

The following are interpretations of the Maricopa County Zoning Ordinance (MCZO). All staff interpretations can be further appealed to the Board of Adjustment. Further information can be obtained by filing a public records request or by speaking with the on call planner (602)-506-3301.

Title	Case # / Staff	Board of Adjustment /Staff decision date	Result
Amateur Radio Towers - Antenna Attachments	BA94-61	7/27/1994	The antenna masts, booms, and other attachments or appurtenances to an amateur radio tower are an integral part of the supporting tower structure and is, therefore, subject to the 100 foot height limit.
Cottage Industries	BA96-62	10/9/1996	Cottage industries cannot exceed the size of the primary dwelling unit. The calculation is determined by combining the floor areas of the cottage industry and the primary dwelling unit only.
Sign Definition	BA97-04	4/16/1997	Architectural fiber optic (neon) lighting mounted on walls and canopies when used as architectural detail which does not form any words or pictures, or communicate and specific message, is not a sign.
Lot Area	BA97-23	4/16/1997	All private and patent easements are considered as part of the lot area.
Public and private forests and wildlife reservations	BA98-26	5/13/1998	Wildlife reservations have to be on public land or be established to serve the purpose of a public agency, and include the keeping or care of indigenous animals only.
AD-III – public eating/drinking establishment	BA98-114	1/13/1999	The establishment of a public eating and drinking establishment is a prohibited use in the AD-III zone of the Maricopa County Military Airport Zoning Ordinance.

Commercial Feed Lots	BA2000030	5/10/2000	A Commercial feed lot operating under an active agricultural status issued by the Assessor's Office and approved as an agricultural exempt land use by Maricopa County Planning and Development is an exempt use from the MCZO.
Concrete and Asphalt Batch Plants	BA2001052	9/12/2001	Concrete/Asphalt batch plants require a Special Use Permit unless they are on the same parcel as a mining operation wherein they fall within a mining exemption.
Wastewater Treatment	BA2001072	11/14/2001	Waste water treatment serving more than one dwelling unit requires a Special Use Permit.
Private Easements	BA2002110	1/15/2003	Public, private, and patented easements are considered "streets" and setbacks for required yards are taken from the "street line" to the principal building.
Billboard separation distance	BA2003004	3/12/2003	The required separation distance between billboard signs is a use regulation that cannot be varied by the Board of Adjustment.
New/Used automobile dealerships in the IND-2 zoning district	Staff	6/4/2003	New/used automobile dealerships are not permitted in the IND-2 zoning district.
Crematorium as a accessory use to a Mortuary	Staff	1/30/2004	A crematorium is allowed as an accessory use to a mortuary as the primary use in the C-2 and C-3 zoning districts.
Water Treatment	Staff	7/1/2004	Treatment for the purposes of making water potable for human consumption requires a Special Use Permit.
Setbacks from lot lines	BA2005023	3/16/2005	Setbacks shall be taken from street lines and not lot lines in order to prevent possible encroachment into existing public and private easements.

Investigation Fee	Staff	1/11/2006	An investigation fee is applied to all planning cases when there is an open violation on the same property unless waived by a compliance agreement.
Government Functions	Staff	1/11/2006	Government entities are exempt from the County's zoning requirements for facilities that fulfill their government mandate. Examples include not only city, town, county, state or federal government but also local single-purpose governments such as water districts, fire districts, etc.
Keeping of farm animals	BA2006022	3/8/2006	The keeping of farm animals is an allowed accessory use to a single-family residence in the Rural zoning districts.
Private Boarding Stables and Equestrian Facilities	Staff	7/24/2006	A subdivision tract can be identified for common pasture and riding and boarding stables for the use and enjoyment of subdivision residents.
Waste Transfer Stations	Staff	5/4/2007	Waste Transfer Stations are an allowable use in the IND-3 zoning district.
IND-2 uses allowed in IND-3	Staff	6/6/2007	IND-2 uses are allowed in the IND-3 zoning district.
Mini Storage Facilities	Staff	9/6/2007	Mini Storage Facilities can be approved via a Special Use Permit or as a Plan of Development in Industrial zoning districts.
Brick Making	Staff	9/6/2007	Brick making can be approved via a Special Use Permit or as a Plan of Development in Industrial zoning districts.
Travel Trailers	Staff	2/13/2008	Travel Trailers are only allowed in approved parks or with a Temporary Use Permit.
Scrap Metal Recycling	Staff	6/27/2008	Scrap metal recycling is a permitted use in the IND-2 zoning district akin to storage and distribution facilities when scrap metal is brought onto the site from various sources, sorted by commodity type, placed in bins/boxes for storage and loaded onto trucks for

			distribution. There may not be any manufacturing, compounding, assembling or treatment of the scrap metal; nor any impact such as noise or vibration that conflicts with the purpose statement of the IND-2 zoning district.
Truck/equipment rental	Staff	7/25/2008	A truck rental facility is a C-2 use; however, it's appropriate to allow truck rentals as an ancillary use to a self-storage Special Use Permit.
New Billboard on developed C-2 commercial site	Staff	10/23/2009	The ordinance allows for expansion of an existing commercial development but an off site advertising sign is considered a new use and, therefore, triggers the requirement for a Plan of Development.
Donation centers	Staff	11/3/2009	A "Donation Center" is a service with similar characteristics to other uses customarily located within the C-2 and C-3 zoning districts; and those districts would be appropriate zoning for location of a facility for the general public to drop off donated items.
Pawn shops	Staff	11/9/2009	Pawn shops are an allowable use in the C-2 zoning district under "retail stores".
Tattoo Parlors	Staff	11/9/2009	Tattoo Parlors are an allowable use akin to a barber and beauty shop in the C-1, C-2, and C-3 zoning districts.
Recycling Center	Staff	12/1/2009	Recycling Centers are allowable uses in the IND-3 zoning district.
Mobile Food Trailers	Staff	12/11/2009	They are not allowed as a primary use anywhere in unincorporated county. They may be accessory to an established uses in commercial zones, SUP for large crowds, or even for community park facilities within residential zoning - but only if they do not conflict with approved site plans.
Urgent Care with Ambulance Service	Staff	12/15/2009	Urgent Care with Ambulance Service is not considered a by-right commercial use and would require a Special Use Permit.
Yard Sales	Staff	12/22/2009	MCZO allows six yard sales per year and a single sale event can be up to three days long during daylight hours only.

Bar not incidental to a brewery	Staff	5/19/2011	A bar is not an accessory use customarily incidental to a brewery in the IND-2 zoning district. A bar is not permitted as a principal use in the IND-2 zoning district. A bar is permitted as a principal use in the C-2 & C-3 zoning districts and a micro-brewery component may be incidental to a bar in the C-2 & C-3 zoning districts. However, a brewery permitted as a primary use in the IND-2 zoning district may have an accessory tasting area interior to the building with the understanding that: 1) the tasting area occupies less than half the space within the building than does the actual brewery area and related areas permitted as the primary use, 2) only beer brewed on site will be sold and/or consumed on site and no other products or services not associated with the brewery product will be sold on site, and 3) the tasting area will only be open during business hours when the brewery is operating and manned by personnel (not solely automated or mechanical brewery operations).
Golf carts may be stored at a SFR in other than a paved parking space	Staff	12/20/11	MCZO requires minimum ABC parking surface for single-family. We allow pavers. The driveway to the parking spaces must also be properly surfaced. Golf carts may be stored in a location other than a paved parking space, such as sheds in the rear yard. A paved driveway to golf cart storage areas does not require paving. This interpretation does not relieve the residence of requirement for two off-street (standard automobile) parking spaces and/or driveway properly surfaced with ABC or pavement per MCZO, Art. 102.9.10.