



# Maricopa County

## Planning & Development Department

### Department Directive

Department Directive:  
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Initiator: Darren Gerard – *DG*

Director: Carol Johnson – *CJ*

**PURPOSE:** To ensure consistent treatment of zoning for Agricultural and Equestrian Uses in the Rural zoning districts of unincorporated Maricopa County.

**REFERENCE:** Maricopa County Zoning Ordinance, Article 201 (Definitions), 501.2 (Rural Zoning District Use Regulations); 1301.1 (Special Uses) & 1304 (Exempted uses); and Arizona Revised Statutes 3-1201 (Definition); 3-1350 (Equine Rescue Facilities); 11-812.A.2 (Restriction on Regulation, Agriculture); & 42-12151 (Definition, Agricultural Real Property).

#### **POLICY/PROCEDURE:**

The Maricopa County Zoning Ordinance (MCZO) permits agricultural and equestrian oriented land uses in the Rural zoning districts in four general categories:

1. Agricultural uses, including some equestrian uses, can be exempt from the MCZO in any zoning district.
2. Farms are a permitted principal use in the Rural zoning districts.
3. Limited equestrian uses are permitted accessory to a single-family residence in the Rural zoning districts.
4. Facilities for rodeos and other equestrian uses may be permitted as a Special Use.

MCZO, Article 1304 states “This Ordinance shall not prevent, restrict or otherwise regulate the use or occupation of land or improvements for... grazing or general agricultural purposes, if the tract/s concerned is/are five or more contiguous commercial acres in size”. (A commercial acre is not a reference to a zoning category but rather is 35,000 sq. ft. categorized by the Assessor’s Office as a commercial agricultural use.) The MCZO language mirrors ARS 11-812.A.2. Agriculture-related composting is also statutory exempted, per ARS 11-812A.2. Agricultural uses will be exempted from the MCZO in any zoning district if a Land Use (Agricultural Exemption) application is administratively approved. A commercial agricultural classification from the Assessor’s Office is a pre-requisite to administrative approval of a Land Use (Agricultural Exemption) by this Department.

Land, buildings and structures used for the following types of agricultural uses may be exempted from zoning requirements if the conditions are met:

- Cropland of at least 20 acres in aggregate;
- Agricultural composting of at least 5 contiguous commercial acres;
- Grazing land with a minimum of 40 animal units of at least 5 contiguous commercial acres;
- Commercial breeding, raising, boarding or training of equine (and equestrians) of at least 5 contiguous commercial acres;

- Equine rescue facilities registered as a non-profit with the Arizona Department of Agriculture of at least 5 contiguous commercial acres;
- Land and improvements devoted to high density use for producing commodities, in processing cotton necessary for marketing, fruit or vegetable commodity packing plants (that do not cut or otherwise physically alter the produce) of at least 5 contiguous commercial acres; and,
- Land and improvements devoted to high density use in producing, transporting, receiving, processing, storing, marketing and selling milk and manufactured milk products without the presence of any animal units on the land of at least 5 contiguous commercial acres

Any land, buildings and structures not used as part of an agricultural operations, such as a single-family residence, swimming pool, barbecue, etc. though located on property subject to an approved Land Use (Agricultural Exemption) will not be considered exempt from zoning requirements.

Land, buildings and structures used for the following types of agricultural uses or equestrian uses will not be exempted from zoning requirements:

- Arenas and other structures for rodeos, team roping, barrel racing, penning and other events.
- Mounted cowboy shooting.
- Riding lessons (except for riding lessons in conjunction with the boarding of horses).
- Horse rentals and staging for off-site trail rides.
- Feed stores and roadside stands that offer any products not produced on site.

MCZO, Article 501.2.3 permits farms as a principle use in the Rural zoning districts. Farm is defined in Chapter 2 of the MCZO. Land, buildings and structures may be part of a farm operation but shall comply with zoning requirements unless a Land Use (Agricultural Exemption) has been administratively approved by this Department.

MCZO, Article 501.2.15 permits accessory buildings and uses that are customarily incidental to the established principal use. The keeping of farm animals such as goats, chickens, etc. is considered to be incidental to a single-family residence or a farm in the Rural zoning districts. Gardens, orchards and vineyards are considered to be incidental to a single-family residence or a farm in the Rural zoning districts. Accessory uses, buildings and structures shall comply with zoning requirements unless a Land Use (Agricultural Exemption) has been administratively approved by this Department.

MCZO, Article 501.2.15.f specifically permits equestrian uses accessory to a single-family residence in the Rural zoning districts. The equestrian uses may be public but are limited in scope. Land, buildings and structures used for the following types of equestrian activities are not considered to be a permitted accessory use in the Rural zoning districts:

- Arenas and other structures for rodeos, team roping, barrel racing, penning and other events for 25 or more persons on site at any given time.
- Mounted cowboy shooting.
- The boarding of six or more horses.
- Riding lessons except in conjunction with boarding of horses.
- Horse rentals and staging for off-site trail rides.

MCZO, Article 1301.1.13 states that “recreational open air facilities” may be permitted as a Special Use (SUP) in any zoning district. This SUP category includes rodeos, team roping, barrel racing, penning, mounted cowboy shooting, and similar activities.

MCZO, Article 1301.1.14 states that “public riding and boarding stables” may be permitted as a SUP. This SUP category includes equine boarding and training, riding lessons, horse rentals and staging for off-site trail rides, etc.

SUP approval by the Board of Supervisors is a legislative process with public input at a public hearing.