AGENDA

Planning & Zoning Commission

Community Chambers, 20727 E. Civic Parkway

January 14, 2026 | 6:00 PM

Notice of Regular Meeting of the Planning and Zoning Commission:
Notice is hereby given that the Planning and Zoning Commission will hold a regular meeting at the date and time specified above. The presiding officer may modify the order of Agenda Items and/or address items in a sequence deemed appropriate. Commissioners and staff may participate in the meeting in person, telephonically, or electronically. Physical access to the meeting space will be available 30-minutes prior to the start of the meeting.

Please note the Commissioners and staff generally gather for dinner 30-minutes prior to the start of the meeting, thus four or more members of the Planning and Zoning Commission may be present; however, there is no official action taken or discussion of matters before the Commission during this time.

Public Comment:
Residents may submit public comments for any item listed under the consent agenda, public hearing, and final action. Members of the public may submit comments to the Planning and Zoning Commission for items not on the Agenda during Public Comment. All comments for this meeting can be submitted in-person or via email to PublicComment@QueenCreekAZ.gov. Emails received by 5:30 PM the day of the meeting will be entered into the official record. Comments are limited to one per person, per Agenda Item. Please include your name, address, agenda item and comment of 500 words or less. Comments without identifying name and address will not become part of the official record.

Members of the public may address the Planning and Zoning Commission on items not on the printed agenda. Please observe a time limit of three minutes. Pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date.

Accessibility:
The Town of Queen Creek is committed to making its public meetings accessible to individuals with disabilities. For special accommodations, please contact the Town Clerk's Office at 480-358-3000 or the Arizona Relay Service at 7-1-1 at least 72-hours prior to the meeting. Planning and Zoning meetings are live-streamed and can be viewed at https://www.queencreekaz.gov/government/watch-town-meetings by selecting "video" next to the applicable meeting, or by visiting the Town's Ustream account at https://video.ibm.com/channel/town-of-queen-creek-planning-and-zoning.

REGULAR SESSION

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**

4. PUBLIC COMMENT

5. CONSENT AGENDA *Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote.*

A. Consideration and possible approval of the December 10, 2025 Planning and Zoning Commission meeting minutes.

B. A CONTINUANCE ON THIS ITEM HAS BEEN REQUESTED TO THE FEBRUARY 11TH, 2026 PLANNING AND ZONING COMMISSION MEETING. Public hearing and possible action of P25-0153 Zoning Ordinance Text Amendment - Animal Regulations. A text amendment to animal unit counts, stable and corral standards, public nuisance definition, and educational allowances.

C. A CONTINUANCE ON THIS ITEM HAS BEEN REQUESTED TO THE FEBRUARY 11TH, 2026 PLANNING AND ZONING COMMISSION MEETING. Public hearing and possible action on P25-0155 Zoning Ordinance Text Amendment to Zoning Ordinance Code Chapters 1 (General Provisions) and 7 (Sign Regulations) defining murals and identifying murals as an exception to the Town's sign regulations.

6. PUBLIC HEARING

A. Public hearing and possible action on P25-0152 Zoning Ordinance Text Amendment - Outdoor Storage. A text amendment to prohibit and provide definition of outdoor storage of heavy commercial and industrial vehicles and equipment in a residential zoned area.

7. SUMMARY OF EVENTS FROM THE COMMISSION AND STAFF *The Commission may not deliberate or take action on any matter in the "Summary" unless the specific matter is properly noticed on the Regular Session Agenda.*

8. ADJOURNMENT OF THE REGULAR SESSION

5.A

TOWN OF QUEEN CREEK ARIZONA

TO:	**PLANNING & ZONING COMMISSION**
THROUGH:	**BRETT BURNINGHAM, DEVELOPMENT SERVICES DIRECTOR**
FROM:	**VICTORIA ROEDIG, DEPUTY TOWN CLERK**
RE:	**CONSIDERATION AND POSSIBLE APPROVAL OF THE DECEMBER 10, 2025 PLANNING AND ZONING COMMISSION MEETING MINUTES.**
DATE:	**January 14, 2026**

Suggested Action:

To approve the draft minutes as presented.

Alternatives:

The Commission can request revisions to be made to the draft minutes and approve with revisions or continue to a future meeting.

Attachment(s):

1. Planning & Zoning Commission 12-10-2025 Minutes.docx

Minutes
Planning & Zoning Commission
Community Chambers, 20727 E. Civic Parkway
Wednesday, December 10, 2025
6:00 PM

REGULAR SESSION

1) CALL TO ORDER

The meeting was called to order by Chair Gillette at 6:06 p.m.

2) ROLL CALL

PRESENT:
David Gillette
Aaron Ballard
Ashley Baldwin
Amber Bordes
Spencer Hale
Alex Matheson
Troy Young

3) PLEDGE OF ALLEGIANCE

The Pledge of Allegiance by Chair Gillette.

4) PUBLIC COMMENT

There were no public comments.

5) CONSENT AGENDA

5.A) Consideration and possible approval of the November 12, 2025, Planning and Zoning Commission meeting minutes.

Department: Town Clerk's Office

Staff Report

Planning & Zoning Commission 11-12-2025 Minutes.docx

5.B) Consideration and possible approval of the 2026 Planning and Zoning Commission meeting dates.

Department: Development Services

Staff Report

5.C) A CONTINUANCE ON THIS ITEM HAS BEEN REQUEST TO THE JANUARY 14, 2026 PLANNING COMMISSION MEETING. Public Hearing and possible action on P25-0155 Zoning Ordinance Text Amendment to Section 1.14 Definitions.

Department: Development Services

Staff Report

Proposed Text Amendment Language - Murals

5.D) A CONTINUANCE ON THIS ITEM HAS BEEN REQUESTED TO THE JANUARY 14TH, 2026 PLANNING AND ZONING COMMISION MEETING. Public hearing and possible action of P25-0153 Zoning Ordinance Text Amendment - Animal Regulations. A text amendment to animal unit counts, stable and corral standards, public nuisance definition, and educational allowances.

Department: Development Services

Staff Report

5.E) A CONTINUANCE OF THIS ITEM HAS BEEN REQUESTED TO A YET TO BE DETERMINED FUTURE PLANNING COMMISSION MEETING. Public Hearing and possible action on P25-0156 Zoning Ordinance Text Amendment to Section 5.6 Parking and Loading Standards.

Department: Development Services

Staff Report

MOTION:	**To approve the Consent Agenda.**
RESULT:	**Approved unanimously (7-0)**
MOVER:	Alex Matheson
SECONDER:	Aaron Ballard
AYES:	David Gillette, Aaron Ballard, Troy Young, Alex Matheson, Amber Bordes, Spencer Hale, Ashley Baldwin

6) PUBLIC HEARING

6.A) Public Hearing and possible action on P25-0154 Zoning Ordinance Text Amendment to Section 6.9 Wireless Communications.

Department: Development Services

Staff Report

Proposed Text Amendment Language - Wireless Communications Facilities

Les Johnson, Principal Planner, introduced the item and spoke about the insufficient wireless coverage and capacity in the Town. The 2025-2030 Corporate Strategic Plan has a focus to work with technology providers to provide services Town-wide. The main objective of the text amendment is to streamline the entitlement application review process which would allow the Planning and Zoning Commission to approve a conditional use permit. This amendment would also allow administrative review of small cell antennas and stealth infrastructure and a consolidation of monopole and tower requirements.

Chair Gillette opened the public hearing. There were no public comments. Chair Gillette closed the public hearing.

MOTION:	**To approve P25-0154 Zoning Ordinance Text Amendment to Section 6.9 Wireless Communications.**
RESULT:	**Approved unanimously (7-0)**
MOVER:	Spencer Hale
SECONDER:	Amber Bordes
AYES:	David Gillette, Aaron Ballard, Troy Young, Alex Matheson, Amber Bordes, Spencer Hale, Ashley Baldwin

6.B) Public hearing and possible action on P25-0152 Zoning Ordinance Text Amendment - Outdoor Storage. A text amendment to prohibit and provide definition of outdoor storage of heavy commercial and industrial vehicles and equipment in a residential zoned area.

Department: Development Services

Staff Report

Section 6.1 Redlines.pdf

Zachary Werdean, Senior Planner, introduced the item and noted there has been an increase in complaints due to blight and industrial type storage and uses on residential property. Mr. Werdean reviewed the existing language in the ordinance regarding outdoor storage and parking. The main objective of the text amendment is to reduce visual blight and ensure residential properties look like residential properties. This would prohibit non-traditional or non-standard building forms from being used as an accessory structure unless it visually blends with the primary residence. Mr. Werdean showed examples that could be considered. Another amendment would be to further limit outdoor storage from being visible from the boundaries of a residential lot unless it is personal property for outdoor residential use. Mr. Werdean spoke about examples of items for residential outdoor use and other items that would be prohibited that would need to be completely unseen. Mr. Werdean presented examples of permitted and prohibited items and storage.

Commissioner Bordes asked if the property line was just from the front of the property or from all sides of the property.

Mr. Werdean said from all sides because some houses may back up to a street or you can see the yard from the side of the property.

Commissioner Bordes asked if this also applies to homes with horse fencing.

Mr. Werdean said yes.

Commissioner Bordes said she agreed with the spirit of the text amendment, but some residences have antique cars and machinery that are displayed. Commissioner Bordes asked how this would fit with the proposed text amendment.

Mr. Werdean said there are not any issues with cars that are maintained but it is of the cars that are never worked on, driven, or registered that become a problem.

Commissioner Bordes asked about decorative farm equipment.

Mr. Werdean said it depends on the situation and if it is treated like decoration then it would not be a problem and neighbors would probably not call to complain to begin with.

Commissioner Matheson asked what the process would be if a resident was cited and they felt they were in the right? What would the recourse be?

Mr. Werdean said complaints go to the Code Enforcement division. They will respond by looking to see if it is a violation or not. If there is a citation, it will go through the Code Enforcement process to try to gain compliance or it could be

escalated a judge.

Erik Swanson, Planner Manager, said they are focused on compliance, and they will work with residents to reach an agreement. Staff is reactive to complaints, and they do not go out looking for homes to cite. If a citation is issued, the resident typically has about two weeks to comply unless there is an extenuating circumstance which would allow for more time to be given. Staff will work with them as long as progress is made. It can be escalated to a hearing officer who will hear the case from both sides and make a determination. That decision could be appealed by the resident in Superior Court.

Vice Chair Ballard said he appreciated the need for subjectivity when evaluating a complaint. Vice Chair Ballard asked about line of sight, especially for those with two story access who can see directly into the yard but can't be seen from the ground view.

Mr. Werdean said the code enforcement team goes out and judges for themselves based on what they can see. They always look from the ground property line when looking at these issues.

Vice Chair Ballard asked if there was room in the future to get more specific as cases begin to happen. It is very important for people to enjoy their own property, but the Town also does not want blighted properties.

Mr. Werdean said the biggest issue is industrial uses or yards that are like a junk yard in residential areas.

Mr. Swanson said a code inspector cannot take a picture down over a fence. The Code Inspector must see the violation from the public right-of-way.

Commissioner Baldwin said she agreed that properties should be relatively clean, but this could impact neighbors with multiple acres. The property should be clean, but people should also be able to enjoy their property and many of the large sites have horse gates.

Mr. Werdean noted if someone has boats and cars on the property, it is not an issue. It becomes an issue if they are not working and creating blight. But if it is far enough back on those large properties and they cannot see it then it is not an issue.

Commissioner Hale asked if language needed to be added for it to be visible from the ground or if there was another existing provision.

Clifford Mattice, Town Attorney, said typically people have a right of privacy in the backyard and there is a balance of what is visible from the street and what is done in private property. There is some discretion but code enforcement staff do not go onto the property and cannot violate expectations of privacy and it has to

be visible from the public right-of-way. Mr. Mattice said it is a bit challenging for open fencing because there may not be the same expectation of privacy.

Commissioner Hale said adding some language would not hurt because it does not change the intent, but it would add additional protection for the private property owner.

Mr. Swanson said the Commission could continue the item for discussion. The staff would come back to the next meeting with updated language or they could provide the language in a motion.

Commissioner Matheson asked if someone was working on a car in the backyard, not visible from the front, and a neighbor could see it, would that be considered a violation?

Mr. Werdean said yes, there is open space and side streets by many lots so there are ways to see into the property. People could add storage or fencing to keep their items.

Chair Gillette said he has seen a lot of growth, but the Town is historically an equestrian farming community. There was more flexibility to enjoy the land but as they grow there is an expectation for people to maintain their yards. It is hard because this is subjective but staff is committed to making it a case-by-case basis. Chair Gillette said he was in support of adding additional language to add more protection.

Chair Gillette opened the public hearing. There were no public comments. Chair Gillette closed the public hearing.

Commissioner Matheson said he understands the thought behind the text amendment and thinks there is a lot of good to this. Commissioner Matheson is concerned with neighbors getting along, then having a dispute. This could result in complaints or Code Violations. The text amendment is essentially forever until new language is proposed.

Vice Chair Ballard said he was a bit uncomfortable with how nebulous the language was, and they may not always have great code enforcement staff. Vice Chair Ballard said he would support adding language that it is from the ground level. Vice Chair Ballard said he was uncomfortable as to what constitutes a blight because it is a subjective standard.

Chair Gillette said he had a personal expectation to maintain their yard. Chair Gillette spoke about personal property rights and the right for people to enjoy their yard.

Commissioner Baldwin said many people buy land without a HOA, so they are not restricted. Commissioner Baldwin spoke about the various types of lots within the Ellsworth mini farms.

Commissioner Bordes said she agreed with the spirit of the amendment, but it is so subjective and asked how they could use the code to allow more of the decorative items. There are homes that need to be cleaned up but this could also be used to target properties that may not need to be.

Chair Gillette said there is a conflict when it comes to car collections, especially since building a garage can be very expensive.

Mr. Swanson said he appreciated the feedback, and this is what makes the codes better and suggested continuing the item so staff can refine the language further.

Commissioner Young noted many of the Commissioners live on large lots. Commissioner Young said on many of the large acre lot owners run businesses out of their home or lots. Some neighbors do not complain where other neighbors might. Commissioner Young said he agreed with continuing the item.

Vice Chair Ballard said he supported a continuation and asked if there was an appropriate need for additional public input or outreach.

Mr. Swanson said this is a public hearing and it has been advertised so people are welcome to come and speak at the meeting. The code enforcement process focuses on education first, and they are reactive to complaints, they do not go out and seek violations. A lot of the language already exists in the code and this just further clarifies the language to make it clearer.

Commissioner Hale said when you have a neighbor with 12 different cars in different working statuses and with the current neighbors it is not a problem but then in the future someone new moves in and now they do not like it. Commissioner Hale said if there was language that visible from the ground level beyond the boundary, someone could build a wooden fence around the yard and that would bring them into compliance. It would be a more reasonable cost to alleviate concerns from other neighbors or at least put them in compliance with the spirit of the law. Commissioner Hale said he was not opposed to continuing the item but would also support adding language to be visible to the ground level.

Commissioner Matheson said he was hung up with neighbors in neighborhoods without six-foot walls and felt he needed to consider it further and would like additional conversation about this amendment.

Chair Gillette asked if they would vote to continue it at the next meeting if it would still move forward to the next Council meeting.

Mr. Mattice stated that if the Commission decides to continue the item, they will need to include a date in the motion.

Mr. Swanson said it would be continued on the Council agenda until Planning and Zoning Commission makes a decision.

Commissioner Hale asked how much time staff needed to work on the language.

Mr. Swanson said staff would work on the language for the next meeting in January, but if they are not ready, staff will ask for additional continuance.

MOTION:	**To continue Case P25-0152 Zoning Ordinance Text Amendment - Outdoor Storage to the January 14, 2026, meeting.**
RESULT:	**Approved unanimously (7-0)**
MOVER:	Aaron Ballard
SECONDER:	Alex Matheson
AYES:	David Gillette, Aaron Ballard, Troy Young, Alex Matheson, Amber Bordes, Spencer Hale, Ashley Baldwin

7) FINAL ACTION

7.A) Discussion and possible approval of P25-0166 Vineyard Plaza Comprehensive Sign Plan, a request from Arizona Commercial Signs, for ap approval of a Comprehensive Sign Plan at the Mountainside Fitness site on approximately 7.45 acres, located west of the northwest corner of Combs and Gantzel roads.

Department: Development Services

Staff Report

General Plan Exhibit.pdf Aerial Exhibit.pdf

Current Zoning Exhibit.pdf

Vineyard Plaza CSP Final .pdf

Nathan Warren, Planner I, introduced the item and reviewed a map of the site and surrounding usage. The request is to increase the monument height and sign area and noted this was compatible with the signs in Vineyard Towne Center next door. Mr. Warren showed renderings of the site plan and elevations.

Chair Gillette commented on how much Mr. Warren has grown since he started with the Town.

MOTION:	**To approve P25-0166 Vineyard Plaza Comprehensive Sign Plan, subject to the Conditions of Approval outlined in this report.**
RESULT:	**Approved unanimously (7-0)**
MOVER:	Amber Bordes
SECONDER:	Troy Young
AYES:	David Gillette, Aaron Ballard, Troy Young, Alex Matheson, Amber Bordes, Spencer Hale, Ashley Baldwin

7.B) Discussion and possible action on the Annual Organizational Meeting Notification (Nomination and appointment of a Chair and Vice-Chair for a term of one-year beginning January 1, 2026 and ending December 31, 2026) (Erik Swanson, Planning Manager)

Department: Development Services

MOTION:	**To approve David Gillette as Chair and Aaron Ballard as Vice Chair or a term of one-year beginning January 1, 2026, and ending December 31, 2026.**
RESULT:	**Approved unanimously (7-0)**
MOVER:	Troy Young
SECONDER:	Spencer Hale
AYES:	David Gillette, Aaron Ballard, Troy Young, Alex Matheson, Amber Bordes, Spencer Hale, Ashley Baldwin

8) ADMINISTRATIVE ITEMS

8.A) Planning Recent Activity Update (Erik Swanson, Planning Manager)

Department: Development Services

Mr. Swanson said there were 76 single family permits issued and reviewed items recently approved by Council and staff. Mr. Swanson reviewed accomplishments for 2025.

9) SUMMARY OF EVENTS FROM THE COMMISSION AND STAFF

Chair Gillette spoke about his time as Chair and thanked the Commissioners for all of their work.

Commissioner Young thanked staff and the Commission for their work.

10) ADJOURNMENT OF THE REGULAR SESSION

The meeting was adjourned by Chair Gillette at 7:21 p.m.

WORK STUDY SESSION

11) CALL TO ORDER

The meeting was called to order by Chair Gillette at 7:21 p.m.

12) ROLL CALL

PRESENT:
David Gillette
Aaron Ballard
Troy Young
Alex Matheson
Amber Bordes
Spencer Hale
Ashley Baldwin

13) ITEMS FOR DISCUSSION

13.A) Presentation and discussion on the Proposed Zoning Ordinance Text Amendment Update regarding setbacks in the R1-35 and R1-43 zoning districts (Erik Swanson, Planning Manager)

Department: Development Services

Erik Swanson, Planning Manager, introduced the item and spoke about a text amendment to reduce the front and rear setback requirements for R1-35 and R1-43 from 40-feet to 30-feet. This allows for greater flexibility of the house layout and design.

Commissioner Hale asked if this was different than accessory unit setbacks.

Mr. Swanson stated that this would allow for actual additions of livable space not an accessory structure.

14) ADJOURNMENT OF THE WORK STUDY SESSION

The meeting was adjourned by Chair Gillette at 7:25 p.m.

TOWN OF QUEEN CREEK

_____
David Gillette, Chair

ATTEST:

_____
Victoria Roedig, Deputy Town Clerk

I, Victoria Roedig, do hereby certify that to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Planning & Zoning Commission Minutes of December 10, 2025, Planning & Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.

Passed and approved on:_____

TOWN OF QUEEN CREEK ARIZONA

TO: **PLANNING & ZONING COMMISSION**

THROUGH: **BRETT BURNINGHAM, DEVELOPMENT SERVICES DIRECTOR**

FROM: **ERIK SWANSON, PLANNING ADMINISTRATOR, ZACHARY WERDEAN, PLANNER, SR.**

RE: **A CONTINUANCE ON THIS ITEM HAS BEEN REQUESTED TO THE FEBRUARY 11TH, 2026 PLANNING AND ZONING COMMISSION MEETING. PUBLIC HEARING AND POSSIBLE ACTION OF P25-0153 ZONING ORDINANCE TEXT AMENDMENT - ANIMAL REGULATIONS. A TEXT AMENDMENT TO ANIMAL UNIT COUNTS, STABLE AND CORRAL STANDARDS, PUBLIC NUISANCE DEFINITION, AND EDUCATIONAL ALLOWANCES.**

DATE: **January 14, 2026**

Suggested Action:

Motion to approve a continuance of the item P25-0153 Zoning Ordinance Text Amendment - Animal Regulations to the February 4th, 2026 Planning and Zoning Commission meeting.

Introduction / Summary:

This staff-initiated text amendment revises Section 6.2 of Article 6 of the Zoning Ordinance to update and clarify several standards related to agricultural animals. The amendment increases the allowed animal unit count for properties larger than one acre, establishes a minimum corral size requirement for agricultural animals, and clarifies that stables not used for agricultural animals are prohibited unless they fully comply with accessory building requirements. The amendment also updates the criteria for permitting agricultural animals, including swine, for educational purposes by specifying the conditions necessary for approval. In addition, the amendment strengthens the public nuisance provisions by requiring that all waste and related materials be contained, managed, and disposed of entirely on the property from which they originate. This item is being continued to allow staff to continue meeting with stakeholders within the Town of Queen Creek to review the proposed language and ensure the amendment is as effective and workable as possible.

TOWN OF QUEEN CREEK ARIZONA

TO: **PLANNING & ZONING COMMISSION**

THROUGH: **BRETT BURNINGHAM, DEVELOPMENT SERVICES DIRECTOR**

FROM: **ERIK SWANSON, PLANNING ADMINISTRATOR, LES JOHNSON, PRINCIPAL PLANNER**

RE: **A CONTINUANCE ON THIS ITEM HAS BEEN REQUESTED TO THE FEBRUARY 11TH, 2026 PLANNING AND ZONING COMMISSION MEETING. PUBLIC HEARING AND POSSIBLE ACTION ON P25-0155 ZONING ORDINANCE TEXT AMENDMENT TO ZONING ORDINANCE CODE CHAPTERS 1 (GENERAL PROVISIONS) AND 7 (SIGN REGULATIONS) DEFINING MURALS AND IDENTIFYING MURALS AS AN EXCEPTION TO THE TOWN'S SIGN REGULATIONS.**

DATE: **January 14, 2026**

Suggested Action:

Move to approve a continuance of this item to the February 11, 2026 Planning Commission meeting.

Introduction / Summary:

This is a staff initiated text amendment to add a definition for murals to the definitions section of the Zoning Ordinance and to add language to the enforcement section of the Zoning Ordinance.

Discussion:

As development and redevelopment interest increases in the Downtown Core (DC) zoning district, the integration of public art into this environment is becoming a greater part of the discussion regarding pedestrian scale and the public realm. A segment of public art includes murals. The Public Art and Placemaking Committee has recently entertained the idea of establishing a mural program.

In considering the elements of a mural program, Town staff noted that the Zoning Ordinance does not provide a definition for murals. In an effort to differentiate between murals and signs, it was determined that a definition for murals in the Zoning Ordinance is necessary.

The proposed draft definition represents the opportunity for artistic freedom of expression while also ensuring that a mural does not clearly represent a business. This will ensure that a mural can be considered and established without being subject to the Town's sign regulations as represented in Article 7 of the Zoning Ordinance, while maintaining an enforcement element to ensure any murals are consistent with the nature of the DC.

The proposed text amendment includes the addition of a definition of murals to Section 1.14 and identifying that murals are an exception and not subject to Article 7, which is represented in Section

Review of murals proposed in public facing locations will be administered by the Development Services Department - Planning Division. The review process will be a collaborative effort with the Town's Economic Development Department and include the Public Art & Placemaking Committee reviewing the proposed mural and providing a recommendation to staff. The Planning Administrator will make the final determination on said murals, unless the Planning Administrator determines Planning Commission review and determination is necessary. In the event that the Planning Administrator has determined that the mural is not in keeping with the intent and design guidelines of the Town of Queen Creek, the proposed mural may be reviewed by the Planning Commission.

Attachment(s):

1. Proposed Text Amendment Language - Murals

recreated. If a vegetated area is altered, the site must be revegetated to the same or greater density, diversity, and volume of vegetation as existed prior to the alteration. Furthermore, the hydrology of the affected area shall be returned to a level consistent with its pre-development condition. At a minimum, mitigation shall provide for:

- Construction methods that identify and protect riparian habitat that is to be left unaltered;
- Selective clearing or other habitat manipulation;
- Replacement of affected vegetation with appropriate plant species in ratios which will result in simulation of the pre-alteration vegetation within five (5) years;
- Periodic monitoring of mitigation features;
- Maintenance and replacement of damaged plantings or other defective mitigation measures.

MIXED USE DEVELOPMENT MIXED USE PROJECT. A proposed development that includes primary non-residential and primary residential uses on the same development site.

MOBILE FOOD VENDOR. Any person, as defined in this chapter, who:

- Owns, controls, manages, and/or leases a food vending vehicle, ice cream truck, or human powered food vending vehicle; or
- Contracts with a person(s) to drive, operate, prepare foods, and/or vend from a food vending vehicle, ice cream truck, or human powered food vending vehicle.

MOBILE FOOD UNIT. A food establishment designed to be readily movable from which food is composed, compounded, processed, or prepared and from which food is vended, sold, or given away. This definition shall include but not be limited to food establishments in operation from a vehicle, enclosed trailer, cart, or pushcart.

MOBILE HOME. A single-family dwelling, factory built and factory-assembled residence which does not comply with the National Manufactured Homes Construction Safety and Standards Act (42 U.S.C. sec. 5401, 1978 as amended) or the building code of the Town. This definition includes any "mobile home" as defined in A.R.S. §41-2142.

MODEL HOME COMPLEX. The area used by a home builder and approved by the Town as the location of the homes to be used as models for the home builder's development within the subdivision.

MODULAR HOME. A building including a dwelling unit or habitable room thereof which is either wholly or in substantial part manufactured at an offsite location to be assembled on site, and which complies with the building code adopted by the Town.

MOTEL. A building or group of buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building with garage or parking space located on the lot and designed, used, or intended wholly or in part for the accommodation of automobile transients. Motel includes motor courts, motor lodges and tourist courts, but not mobile home parks or travel trailer parks.

MONOPOLE. A wireless support structure that is not more than 40 inches in diameter at the ground level and that has all of the wireless facilities mounted on or inside of the pole. The definition does not include a "Utility Pole" or a "Tower".

MOTOR HOME. As defined in A.R.S. §28-4301.

MOTOR VEHICLE DEALER. As defined in A.R.S. §28-4301.

MOTOR VEHICLE REPAIR SHOP. A shop or place of business used for the repair and maintenance of motor vehicles and other motor vehicle equipment as defined in Title 42, C.R.S.

MULTI FAMILY DWELLING. A structure arranged, designed, and intended to be the residence of more than one (1) family, with each family having independent cooking and bathing facilities.

MUNICIPALITY. An incorporated city or town.

MURAL. A PICTORAL REPRESENTATION DESIGNED OR INTENDED TO REFLECT A THEMATIC OR ARTISTIC EXPRESSION, RATHER THAN ADVERTISING A BUSINESS OR CONCEPT. MURALS ARE TYPICALLY CREATED USING PAINT, TILE, OR ARE DIGITALLY PRODUCED, AND ARE OFTEN INSTALLED ON WALLS OR

STRUCTURES. A MURAL DOES NOT INCLDUE AND WORDS, IMAGES, LOGOS, PROMOTIONAL MESSAGE, OR TRADEMARKS SPECIFIC TO A BUSINESS OR BUSINESSES.

N

NATURAL HAZARD. A geologic, floodplain, or wildfire hazard as identified by a state or federal agency.

NATURAL RESOURCE. Existing natural elements relating to land, water, air, plant, and animal life, including, but not limited to soils, geology, topography, surface and subsurface waters, wetlands, vegetation and animal habitats.

NEIGHBORHOOD PARK. An open area of five (5) to ten (10) acres in size and including lawn area, trees, shrubbery, walks, benches, a focal point (such as a fountain or statue), sandbox, and play apparatus.

NET ACRES. The total number of acres subject to an application for development approval excluding the following:

- Any areas reserved for arterial or collector street right-of-way; and
- Any areas reserved for schools and public sites.

NET AREA OR NET LOT AREA. The area of a lot or parcel, excluding all dedicated streets or alleys and roadway or alley easements.

NET DENSITY OR NET INTENSITY. See "Density, Net".

NET FLOOR AREA. The square footage of the primary use area of a building including restrooms, hallways and stairwells, but not including normally unoccupied areas such as garages, storage rooms, furnace areas, stairways, elevator shafts, elevator lobbies, mechanical areas, security areas or services areas.

NIGHT CLUB. A commercial establishment dispensing alcoholic beverages for consumption on the premises and in which music, dancing or live entertainment is conducted.

NON-CHARTERED FINANCIAL INSTITUTION. (NFI) A business other than a State or Federally chartered bank, credit union, mortgage lender or savings and loan association, that offers check cashing services and loans for payment of a percentage fee, specifically included are check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and payday loan businesses that make loans upon assignment of wages received. Excluded are retail uses in which a minimum of 70 percent of the floor area of the store is devoted to display or sale of merchandise. Non-chartered financial institutions may also be referred to as payday loan and / or check cashing businesses.

NON-CONFORMING USE. A use of land that:

- Legally existed before its current zoning or land use category designation; and
- Has been maintained continuously since the time the applicable regulations governing the land changed; and
- Because of subsequent changes, does not confirm to this Ordinance or General Plan provisions that now govern the land.

NON-PROFIT. Organizations which qualify for exemption from federal income taxes, pursuant to Section 501(c)(3) of the Internal Revenue Code, and for which an application for exemption thereto has been approved by the federal Internal Revenue Service.

NURSERY/GREENHOUSE/ LANDSCAPING MATERIALS. A place where plants are raised, acquired, and maintained for transplanting or sale. It may also include, either exclusively or in conjunction with the above activities, the sale of materials commonly used for landscaping purposes, such as soil, rock, bark, mulch, and other materials determined by the Director to be landscaping materials. Sale or rental of small landscaping tools and supplies may be an accessory use.

NURSERY, PRESCHOOL, DAYCARE. A school and / or care facility which is licensed by the State and is maintained for the whole or part of the day for more than six (6) children.

NURSING HOME. An establishment licensed by the State which maintains and operates continuous day and night facilities providing room and board, personal services, and medical care for compensation for two (2) or more persons not related to the operator of the home.

7.0 Sign Regulations

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7.1 Purpose and Enforcement

A. The purpose of the sign regulations is to establish reasonable regulations to promote economic vitality, a visually attractive environment, and vehicular and pedestrian safety to protect the public health and safety. The purpose is addressed through the following guiding principles:

1. To preserve and protect the public health, safety and general welfare by ensuring properly designed and located signs within the Town of Queen Creek;

2. To promote and aid the public and private sectors in the identification, location, and advertisement of goods and services throughout the Town;

3. To enhance the beauty, unique character, and quality of the Town of Queen Creek that will attract commerce, businesses, residents, and visitors;

4. To promote economic development and the value of commercial properties, be sensitive to surrounding land uses and maintain an attractive community appearance;

5. To encourage development of private property in harmony with the desired character of the town while providing due regard for the public and private interests involved;

6. To promote the effectiveness of signs by encouraging signs that are clear and legible and by preventing over-concentration, improper placement, and excessive size.

B. *Enforcement*. The Planning Administrator is hereby authorized and delegated the authority to commence an action to enforce the provisions of this Ordinance, pursuant to A.R.S. §9-462.05.A, §9-462.05.B, and Section 2.5 of this Ordinance.

C. *Removal.* The Planning Administrator or designee may confiscate or cause to be confiscated any signs in violation of this article. Such signs shall be deemed a nuisance and subject to be impounded as evidence or to be disposed of without prior notice.

D. The Planning Administrator may permit minor deviations to the requirements herein if found that strict application of the standards prohibits the reasonable allowance of signage that is in general conformance with the standards provided herein.

E. *Exceptions*

1. Sign standards in the Downtown Core (DC) district shall be in conformance with the DC Design Guidelines and Chapter 7 of the Design Standards. Alternative standards that meet the intent of the Zoning Ordinance may be considered by the Planning Administrator. Where a conflict arises between the applicability of the Zoning Ordinance and Design Guidelines in the DC district, the Planning Administrator shall make the final determination.

2. MURALS SHALL NOT BE SUBJECT TO CHAPTER 7 – SIGN REGULATIONS.

7.2 General Regulations

A. *Permitted Signs in Each District.*

3. Signs Permitted in Residential Zoning Districts. The following signs are permitted in Residential Zoning Districts, excluding the MDR and HDR Districts

a. *Address Signs.* Address signs shall not exceed two (2) square feet in area. Address signs which are readily visible

TOWN OF QUEEN CREEK ARIZONA

TO: **PLANNING & ZONING COMMISSION**

THROUGH: **BRETT BURNINGHAM, DEVELOPMENT SERVICES DIRECTOR**

FROM: **ERIK SWANSON, PLANNING ADMINISTRATOR, ZACHARY WERDEAN, PLANNER, SR.**

RE: **PUBLIC HEARING AND POSSIBLE ACTION ON P25-0152 ZONING ORDINANCE TEXT AMENDMENT - OUTDOOR STORAGE. A TEXT AMENDMENT TO PROHIBIT AND PROVIDE DEFINITION OF OUTDOOR STORAGE OF HEAVY COMMERCIAL AND INDUSTRIAL VEHICLES AND EQUIPMENT IN A RESIDENTIAL ZONED AREA.**

DATE: **January 14, 2026**

Suggested Action:

Move to recommend approval of case P25-0152 Zoning Ordinance Text Amendment - Outdoor Storage

Introduction / Summary:

This is a staff-initiated text amendment to Section 6.1 of Article 6 of the Zoning Ordinance. This item was continued from the December 10, 2025 Planning and Zoning Commission meeting due to a number of questions raised during the initial hearing. The proposed amendments clarify accessory structure standards by prohibiting non-traditional building forms from being used as accessory buildings unless permanently converted to residential accessory building standards, and they establish clearer definitions and standards for residential outdoor storage to reduce blight-related conditions. Customary outdoor residential items and decorative agricultural displays on rural or agricultural lots remain allowed when maintained in an orderly manner and when not constituting a public nuisance, consistent with Town Code Section 10-3-2.

Discussion:

The Planning Division regularly evaluates various guiding documents within the charge of the division, which includes the General Plan, Zoning Ordinance, and Design Standards. This is done for a variety of reasons but generally there are four main reasons this is accomplished: to identify strategies to increase efficiency, improve the customer experience, to streamline the development process, and respond to current trends and practices that are consistent with Town goals and objectives. This round of proposed amendments is to increase efficiency and respond to current trends and practices that are consistent with the Town goals and objectives.

The Code Enforcement team within the Development Services Department has faced challenges related to outdoor storage due to vague Zoning Ordinance language addressing properties that exhibit signs of blight. Several properties throughout the Town have accumulated multiple shipping containers, inoperative vehicles, assorted “junk,” unused building materials, and other items that negatively impact neighborhood appearance. These conditions can diminish the perceived value of surrounding properties and conflict with the community’s expectations for quality and aesthetics.

In response, the Town Council has provided direction to the Development Services Department to more consistently enforce regulations related to accumulation of items on lots that contribute to visual blight and nuisance conditions, and to pursue amendments to the zoning ordinance to address

these issues. The proposed amendments are intended to better support Code Enforcement by clarifying standards related to outdoor storage and establishing limitations designed to reduce visual blight, while also providing greater clarity to residents. This text amendment further aligns the Zoning Ordinance with the Town Code and clarifies the Town's position on the subject issue.

Strengthening these regulations will help protect the Town's appearance, promote well-maintained neighborhoods, and uphold the high-quality environment valued by Queen Creek residents. The Planning and Code Enforcement divisions collaboratively developed the proposed language provided below. Currently, the zoning ordinance contains a limited number of references to regulating residential storage, please see attached documents detailing existing Zoning Ordinance and Town Code language.

The Town of Queen Creek Zoning Ordinance and Town Code generally prohibit outdoor storage and the long-term parking or storage of large vehicles, recreational vehicles, boats, trailers, equipment, materials, and similar items in residential zoning districts, except where expressly permitted under limited conditions. When allowed, such items must be located behind required setbacks, screened from public view, and comply with minimum separation distances from property lines and residential uses. Vacant lots may not be used for vehicle or equipment storage, and inoperable vehicles are only permitted in conjunction with industrial uses and when fully screened. The Zoning Administrator is authorized to interpret and enforce these provisions and has determined that outdoor storage or placement of commercial, industrial, heavy-duty, or incompatible vehicles, containers, or equipment in residential districts may constitute a public nuisance. The Town Code further defines public nuisances broadly to include unsightly accumulations, outdoor storage of materials, vehicle parts or equipment, construction debris, deteriorated structures, and other conditions that negatively affect public health, safety, welfare, or neighborhood character. Together, these regulations are intended to maintain residential compatibility, prevent visual blight, and provide clear enforcement authority to address prohibited outdoor storage and nuisance conditions on private property.

Additional provisions of the Town Code address rubbish, debris, improper storage, parking on private property, and conditions constituting public nuisances, further reinforcing the Town's authority to address blight and health and safety concerns on private property. While the Town Code provides authority to address nuisance conditions, the Zoning Ordinance lacks clear, residential-specific standards, prompting the proposed amendments below. The proposed amendments include the following:

Section 6.1 Accessory Building and Uses
A. General Standards.
8. NON-TRADITIONAL OR NON-STANDARD BUILDING FORMS, INCLUDING BUT NOT LIMITED TO BOATS, BUSES, TRAILERS, SHIPPING CONTAINERS, AND SIMILAR CONVERTED STRUCTURES, ARE PROHIBITED AS ACCESSORY BUILDINGS. HOWEVER, A STORAGE CONTAINER OR SIMILAR STRUCTURE MAY BE PERMITTED IF IT HAS BEEN PERMANENTLY CONVERTED INTO A RESIDENTIAL ACCESSORY BUILDING, IS INSTALLED ON A PERMANENT FOUNDATION, FINISHED WITH EXTERIOR MATERIALS AND COLORS CONSISTENT WITH THE PRIMARY RESIDENCE, AND VISUALLY BLENDS WITH THE SURROUNDING PROPERTY.

H. STORAGE IN RESIDENTIAL:
1. DEFINITIONS

OUTDOOR STORAGE MEANS AN EXTERIOR SPACE USED FOR THE STOCKPILING OR PLACEMENT OF MATERIALS OR GOODS FOR MORE THAN 48 CONSECUTIVE HOURS, NOT IN CONJUNCTION WITH AN ACTIVE BUILDING PERMIT.

PERSONAL PROPERTY FOR OUTDOOR RESIDENTIAL USE MEANS MOVABLE ITEMS CUSTOMARILY USED OUTDOORS FOR RESIDENTIAL LIVING, RECREATION, OR ENJOYMENT, SUCH AS PATIO FURNITURE, PLAYGROUND EQUIPMENT, UMBRELLAS,

GRILLS, OR SIMILAR ACCESSORIES DESIGNED FOR EXTERIOR USE.

INOPERABLE VEHICLE MEANS MISSING ESSENTIAL OPERATING COMPONENTS, INCLUDING BUT NOT LIMITED TO AN ENGINE, TRANSMISSION, WHEELS, TIRES, OR STEERING MECHANISM. IS DAMAGED OR DISMANTLED TO SUCH AN EXTENT THAT IT CANNOT BE DRIVEN SAFELY OR LAWFULLY. A VEHICLE UNDERGOING ACTIVE REPAIR SHALL NOT BE CONSIDERED INOPERABLE FOR A PERIOD NOT TO EXCEED 48 CONSECUTIVE HOURS, PROVIDED IT IS NOT DISMANTLED BEYOND ROUTINE MAINTENANCE AND DOES NOT CREATE A PUBLIC NUISANCE.

FARM IMPLEMENT MEANS A TOOL, DEVICE, OR PIECE OF EQUIPMENT DESIGNED AND CUSTOMARILY USED FOR AGRICULTURAL OR FARMING OPERATIONS, INCLUDING THE CULTIVATION, PLANTING, HARVESTING, OR MAINTENANCE OF LAND OR LIVESTOCK, AND WHICH IS NOT PRIMARILY INTENDED FOR ON-ROAD TRANSPORTATION.

2. STANDARDS
A. THERE SHALL BE NO OUTDOOR STORAGE, OTHER THAN PERSONAL PROPERTY FOR OUTDOOR RESIDENTIAL USE, UNLESS SUCH STORAGE IS COMPLETELY SCREENED FROM VIEW BEYOND THE BOUNDARIES OF THE LOT. PERSONAL PROPERTY FOR OUTDOOR RESIDENTIAL USE SHALL NOT BE ACCUMULATED, STOCKPILED, OR ARRANGED IN A MANNER THAT RESULTS IN EXCESSIVE CLUTTER OR THE APPEARANCE OF OUTDOOR STORAGE AND SHALL BE MAINTAINED IN A CLEAN AND ORDERLY MANNER.
B. THE FOLLOWING ITEMS, INCLUDING BUT NOT LIMITED TO, ARE PROHIBITED AS OUTDOOR STORAGE WHEN VISIBLE BEYOND THE BOUNDARIES OF THE LOT OR WHEN CONSTITUTING A PUBLIC NUISANCE:
I. ANY BUILDING OR LANDSCAPING MATERIALS;
II. ANY MACHINERY, PARTS, SCRAP, OR APPLIANCES;

III. VEHICLES WHICH ARE INOPERABLE;

IV. ANY OTHER CHATTEL USED FOR OR INTENDED FOR A COMMERCIAL PURPOSE OR ULTIMATE USE OTHER THAN ON THE SUBJECT LOT;
V. SUBJECT TO 10-3-2 PUBLIC NUISANCES DESIGNATED IN TOWN CODE.

C. DECORATIVE ANTIQUE TRACTORS, FARM IMPLEMENTS, OR SIMILAR AGRICULTURAL EQUIPMENT LOCATED ON A RURAL OR AGRICULTURAL LOT SHALL NOT BE CONSIDERED PROHIBITED OUTDOOR STORAGE, PROVIDED SUCH EQUIPMENT IS SUBSTANTIALLY INTACT, MAINTAINED IN A STABLE AND SAFE CONDITION, IS PERMANENTLY PLACED OR DISPLAYED, IS NOT ACTIVELY USED AS FUNCTIONAL EQUIPMENT, AND DOES NOT CONSTITUTE A PUBLIC NUISANCE.

Several revisions were made to this section based on comments provided by the Planning and Zoning Commission during the December 10, 2025 meeting. One key change was the addition of a clear definition for “inoperable vehicle.” Following further analysis and consultation with the Code Enforcement team, language related to vehicle registration status, licensing, and residency or guest status was removed due to the complexity and subjectivity associated with enforcing those provisions.

The revised approach focuses solely on the physical condition of a vehicle when determining whether it is inoperable. This standard provides an objective and observable basis for enforcement, allowing Code Enforcement to address potential blight conditions more consistently and effectively when they arise.

An additional revision includes the addition of subsection 2.C., which allows decorative antique tractors, farm implements, or similar agricultural equipment on rural or agricultural lots and clarifies that such items are not considered prohibited outdoor storage. This provision was added to address concerns that decorative or display-oriented agricultural items could be misconstrued as outdoor storage. This approach reflects the Town of Queen Creek's desire to preserve its agricultural heritage and unique identity by allowing historically and culturally significant decorative elements, while still maintaining standards that prevent visual blight. As Queen Creek continues to grow, this provision helps ensure that the character and essence of the community are not lost.

Lastly, item v was added to subsection 2.B. to provide a clear cross-reference between the Zoning Ordinance and the Town Code. This addition ensures that readers of the Zoning Ordinance are aware of the applicable Town Code provisions, including existing public nuisance standards and related limitations already in effect. This cross-reference promotes consistency between regulatory documents and improves transparency for property owners, applicants, and enforcement staff.

It is important to note that the updated zoning ordinance language is consistent with standards adopted by surrounding jurisdictions. Similar provisions regulating outdoor storage and related blight-prevention measures exist in the City of Phoenix (Section 608), the Town of Gilbert (Section 42-317), and the City of Mesa (Sections 11-86-2, Outdoor Storage, and 11-30-16, Storage Containers). These comparisons demonstrate that the proposed updates align with common regional practices and are not introducing requirements beyond what is typical in nearby communities.

The proposed text amendments are intended to clarify and strengthen residential outdoor storage standards within the Zoning Ordinance while maintaining consistency with existing Town Code provisions related to nuisance, health, and safety enforcement. These updates respond directly to concerns raised by the Planning and Zoning Commission, provide clearer and more objective standards for property owners, and improve the Town's ability to address blight-related conditions in a consistent and enforceable manner. The amendments preserve reasonable allowances for customary outdoor residential items and decorative agricultural elements on rural and agricultural properties, while preventing the accumulation of materials and equipment that negatively impact neighborhood appearance or create nuisance conditions. Importantly, the proposed language does not expand inspection authority or diminish due process protections already established in the Town Code.

The proposed updates align with Town Council direction, support Code Enforcement operations, and are consistent with similar regulations adopted by surrounding jurisdictions. Staff finds that the amendments strike an appropriate balance between property rights, community character, and neighborhood quality, and therefore recommends approval of the proposed text amendments as presented.

Attachment(s):

1. 10-3-2 Public Nuisances Designated.pdf
1. Existing Zoning Ordinance Regulations.pdf
3. Zoning Interpretation.pdf
4. Section 6.1 REDLINES.pdf

10-3-2 Public Nuisances Designated

In combination with Article 10-2, acts, omissions, conditions and things in or upon any land, property, private lot, building, structure or premises, or in or upon any public right-of-way, wash, street, avenue, alley, park, parkway or other public or private place in the town which are injurious to the public health, safety and general welfare, which interfere with the comfortable enjoyment of life or property by any person, or which unlawfully obstruct the free passage or use of any public park, wash, square, alley, sidewalk, street or highway are hereby declared to be public nuisances, including, but not limited to the following:

A. Privies, vaults, cesspools, sumps, pits or like places which are not securely protected from insects or rodents, or which are foul or malodorous, or which are not securely closed and protected or, if necessary, illuminated so as to prevent persons or objects from falling therein. Nothing in this subsection shall be deemed to prohibit uses named herein when such are necessary and incidental to an agricultural use on land defined in this chapter as “property used for agricultural purposes.”

B. Filthy, littered or trash-covered exterior areas, including all buildings and structures thereon and areas adjacent thereto.

C. Animal manure in any quantity which is not securely protected from insects and the elements, or which is kept or handled in violation of any ordinance of the town or Maricopa County. Nothing in this subsection shall be deemed to prohibit uses named herein when such are necessary and incidental to an agricultural use on land defined in this chapter as “property used for agricultural purposes.”

D. Poison oak, poison ivy, or any noxious or toxic weeds or uncultivated plants (whether growing or otherwise), weeds, grass, uncultivated shrubs or growth which present a fire hazard. All exterior property areas shall be kept free from dry vegetation, tumbleweeds, weeds, bushes and grass and trees which present a visual blight upon the area, which may harbor insect or rodent infestations and dry vegetation, or which may likely become a fire hazard, or result in a condition which may threaten the health and safety or the economic welfare of adjacent property owners or occupants.

E. Any accumulation of items visible from the right of way or the property of another including, but not limited to: Equipment, building or landscaping materials, parts/auto parts, appliances, mattresses, boxes, or scrap items. Building or Landscaping materials are allowed if there is a valid, active building permit pertaining to these items. This prohibition does not apply to an accumulation of items which are contained within an acceptable trash receptacle equipped with either a door or lid to prevent the unintended spillage of such materials. Nothing in this subsection shall be deemed to prohibit uses named herein when such are necessary and incidental to an agricultural use on land defined in this chapter as “property used for agricultural purposes.”

F. Accumulations of trash, litter, rags, empty barrels, boxes, crates, packing cases, mattresses, bedding, packing straw, packing hay or other packing material, lumber, scrap iron, tin and other metal, or anything whatsoever in which insects may breed or multiply or which provides harborage for rodents or which may create a fire hazard. Nothing in this subsection shall be deemed to prohibit uses named herein when such are necessary and incidental to an agricultural use on land defined in this chapter as “property used for agricultural purposes.”

G. Any unsightly and dangerous building, billboard or other structure, or any old abandoned or partially destroyed building or structure, or any building or structure commenced and abandoned.

H. Any property used or maintained as junk yards or dumping grounds, or for the wrecking, dissembling, repair or rebuilding of automobiles, trucks, tractors or machinery of any kind, or for the storing or leaving of worn out, wrecked or abandoned automobiles, trucks, tractors or machinery of any kind or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons, which said places are kept or maintained so as to interfere with the comfortable enjoyment or the quality of life or property by and of others; provided, however, that nothing contained in this subsection shall be deemed to prohibit any automobile wrecking yard or other junk yard where the same is otherwise permitted by the Town zoning ordinance and amendments thereto, which is operated in conformity therewith. Nothing in this subsection shall be deemed to prohibit uses named herein when such are necessary and incidental to an agricultural use on land defined in this chapter as “property used for agricultural purposes.”

I. Any putrid, unsound or unwholesome bones, meat, hides, skins, or the whole or any part of any dead animal, fish or fowl, butcher's trimmings and offal, or any waste vegetable or animal matter in any quantity, garbage, human or animal excreta, sewage or other offensive substances accumulated on private or public property; provided, however, nothing herein contained shall prevent the temporary retention of waste in receptacles in the manner provided by a county health officer, this code or ordinance of the town.

J. The erection, continuance or use of any building, room or other place in said town for the exercise of any trade, employment or manufacture which, by noxious exhalations, including, but not limited to, smoke, soot, dust, fumes or other gases, offensive odors or other annoyances, which is discomforting or offensive or detrimental to the health of individuals or of the public, except for normal exhalation or smoke produced by normal heating devices. Nothing in this subsection shall be deemed to prohibit uses named herein when such are necessary and incidental to an agricultural use on land defined in this chapter as “property used for agricultural purposes.”

K. Causing, allowing or permitting any artificial illumination of such intensity as to interfere substantially and unnecessarily with the use and enjoyment of public or private property by any considerable number of people, with the lawful use of any school, public place or public street, with any governmental or public function of the town, or as to constitute a hazard or threat to the public health, safety and welfare of the people of the town; provided, however, this subsection shall not apply where the person responsible for said artificial illumination is authorized by the town manager, any school within the town, this code or any ordinance of the town. Nothing in this subsection shall be deemed to prohibit uses named herein when such are necessary and incidental to an agricultural use on land defined in this chapter as “property used for agricultural purposes.”

L. Burning of refuse. No outside burning is allowed except when such burning is necessary and incidental to an agricultural use on land defined in this chapter as “property used for agricultural purposes.”

M. Any unguarded or abandoned excavation, pit, well or hole which is dangerous, injurious or harmful to life or property.

N. To leave or permit to remain outside of any dwelling, building or other structure, or within any unoccupied or abandoned building, dwelling or other structure under the control of any person and in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator, freezer, or other container which has an airtight door or lid, snap lock or other locking device which may not be released from the inside, unless such icebox, refrigerator or other container is properly stored by first removing said door or lid, snap lock or other locking device from said icebox, refrigerator or container.

O. The doing of any act, or omitting to perform a duty, or suffering or permitting any condition or thing to be or exist, which act, omission, condition or other thing either:

1. Unlawfully interferes with, obstructs or tends to obstruct or renders dangerous the free passage or use, in the customary manner, of any stream, public park, parkway, square, sidewalk, street, highway, or right of way in the Town and is no less a nuisance because the extent of the annoyance or damage inflicted is unequal.
2. Obstructs the free use of property so as to essentially interfere with the comfortable enjoyment of life and property by an entire community or neighborhood or by a considerable number of persons.

P. To leave or permit to remain overnight in the front yard of any private premises, construction equipment whether free standing or on one or more axles; or to store overnight in the front yard of any private premises, any building materials whether free standing or on pallets or skids, when such equipment or materials are not for use at the premises or stored pursuant to a valid and current building permit issued by the town for work at that premises. Equipment and materials may be stored in the side yard area of any private premises so long as they are screened from public view by an opaque wall, fence or other permitted screen. Nothing in this subsection shall be deemed to prohibit uses named herein when such are necessary and incidental to an agricultural use on land defined in this chapter as “property used for agricultural purposes.”

Q. Any dangerous, deteriorated, abandoned, partially destroyed or unfinished building, addition, appendage or other structure, or any building or structure in violation of the uniform building codes as adopted by the town, and any vacated or abandoned building not securely closed at all times; any abandoned structure, unsecured structure or vacant structure; any wood, metal or other material used for securing structures and buildings must be compatible with the color of the building or structure.

R. No person shall permit or cause the discharge, flow, seepage, or soaking of water from any source including but not limited to any swimming pool, architectural pool, spa, irrigation system, cooler, chiller, or HVAC condensate into an public street, alleyway, rights-of-way or any abutting or adjacent public or private property in such quantity that may cause damage to property; create a hazardous condition; or may contribute to the diminution of any person's ability to use or enjoy the customary manner the affected public or private property. All land shall be maintained so as to prevent ponding or the accumulation of stagnant water when such pond or water causes a hazardous or unhealthy condition, becomes a breeding area for insects, or which is causing soil erosion or damage to foundation walls. This does not apply to Town-approved retention basins as a whole except for portions of retention basins creating, contributing to or causing injury or endangerment to the health, safety or welfare of the community.

S. Any condition defined or deemed to be a nuisance or hazard to the public health, safety, or welfare by any statute of the State of Arizona or any code or ordinance adopted by the Town of Queen Creek. These include but are not limited to the Queen Creek Town Code, the Queen Creek Zoning Ordinance, the Uniform Fire Code, International Building Code, Uniform Housing Code, and similar codes or any provision of any State statute or code or ordinance adopted by the Town of Queen Creek and intended to protect the character, safety or attractiveness of a neighborhood or area.

T. Any landscaping, visible from public property, or the property of another that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or blighted appearance; uncultivated plants, weeds, grass, uncultivated shrubs or growth (whether growing or otherwise); or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground. Trees that overhang a sidewalk shall be trimmed a minimum of eight (8) feet above the sidewalk to allow for safe passage. Trees that overhang the street shall be

trimmed a minimum of 14 feet above street grade to allow for safe and damage free passage of large public service vehicles (i.e., fire apparatus, solid waste vehicles).

U. Any wall or fence that is missing blocks, boards or other material, or is otherwise deteriorated so as to constitute a hazard to persons or property. This includes but is not limited to, leaning or damaged fences, fences missing slats or blocks or any other materials that are otherwise broken or damaged in such amounts as to present a deteriorated or blighted appearance. All replacement materials shall be uniform, compatible and consistent with the design thereof.

V. To leave or permit to remain on any property, areas infested with insects or rodents including, but not limited to: bees, wasps, hornets, yellow jackets, mice, rats, or roaches, in an amount that may become a hazard to public health or safety.

W. All exposed exterior surfaces, windows and doors shall be maintained so as to be free of deterioration that is a threat to health and safety, impervious to moisture and weather elements, or shall not otherwise present a deteriorated or blighted appearance. Windows, doors, locks on doors, and hinges must be present and installed properly. These items must be free from deterioration or blighting conditions. Any temporary boarding of structures and buildings must be done in accordance with Town specifications.

Examples of such deterioration and blight include but are not limited to:

1. Improperly anchored canopies, metal awnings, stairways, exhaust ducts and overhead extensions;
2. Chimneys that are structurally unsafe;
3. Exterior windows, doors, garage doors, door hardware and door frames that are not maintained in sound condition, that are not fitted securely in their frames and are not substantially weather tight or have inoperable locks, holes, breaks or cracks; Any exterior door incapable of functioning as intended by design;
4. Paint that is deteriorated, indicated by peeling, flaking, cracked, blistering or mildew, resulting in exposed bare unprotected surfaces;
5. Window screening, if present, shall be maintained in good condition;
6. Boarded window or door openings on an occupied structure;
7. Boarded window or door openings on an unoccupied or vacant structure for more than one hundred eighty days in any two-year period;
8. Broken, rotted, split, curled or missing roofing material in such amounts as to present a deteriorated or blighted appearance;
9. Exterior painted surfaces with loose, cracked, scaling, chipping or peeling paint, visible from a public area, in such amounts as to present a deteriorated or blighted appearance;
10. Any wood surfaces unprotected from the elements by paint or other protective treatment, except those naturally resistant to decay;
11. The existence of hazards, hazardous waste, junk or graffiti on Property.

X. All vacant, unsecured or abandoned buildings and structures shall be secured against unauthorized entry at all times.

1. Notice Posting.

a. The owner of record of a vacant, unsecured or abandoned structure or building is required to post a notice at the front of the structure or building, in a conspicuous location protected from the weather, that provides the current name, address,

and phone number of the owner of record, if the owner of record resides locally, or the current name, address, and phone number for a local authorized agent.

b. If a notice of default or foreclosure has been recorded for the real property on which the vacant, unsecured or abandoned structure or building is constructed, the lender's name, address, and telephone number must also be provided on the notice posted.

c. The posted notice shall be no smaller than 8 ½ inches by 11 inches.

2. Security.

The owner of a vacant, unsecured or abandoned structure or building, or responsible party, is responsible for securing that building or structure and its property against unauthorized entry in accordance with the following provisions:

a. For the first ninety (90) consecutive days during which the structure or building remains vacant, unsecured or abandoned, any doors, including garage doors, windows, and other opening of the structure or building may be secured with painted plywood panels that match the exterior appearance of the structure or building.

b. After the expiration of ninety (90) consecutive days, the owner, or responsible party, shall restore and maintain the structure or building to an occupied appearance, with all doors, including garage doors, windows, and other openings of the structure or building in good repair. The owner, or responsible, shall also install and maintain a security fence around the structure or building and maintain a commercially-serviced, 24-hour burglar alarm system to prevent unauthorized entry into the structure or building or onto the property.

Y. Any condition which poses a substantial risk to the health or safety of any person or of the public, including, but not limited to, an unsafe, unsanitary or structurally unsound condition.

Z. Construction debris uncontained for more than twenty-four hours or not contained upon the premises under construction.

HISTORY
Adopted by Ord. 117-97 on 2/18/1998
Amended by Ord. 486-10 on 11/17/2010
Repealed & Reenacted by Ord. 666-18 on 7/18/2018
Amended by Ord. 764-21 on 9/15/2021
Amended by Ord. 846-24 on 9/4/2024
Amended by Ord. 864-25 on 4/2/2025

Existing Zoning Ordinance Regulations

Article 1 – General Provisions

OUTDOOR STORAGE, VEHICULAR. The containment of personal property by the owner or occupant of a premises, not to be located within the front yard, along street rights-of-way, or within five-hundred feet (500') of residential uses and residential zoning districts. Examples include vehicles, dumpsters, appliances, trailers, recreational vehicles, airplanes, boats, or any of the foregoing, or building materials.

Article 2 – Administration and Enforcement

Article 2.6.D.1. No building or structure shall be erected, converted, enlarged, reconstructed, or structurally altered, nor shall any building or land be developed, used, or occupied, unless in conformity with any zoning, subdivision, sign, conditions of approval, provisions, regulations, and other applicable code requirements and restrictions for the zoning district in which it is located.

Article 5.6 Parking and Loading Standards.

19. Parking or Storage of Large Vehicles.

a. Parking or Storage of these classes of vehicles is permitted as follows:

1) In any Residential zone while actively loading or unloading for a time period not to exceed forty-eight (48) hours;

2) In R1-190, R1-145, and R1-108 Residential Districts; and,

3) In R1-54 and R1-43 Residential Districts consisting of two (2) or more contiguous acres.

b. Parking or Storage of these classes of vehicles is prohibited as follows:

1) In Residential Districts R1-54, R143, R1-35, R1-18, R1-15, R1-12, R19, R1-8, R1-7, R1-6, R1-4, R1-3 and R1-2; and,

2) Closer than ten feet (10') from any property line in R1-190, R1-145, R1108, R1-54 and R1-43 Residential Districts.

c. Where permitted in R1-190, R1-145, R1-108, R1-54 and R1-43 Residential Districts, large vehicles shall be parked behind the back wall of the primary residence and no closer than ten feet (10') from any property line.

d. Vacant lots or open area in any Residential District. The use of vacant lots or open land area in any Residential District for parking of customer or employee passenger vehicles or large vehicles is prohibited.

e. Inoperable vehicles shall be stored only in conjunction with an industrial use completely screened from view of a public street.

f. Bus parking. Buses shall not be parked in the front yard of any Residential District.

20. Parking or Storage of Recreational Vehicles

a. Such vehicles may be parked for shortterm purposes in any district for purposes of loading and unloading.

b. For long-term purposes, these types of vehicles shall be parked behind the minimum front yard setback required by the zoning district and screened through the use of masonry fence walls, solid gates, and landscaping.

1) In the R1-18 and all smaller lot residential Zoning Districts, not more than one (1) may be parked for shortterm or long-term purposes at any one time and such vehicle shall not be parked in front of the home during long-term storage.

2) In the R1-35 and all larger lot residential Zoning Districts, such vehicle may be parked in front of the home during long-term storage, provided it is not parked in the required front setback. *Home Owners Associations may have additional requirements.

21. Parking or Storage of Boats or Trailers.

a. Temporary parking may be permitted in any single-family residential zoning district while actively loading or unloading for a time period not to exceed forty-eight (48) hours;

b. Long-term parking or storage is permitted in residential districts as follows:

1) Shall be parked behind the front yard setback and screened through the use of masonry fence walls, solid gates, and landscaping. *Home Owners Associations may have additional requirements.

TOWN OF
QUEEN CREEK
ARIZONA

May 29, 2025

Re: Zoning Interpretation – The Keeping of Containers, Transportation Vehicles, Accessories and Equipment

Background

Recently, the Town has seen an increase in the private acquisition and keeping on residential lots of commercial and industrial shipping and transportation modal vehicles and associated equipment or accessories, including but not limited to, heavy-duty, industrial, commercial, construction, mass-transit, track vehicles, watercraft vessels, semi-trailers, shipping containers, cargo boxes and/or enclosed cargo trailers (attached to, or removed from, the original vehicle chassis), which were manufactured for commercial or industrial purpose and which are not traditionally associated with an underlying residential land use or application.

The Town of Queen Creek has historically implemented both prescriptive and descriptive design standards across all development sectors to create cohesion within the commercial, industrial, or residential developments to maintain a consistent and appropriate level of design, use and safety standards in zoning district, particularly residential areas.

Article 2.6.D.1 Violations, Enforcement and Penalties provides:

> *1. No building or structure shall be erected, converted, enlarged, reconstructed, or structurally altered, nor shall any building or land be developed, used, or occupied, unless in conformity with any zoning, subdivision, sign, conditions of approval, provisions, regulations, and other applicable code requirements and restrictions for the zoning district in which it is located.*

Determination

Under Section 1.09(B) of the Town of Queen Creek Zoning Ordinance the Zoning Administrator is empowered to make interpretations of the Zoning Ordinance. The Zoning Administrator has determined that the outside storage, installation, placement, keeping, and or accessory use of any commercial, industrial, combat, (armored) container, vessel, craft, vehicle parts, attachments, equipment, and/or accessories, and/or any vehicle or container for which its original intended use was heavy-duty transportation, industrial, commercial, construction, mass transit, vessel, craft, including parts, attachments, equipment, and/or accessories, which are by nature out of harmony with the permitted uses within the zoning district in which it is placed, may be designated a public nuisance under Article 10-3, Health and Sanitation, of the Town of Queen Creek Code, in addition to the issuance of a citation and other enforcement under other applicable provisions of the Town Code or Zoning Ordinance.

Such items may only be considered accessory structures when placed, installed, and/or used with an approved building permit and zoning approval to ensure building safety and compatibility of use in the zoning district in which they are being placed, installed or used is met.

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6.0 Supplemental Use Regulations

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6.1 Accessory Buildings and Uses

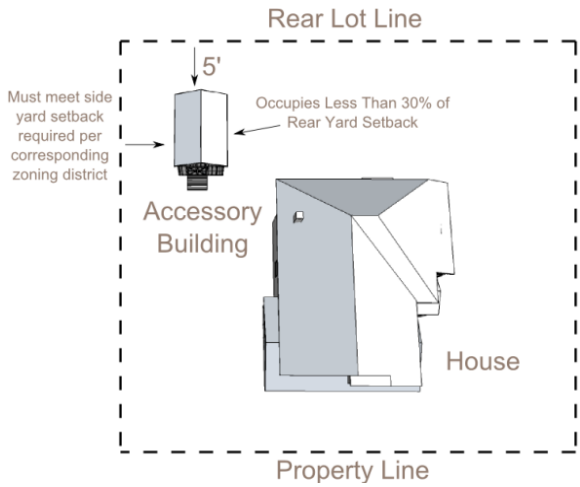
A. *General Standards*.

1. Accessory buildings, accessory dwelling units, or accessory uses shall not be constructed or established on a lot until construction of the principal building has been substantially commenced or the primary use established. Accessory buildings shall not be used for dwelling purposes, except as provided in subsection D of this Section.

2. Accessory buildings, excluding accessory dwelling units, shall not exceed the height regulations of the zoning district within any part of the buildable lot area, and shall not exceed fifteen feet (15') in height in any required yard except as identified in Subsection 6.1.C(5).

3. Detached accessory buildings shall not be located in the required front yard setback. Detached accessory buildings, excluding accessory dwelling units, may be built in the required rear yard setback area, but such accessory buildings shall not occupy more than thirty percent (30%) of said area and shall not be closer than five feet (5') from the rear and side lot line, except as identified in Subsection 6.1.B(3).

4. Accessory buildings on through lots shall not be closer to either street than a distance equal to the required front yard of such lot.



5. Accessory buildings used in conjunction with a home occupation shall be subject to the requirements of Section 6.4 Home-Based Occupations.

6. Covered structures, such as stables, for the purpose of sheltering animals are considered detached accessory buildings and shall conform to standards set forth in Section 6.2.

7. An additional five percent (5%) maximum lot coverage shall be provided exclusively for detached accessory buildings, excluding accessory dwelling units.

8. NON-TRADITIONAL OR NON-STANDARD BUILDING FORMS, INCLUDING BUT NOT LIMITED TO BOATS, BUSES, TRAILERS, SHIPPING CONTAINERS, AND SIMILAR CONVERTED STRUCTURES, ARE PROHIBITED AS ACCESSORY BUILDINGS. HOWEVER, A STORAGE CONTAINER OR SIMILAR STRUCTURE MAY BE PERMITTED IF IT HAS BEEN PERMANENTLY CONVERTED INTO A RESIDENTIAL ACCESSORY BUILDING, IS INSTALLED ON A PERMANENT FOUNDATION, FINISHED WITH EXTERIOR MATERIALS AND COLORS CONSISTENT WITH THE PRIMARY RESIDENCE, AND VISUALLY BLENDS WITH THE SURROUNDING PROPERTY.

B. Detached accessory buildings in Rural Zoning Districts A-1, AT, R1-190, R1-154, R1-108, R1-54, R1-43:

1. Detached accessory buildings (garages, sheds, barns, workshops, ramadas, pergolas. etc.) are not required to match the design of the primary residence. The color(s) of detached accessory buildings should be consistent with the primary residence.

2. Shade structures for animals may be designed with alternative materials and colors. Home Owner's Associations may have additional requirements.

3. Accessory buildings shall not be used for dwelling purposes, except as provided in subsection D of this Section.

4. Detached accessory buildings in the R1-43 zoning district shall not be closer than five feet (5') from the rear and ten feet (10') from the side lot lines.

C. Detached accessory buildings in Suburban Zoning Districts R1-35, R1-18, R1-15, R1-12, and Urban Zoning Districts R1-9, R1-8, R1-7, R1-6, R1-5, R-4, R-3, and R-2.

1. Detached accessory buildings (garages, sheds, workshops, ramadas, pergolas, etc.), excluding detached accessory dwelling units, shall be of the same architectural design, including building materials, roof type, and color as the primary residence.

2. Barns and other shade structures for animals (applicable in R1-35 only) shall be of the same architectural design, including building materials, roof type, and color as the primary residence.

3. Hoophouses are not required to be of the same architectural design, including building materials, roof type, and color of the primary residence. Hoophouses shall be 7-feet or less in height.

4. Accessory buildings shall not be used for dwelling purposes, except as provided in subsection D of this Section.

5. Detached accessory buildings in the R1-35 zoning district shall not be closer than five feet (5') from the rear and ten feet (10') from the side lot lines.

6. Detached accessory buildings in all other Suburban Zoning Districts and all Urban Zoning Districts shall not be closer than five feet (5') from the rear and side lot lines and not exceed a height of fifteen feet (15').

7. Detached accessory sheds not exceeding 120 square feet in area and a height of seven feet (7') shall be allowed in the rear and side yards without setback. These sheds are not subject to the same architectural design as the primary residence.

D. *Accessory Dwelling Units (ADUs).* Accessory dwelling units, where permitted pursuant to Section 4.6 of this Ordinance, shall not be established except in accordance with the following criteria in addition to the criteria set forth in Section 6.1.A hereto:

1. *General Requirements.*

a. ADUs are permitted on single-family residential lots only.

b. An ADU may contain either a partial kitchen or full kitchen, but no more than one (1) kitchen per ADU is allowed.

c. An ADU shall have a separate and independent entrance from the primary residence. Internal access between the primary residence and attached ADUs is not permitted.

d. An ADU shall comply with all applicable building code requirements for residential dwellings.

e. Mobile homes, recreational vehicles (RV), trailers or other movable habitable space shall not be used as an ADU.

f. An ADU shall be permanently affixed to a permanent foundation

g. An ADU shall be provided with water, sewer, and electric utilities.

h. Only one (1) attached ADU or one (1) detached ADU is permitted per lot or parcel that is zoned for single-family

use, subject to Section 6.1.D.1.q below.

i. All ADUs shall comply with all lot coverage requirements of the underlying zoning district and the square footage of all ADUs on a lot shall be applied cumulatively against the coverage area on the lot.

j. Front setbacks shall comply with the primary residence setback requirements for the underlying zoning district.

k. A minimum side and rear setback of five (5) feet shall be provided for all side and rear setbacks.

l. The height of an attached or detached ADU shall comply with the primary residence height requirements for the underlying zoning district.

m. No additional parking spaces are required for an ADU.

n. The design of an ADU is not required to match the exterior design, colors, finishing materials, or roof pitch of the single-family dwelling on the same lot or parcel.

o. Familial, marital, employment or other preexisting relationships between the owner or occupant of a single family dwelling and an ADU on the same lot or parcel is not required.

p. The ADU shall not exceed 75% of the primary residence's interior habitable area, or 1,000 square feet, whichever is less. However, a property owner may request to have a single ADU unit in excess of 1,000 square feet for a total allowed square footage for the ADU (including all attached garages, porches, and patios) of 50% the total square footage of the primary residence, if the ADU complies with all setback and other requirements applicable to the single-family dwelling on the lot and matches all exterior design, colors, finishing materials, and roof design of the single-family dwelling on the same lot or parcel. Sections 6.1.D.1.k and n shall not apply to that ADU, but all other sections of 6.1 shall apply.

q. Once the population of the Town exceeds seventy-five thousand persons as defined in A.R.S § 1-215(31) "Population", the following will apply:

i. Only one (1) attached ADU and one (1) detached ADU is permitted per lot or parcel that is zoned for single-family use.

ii. One (1) additional detached ADU, for a total of two (2) detached ADUs, is permitted on a lot or parcel that is one (1) acre and at least one (1) of the ADUs is used as a restricted-affordable dwelling unit, which is defined as a dwelling unit that, through a private deed restriction, is rented to households earning up to eighty percent (80%) of the area median income.

iii. The owner of a proposed restricted-affordable dwelling unit that is subject to this Chapter must execute and deliver an original recorded copy of a deed restriction on the Town standard form prior to issuance of a building permit for the construction of the proposed restricted-affordable dwelling unit on the lot or parcel.

iv. The deed restriction shall be recorded by the owner of the lot burdened thereby in the property records of the County Recorder's Office and remain a covenant and restriction running with the property.

v. In the event the income status of the occupant of the restricted-affordable dwelling unit is altered so as to no longer meet the qualifications of this Section, said occupant shall be permitted to reside in the unit under the same terms and conditions of the unit lease, except that no extension of the lease term shall be granted.

E. *Swimming Pools.* The following standards shall apply where swimming pools are permitted as an accessory use:

1. A swimming pool shall not be located in the required front yard or a side yard

required for vehicle access, required landscaped areas or closer than three feet (3') from the water's edge to any lot line.

2. All fish ponds and other contained bodies of water, either above or below ground level, with the container being eighteen inches (18") or more in depth and / or wider than eight feet (8') at any point measured in the long axis shall conform to the location and enclosure requirements for swimming pools.

3. Swimming pool shall be secured from unauthorized access by an enclosure as provided in Town Code Chapter 7.

F. *Tennis Courts.* Where permitted as an accessory use, private tennis courts may be allowed up to 10 feet from side and / or rear property lines. Tennis court fences or walls shall not exceed twelve feet (12') in height or six feet (6') in height in any required side or rear yard. Any lights for the tennis court shall be consistent with the height provisions for accessory uses in Section 6.1 and shall be shielded so as to not direct or reflect light on adjoining properties, pursuant to Section 5.4 of this Ordinance.

G. STORAGE IN RESIDENTIAL:

1. DEFINITIONS

OUTDOOR STORAGE MEANS AN EXTERIOR SPACE USED FOR THE STOCKPILING OR PLACEMENT OF MATERIALS OR GOODS FOR MORE THAN 48 CONSECUTIVE HOURS, NOT IN CONJUNCTION WITH AN ACTIVE BUILDING PERMIT.

PERSONAL PROPERTY FOR OUTDOOR RESIDENTIAL USE MEANS MOVABLE ITEMS CUSTOMARILY USED OUTDOORS FOR RESIDENTIAL LIVING, RECREATION, OR ENJOYMENT, SUCH AS PATIO FURNITURE, PLAYGROUND EQUIPMENT, UMBRELLAS, GRILLS, OR SIMILAR ACCESSORIES DESIGNED FOR EXTERIOR USE.

INOPERABLE VEHICLE MEANS MISSING ESSENTIAL OPERATING COMPONENTS, INCLUDING BUT NOT LIMITED TO AN ENGINE, TRANSMISSION, WHEELS, TIRES, OR STEERING MECHANISM. IS DAMAGED OR DISMANTLED TO SUCH AN EXTENT THAT IT CANNOT BE DRIVEN SAFELY OR LAWFULLY. A VEHICLE UNDERGOING ACTIVE REPAIR SHALL NOT BE CONSIDERED INOPERABLE FOR A PERIOD NOT TO EXCEED 48 CONSECUTIVE HOURS, PROVIDED IT IS NOT DISMANTLED BEYOND ROUTINE MAINTENANCE AND DOES NOT CREATE A PUBLIC NUISANCE.

FARM IMPLEMENT MEANS A TOOL, DEVICE, OR PIECE OF EQUIPMENT DESIGNED AND CUSTOMARILY USED FOR AGRICULTURAL OR FARMING OPERATIONS, INCLUDING THE CULTIVATION, PLANTING, HARVESTING, OR MAINTENANCE OF LAND OR LIVESTOCK, AND WHICH IS NOT PRIMARILY INTENDED FOR ON-ROAD TRANSPORTATION.

2. STANDARDS

a. THERE SHALL BE NO OUTDOOR STORAGE, OTHER THAN PERSONAL PROPERTY FOR OUTDOOR RESIDENTIAL USE, UNLESS SUCH STORAGE IS COMPLETELY SCREENED FROM VIEW BEYOND THE BOUNDARIES OF THE LOT. PERSONAL PROPERTY FOR OUTDOOR RESIDENTIAL USE SHALL NOT BE ACCUMULATED, STOCKPILED, OR ARRANGED IN A MANNER THAT RESULTS IN EXCESSIVE CLUTTER OR THE APPEARANCE OF OUTDOOR STORAGE AND SHALL BE MAINTAINED IN A CLEAN AND ORDERLY MANNER

b. THE FOLLOWING ITEMS, INCLUDING BUT NOT LIMITED TO, ARE PROHIBITED AS OUTDOOR STORAGE WHEN VISIBLE BEYOND THE BOUNDARIES OF THE LOT OR WHEN CONSTITUTING A PUBLIC NUISANCE:
   i. ANY BUILDING OR LANDSCAPING MATERIALS;
   ii. ANY MACHINERY, PARTS, SCRAP, OR APPLIANCES;
   iii. VEHICLES WHICH ARE INOPERABLE;
   iv. ANY OTHER CHATTEL USED FOR OR INTENDED FOR A COMMERCIAL PURPOSE OR ULTIMATE USE OTHER

THAN ON THE SUBJECT LOT;

v. SUBJECT TO 10-3-2 PUBLIC NUISANCES DESIGNATED IN TOWN CODE.

c. DECORATIVE ANTIQUE TRACTORS, FARM IMPLEMENTS, OR SIMILAR AGRICULTURAL EQUIPMENT LOCATED ON A RURAL OR AGRICULTURAL LOT SHALL NOT BE CONSIDERED PROHIBITED OUTDOOR STORAGE, PROVIDED SUCH EQUIPMENT IS SUBSTANTIALLY INTACT, MAINTAINED IN A STABLE AND SAFE CONDITION, IS PERMANENTLY PLACED OR DISPLAYED, IS NOT ACTIVELY USED AS FUNCTIONAL EQUIPMENT, AND DOES NOT CONSTITUTE A PUBLIC NUISANCE.

H. *Conflict with Other Regulations*. If there is a conflict between the accessory dwelling unit standards of this Section and any other requirement of this Ordinance, the standards of this Section shall control. Otherwise, accessory dwelling units are subject to all other applicable requirements of this Ordinance.

6.2 Animal Regulations

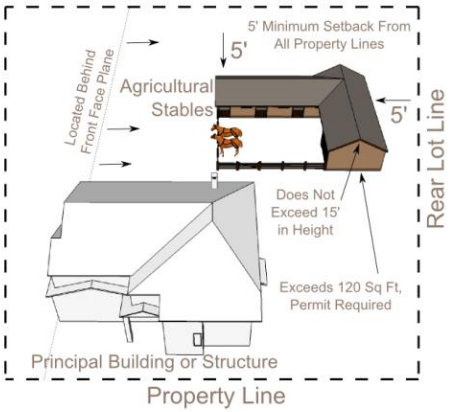
A. *Purpose and Scope.* The purpose is to provide rules and regulations for the keeping of agricultural animals, household pets and other animals so that these animals do not become a nuisance, hazard, and / or health problem to the adjoining neighbors and the general public.

1. The area used for grazing, exercising, or training of said animals shall be securely fenced to prevent the animals from straying, or a suitable restraint shall be provided to prevent straying. For lots less than one (1) acre in size, no confinement area shall be located in the front yard, and the grazing of livestock shall be limited to the side and rear yards.

2. Animal wastes shall be stored at least fifty feet (50') from any property line, open space, drainage channel or surface waters and shall not violate the health and sanitation provisions of the Town Code and Maricopa County's Health Code.

3. Fencing shall be required for all agricultural animals and shall consist of a view or partial view type fence, pipe rail or other similar fencing material, or a wall of sufficient height to restrain the animal(s). Such fence or wall shall be maintained and kept in a sound condition at all times.

4. Where permitted, stables used for the keeping of agricultural animals shall be located behind the front face plane of the principal building or structure. Stables shall be set back a minimum of five feet (5') from the rear property and five feet (5') from the side property lines. Stables shall not exceed the height regulations of the zoning district in which they are located. Where allowed to be located within the setbacks, stable height shall not exceed fifteen feet (15'). Any structure two-hundred (200) square feet or larger is required to obtain a building permit as established in Section 3.2 of this Ordinance.



5. Where permitted by Section 4.6 of this Ordinance, private stables for the housing of agricultural animals shall be constructed so as to facilitate maintenance in a clean and sanitary condition. Sheet metal buildings are discouraged. See section 6.1.A of this ordinance for additional regulations.

6. Corrals, or yard areas used for the keeping of agricultural animals on lots less than one (1) acre shall be located within the rear half of the lot (or side yard) or parcel and shall be enclosed by a view or partial view-type fence, pipe rail