

ORDINANCE 26-03

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ADOPTING THE DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "2026 AMENDMENTS TO TITLE 18: ZONING" BY REFERENCE TO AMEND CHAPTERS 18.135 AND 18.155 OF THE MARICOPA CITY CODE AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF.

WHEREAS, the City previously adopted Ordinances which established zoning rules and regulations to implement the city's general plan and to protect and promote the public health, safety, peace, comfort, convenience, prosperity, and general welfare; and

WHEREAS, after review, City staff determined that the Maricopa City Code needed to be updated; and

WHEREAS, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that amending of the City Code to update the City Zoning Code would be in the best interest of the City of Maricopa; and

WHEREAS, A.R.S. §9-802 allows a City to adopt a public record by Ordinance as a means to reduce publication costs while ensuring that the public gets fair notice and opportunity to review its operative provisions.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AS FOLLOWS:

SECTION 1. That certain document filed with the City Clerk and entitled "2026 Amendments to Title 18: Zoning" amending Chapters 18.135 and 18.155 of the Maricopa City Code as set forth in Exhibit A, attached hereto and incorporated herein by reference, is hereby declared a public record. One paper copy and one electronic copy of Exhibit A shall be maintained in compliance with A.R.S. § 44-7041 and available for public inspection during normal business hours in the Office of the City Clerk and shall be available on the City's website at: www.maricopa-az.gov.

SECTION 2. Chapter 18.135: Commissions, Committees, Boards and Officers, and Chapter 18.155: Development Review Permit of the Maricopa City Code are hereby amended as set forth in Exhibit A, and that the amendments depicted therein are hereby approved and adopted.

SECTION 3. To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 5. This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.


PASSED AND ADOPTED by the Mayor and Council of the City of Maricopa, Arizona, this 3rd day of Marc, 2026.

APPROVED:



Nancy Smith
Mayor


ATTEST:



Vanessa Bueras, MMC
City Clerk



APPROVED AS TO FORM:



Denis Fitzgibbons
City Attorney

Pursuant to A.R.S. 9-802(A), EXHIBIT A is on file at:

**Office of the City Clerk, City of Maricopa and
www.maricopa-az.gov.**

Exhibit A

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18.135.070 Zoning administrator.

A. *Creation and Purpose.* The zoning administrator is appointed by the development services director. The zoning administrator is created to interpret the meaning and intent of the general plan and this code and enforce the provisions contained therein.

B. *Duties and Powers.*

1. The zoning administrator shall have the duty to carry out the provisions and intent of the general plan and this code. The zoning administrator shall have the power to review and approve, deny, or approve with conditions the following:

- a. Zoning permits;
- b. Minor and Major development review permits;
- c. Temporary use permits;
- d. Waivers;
- e. Minor modifications to waivers and temporary use permits;
- f. Modification to zoning permits, temporary use permits and minor development review permits;

2. The zoning administrator shall interpret the code as needed. Interpretation of this code includes, but is not limited to, clarification of intention, determination of zoning classifications of land uses not specified in this code, and the delegation of processing procedures and requirements. The zoning administrator shall keep a record of interpretations made pursuant to this section. The record of interpretations shall be available to the public;

3. The zoning administrator shall serve on the technical advisory committee and advise on matters relating to development and subdivision plat applications;

4. The zoning administrator may carry out any functions and duties specified in this code; and

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5. The zoning administrator shall delegate administrative functions as deemed necessary to execute the intent of this code to members of the development services department staff.

C. *Appeals.* Any person aggrieved by a decision of the zoning administrator under this code may file an appeal to the hearing officer in accordance with MCC 18.140.140, Appeals. Decisions shall be heard de novo by the hearing officer as applicable.

18.155.040 Minor development review permit.

A. *Applicability.* A minor development review permit is required for all new and modified buildings or structures, or for expansions to a building or structure that result in an increase less than 5,000 gross square feet or 20 percent of the existing building area, alter more than 10 percent of the surface area of the exterior portion of any facade, or as otherwise required in this code. A minor development review permit is not required for individual single-unit dwellings or second dwelling units on separately owned lots.

B. *Determination.* The zoning administrator shall conduct review of all minor development permits and shall approve, conditionally approve, or deny applications based on required findings and criteria in this chapter. An approved minor development review permit may include attachments of other written or graphic information, including but not limited to statements, numeric data, site plans, floor plans, elevations, sections, material samples, as a record of the proposal's conformity with the applicable regulations of this code.

C. *Conditions.* A minor development review permit may have conditions of approval imposed, consistent with MCC [18.155.080](#).

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18.155.050 Major development review permit.

A. *Applicability.* A major development review permit is required for all new and modified buildings or structures, or for alterations to a building or structure that result in over 5,000 additional gross square feet, facade alterations that encompass more than 10 percent of the surface area, or as otherwise required in this code.

B. *Public Notification.* The issuance of a major development review permit may require that the existing development site be brought into substantial conformance with the terms and standards of this code. Notice of the proposed development review permit shall be posted on the subject property for a period of 15 days. Notice shall also be mailed to property owners within 600 feet of the property boundaries proposed for the use, in accordance with MCC 18.140.050(F)(1). Additional notification may be required at the zoning administrator's discretion.

Determination. The zoning administrator shall conduct review of all major development review permits and shall approve, conditionally approve, or deny applications based on required findings and criteria in this chapter. An approved major development review permit may include attachments of other written or graphic information, including but not limited to statements, numeric data, site plans, floor plans, elevations, sections, material samples, as a record of the proposal's conformity with the applicable regulations of this code.

C. *Conditions.* A major development review permit may have conditions of approval imposed, consistent with MCC 18.155.080.
