

City of El Mirage

City Council Meeting

City Chambers
10000 N. El Mirage Road
El Mirage, Arizona 85335

May 6, 2025

Action Item: Zoning Text Amendments
154.052 Permitted Use by Zone
Manufactured & Modular Homes

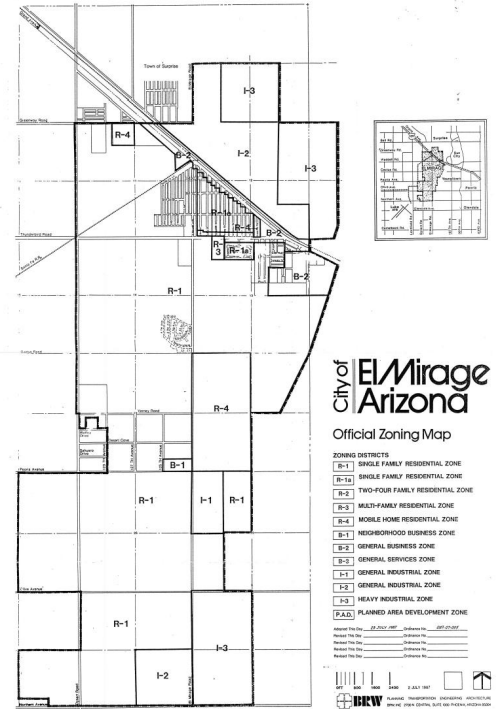


Manufacturing Homes Zoning Timeline

- Ordinance O89-04-05 allowed manufacturing homes as a conditional use in the R-1 and R-1a zones.
- Ordinance O06-02-05 allowed manufactured homes to be permitted use in the R-1 and R-1a zones.
- Ordinance O11-09-17 prohibited manufactured homes.
- Ordinance O22-05-02, added manufactured homes back to the permitted use in the Mixed-Use (MU) and Mobile Park (MP) zones.
 - Modular homes were also added as permitted use in the Rural Area (RA), Suburban Neighborhoods (SN), and Mixed-Use (MU) zones and conditionally in the Mobile Park (MP) zones.

Proposal

- Ordinance O25-05-XX prohibits manufactured and modular homes in Suburban Neighborhood (SN) and Mixed-Use (MU) zones, allowing them only in Mobile Parks (MP) zones.



Zoning Text Amendment

Modular
Manufactured

Modular
Manufactured

Modular
Manufactured

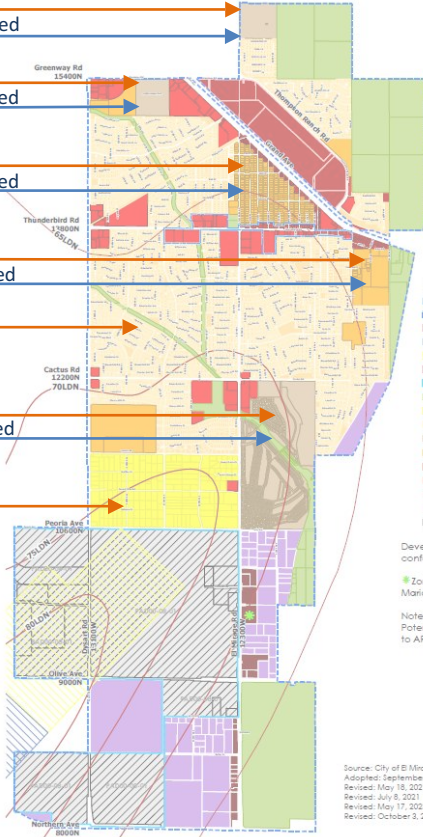
Modular
Manufactured

Modular

Modular
Manufactured

Modular

City of El Mirage Zoning Map



- LEGEND**
- THUNDERBIRD ROAD OVERLAY DISTRICT
 - CITY BOUNDARY
 - FEDERAL LUKE AFB NOISE CONTOURS
 - FEDERAL LUKE AFB APZ I
 - FEDERAL LUKE AFB APZ II
 - FEDERAL LUKE AFB CLEAR ZONE
 - PAD PLANNED AREA DEVELOPMENT
 - NR NATURAL RESERVE
 - FA RURAL AREA
 - SN SUBURBAN NEIGHBORHOOD
 - MP MOBILE PARK
 - MU MIXED URBAN
 - UC URBAN CORRIDOR
 - TD TRANSIT DEVELOPMENT
 - CP COMMERCE PARK
 - EI EMPLOYMENT/INDUSTRY
 - PAD PLANNED AREA DEVELOPMENT

Development of the PAD00-08-01 property must conform to the Master Plan approved on 8/24/2000.

Zoning pursuant to Judgment recorded with Maricopa County Recorder's Office, No. 20160775497.

Note: All properties within the Luke AFB Accident Potential Zone and Noise Contour areas are subject to ARS 28-8481 regulations.



Prepared by:
City of El Mirage
PLANNING & ZONING / GIS
Community Development Department



Source: City of El Mirage, Planning & Zoning
Adopted: September 22, 2011
Revised: May 18, 2021
Revised: July 9, 2021
Revised: May 17, 2023
Revised: October 2, 2023

Modular
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Modular
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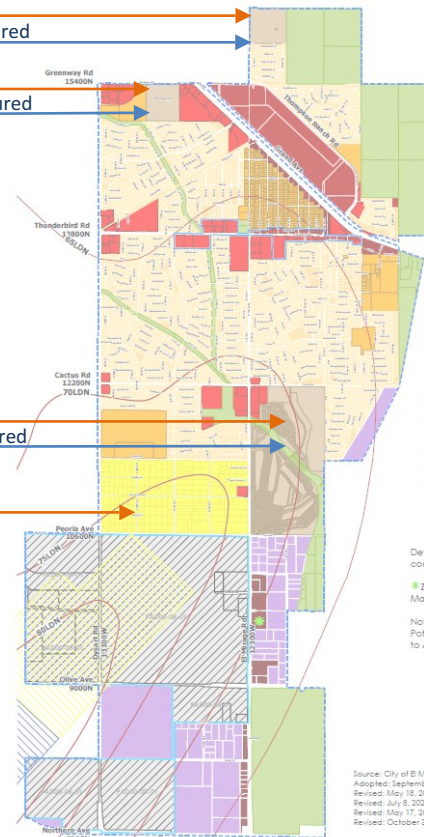
Modular
Manufactured

Modular

Modular
Manufactured

Modular

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Revised: May 18, 2021
Revised: July 9, 2021
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Existing

Proposed



El Mirage Zoning Code: § 154.020 DEFINITION OF TERMS.

DWELLING, MOBILE HOME.

A structure, transportable in one or more sections, that is at least eight feet in width and thirty-two feet in length and that is built on a permanent chassis and designed to be used as a dwelling unit, with or without a permanent foundation, when connected to on-site utilities, and that was not constructed in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974 and Title VI of the Housing and Community Development Act of 1974.



Background

El Mirage Zoning Code: § 154.020 DEFINITION OF TERMS.

DWELLING, MANUFACTURED HOME.

A structure built on or after June 15, 1976, in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974 and Title VI of the Housing and Community Development Act of 1974.

A structure [built on or after June 15, 1976] transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein....

Arizona Department of Revenue



El Mirage Zoning Code: § 154.020 DEFINITION OF TERMS.

DWELLING, MODULAR HOME. A factory-built building, residential, excluding mobile homes and manufactured homes defined herein. Such housing is certified as meeting the state and local building codes as applicable to modular housing and shall be considered equivalent to a site-built building which requires substantial assembly on site. It is also referred to as "factory built" in the Department of Building, Fire and Safety Rules, State of Arizona.



Zoning Text Amendment

ORDINANCE 025-05-02

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF EL MIRAGE, MARICOPA COUNTY, ARIZONA, AMENDING THE CITY OF EL MIRAGE ZONING CODE, LAND USE VOLUME 2, AMENDING THE EXISTING CITY OF EL MIRAGE CITY CODE TITLE XV, CHAPTER 154, PROHIBITING THE USE OF MANUFACTURED AND MODULAR HOMES IN THE MIXED-USE AND SUBURBAN NEIGHBORHOODS ZONING DISTRICTS.

WHEREAS, this Ordinance has been properly noticed for a public hearing pursuant to the requirements of El Mirage Zoning Ordinance and the statutes of the State of Arizona set forth in A.R.S. § 9-462.03, A.R.S. § 9-462.04, and necessary hearings have been completed; and,

WHEREAS, the City Council adopted Ordinance O89-04-05 on May 11, 1988, adopting The El Mirage Zoning Ordinance, including written text and map; and,

WHEREAS, the City Council adopted Ordinance O06-02-05 on March 9, 2006, adopting the chapter number change for the Zoning Code and codification of Chapter 21; and,

WHEREAS, the City Council amended Ordinance O11-09-17 on September 22, 2011, amending the miscellaneous sections of the El Mirage Zoning Ordinance; and,

WHEREAS, the City Council amended Ordinance O22-05-02 on May 3, 2022, amending the miscellaneous sections of the El Mirage Zoning Ordinance; and,

WHEREAS, the El Mirage Planning and Zoning Commission reviewed and recommended approval of the Zoning and Land Use text amendments with revisions at the April 8, 2025, Public Hearing;

WHEREAS, the proposed Zoning and Land Use text amendment will enhance public health, safety, and welfare and preserve the character of the City of El Mirage; and

WHEREAS, in accordance with Article II, Sections 1 and 2, Constitution of Arizona, and the laws of the State of Arizona, the City Council has considered the individual property rights and personal liberties of the residents of the City and the probable impact of the proposed ordinance on the cost to construct housing for sale or rent before adopting this ordinance.

NOW, THEREFORE, be it ordained, by the Mayor and Council of the City of El Mirage, Arizona, as follows:

Section 1. That the City of El Mirage Zoning Code, Land Use Volume 2, Chapter 154, is hereby amended and made a part of this Ordinance as incorporated and attached as Exhibit A. The Exhibit is on file with the City Clerk's Office for review.

Section 2. The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Ordinance.

Section 3. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

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

Section 5. Violation of this ordinance is subject to City Code Section 154.999 (Penalties).

Section 6. This ordinance shall take effect thirty (30) days after its passage by the City Council.

PASSED AND ADOPTED this 6th day of May 2025.

Alexis A. Hermosillo, Mayor

ATTEST:

APPROVED AS TO FORM:

Jill Boltz, City Clerk

Justin Pierce, City Attorney

CERTIFICATION OF RECORDING OFFICER

State of Arizona)
County of Maricopa) ss.

I, the undersigned, Jill Boltz, being the duly appointed, qualified City Clerk of the City of El Mirage, Maricopa County, Arizona, certify that the foregoing Ordinance is a true, correct, and accurate copy of Ordinance No. 025-05-02 passed and adopted at a Voting Meeting of the Council of the City of El Mirage, Maricopa County, Arizona, held on the ____ day of _____, 2025, at which a quorum was present and by ____ vote, ____ voted in favor of the said ordinance.

Given under my hand and sealed this ____ day of _____, 2025.

SEAL:

Jill Boltz
City Clerk

EXHIBIT A

CITY OF EL MIRAGE

PERMITTED USES BY ZONE

Table of Allowed Uses for All Zoning Districts ¹											
Use Category	Specific Use Type	P = Permitted Use ² c = Conditional Use									
		Natural Reserve Zone	Rural Area Zone	Suburban Neighborhood Zone	Mobile Park Zone	Mixed Urban Zone	Urban Corridor Zone	Transit Development Zone	Commerce Park Zone	Employment/Industry Zone	Specific Use Requires review (see Section)
		NR	RA	SN	MP	MU	UC	TD	CP	EI	
Residential Use Category	Assisted Living Center										154.086
	Child Care, Home		P	P	P	P	P				
	Dwelling, Duplex		P	P							
	Dwelling, Live/Work						P	P			
	Dwelling, Manufactured Home ³				P	P					
	Dwelling, Modular Home		P	P	C	P					
	Dwelling, Multi-Family Attached	C	C	C	C	C	P				
	Dwelling, Single-Family Detached		P	P	C	P					
	Group Care Home		C	C	C	C					154.086
	Manufactured Home/RV Park ³				P						
	Nursing Home						P	P	P		
	Resident Care Home		P	P	C	P					154.086
Vacation Home Rentals		P	P	P	P	P	P				

- All uses are subject to Military Airport Overlay Zones per ARS 28-8481.
- City facilities are permitted in any district and exempt from the site plan approval process.
- Limited to arterial street frontage only.
- Drive-throughs may be permitted subject to the requirements set forth under the Drive-through use type as defined and regulated herein.
Only pre-existing, in-place mobile homes shall be allowed for residential or non-residential use on an existing lot or within an existing mobile home park, subject to all applicable A.R.S. Relocating a pre-existing mobile home from its current location, lot, or mobile home park shall be prohibited.



Zoning Review

Staff Review:	The Technical Advisory Committee (TAC) staff has reviewed the application and found that it may proceed with the public hearings.
Stipulation(s):	None
Public Comment:	None
Planning & Zoning Commission:	<p>April 8, 2025: Recommendation approval to the City Council with amendments to the text, 3 to 0 unanimous vote.</p> <ol style="list-style-type: none">1.Changing Modular Home Dwellings from permitted use to conditional use in the Suburban Neighborhood (SN) and Mixed-Use (MU) zones.2. Updating the Specific Use Type in the Permitted Uses by Zone table from Manufactured Homes/RV Parks to Mobile Homes.3. Adding a footnote to specify that Modular Home Dwellings are considered a multi-family construction option.
City Council:	May 6, 2025: Final Action



Staff Draft

Commission's Recommendations

EXHIBIT A

CITY OF EL MIRAGE PERMITTED USES BY ZONE

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	Dwelling, Modular Home		P	P	C	P							
	Dwelling, Multi-Family Attached	C		C	C	C	C	P					
	Dwelling, Single-Family Attached			C	C	P		P					
	Dwelling, Single-Family Detached		P	P	C	P							
	Group Care Home		C	C	C	C							154.086
	Manufactured Home/RV Park ⁴					P							
	Nursing Home						P	P	P				
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	Dwelling, Modular Home		P	P	C	P							
	Dwelling, Multi-Family ⁴	C		C	C	C	C	P					
	Dwelling, Single-Family Attached			C	C	P		P					
	Dwelling, Single-Family Detached		P	P	C	P							
	Group Care Home		C	C	C	C							154.086
	Manufactured Home/RV Park ⁴					P							
	Nursing Home						P	P	P				
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Vacation Home Rentals		P	P	P	P	P	P						

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- Modular Home may be used as a multi-family construction option.



City Council Motion Options

1. I move to deny the zoning text amendment to the City of El Mirage, Arizona Zoning Code: Land Usage Volume 2 Chapter 154.052 Permitted uses by Zone as presented.
2. I move to approve the zoning text amendment to the City of El Mirage, Arizona Zoning Code: Land Usage Volume 2 Chapter 154.052 Permitted uses by Zone as presented.
3. I move to approve the zoning text amendment to the City of El Mirage, Arizona Zoning Code: Land Usage Volume 2 Chapter 154.052 Permitted uses by Zone as per the Planning and Zoning Commission's recommendations.
4. I move to approve the zoning text amendment to the City of El Mirage, Arizona Zoning Code: Land Usage Volume 2 Chapter 154.052 Permitted uses by Zone as amended by City Council.



