliminary subdivision plat and shall conform to all city requirements for site plan or preliminary subdivision plat approval. Plans submitted as protected development right plans shall be reviewed by the design review board, who shall submit its recommendation to the council for approval or disapproval.
2. An application for a protected development right plan for a nonphased development shall:
  - A. Designate the plan as a nonphased protected development rights plan at the time of submittal;
  - B. Comply with subsection a of this section;
  - C. Include the general location on the property of the proposed buildings, structures and other improvements;
  - D. Include the number of dwelling units and the square footage and height of the proposed buildings and other structures.
3. The protected development right plan shall be the final site plan or final subdivision plat approved by the council.
4. A protected development right plan for a nonphased development is valid for three years. In its sole discretion, the council may extend this time period for a maximum of two additional years if it determines such extension is warranted by all relevant circumstances, including the size and type of the development, the level of investment of the landowner, economic cycles and market conditions.

c. Phased Developments

1. A protected development right plan for a phased development shall be submitted as a planned area development and conform to all city requirements for planned area development and site plan or preliminary subdivision plat approval. Plans submitted as protected development right plans shall be reviewed by the design review board, who shall submit its recommendation to the council for approval or disapproval.
2. An application for a protected development right plan for a phased development shall:
  - A. Designate the plan as a phased protected development right plan at the time of submittal;
  - B. Be submitted as a planned area development;
  - C. Comply with subsection a of this section;
  - D. Include the proposed phasing plan, the boundaries of each phase, and the schedule of development of each phase;
  - E. Include the general location on the property of the proposed buildings, structures and other improvements for the first phase;
  - F. Include the number of dwelling units proposed for all phases of the development;
  - G. Include the square footage and height of the proposed buildings and other structures for the first phase.
3. The protected development right plan shall be the final site plan or final subdivision plat approved by the council for that phase. Approval of a protected development right plan for one phase of a development is not approval of a protected development right plan for any other phase. No subsequent phase after the first phase shall be developed until the information required by subsections a and (c)(2) and (c)(3) of this section has been submitted and the final site plan or final subdivision plat has been approved by the council for that phase.
4. A protected development right plan for a phased development is valid for five years. In its sole discretion, the city council may extend this time period for a maximum of two additional years if it determines such extension is warranted by all relevant circumstances, including the size, type and phasing of the development, the level of investment of the landowner, economic

cycles and market conditions.

d. A protected development right plan approved with a condition or stipulation that a variance be obtained does not confer a protected development right until the variance is obtained. Approval of a protected development right plan does not guarantee approval of a variance.

e. Except as provided in subsections f, g and h of this section, a protected development right is the right to undertake and complete the development and use of property under the terms and conditions of a protected development right plan without compliance with subsequent changes in zoning regulations and development standards, and precludes the enforcement against the development of any legislative or administrative land use regulation of the city or an initiated measure that would change, alter, impair, prevent, diminish, delay or otherwise impact the development or use of the property as set forth in the approved protected development right plan. Upon approval of a protected development right plan, the owner has a protected development right to undertake and complete the development only to the extent of the specific elements and details shown on the plan without compliance with subsequent changes in zoning regulations and development standards.

f. A protected development right does not preclude enforcement of land use regulations that would change, alter, impair, prevent diminish, delay or impact the development or use of the property as approved in the protected development right plan under any of the following circumstances:

1. Changes agreed to in writing by the owner;
2. Declaration by the council by ordinance or resolution after notice and a public hearing, that natural or man-made hazards on or in the immediate vicinity of the property, if uncorrected, would pose a serious threat to the public health, safety and welfare if the project were to proceed as approved in the protected development right plan.
3. Declaration by the council by ordinance or resolution after notice and a hearing that the owner or his representative intentionally supplied inaccurate information or made material misrepresentations that made a difference in the approval of the protected development right plan by the city.
4. The enactment of a state or federal law or regulation that precludes development as approved in the protected development right plan, in which case the council, after notice and a hearing, may modify the affected provisions, on a finding that the change in state or federal law has a fundamental effect on the protected development right plan.

g. A protected development right does not preclude the enforcement of a subsequently adopted:

1. Overlay zoning classification that imposes additional requirements and that does not affect the allowable type or density of use, or ordinances or regulations that are general in nature and that are applicable to all property, so long as the overlay zoning classification does not affect the allowable type or density of use.
2. Development fees applicable to similar properties in the city adopted pursuant to A.R.S. § 9-463.05.
3. Building, fire, plumbing, electrical or mechanical code or other ordinance or regulation general in nature and applicable to all property subject to land use regulation by the city.

h. A protected development right does not preclude, change or impair the authority of the city to adopt and enforce zoning ordinance provisions governing nonconforming uses or structures on the property.

i. After the approval of a protected development right plan, the director of planning shall monitor the progress of the development to ensure compliance with the terms and conditions of the original approval. If the development is not progressing in compliance with the original approval, the director of planning shall submit a report and recommendation to the council, who may revoke its approval of the protected development right plan for failure to comply with applicable terms and conditions imposed on the approval.

j. The council may designate by ordinance or resolution a development plan that is not identified as a protected development right plan at the time it is submitted a protected development right plan upon a finding that granting a protected development right to undertake and complete the development shown on the plan will promote reasonable certainty, stability and fairness in the land use planning and regulatory process and secure the reasonable investment-backed expectations of the owner. (Ord. 04-91 § 1 (part))

**SECTION 39**  
**DESIGN REVIEW GUIDELINES**

Subsections:

[39.01 Architectural Design for Single-Family Residential Uses](#)

[39.02 Architectural Design for Multifamily Residential Uses](#)

[39.03 Architectural Design for Commercial and Industrial Uses](#)

[39.03-01 Architectural Design Generally](#)

[39.03-02 Architectural Character and Style](#)

[39.03-03 Proportion and Scale](#)

[39.03-04 Building Massing](#)

[39.03-05 Building Materials and Textures](#)

[39.03-06 Color](#)

[39.03-07 Architectural Details](#)

[39.03-08 Climate and Energy Conservation](#)

[39.04 Site Design for Commercial and Industrial Uses](#)

[39.04-01 Site Design Generally](#)

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**39.01 Architectural Design for Single-Family Residential Uses**

Residential architectural design is intended to achieve a harmonious design relationship in the design and character of homes within a neighborhood and the community that use the materials and forms that complement the southwest environment and which acknowledge a harmonious relationship of structures to their neighbors and to the community but not necessarily a duplication of any specific style.

a. Design Criteria

Common issues that define the character and theme of a neighborhood are:

1. Design elements and detailing shall be continued completely around the structure with the same importance put on all sides. Such design elements shall include:
  - A. Articulation of wall planes, a variety of roof forms, variation in roof heights, and ridgelines, or other architectural treatments.
  - B. Accent treatments and finishing details such as pop-outs, reveals, and recesses are required around all windows and doors, gable ends and wall expanses on all elevations. Window frames and mullions must be factory finished.
  - C. Garage doors are to be made from sectional metal or high-quality wood or equivalent. Window panels are encouraged to be integrated into the design of the garage door.
  - D. Pillars, columns, and posts are to be sized to be proportional to the size of the home.
  - E. Where possible, the garage should have a side entry or be set back from the front of the home. If neither is possible, the garage design should not be more prominent than the entry or main section of the house.
2. Linear repetitive streetscape appearance and building facades shall be avoided by providing variations between the front elevations.
3. A variety of roof forms and ridgelines shall be provided.
4. All building materials shall be durable and appropriate for their intended use.
5. Colors shall relate well to the house and area and be appropriate for the proposed style of architecture. Colors that are included in the city's color palette are encouraged. Alternative colors will require specific approval by the city's design review board.
6. Metal flashing, vents, pipes, electrical panels and other exposed metal shall be painted to match the color of the roof or house.
7. All ground mounted mechanical equipment shall be completely screened from public view.
8. All fireplace chimneys shall be boxed to avoid exposed metal flues.
9. Porches, balconies, and/or seating areas on the front of the home are encouraged to be incorporated into the design of the dwelling unit to provide covered area to protect residents from weather, enhance the elevation, provide more depth to the dwelling unit and create a sense of arrival.
10. All front entryways shall be lighted and open. Side entries and doorways are allowed if the door is visible from the street and not behind the garage or living area. Narrow front entries shall be designed in a manner so as to avoid potential safety hazards and crime prevention through environmental design (CPTED) issues.
11. A minimum of one window on the first floor shall be visible from the street.

12. If patio covers are provided as a standard feature, they shall match the architecture of the house and the roof material.
13. Integrated patio covers are encouraged. Columns must be proportional and appropriate to the house. If a flat roof is provided, it must be screened with a parapet or similar treatment.
14. Clay or concrete tile is encouraged as a roof material.
15. The front of the house should be illuminated for safety.
16. Garages should not be the dominant feature on the lot but shall be located a minimum of five feet back from the entry feature or living area in medium and large lot developments. In small lot developments the garage should be located in excess of the five-foot setback requirement.
17. If side entry garages are incorporated into a development with the driveway internal at the front of the house or external on the side of the lot, the front facing wall must be architecturally integrated with the design of the home.
18. Courtyard walls, a maximum three feet in height in the front yard or side yards, or a maximum of six feet within the allowable building envelope and adjacent to the driveways to create gathering areas, are encouraged.
19. Provide decorative pilasters, molding, cornices, brick, stone, masonry or other facade and accent materials to encourage curb appeal.
20. Add brick, river rock, natural stone, or masonry to elevations in each neighborhood to add a distinctive finishing touch to the home in a single builder neighborhood.
21. Roof mounted mechanical equipment is prohibited.
22. Each home shall have a location for the storage of trash receptacles which is fully screened from public view.
23. The location of the house on the lot, windows, orientation, building height and location of on-site open space shall consider preservation of the privacy of adjacent development.
24. Custom homes when developed on large lots or within an existing neighborhood without an HOA must take into consideration the design of the existing homes on the adjacent lots, in an effort to provide compatibility within the neighborhood. All homes are subject to review and approval of the design review board. (Ord. 13-191 § 1 (part))

#### 39.02 Architectural Design for Multifamily Residential Uses

Residential architectural design is intended to achieve a harmonious design relationship in the design and character of homes within a neighborhood and the community that use the materials and forms that complement the southwest environment and which acknowledge a harmonious relationship of structures to their neighbors and to the community but not necessarily a duplication of any specific style.

##### a. Building Architecture

The design of the buildings in multiple residence developments must not only be appropriate to regional architecture and climate, but provide a high-quality living environment for residents that combines privacy and convenience with a sense of neighborhood. While personal preferences in style and design will always exist, there are underlying fundamentals of good architectural design that must be followed.

##### b. Building Elevations

1. Repetitive use of a single building configuration and repetition in building facades shall be avoided. There should be a rhythm to building elevations which adds unity and interest without becoming monotonous.
2. The proportions and details of building components and materials shall reflect a residential character, particularly on the ground floor level. Use building features of a human scale, sized for their function.
3. The scale of a building should be reduced by visually dividing it and giving character to the individual units within. This is accomplished by doing some or all of the following:
  - A. Vary building heights.
  - B. Use offsets in wall planes on all elevations to create strong shaded shadow lines which define edges and enhance architectural proportions, adding visual interest to otherwise flat planes.
  - C. Large spans of uninterrupted roof planes are discouraged. Roof features, such as parapets, hips, and gables, are encouraged, featuring patios, balconies, and a strong fenestration in the building elevations.
  - D. Use architectural details on cornices, handrails, or parapet edges.
4. Individual unit entries shall not open directly onto public spaces, parking lots, collector walkways, or streets. Recessing doorways into the building achieves unit individuality. Arches, gateways, entry courts, and roof forms should be used to shelter doorways and foster a sense of arrival. Entries should be covered and private, yet visible for safety.
5. Treatment of stairways is important to the appearance of multistory buildings. Stairs shall be designed according to the following techniques:
  - A. Freestanding stairways shall not make a straight run from upper floors to the ground. Landing(s) are required and shall be constructed with right-angle turn(s). Stairways shall be incorporated into, and compatible with, the overall development. Stairs that are well recessed into buildings and are largely hidden from view may be left open, if doing creates a more open and airy entry courtyard area.
  - B. Stairways shall be built into courtyards and entry areas and not simply hung off the sides of buildings.
  - C. Detail stairways by using insets, reveals, decorative tile or stucco texturing, decorative handrails, newel posts, etc.
6. All balconies and patios should be covered to shade them and protect them from weather. All patios shall be enclosed by screen walls to separate them from the public spaces adjacent



to them and patios of units next door. Balconies shall be separated from adjacent balconies by walls of the same design and construction as the building. Solid walls or open structures may enclose the open sides of balconies, but materials shall be compatible with the buildings.

7. Patio covers shall be integrated into buildings. Flat patio roofs shall be screened with a parapet wall. Supports must be masonry or stuccoed and painted wood structures. No exposed wood posts or metal pipes.

8. Windows shall be placed to provide light into the living spaces from as many directions as possible.

9. Use clerestory windows, glass block, or other similar methods when providing privacy.

10. Recess building walls and windows. Pop-outs, projections, shadow boxes, planter boxes, sills, awnings (using materials that can withstand sun exposure), or shutters shall accent windows. Window frames and mullions shall be finished with baked enamel paint or anodized. Features such as accent trim, divided windows, and rectangular or round openings are encouraged.

11. Blank walls shall be avoided. All walls should be given shadow and depth by articulation, using projections and recesses, and using features such as planters and fountains to break up the expanse of blank walls. In no case should the length of blank walls exceed fifty feet.

12. All mechanical equipment, regardless of location, shall be screened from view, using the following techniques:

A. Rooftop equipment shall be hidden behind parapets or other structures designed into the building.

B. Ground-mounted equipment such as exterior transformers, utility pads, satellite earth station, cable TV, and telephone boxes shall be installed out of view or screened with a combination of walls and landscape.

C. Mechanical control equipment and meters shall be internal or ground-mounted and screened with walls, enclosures, or landscaping.

13. Parking covers and detached garages shall be designed to be compatible with other project buildings and shall satisfy the following requirements:

A. Parking covers and garages shall be constructed of durable materials (no exposed wood or plastics), and be the minimum height necessary to perform their function.

B. Parking covers shall be constructed with fascias, parapets, recessed lights, and other details that give a finished look. Garages should repeat details of the main buildings in their design, and treat all sides of the buildings which are visible.

C. Parking covers compatible for solar installations are encouraged.

D. Parking covers and garages should match the main building color.

E. All garages shall have operable doors.

14. Where separate structures are necessary for accessory uses, they shall be of materials, design, and colors compatible with the main buildings.

c. Materials and Colors

1. Building materials and color selection should be simple and consistent throughout the development. The project should blend and complement the surrounding area. Contrasting materials and colors as accents are encouraged; however, the basic palette should be simple and relatively unobtrusive. Materials shall be durable and appropriate for the climate. Stucco, stone, and masonry shall be primary building materials, with clay or concrete tiles (or equivalents) used as roof materials.

2. Chimneys shall be constructed of the same materials and textures used in the building. Exposed flues are prohibited. (Ord. 13-191 § 1 (part))

**39.03 Architectural Design for Commercial and Industrial Uses**

(Ord. 13-191 § 1 (part))

**39.03-01 Architectural Design Generally**

Architectural design is intended to achieve a compatible relationship in the design and character of buildings and other built elements in the community but not necessarily a replication of any specific historic or contemporary style. (Ord. 13-191 § 1 (part))

**39.03-02 Architectural Character and Style**

a. The intent of this section is to establish guidelines to ensure that development demonstrates a quality of architecture within the city that is responsive to and builds upon the aesthetic identity of the heritage of the community rather than supporting or encouraging design based on corporate identification or market prototypes. The following are not acceptable:

1. Literal transplant of architectural styles not indigenous or compatible to this area.

2. Corporate signature buildings or structures.

3. Buildings that derive their image primarily from applied treatments that express corporate identity.

4. Buildings that are designed or stylized to reflect a corporate or franchise prototype image.

b. Buildings that occupy a pad or portion of a building within a project or shopping center shall share a similar design characteristic and design.

c. Four-sided architecture is required. Design elements shall be incorporated into each of the four sides of the building and all sides of a building must be compatible with the front elevation. (Ord. 13-191 § 1 (part))

**39.03-03 Proportion and Scale**

Elevation and perspective drawings, photographic simulations, models and the use of other graphic means are encouraged and may be required to illustrate or fully explain how a development will look and be compatible with the surrounding community.

a. Proportion

Architecture of commercial and industrial projects, including individual freestanding structures,

shall be designed so that they are in proportion to elements within the project site, adjacent properties and within the area they are to be located.

1. Building proportions with horizontal emphasis are generally preferred and desired. Vertical design that exaggerates the building height shall be avoided.
2. Vertical elements that are taller than the majority of a building, such as towers, or narrow vertical masses can add visual interest and identity to a building. Care must be taken to not allow the vertical elements to overpower the building design. Taller buildings or portions of a building should be located internal to a site or structure so that buildings step down in height as they reach the edges of the site or structure.
3. Variations in building height, roofline, and grade definition; designing buildings in proportion with the mass and floor area of existing development; and using harmonious materials, colors and complementary landscaping may all be used to mitigate the perceived height of a building.
4. Varied spacing of elements in a facade is desirable over repetitive features. "Storefront" glass walls in excess of twenty feet in length are not desirable.

b. Scale

1. New development should mimic the predominant scale of any existing development and use elements of similar scale.
2. Building elements and facades should be kept intimate and close to human size so as to achieve a sense of human scale and interest that relates to pedestrian movement through the project.
3. A mixture of scales may be appropriate in less pedestrian areas.

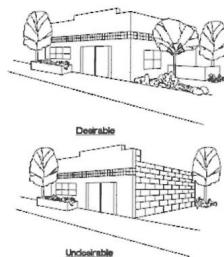


(Ord. 13-191 § 1 (part))

#### 39.03-04 Building Massing

All developments shall incorporate means of reducing the visual size and bulk of buildings in order to maximize integration of the built environment with the natural environment.

- a. Buildings should be designed in a manner that reduces apparent bulk by dividing the building into smaller masses with each mass relating to the internal function of the building.
- b. Large or long continuous wall surfaces shall be avoided. Building surfaces should be relieved with a change of wall plane that provides strong shadow and visual interest. Facade undulation should be sufficient to create strong shadow lines.
- c. Variation in the roof silhouette can provide design interest and contribute to the architectural and landscape character of the city.
- d. The design of the building's base should demonstrate a strong connection with the ground by using:
  1. Low planters and walls.
  2. Base plantings with shrubs and trees.
  3. Architectural veneers, wainscoting and other treatments, including varying colors, materials and textures.
- e. Integrated covered walkways, trellises, and awnings that provide deep shadow are encouraged.
- f. Upper or second levels of a building should be reduced in floor area and building mass to create roof terraces and outdoor spaces.
- g. Pronounced eaves and distinct parapet designs and cornice treatments can be used to create a well-defined building top or roof line.
- h. Clearly defined recesses and projections are encouraged to break up horizontal surfaces and to provide visual interest and definition using strong shadow and shade.
- i. Entryway recesses, architectural projections, wall plane offsets and stepped building forms are all desirable to break up a building's mass.
- j. A facade not related to the rest of a building mass is strongly discouraged. A consistent level of detailing, patterning and finish on all sides of a building is encouraged.
- k. Facade details on all elevations of a structure are encouraged.
- l. All accessory structures should complement the architectural character of the primary building through the use of similar or complementary materials, colors and textures.

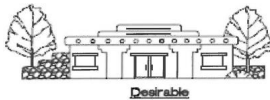


(Ord. 13-191 § 1 (part))

#### 39.03-05 Building Materials and Textures

The use of native materials is desirable to create a "sense of place." Manmade materials simulating natural materials are discouraged.

- a. Every proposal shall demonstrate that the use of natural materials from the area has been studied.
- b. In the southwest, natural textures are bolder and stronger than in many other areas of the country. Coarse and highly textured materials that create shadow patterns are desired.
- c. River rock and sandstone, if used, should be applied so that it looks as natural as possible. It should be stacked or layered in a manner that gives a sense of mass and connectivity to the ground plane.
- d. Concrete masonry block products that are integrally colored and have textured faces are desirable.
- e. Wood elements and wood siding may be used in moderation and should be treated in a manner as to preserve it from the hot, dry climate.
- f. Exposed aggregate concrete may be used for walkways or floors. Exposed, traditionally finished concrete may only be used in moderation and only when it can be demonstrated that it is complementary to overall design scheme.
- g. Windows and large areas of glass should be deeply recessed. Nonreflectivity is desirable over deeply tinted and/or other highly reflective treatments.
- h. Encouraged pedestrian-oriented surface materials include:
  1. Exposed aggregate colored concrete.
  2. Stamped and/or colored and textured concrete.
  3. Interlocking pavers.
  4. Earth-tone concrete.
- i. Discouraged external finishes visible to the public include:
  1. Cedar or other wood shakes.
  2. Reflective, shiny or mirror-like materials.
  3. Exposed, unfinished foundation walls.
  4. Exposed plywood or particleboard.
  5. Glass curtain walls.
  6. White, black, or reflective roofs.
  7. Unplastered/exposed standard CMU.
  8. White exterior surfaces on skylights.
  9. Shiny/reflective acrylic, metallic or similar finishes, unless limited to trim and hardware.



(Ord. 13-191 § 1 (part))

#### 39.03-06 Color

- a. Color should be used to blend development into its surrounding natural environment.
- b. Accent colors may be used for architectural trim not to exceed ten percent of any single wall surface.
- c. Color should be used to reduce and articulate the apparent scale of building masses.
- d. A palette of compatible hues has been developed by the city to reduce visual impacts and should be consulted when choosing the color palette for buildings.
- e. Stains and flat paints are desirable.
- f. High gloss and factory finished metal products and other products that are conducive to high reflectivity are unacceptable.
- g. Matte finishes are encouraged.
- h. Light reflective colors and hues may be used for accent and trim.
- i. Bright and glossy or fluorescent colors are strongly discouraged.
- j. Corporate signature colors are strongly discouraged, unless compatible with the overall color scheme and design of the entire project. (Ord. 13-191 § 1 (part))

#### 39.03-07 Architectural Details

Surfaces, details, ornament and other elements that enrich and accent architectural character of development are encouraged.

- a. Desirable details include:
  1. Stonework, keystones, wall caps, planters, fountains, monument sign bases, etc.
  2. Covered walkways and balconies.
  3. Cornices, moldings, accent lighting and artwork.
  4. Benches, earthen pots, etc.
  5. Exposed beams and columns.
  6. Exterior stairways and ramps that are integral to the primary structure.
  7. Columns, low screen walls, raised landscape planters, etc., are desirable elements to be placed in front of primary entrances with an entry framing in excess of six feet in width.

## b. Undesirable details include:

1. Colored plastic and fiberglass.
2. Shiny/reflective metal.
3. False fronts.
4. Corporate signature design and color schemes.
5. Poorly proportioned pueblo "steps" in parapets. (Ord. 13-191 § 1 (part))

**39.03-08 Climate and Energy Conservation**

Well thought-out configuration may reduce energy consumption and provide comfortable indoor and outdoor spaces, and shall include the following elements:

- a. Shaded exterior walls through the use of canopies, trellises, complementary awnings, etc.
- b. Roof overhangs for shade and weather protection.
- c. Protected outdoor spaces and landscaping that create micro-climate conditions.
- d. Horizontal offsets in an elongated building elevation. (Ord. 13-191 § 1 (part))

**39.04 Site Design for Commercial and Industrial Uses**

(Ord. 13-191 § 1 (part))

**39.04-01 Site Design Generally**

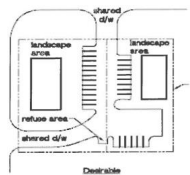
Site design addresses topography, vegetation and landscape features, and drainage characteristics of the site. Not all of the criteria set forth in this chapter will be applicable to all sites; however, site design approval will be reviewed and approved based on substantial compliance with the following criteria and other criteria set forth in this chapter:

- a. Consistency of site grading and finished floor elevations with the natural characteristics of the site's underlying topography.
- b. Integration into the natural environment such as drainage ways, vegetation masses and mature trees.
- c. Building design and location that takes advantage of the natural topography of the site and compatibility with the apparent mass and bulk of large structures with their settings.
- d. Minimization of disturbance of land for roads, parking areas or structures.
- e. Preservation of existing native or specimen vegetation, including vegetation replanted on site or elsewhere.
- f. Compliance with all applicable federal, state and municipal codes. (Ord. 13-191 § 1 (part))

**39.04-02 Spaces**

Buildings and outdoor space design shall provide amenities for employees and public use, including:

- a. Shared driveways for accessing adjoining streets.
- b. Linked internal vehicular circulation systems and cross-access easements.
- c. Linked internal pedestrian systems with adjoining sites.
- d. Linked open space systems and bicycle/pedestrian pathways.
- e. Perimeter open space and landscape buffers as required by Section 30.
- f. Common location and access for refuse collection.
- g. Drainage and retention of storm water.
- h. Infrastructure improvements and utility easements.



(Ord. 13-191 § 1 (part))

**39.04-03 Viewsheds**

It is essential to preserve existing views while incorporating the best views from the subject property into the design. It is also important to consider the probable impact of a new development on future buildings and developments. Two types of views are important and will be considered.

- a. Views from within the Site
  1. Protection of views of special features such as the neighboring mountains.
  2. Preservation of view corridors by the placement of new buildings or trees.
- b. Views into the Site
  1. Identification of areas and corridors from which the new development will be seen from outside the site.
  2. Minimize negative visual impact.
  3. Alignment of courtyards, surface parking and open spaces with view corridors from adjacent sites. (Ord. 13-191 § 1 (part))

**39.04-04 Building Placement and Orientation**

## a. Circulation

Building placement should allow for interconnected walkways and parking drives. This has the advantage of convenience and enhanced pedestrian accessibility, increased building exposure and

enhanced safety.

b. Building Entries

Identifiable building entries that consider pedestrian use as well as motor vehicle uses are encouraged.

c. Common Open Space

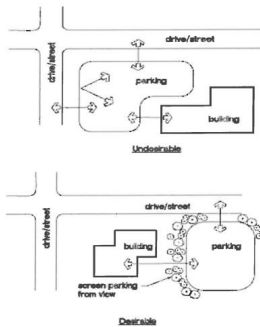
Buildings should be connected to and/or clustered around common open spaces where practicable.

d. Pedestrian Connectivity

A strong pedestrian connection should be provided to the street edge and adjacent properties to promote connectivity and area-wide pedestrian pathway and corridors.

e. Corner Buildings

1. The primary mass of a corner building shall not be placed at an angle to the corner.
2. Principal building entry shall be oriented towards adjoining streets.
3. Pedestrian access through the site should be provided at the corner.
4. Parking located in the rear.
5. Design of buildings to mitigate any negative visual impact to adjacent residences and public open space.



(Ord. 13-191 § 1 (part))

**39.04-05 Climatic Considerations**

a. Building Orientation

When designing site for building placement, summer heat gain is an important factor to consider, and low afternoon/evening sun angles cannot be effectively shaded or mitigated with structural overhangs alone.

b. Courtyards

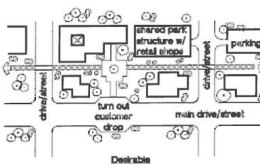
Courtyards that have southern and eastern exposures and opportunities for shade from overhead trellises and landscaping are encouraged.

c. Landscape Location

Landscape areas, rather than parking lots, abutting the east and west sides of courtyards and buildings are encouraged. Arizona Department of Water Resources approved trees should be planted on south and west building exposures.

d. Covered Parking

Covered parking is encouraged to provide relief from summer heat and seasonal rains. Parking structures should be architecturally compatible with the remainder of the development.



(Ord. 13-191 § 1 (part))

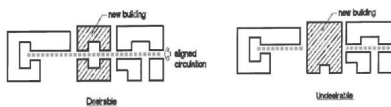
**39.04-06 Linkage and Circulation**

a. Pedestrian Linkages

The location of pedestrian and vehicular circulation patterns shall be coordinated with adjacent sites, buildings and uses. Review criteria include:

1. Provision of adequate space for pedestrian gatherings and pedestrian circulation. It is desirable to develop a network of covered arcades.
2. Interconnection of the project with existing sidewalks and pathways. Interconnected walkways should be designed with similar and/or complementary details, colors, finishes, and materials.
3. Interconnecting courtyards and passageways that interconnect and align with existing courtyards in adjacent developments.
4. Pedestrian paths that are clearly visible and provide visual links between neighboring buildings and parking areas through the use of:
  - A. Covered arcades and walkways.

- B. Courtyards.
- C. Unified landscape design.
- D. Consistent/complementary paving materials.
- E. Minimal interruption of pedestrian paths by vehicular circulation and parking lots.



b. Courtyards

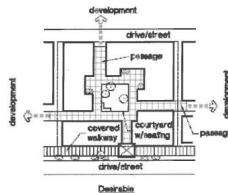
Courtyards and patios shall be included. These spaces should be designed for the comfort and convenience of pedestrians. A courtyard or plaza may serve as the focus of a site or building. All open courtyards or plazas shall incorporate landscaping, shaded areas and seating. The edges of courtyards should contain retail shops, restaurants, offices and pedestrian activity. Blank walls should be minimized. Art should be considered to enliven common spaces.

c. Street Furniture

Seating, drinking fountains, trash receptacles, and information directories should be included in the pedestrian areas.

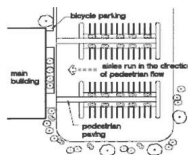
d. Outdoor Dining

Outdoor dining areas are encouraged and should be used in conjunction with courtyards and plazas. Outdoor dining should be oriented away from noise generating activities.



e. Parking Lot Walkways

Safe, attractive pedestrian circulation to and through parking areas shall be provided. Pedestrian circulation should be simple and generally follow landscape islands and lead directly to buildings. When it is necessary for pedestrians to cross vehicular traffic flows, clearly delineated crosswalks shall be provided. The use of differing colors, textures and materials is encouraged to delineate crosswalks. Bicycle parking should be provided in a manner as not to interfere with pedestrian movement. Parking lots that contain four or more parallel rows of parking shall include separated pedestrian walks.



(Ord. 13-191 § 1 (part))

**39.04-07 Parking Lots**

Parking areas shall be designed to reduce the visual dominance of vehicles. Existing, healthy trees and natural vegetation shall be preserved whenever feasible. Parking areas shall:

- a. Be screened by buildings and landscaping.
- b. Be screened from public view or surrounded by landscaped buffers in order to buffer visual intrusion and headlight glare.
- c. Be covered to provide visual screening. Covered parking structures shall be architecturally compatible with the surrounding development. When covered parking is not practical, landscape islands shall be used to provide visual buffering and shade.
- d. Be designed to accommodate queuing within internal driveways and not on through streets.
- e. Provide safe view angles and pedestrian crossings at all intersections of driveways and streets. (Ord. 13-191 § 1 (part))

**39.04-08 Service Areas, Mechanical Equipment, Refuse Enclosures, etc.**

a. Services Areas and Refuse Enclosures

Service areas, loading zones and refuse enclosures shall be located to the rear or side of a building, or to an internal location, screened from view from public streets, courtyards, plazas, pedestrian corridors and neighboring properties. Refuse enclosures shall not be a visual focal point from an entry driveway or principal pedestrian access. Landscape planting to screen views of service areas, loading zones and refuse enclosure is required. Where feasible, service areas and refuse enclosures should be clustered together in order to facilitate service and greater effective screening. The impact of these uses can be mitigated by:

1. Placement away from residential pedestrian oriented areas.
2. Construction of solid masonry walls around the service area or refuse enclosure in a manner to be compatible with the design of the neighboring buildings. Refuse enclosures should have nontransparent gate closures and a side entrance.
3. Use of dense landscaping for screening purposes.

4. Clustered service areas and refuse enclosures.

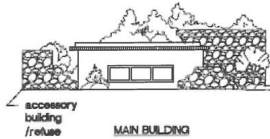
b. Shopping Carts

Shopping carts shall be stored within the building or screened with a wall that has been designed as an integral component of the building's architecture.

c. Mechanical Equipment

Mechanical and electrical equipment, utility cabinets, solar collectors, satellite dishes and communication equipment shall be concealed from view of public streets and neighboring properties.

1. Utility cabinets and pedestals should not be located within parking lot landscape islands or public rights-of-way. Utility cabinets, pedestals and other above ground utility infrastructure should be clustered and screened to the extent allowable by operational requirements. Such equipment shall be painted or integrally colored a tone that is neutral to its setting.
2. Rooftop and ground mounted mechanical equipment and electrical service equipment shall be screened from public view with materials architecturally compatible with the finishes and character of the principal structure. All rooftop and ground mounted mechanical and electrical equipment (including satellite dishes) shall be screened to a height of the tallest equipment and/or integrated with the building design.
3. Vending machines (freestanding or attached) shall not be visible from the street or neighboring properties.
4. The following equipment and uses shall be screened:
  - A. Trash and refuse collection.
  - B. Mechanical equipment such as air conditioners, pumps and motors.
  - C. Propane tanks and other storage tanks.
  - D. Electrical equipment including switching equipment and transformers.
  - E. Valves and vents.
  - F. Rooftop skylights (to prevent unwanted light effects at night).
5. Surface/ground mounted equipment such as air conditioners, tanks and dumpsters shall be screened by appropriate walls and fences and softened visually with vine and shrub plantings.



(Ord. 13-191 § 1 (part))

**39.04-09 Fences and Walls and Other Screening Devices**

a. Acceptable Materials

Fences and walls that can be viewed by the general public shall be architecturally compatible with the principal buildings in color, design and materials. The following materials are encouraged for use where visible to the public:

1. Native stone.
2. Landscaped earth berms.
3. Vine covered trellises.
4. Textured block or stucco walls compatible with adjacent buildings (painted CMU block walls are acceptable but not encouraged).
5. Walls and fences greater than forty feet in unbroken length should be designed to increase shadow patterns, provide interesting visual effects and reduce bulk/mass through design elements, like wall undulation.

b. Unacceptable materials are:

1. Chain link or open wire fencing (except in landscape screened service and security areas); redwood slat inserts, with suitable staining and landscape screening, are acceptable where appropriate.
2. Razor wire.
3. Corrugated metal.
4. Plastic.
5. Nontextured or unfinished concrete or block (CMU) walls for walls that can be viewed by the general public. (Ord. 13-191 § 1 (part))

**39.04-10 Drive-Through Facilities**

Drive-through facilities for banks, restaurants and drugstores shall be architecturally integrated into the development and minimize conflicts to surrounding vehicular and pedestrian patterns. Drive-through windows, menu boards, sound equipment, stacking lanes and headlight glare shall be located to minimize impacts on adjacent uses and shall be screened from public view. Architectural covering of these areas is encouraged, but must be designed as an integral part of the overall building design. Menu board call-box volumes must be controlled and monitored to not have sound project beyond the property line. (Ord. 13-191 § 1 (part))

**ZONING ORDINANCES LIST****Ordinance  
Number**

95-30	Amends § 4.05(b), amendments ( <a href="#">4.05</a> )
95-32	Amends zoning map to establish underlying zoning district classifications (Special)
96-33	Amends § 3.01(b), planning and zoning commission ( <a href="#">3.01</a> )
96-37	Amends §§ 3.01(c)(1), (c)(2), (d)(1) and 3.04(c)(2)(b)(2)], planning and zoning commission ( <a href="#">3.01</a> )
97-39	Rezone (Special)
97-41	Rezone (Special)
97-42	Adds § 31.17; amends §§ 2.04, 3.02(h), 9.05(h) and 28; repeals and replaces § 29.01(u), group homes for the handicapped ( <a href="#">2.04</a> , <a href="#">3.02</a> , <a href="#">9.05</a> , <a href="#">28</a> , <a href="#">31.17</a> )
97-44	Adds § 36; amends §§ 2, 28 and 31.02(d)(1), wireless communications facilities ( <a href="#">2.04</a> , <a href="#">28</a> , <a href="#">31.02</a> , <a href="#">36.01</a> , <a href="#">36.02</a> , <a href="#">36.03</a> , <a href="#">36.04</a> , <a href="#">36.05</a> , <a href="#">36.06</a> , <a href="#">36.07</a> , <a href="#">36.08</a> , <a href="#">36.09</a> , <a href="#">36.10</a> , <a href="#">36.11</a> )
99-49	Amends § 36.04(c), wireless communications facilities ( <a href="#">36.04</a> )
99-53	Amends § 3.01(d)(3), planning and zoning commission ( <a href="#">3.01</a> )
99-54	Rezone (Special)
99-55	Amends § 35.32, temporary signs (Repealed by 14-197)
00-61	Adds § 31.18; amends § 2.04, yard sales ( <a href="#">2.04</a> , <a href="#">31.18</a> )
01-67	Amends Ord. 91-07, Village at Litchfield Park planned development (Not codified)
01-71	Adds § 20.05; amends §§ 20.01 and 28, resort district and zoning matrix ( <a href="#">20.01</a> , <a href="#">28</a> )
01-72	Amends zoning map (Special)
01-73	Amends zoning map (Special)
01-74	Adds § 27.07; amends § 27.01, public facilities district ( <a href="#">27.01</a> , <a href="#">27.07</a> )
02-77	Amends zoning map (Special)
02-78	Amends zoning map (Special)
02-79	Repeals § 5.02, fees (Repealer)
03-84	Amends zoning map (Special)
03-85	Adds § 4.05; rennumbers §§ 4.05, 4.06, 4.07 and 4.08 to be § 4.06, 4.07, 4.08 and 4.09, amendments ( <a href="#">4.05</a> , <a href="#">4.06</a> , <a href="#">4.07</a> , <a href="#">4.08</a> , <a href="#">4.09</a> )
03-87	Amends Ord. 01-67, Village at Litchfield Park planned development (Not codified)
04-88	Amends Ord. 01-67, Village at Litchfield Park planned development (Not codified)
04-90	Adds specific penalty and §§ 35.31 and 35.32; amends § 35.20; rennumbers §§ 35.31 and 35.32 to be §§ 35.33 and 35.34, signs (Repealed by 14-197)
04-91	Adds §§ 3.05, 3.06, 4.09 [4.10], 9.07, 25.04, 31.19, 31.20, 34.03, 37, 38; amends §§ 1.02, 2.04, 3.01, 3.03, 3.04, 4.02, 4.05 [4.06], 4.06 [4.07], 4.08 [4.09], 9.01, 9.03, 10.03, 11.03, 12.03, 13.03, 14.03, 15.03, 16.03, 17.03, 18.03, 19.03, 20.03, 21.03, 21.06, 22.03, 22.06, 23.03, 23.06, 24.03, 26.01—26.03, 27.03, 29.01—29.02, 30.01—30.03, 32.02, 35.06, 35.20, various corrections; renames chapter title of § 29; repeals § 29.03 ( <a href="#">1.02</a> , <a href="#">2.04</a> , <a href="#">3.01</a> , <a href="#">3.03</a> , <a href="#">3.04</a> , <a href="#">3.05</a> , <a href="#">3.06</a> , <a href="#">4.02</a> , <a href="#">4.05</a> , <a href="#">4.06</a> , <a href="#">4.08</a> , <a href="#">4.09</a> , <a href="#">9.01</a> , <a href="#">9.03</a> , <a href="#">9.07</a> , <a href="#">10.03</a> , <a href="#">11.03</a> , <a href="#">12.03</a> , <a href="#">13.03</a> , <a href="#">14.03</a> , <a href="#">15.03</a> , <a href="#">16.03</a> , <a href="#">17.03</a> , <a href="#">18.03</a> , <a href="#">19.03</a> , <a href="#">20.03</a> , <a href="#">21.03</a> , <a href="#">21.06</a> , <a href="#">22.03</a> , <a href="#">22.06</a> , <a href="#">23.03</a> , <a href="#">23.06</a> , <a href="#">24.03</a> , <a href="#">25.04</a> , <a href="#">26.01</a> , <a href="#">26.02</a> , <a href="#">26.03</a> , <a href="#">27.03</a> , <a href="#">29.02</a> , <a href="#">30.01</a> , <a href="#">30.02</a> , <a href="#">30.03</a> , <a href="#">31.19</a> , <a href="#">31.20</a> , <a href="#">32.02</a> , <a href="#">34.03</a> , <a href="#">37.01</a> , <a href="#">37.02</a> , <a href="#">37.03</a> , <a href="#">37.04</a> , <a href="#">38.01</a> )
04-99	Amends Ord. 01-67, Village at Litchfield Park planned development (Not codified)
05-100	Amends §§ 3.01, 4.04 and 4.05, planning and zoning commission, amendments ( <a href="#">3.01</a> , <a href="#">4.04</a> , <a href="#">4.05</a> )
05-105	Amends § 31.04(a), screening of non-principal uses ( <a href="#">31.04</a> )
06-111	Adds specific penalty and §§ 16.06, 17.06 and 18.06; amends §§ 2.04, 20.01 and 28; rennumbers §§ 16.06, 17.06 and 18.06 to be §§ 16.07, 17.07 and 18.07; repeals § 20.05, condominiums ( <a href="#">2.04</a> , <a href="#">16.06</a> , <a href="#">16.07</a> , <a href="#">16.08</a> , <a href="#">17.06</a> , <a href="#">17.07</a> , <a href="#">17.08</a> , <a href="#">18.06</a> , <a href="#">18.07</a> , <a href="#">18.08</a> , <a href="#">20.01</a> , <a href="#">28</a> )
06-112	Amends Ord. 91-07, Village at Litchfield Park planned development (Not codified)
06-113	Repeals and replaces § 8, violations, enforcement and penalties ( <a href="#">8.01</a> , <a href="#">8.03</a> , <a href="#">8.04</a> , <a href="#">8.05</a> , <a href="#">8.06</a> , <a href="#">8.07</a> , <a href="#">8.08</a> , <a href="#">8.09</a> , <a href="#">8.10</a> )
06-116	Amends Ord. 91-07, Village at Litchfield Park planned development (Not codified)
06-117	Toll Brothers land exchange (Special)
07-128	Amends §§ 2.04 and 30.02, walls and fences ( <a href="#">2.04</a> , <a href="#">30.02</a> )
07-130	Amends § 3.04(c), design review board ( <a href="#">3.04</a> )
07-132	Amends §§ 2.04, 29.01 and 31.04, parking, storing and screening of vehicles ( <a href="#">2.04</a> , <a href="#">31.04</a> )
07-133	Amends §§ 3.03 and 3.04, minor design review applications ( <a href="#">3.03</a> , <a href="#">3.04</a> )
07-134	Adds definition to Section 2; adds § 3.07; amends §§ 4.03, 4.04, 9.03, 26.02, 33.03 and 34.01, land use law ( <a href="#">2.04</a> , <a href="#">3.07</a> , <a href="#">4.03</a> , <a href="#">4.04</a> , <a href="#">9.03</a> , <a href="#">26.02</a> , <a href="#">33.03</a> , <a href="#">34.01</a> )
08-135	Approves King Ranch planned area development; rezones property (Special)
08-139	Amends Ord. 99-54, zoning map and parcel restrictions (Special)
08-145	Amends Ord. 01-67, Village at Litchfield Park planned development (Not codified)
09-146	Adds § 30.02(d) and (e), landscaping and fences ( <a href="#">30.02</a> )
09-147	Repeals and replaces § 29, parking and loading regulations ( <a href="#">29</a> )
09-150	Rezone (Special)



10-156	Adds § 30.05, landscaping design standards and requirements ( <a href="#">30.05</a> )
11-160	Adds § 8.02; rennumbers §§ 8.02 as 8.03, 8.03 as 8.04, 8.05 as 8.06, 8.07 as 8.08, 8.08 as 8.09 and 8.09 as 8.10, violations, enforcement and penalties ( <a href="#">8.02</a> , <a href="#">8.03</a> , <a href="#">8.04</a> , <a href="#">8.05</a> , <a href="#">8.06</a> , <a href="#">8.07</a> , <a href="#">8.08</a> , <a href="#">8.09</a> , <a href="#">8.10</a> )
11-162	Adds § 32.04(g); rennumbers § 32.04(g) as 32.04(h), nonconforming uses ( <a href="#">32.04</a> )
11-163	Amends §§ 2.04 and 31.03, accessory structures ( <a href="#">2.04</a> , <a href="#">31.03</a> )
11-165	Adds § 31.21; amends §§ 2.04 and 28, medical marijuana dispensaries (Repealed by 11-166)
11-166	Adds § 31.21; amends §§ 2.04 and 28, medical marijuana dispensaries ( <a href="#">2.04</a> , <a href="#">28</a> , <a href="#">31.21</a> )
11-167	Adds § 31.21 [31.22]; amends §§ 2.04, 3.04(d)(8), solar energy collector panels ( <a href="#">2.04</a> , <a href="#">3.04</a> , <a href="#">31.22</a> )
11-168	Amends §§ 2.04, 28, 33.01, 33.03 and 33.04; rennumbers §§ 33.03 to 33.02, 33.04 to 33.03 and 33.05 to 33.04; repeals § 33.02, zoning ( <a href="#">2.04</a> , <a href="#">28</a> , <a href="#">33.01</a> , <a href="#">33.02</a> , <a href="#">33.03</a> , <a href="#">33.04</a> )
12-176	Amends Ord. 08-135, King Ranch planned area development (Special)
12-177	Amends Ord. 01-67, Village at Litchfield Park planned development (Special)
12-178	Adds §§ 21.06(d), 22.06(d), 23.06(d) and 24.06(c), master development plans ( <a href="#">21.06</a> , <a href="#">22.06</a> , <a href="#">23.06</a> , <a href="#">24.06</a> )
12-179	School district land exchange (Special)
13-183	Amends §§ 21.01 and 28, zoning ( <a href="#">21.01</a> , <a href="#">28</a> )
13-188	Adds § 31.03(d)(9); amends §§ 31.03(b)(2) and (f), accessory structures ( <a href="#">31.03</a> )
13-191	Adds § 39; amends § 3.04, design review guidelines ( <a href="#">3.04</a> , <a href="#">39.01</a> , <a href="#">39.02</a> , <a href="#">39.03</a> , <a href="#">39.04</a> )
14-197	Amends § 2.04; repeals and replaces § 35, signs ( <a href="#">2.04</a> , <a href="#">35.01</a> , <a href="#">35.02</a> , <a href="#">35.03</a> , <a href="#">35.04</a> , <a href="#">35.05</a> , <a href="#">35.06</a> , <a href="#">35.07</a> , <a href="#">35.08</a> , <a href="#">35.09</a> , <a href="#">35.10</a> , <a href="#">35.11</a> )
14-198	Amends §§ 3.01(c)(1) and (2) and 3.02(b), administration ( <a href="#">3.01</a> , <a href="#">3.02</a> )
15-201	Amends Ord. 91-07, zoning map (Special)
15-202	Amends Ord. 02-78, zoning map (Special)
15-203	Adds § 27A; amends §§ 2.04 and 28, agritourism ( <a href="#">2.04</a> , <a href="#">27A.01</a> , <a href="#">27A.02</a> , <a href="#">27A.03</a> , <a href="#">27A.04</a> , <a href="#">27A.05</a> , <a href="#">27A.06</a> , <a href="#">28</a> )
16-207	Amends § 31.18, yard sales ( <a href="#">31.18</a> )
16-211	Amends §§ 2.04, 27.01 and 28, farmers markets ( <a href="#">2.04</a> , <a href="#">27.01</a> , <a href="#">28</a> )
16-214	Adds § 27B; amends § 28, commercial-flex district ( <a href="#">27B</a> , <a href="#">28</a> )
16-215	Amends Ord. 01-73, zoning map (Special)