Chapter 1

PURPOSE AND APPLICABILITY*

Section 101. Title.
Section 102. Authority and purpose.
Section 103. Applicability.
Section 104. Transition rules.
Section 105. Newly annexed lands.

***Editor's note**—Ord. No. G-5599, (TA-4-11), § 1, adopted March 23, 2011, effective April 22, 2011, amended portions of the Zoning Ordinance of the City of Phoenix, Arizona, to reflect the consolidation of the Planning Department with the Development Services Department and change all references to the department name to Planning and Development Department.

Section 101. Title. +1

These regulations shall be known as "The Zoning Ordinance of the City of Phoenix."

Date of Addition/Revision/Deletion - Section 101
+1 Deletion and addition on 1-30-1991 by Ordinance No. G-3397

Section 102. Authority and purpose. +1

This Zoning Ordinance is enacted pursuant to the requirements and authority granted to the City of Phoenix by the Arizona Constitution, article XIII, § 1 (1984) and A.R.S. § 9-461 et seq. in order to carry out the purposes stated therein.

The purpose of this Zoning Ordinance is to establish standards and regulations to govern the use of land and structures in the City and for review and approval of all proposed development of property in the City, and to provide a development review process that will be comprehensive, consistent, and efficient in the implementation of the General Plan and other adopted goals, policies and standards of the City.

In order to conserve and promote the public health, safety and general welfare, and to aid in the harmonious, orderly, and progressive development of the City, it is the intent of this ordinance that the development process in the City of Phoenix be efficient, in terms of time and expense, effective, in proposed development and equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and the consideration of the interests of the citizens of the City. It is also the intent of this ordinance to preserve and enhance aesthetic values, to encourage the most appropriate use of land, and to facilitate the adequate provision of transportation, water, sewage treatment systems, schools, parks, and other public requirements throughout the City.

Date of Addition/Revision/Deletion - Section 102
+1 Deletion and addition on 1-30-1991 by Ordinance No. G-3397

Section 103. Applicability. +1

A. **General applicability.** Except as otherwise provided in this section, or as provided in chapter 9 (Nonconformities), these regulations shall govern the development and use of lands and structures within the corporate limits of the City. No building, structure, or land shall be used or occupied, and no building, structure, land shall be developed unless in conformity with all the provisions of these regulations for the zoning district in which it is located and other applicable regulations.

B. **Exceptions.** (Reserved.)

C. **Development review of exceptions.** (Reserved.)

Date of Addition/Revision/Deletion - Section 103
+1 Deletion and addition on 1-30-1991 by Ordinance No. G-3397

Section 104. Transition rules.

(Reserved.)

Section 105. Newly annexed lands. +1

A. **Newly annexed territory.** All areas which are annexed to the City after the effective date of this ordinance shall be classified into the zoning district or districts that allow densities and uses that are no greater than those permitted by Maricopa County immediately prior to annexation.

B. **Land use map.** Upon the annexation of any area, the Planning Department shall prepare a land use map which shall be prima facie evidence of the manner in which a building or land was being used at the time of annexation. The map shall be certified by the Zoning Administrator, after notice by mail to owners of property within the area of annexation and an opportunity for such owners to supplement the information in the map prior to certification.

C. **Status of existing uses.** Any use or activity conducted contrary to County zoning regulations on the effective date of annexation and not constituting a nonconforming use under the County's zoning regulations shall not be entitled to be considered a nonconforming use under these regulations. Any use or activity conducted lawfully either as a nonconforming use or as a permitted use shall not be rendered unlawful because of annexation to the City. The City Council may authorize the acquisition of private property by purchase or condemnation for the removal of nonconforming uses and structures in accordance with applicable procedures and regulations established from time to time.

Date of Addition/Revision/Deletion - Section 105

+1 Deletion and addition on 1-30-1991 by Ordinance No. G-3397

Chapter 2

RULES OF CONSTRUCTION AND DEFINITIONS*

Section 201. Rules of construction.
Section 202. Definitions.

***Editor's note**—Ord. No. G-5599, (TA-4-11), § 1, adopted March 23, 2011, effective April 22, 2011, amended portions of the Zoning Ordinance of the City of Phoenix, Arizona, to reflect the consolidation of the Planning Department with the Development Services Department and change all references to the department name to Planning and Development Department.

Section 201. Rules of construction.

For the purpose of this ordinance, certain terms and words are hereby defined as follows: Words used in the present tense include the future, words in the singular include the plural, and words in the plural include the singular; the word "shall" is mandatory and not permissive; the word "person" includes individuals, partnerships, corporations, clubs, or associations. The following words or terms, when applied in this ordinance shall carry full force when used interchangeably: lot, plot, parcel, or premises, used, arranged, occupied or maintained; sold or dispensed, construct, reconstruct, erect, alter (structurally or otherwise), but not the term maintenance. The terms "City" and "County" shall mean the City of Phoenix and County of Maricopa, respectively; "Board" shall mean Board of Adjustment; "Commission" shall mean City Planning Commission; "Council" shall mean City Council.

Section 202. Definitions.

Abutting: Contact at boundary with street or alley.

Accessible Dwelling Unit: A dwelling unit designed to be approached, entered, and used by persons with disabilities. +38

Accessible Parking Spaces: A parking space reserved for use by vehicles showing disabled insignia or license plates. +39 -47 +49

Accessible Route: A continuous, unobstructed properly surfaced path connecting all accessible elements and spaces. +28 *47

Accessory Building or Structure: A detached subordinate building or structure situated on the same lot with the main building and used for an accessory use. *63

Accessory Dwelling: A subordinate dwelling situated on the same lot with the main dwelling and used as an accessory use. +63

Accessory Use: A subordinate use of a building, other structure, or use of land:

1. Which is clearly associated or related to the use of the main building, other structure, or use of land, and *47
2. Which is customarily in connection with the main building, other structure, or use of land, and
3. Which is located on the same zoned lot with the main building, other structure, or use of land.

Accessway, Pedestrian: A formalized path, walkway, or other physical connection that allows pedestrians to directly reach destinations. +63

Accessway, Private: A street privately owned and maintained that is used as the principal means of access to abutting parcel or parcels and shall allow for access by emergency service vehicles, trash collection vehicles, public service vehicles, and the public in general. +63

Active Use: A specified land use which generates a higher number of pedestrian trips and human interaction which creates a more vibrant streetscape. +71

Adaptable Dwelling Units: A dwelling unit designed to be capable of simple conversion into an accessible dwelling unit.

Adaptive Reuse: Adaptive reuse is the practice of adapting existing buildings for new purposes when the original use of a building changes or becomes obsolete. +70

Additional Landscaping: Additional landscaping is landscaping done in addition to that landscaping required by a section of this ordinance, and may include, but is not limited to, the following elements:

1. Planters or planting areas separating the structure from the paved areas;
2. Trees planted in groups;
3. Combinations of planted trees and shrubs; or
4. A low wall, not more than three (3) feet high, complemented with trees and shrubs.

Additional Off-Street Parking: Off-street parking in addition to that required by the Zoning Ordinance.

Adjacent: Nearby, but not necessarily touching.

Adjoining: Touching at some point.

Adult Bookstore: A commercial establishment, having as a substantial portion of its stock in trade, books, magazines, and other periodicals depicting, describing, or relating to "specified sexual activities" or which are characterized by their emphasis on matters depicting, describing, or relating to "specified anatomical areas".

Adult Live Entertainment Establishment: A business that offers any of the following entertainment during any part of any two or more days within any continuous thirty (30) day period:*47

1. Topless or bottomless dancers, male or female striptease dancers or male or female go-go dancers whose clothing less than completely and opaquely covers: *17
   a. Human genitals and pubic region, and
   b. Buttocks, and
   c. Entire female breast below a point immediately above the tip of the areola.
2. Nude models or models where costuming is as described in paragraph I above. 'Mud Wrestling'. 'Wet T-Shirt' or other similar entertainment. *17

   Nothing in the definition of "adult live entertainment establishment" shall be construed to apply to the presentation, showing, or performance of any play, drama, or ballet in any theater, concert hall, fine arts academy, school, institution of higher education, or other similar establishment as a form of expression of opinion or communication of ideas or information, as differentiated from the promotion or exploitation of nudity for the purpose of advancing the economic welfare of a commercial or business enterprise. +17

Adult Novelty Store: A commercial establishment which: +11

1. As one of its principal business purposes, offers for sale or rental, for any form of consideration, any one or more of the following: +11

   a. Books, magazines, periodicals or other printed matter which depict or describe "specified sexual activities" or "specified anatomical areas"; or +11

   b. Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities," excluding condoms and other birth control and disease prevention products. +11

   A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of the above-listed items and still be categorized as an adult novelty store. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an adult novelty store so long as one of its principal business purposes is offering for sale or rental for consideration the above listed items; or +11

2. Regularly excludes all minors from the premises or a section thereof because of the sexually explicit nature of the items sold, rented, or displayed therein. +11

Adult Theater: An open-air drive-in theatre or an enclosed building open to the public, not including private guest quarters of hotels and motels:

1. Regularly used for presenting any film or plate negative, film or plate positive film or tape designed to be projected on a screen for exhibition, or films, glass slides or transparencies, either in negative or positive form, designed for exhibition by projection on a screen, or images from an on-site or off-site electronic or magnetic storage medium, including but not limited to any hard disk, floppy disk, diskette, disk pack, cd rom, hologram, magnetic tape, or cards, or any other device capable of creating a display on a screen or other viewing media, depicting, describing or relating to "specified sexual activities or characterized by an emphasis on matter depicting, describing, or relating to "specified anatomical areas" for observation by patrons, customers, or members therein. *25

Adverse Impact: A condition that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe, or unhealthy conditions on a site or on off-tract property or facilities. +28

Aesthetic: The perception of artistic elements or elements in the natural or created environment that are pleasing to the eye. +28

Alley: A public passageway, 8 to 25 feet wide, affording a secondary means of access to abutting property.

Alley, Buffer: An alley that is adjacent to a single-family residential use as identified on Map 1202.F, and in Sections 1207.O and P. +86

Ammunition, Commercial Loading: The assembly of component parts consisting of a tubular case, a bullet or shotgun pellets, propellant powder and a primer or percussion cap for use as a cartridge in rifles and handguns or in shotguns. Commercial loading may also include the custom modification of cases or the making of non-exploding bullets used in the ammunition loading process but shall not

include the manufacturing of primers, percussion caps or propellant powders. Propellant powders shall include smokeless powder, synthetic black powder, and black powder. +2

Ammunition, Military: Ammunition including bursting charges or incendiary, tracer, spotting, or pyrotechnic projectiles. +2

Ammunition, Small Arms: Ammunition used in rifles and handguns no larger than 45 caliber in size or in shotguns no larger than 10 gauge in size. +2

Ammunition, Specialty or Custom: Ammunition used in rifles and handguns larger than 45 caliber in size or in shotguns larger than 10 gauge in size. +2

Animation: The movement, or the optical illusion of movement of any part of the sign structure, design, or pictorial segment including the movement of any illumination or the flashing, scintillating, or varying of light intensity. The automatic changing of all or any part of the facing of a sign or any sign or part of a sign set in motion by the movement of the atmosphere shall be considered to be animation with the exception of banners as defined herein and regulated by Section 705. *15

Annexed Land: Any land annexed to the City of Phoenix.

Antique: A product that is sold or exchanged because of value derived due to oldness as respects the present age.

Apartment: See "Dwelling, Multiple-Family".

Appliance Repair Services: An establishment providing appliance repair or office machine repair. This use does not include the maintenance and repair of vehicles. +86

Arcade: A covered passageway with columns or piers that is generally a minimum of ten feet in width. +49

Architectural Details: Materials, shapes, or forms that are integrally related to the architectural expression of structures on the same lot or parcel, or in the vicinity. *15

Arena: A place designed primarily for the playing of sports, such as basketball, hockey, arena football and indoor soccer, but also suitable for the use of concerts, shows, entertainment, meetings and gatherings of large groups. An arena shall provide seating for at least fifteen thousand people. An arena is not a stadium, which is separately defined in this ordinance.

Arena Sponsorship: A contractual commitment, of at least one (1) year in length, between the ownership and/or management of an arena and an individual or business entity (the "arena sponsor"), including the following elements: (i) exterior signage for the arena sponsor; (ii) special arena seating privileges for the arena sponsor; (iii) means for the general public to communicate with or have access to the arena sponsor to purchase, investigate, shop for, or otherwise gain additional information about the arena sponsor's goods and/or services at the arena. Such means might include: (i) computer/internet terminal or direct telephone connection at the arena to the arena sponsor's personnel or databanks; (ii) the arena sponsor's personnel at the arena; (iii) displays of arena sponsor's goods or services at the arena, or (iv) other means of disseminating information regarding the arena sponsor's goods and/or services at the arena. +45 *47

Art Gallery: An establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other work of art. +61

Artist Studios/Galleries: Work space within an enclosed structure for artists and artisans, including individuals practicing one of the fine arts or performing arts, or skilled in an applied art or craft. Incidental retail sales of items produced on the premises is allowed. +61

Articulation: The visible expression of architectural elements through form, structure, or materials that "break up" the scale of buildings and spaces to achieve a "pedestrian scale." +63

Artistic Enhancement: Permanent works of art located in exterior spaces arranged for public use and enjoyment.

Assembly, General: A building or portion thereof used for groups of people to gather for an event, or regularly scheduled program. General assembly uses include arenas, auditoriums, banquet facilities, conference and reception centers, concert halls and theaters. +86

Assembly Hall: A building or portion of a building that is used on a continuing basis for dances, parties, receptions, and other gatherings which may provide all or some of the following: live or amplified music, live or amplified entertainment, serve alcoholic beverages, or serve catered meals. The owner or operator must hold all other appropriate licenses and permits. An assembly hall does not include a restaurant or a bar. +83

Assisted Living Center: A residential care institution that provides resident rooms, or residential units, to 11 or more handicapped or elderly persons. The facility provides, or contracts to provide, supervisory care services, personal care services, or directed care services on a continuous basis. An assisted living center shall be licensed by the State of Arizona. +86

Assisted Living Home: A dwelling unit shared as their primary residence by one to ten handicapped or elderly persons living together as a single housekeeping unit, where staff persons provide on-site care, training, or support for the residents. The facility provides, or contracts to provide, supervisory care services, personal care services, or directed care services on a continuous basis. An assisted living home shall be licensed by the State of Arizona. +86

Auto Court: Same as "Motel".

Auto Court Cluster: A single-family detached development pattern which focuses lots around a shared access drive between single-family detached lots. The lotting configuration for this development pattern shall generally not exceed six lots with only one point of access unless approved by the Planning and Development Department with the intent of protecting the public health, safety and welfare. +28

Auto Title Loan Establishment: An establishment, other than a financial institution, which enters into retail installment contract loan as defined in Section 44-281, Arizona Revised Statutes, for a secondary motor vehicle finance transaction. +85 *89

Automated Collection Center: A self-contained machine to collect and weigh recyclable consumer materials, to reimburse mechanically the depositor of said materials, and to store temporarily said materials before shipment to a recycling center. +1

Automobile Service Station: A place of business having pumps and/or storage tanks from which liquid fuel and/or lubricants are dispensed at retail directly into the motor vehicle. Sales and installation of auto accessories, washing, polishing, inspections, and cleaning, but not steam cleaning, may be carried on incidental to the sale or such fuel and lubricants.

Automobile Wrecking: Same as "Junk Yard".

Average Lot Development: A residential development option, according to the provisions of Chapter 6 wherein there is no restriction on lot size so long as total number of units in a development does not exceed the allowable density.

Awning: A structure attached to a building or other permanent structure in a fixed position with a flexible or rigid covering, including such structures which are internally illuminated by fluorescent or other light sources.* 10 *47

Bakery: An establishment used for the sale of baked goods on the lot and baking when incidental to retail sales from the property including the combining, baking and packaging of ingredients. +86

Balcony: An exterior platform that projects from or into the facade of a building and is surrounded by a railing, handrail, or parapet. +63

Bank Vault Storage: A building, the primary use of which is, for the storage of personal goods and valuables in controlled access vaults, no one of which shall contain more than thirty (30) cubic feet.

Banner: A temporary sign composed of fabric, pliable plastic, paper, or other light material not enclosed in a rigid frame, and secured or mounted so as to allow the movement of the atmosphere to move the sign.

Banquet Hall: Same as "Assembly Hall." +83

Bar: An establishment the main use of which is to serve spirituous liquors to be consumed on the premises. Food may or may not be served. Usually a counter and stools are present.

Beauty Shop: An establishment that provides a variety of beauty and personal care services such as hair cutting, styling and treatment, manicures, pedicures, facials, body waxing, nail sculpturing, body wraps, eyebrow and eyelash tinting, makeup application, massage, permanent hair removal other similar services and retail sales of hair and beauty products. +7

Bed and Breakfast Establishment: A residential development which provides breakfast and rooms for rent to guests on an overnight basis. +18

Berm: An artificial bank of earth. Mounds can physically and visually separate areas and provide visual and physical level changes by raising landscape elements above grade. +63

Bicycle Path: A hard surfaced path for bicycles designed in accordance with standards on file in the Planning Parks and Recreation Department. *47

Block: That property abutting one side of a street and lying between the two nearest intersecting streets, or nearest intersecting street and railroad right-of-way, unsubdivided acreage, waterways, but not an alley of such size as to interrupt the continuity of development of both sides thereof.

Boarding House: See "Group Home".

Brew Pub, Domestic Microbrewery, or Domestic Farm Winery: An establishment that produces alcoholic beverages in conjunction with a restaurant, retail sales, or tasting room. The liquor may be distributed to other locations and be sold on site. +86

Buffer Strip: Open spaces, landscape areas, fences, walls, berms, or any combination thereof used to physically separate or screen one use or property from another so as to visually shield or block noise, lights, or other nuisances. +28

Building: A structure having a roof supported by columns or walls for the shelter, support, or enclosure of persons, animals, or chattel.

Building Area: The total areas taken on a horizontal plane at the mean grade level of the principal buildings and all accessory buildings, exclusive of uncovered porches, steps, roof overhangs, and balconies.

Building, Closed: A structure completely enclosed by a roof and walls of approved construction.

Building Envelope: The area defined on a lot in which all improvements must be made, including grading and alterations to existing landscaping. These include, but are not limited to house, accessory buildings, pool, patios, driveways, visitor parking, fencing, or walls. The building envelope defines the maximum allowable construction/improvement area on the lot. The building envelope must be identified on all design review submittals. +50

Building Facade: The face or elevation of a building. +47

Building Frontage: The portion of the lot in which the building is at or within the minimum or maximum setback from a street, private accessway or public pedestrian path. +71

Building, Front Line: Those portions of any building on a lot which are parallel with or most parallel with the front property line and create the total front profile of the building, excluding projections such as awnings, open fire balconies, fire escape stairs, open canopies not used for coverage and storage of chattel.

Building Height: The vertical distance measured from the higher of the natural grade level or the finished grade level established by the Planning and Development Department pursuant to the Floodplain or Grading and Drainage Regulations of the City to the highest level of the roof surface of flat roofs; or to the mean height between eaves and ridge of gable, gambrel, or hip roofs. *47

Building, Main: A building, or buildings, in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be the main building of the lot on which the same is situated.

Building Materials: An establishment that sells goods relating to construction such as lumber, appliances, electrical supplies and plumbing supplies. +86

Building, Open: A structure which contains a wall or roof, any part of which is not covered by a permanent, solid surface.

Building, Open, Porch: An open building used solely for ingress and egress and not for occupancy, at least two sides of which shall be at least 50% open.

Building Permit: An authorization to construct a structure as issued by the Planning and Development Department. *47

Build-To: The distance that a building must be constructed from the property line. Where there exist or are required public utility easements that are greater than the build-to, the measurement may be from the dedicated public utility easement line. +63 *86

Bulk Retail Use or Bulk Sales: A retail or wholesale facility that serves the general public, selling primarily institutional-sized, or multi-pack products in bulk quantities. +63

Bus Depot: Any premises for the storage, maintenance, and service of buses, including repair and washing facilities. +69

Bus Terminal: Any premises for the transient storage or parking of buses, and the loading and unloading of passengers (privately operated bus lines). A bus terminal is characterized as a transfer point between various modes of transit. +69

Business Services: Establishments that render services, rather than provide goods, primarily to other businesses. +61

Canal: An artificial waterway for transportation or irrigation. +28

Canopy: A structure attached to a building or other rigid structure in a fixed position with a flexible or rigid covering, including such structures which are internally illuminated by fluorescent or other light sources.* 10 *47

Carport: An open building the principal use of which is the storage of motor vehicles, at least two sides of which shall be at least 50% open.

Carport

Cart Corral Temporary: An enclosure for the holding of push carts made available for use by the public for shopping during normal business hours. +47

Cart Storage Area: An outdoor enclosure that fully screens all push carts made available for use by the public for shopping that are being stored on a long-term basis or during hours when the business is closed. +47

Channel: A watercourse with a definite bed and banks that confine and conduct the normal continuous or intermittent flow of water. +28

Charitable Drop Box: A container used for the purposes of donating goods for reuse by others. +87

Civic Event: An event which is of civic or public benefit. The event shall be sponsored by a charitable or nonprofit group or organization and shall not be for personal or private gain. Said event must further the athletic, benevolent, cultural, educational, historical, medical, patriotic, scientific, or social service objectives of the sponsor.

Clinic, Medical or Dental Offices: A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis, and that accommodates no more than four licensed primary practitioners (for example, chiropractors, dentists, medical doctors, optometrists, prescription opticians, psychologists, etc.) within a single office suite. +61

Cocktail Lounge: An establishment, the main use of which is to serve spirituous liquors to be consumed on the premises. Food may or may not be served. A lounging area is provided and a counter is not necessarily present.

Commercial Center: Lot(s) containing a commercial building or buildings where: there are three or more businesses or tenants contained therein, the lot contains 30,000 square feet of gross floor area or more, and buildings are served by common parking areas. *47

Commercial Kennel: On any property, the commercial breeding, boarding, grooming, or bathing of dogs, cats, or other similar small animals, or the breeding or keeping of dogs for racing purposes. Commercial breeding shall not include the non-commercial raising of animals, breeding animals for show, or the occasional selling of litters when such activities are conducted on the property of the owner/resident of that property.

Commercial Pad, Freestanding: A parcel, lot or retail building that is part of a commercial development but separate from other buildings. +47

Commercial Recreation: A commercial recreational land use conducted entirely within a building, including arcade, arena, art gallery and studio, art center, assembly hall, athletic and health clubs, auditorium, bowling alley, community center, conference center, exhibit hall, gymnasium, library, skating rink, swimming pool, tennis court. +61

Commercial Use: A use operated for profit or compensation.

Common Area: Land in a residential development held in common and/or single ownership and not reserved for the exclusive use or benefit of an individual tenant or owner.

Common Area, Basic: Common area maintained in a natural state and without other substantial improvement. *28

Common Area, Improved: Common area retained as outdoor living space for residents. Such space shall include lawns and other landscaped features such as walkways, terraces, sitting areas, and outdoor recreational areas when such features are incorporated into these areas. Such space shall not be used for vehicles but may be utilized to retain stormwater if designed in accordance with the City of Phoenix Drainage Manual and improved with appropriate surface which fosters recreational use. *28

Community Center: A building to be used as a place of meeting, recreation, or social activity and not operated for profit and in which neither alcoholic beverages nor meals are normally dispensed or consumed. +61

Community Center, Public: A building owned by the City that is open to the public and is used as a place for meetings, recreation, or social activities and may have outdoor recreational facilities. +73

Community Center, Youth: An 18,000 square foot or larger building where a nonprofit entity offers structured, comprehensive educational and personal development for persons under 18 years of age. +93

Community Garden: A private or public facility for the cultivation of fruits, vegetables, flowers and ornamental plants by more than one person. Accessory sales of products cultivated on site are permissible within ten days of harvesting subject to approval of a use permit pursuant to Section 307. +80

Community Organization: A nonprofit organization consisting primarily of community volunteers, but could also include paid staff, which administers and operates an event or charity benefiting the general community.

Condominium: Ownership of real property wherein the interest in the underlying land is undivided. All provisions of property subdivision shall be applicable to condominium development so as to protect the public health, safety, and welfare. *28

Conference and Reception Center: A building or structure which houses one or more of the following: Cafeteria or dining room for employees or a related office complex, kitchen, ballroom, banquet room. The center may be used for any or all of the following activities or other activities normally conducted at a conference and reception center: Trade show displays; civic events; charitable events; teleconferences; seminars held or sponsored by an individual, entity, or organization on an advance registration basis; receptions; meetings; breakfasts, brunches, lunches, and dinners on an advance registration basis; parties with or without live music or entertainment; balls or dances including live music and other live entertainment; conferences; conventions.

Conformance, General: A term used in zoning/zoning adjustment stipulations to require that final plans, such as site plans or elevations approved by the City generally conform to key design elements that were shown on public hearing plans. These key design elements may not exceed the established Zoning Ordinance standards. This allows for up to a ten percent variation in key design elements, such as but not limited to building height, landscape setbacks, building setbacks, density, lot coverage and open space. The term "substantial conformance" may be used as a subset of a general conformance stipulation to remove the ten percent variation and as such that particular item shall appear exactly as shown on the stipulated public hearing plans. +82

Conservation Area: Environmentally sensitive areas with characteristics such as steep slopes, wetlands, flood plains, or areas of significant biological productivity or uniqueness that have been designated for protection from any activity that would significantly alter their ecological integrity, balance or character. +28

Construction Project: The erection, installation, remodeling, or alteration of durable facilities upon, under, or over the ground. This shall include, but is not limited to, buildings, roadways, and utility pipes, lines, poles, or other structures.

Contiguous: In contact with one or more sides.

Contractor's Yard: An establishment used for the outdoor repair, maintenance or storage of construction vehicles, equipment or materials owned by the establishment. +86

Convenience Market: A small scale retail establishment the primary purpose of which is the sale of fresh and packaged food, dry goods, and nonprescription medicine primarily to customers from the immediate area. A convenience market may include sale of gasoline and packaged liquor. A convenience market shall not exceed five thousand (5,000) square feet of gross floor area. +19

Cooking Area: The area where food is cooked. This area shall include but is not limited to grill space, ranges, ovens or microwaves. This area shall not include counter space, food preparation areas, coolers, freezers or walkways. +77

Cooking Facilities: An area of a dwelling unit or guest house which includes a sink and a significant cooking appliance, including, but not limited to, a range, oven or microwave oven. +32

Copying and Reproduction Center: An establishment which copies, binds, reproduces, typesets and designs business papers and other printed matters. +4

Corporate Flag: A flag which shows only the name, symbol, or logogram of the displaying entity.

Correctional Transitional Housing Facility: A supervised residential center where individuals who are completing a sentence, including pre-release programs, reside for a defined period of time for counseling, job placement assistance, and similar services to assist in transitioning from institutional to community living. +35 *36

Covered Pedestrian Ways: The provision of pedestrian ways protected from the weather by arcades, pergolas, arbors, or similar permanent structures. Such covered pedestrian ways may be along the perimeter of a building or across open spaces.

Critical Infrastructure: Physical systems and assets vital to national security, national economic security, national public health or safety, or any other combination of those matters, as defined by the United States Department of Homeland Security. Critical infrastructure can include, but is not limited to, facilities such as water treatment plants, pump stations, lift stations, water reservoirs, power generating plants and power substations. +94

Cul-de-Sac: The turn-around at the end of a dead end street. +28

Cul-de-Sac, Dogleg: A cul-de-sac that has a bend in it so that it is impossible to see the terminus (I) of the street from the origin. +28

Custom: Work, service, or assembly made to order for individual customers for their own use or convenience.

Cut-Through Traffic: Non-local traffic which uses local streets to bypass congestion on arterial streets. +28 *47

Day Nursery: Same as "Nursery School."

Density: The number of dwelling units divided by the gross area.

Density Bonus: Additional density above allowance that is granted by providing site enhancements from a specified list. Refer to Sections 608 and 1223. +86

Dental Laboratory: A facility for making, restoring and repairing fixed and removable dental prostheses and orthodontic appliances as prescribed by licensed dentists and dental professionals, and sold exclusively to those dental professionals. This term does not include the mass assembly or mass production of dental prostheses or orthodontic appliances. +78

Dependent Care Facility: A facility that regularly provides day care for persons for less than 24 hours. Dependent care solely includes childcare licensed by the State of Arizona. +23 *93

Design Continuity: A unifying or connecting theme or physical feature for a particular setting or place, provided by one or more elements of the natural or created environment. +28

Detention Basin: A facility for the temporary storage of stormwater runoff. +28

Developed Pedestrian Mall or Plaza: Spaces accessible from a street or from a parking area. The mall or plaza shall be at a minimum, not less than 30' x 30'. The developed pedestrian mall or plaza shall contain any four of the following amenities:

1. Shaded benches,
2. Imaginative uses of water and shade,
3. Variation of ground level,
4. Restrooms available to the public,
5. Artistic enhancement.

Direct Connection to Sidewalk: An unobstructed pedestrian path that connects a building or site entrance to a sidewalk in the shortest possible distance. +71

Direct Access to Off-Street Parking: The provisions of direct access, without the necessity of using the public sidewalk, between the building and an off-street parking facility either within the building or adjacent to it. Such parking facilities must be available to the tenants or customers of the building.

Dormitory: A building or that portion thereof other than a hotel, motel, boarding house, fraternity house, or sorority house containing three (3) or more rooming units or guest rooms or sleeping facilities for more than five (5) persons. Such rooming units or guest rooms shall be for residential purposes only.

Drive Aisle: A private, on site vehicular maneuvering lane. +71

Drive-In Restaurant: Any establishment where food or beverages are dispensed and where such food or beverages are consumed on the premises but not within a building.

Drive-In Theater: An open-air theater designed for viewing by the audience from motor vehicles.

Driveway: A private, vehicular access connecting a house, carport, parking area, garage, or other buildings with the street.

Driveway, Shared: A private roadway which provides secondary access to two or more lots; meets all minimum City of Phoenix standards for pavement thickness; and is covered by an ingress/egress easement for emergency and service vehicles and for the exclusive use by the residents and their guests of the lots which it serves. +28

Drive-Through Establishment: Establishments only allowing transactions for goods or services without leaving a motor vehicle. +63

Dustproof Paving: Parking, maneuvering, ingress and egress areas maintained by paving with one of the following methods: (1) asphaltic concrete, (2) cement concrete, (3) penetration treatment of bituminous material and seal coat of bituminous binder and a mineral aggregate, or (4) the equivalent of the above as approved by the Zoning Administrator. *14 *30

Dustproof Surface: For single-family and duplex residential uses, the following alternative methods of dustproofing parking and maneuvering areas are permitted: (1) a smooth layer of crushed rock or gravel no smaller than one-quarter inch and no larger than three-quarters of an inch maintained to a minimum depth of two inches, contained within a permanent border or (2) an alternative surface treatment as approved by the Zoning Administrator that will equal or exceed the dust free characteristics of the above listed alternatives. +14 *30 *47 *49 *52 *53

Dwelling, Multifamily: A building or buildings attached to each other and containing two or more dwelling units. The term "multifamily dwelling" is intended to apply to dwelling types as triplex, fourplex, and apartments where any dwellings have their primary access to a common hallway or corridor.

Dwelling, Single-Family Attached: A building containing dwelling units each of which has primary ground floor access to the outside and which are attached to each other. Each unit extends from the foundation to roof and has open spaces on at least two sides. The term "attached single-family dwelling" is intended primarily for dwelling types as townhouses and duplexes. *88

Dwelling, Single-Family, Detached: A building containing only one dwelling unit entirely separated by open space from buildings on adjoining lots or building sites.

Dwelling Unit: One (1) or more rooms within a building arranged, designed, or used for residential purposes for one (1) family and containing independent sanitary and cooking facilities. The presence of cooking facilities conclusively establishes the intent to use for residential purposes.

Easement: A grant of one or more of the property rights by the property owner to and/or for the use by the public, a corporation, or another person or entity. +28

Edge: The "edge" is the boundary of the Sonoran Preserve. The length of the edge for a parcel is the length of the boundary shared by that parcel with the preserve. +50

Efficiency Apartment: A dwelling unit of not more than one (1) room in addition to kitchen and bath.

Elevation, Distinctive: A fully dimensioned drawing of the front of a building providing at least three of the following list of variations: 1) different roof forms; 2) different window style, size shape or placement; 3) different trim or architectural detailing; 4) different door style, size, shape or placement; or 5) different treatment of front entry feature. +33

Elevation, Structure: The exterior design of a structure showing features such as windows, doors, and relationship of grade to floor level. +28 *47

Embellishment, Architectural: Vertical relief from a continuous plane, ornamentation - geometric or organic, cornice, wainscot, change of construction materials or similar superimposed treatment of the architectural facade of a structure. +28

Enforcement Personnel: Repealed. -47

Entry, Front: An arcade, gated arch, covered porch or patio, pergola, or similar architectural enhancement which clearly delineates the location of, or path to, the front door. +33

Environmental Remediation Facility: Any combination of land, wells, tanks, devices, and structures of a temporary nature used exclusively to reduce the concentration, volume, hazard, or toxicity of pollutants previously released on site to the soil, air, or water, when done in compliance with: +16

1. The terms and conditions of approval for remedial or corrective action conducted entirely on site and authorized by the Arizona Department of Environmental Quality pursuant to Title 49 of the Arizona Revised Statutes Annotated; or +16
2. The terms and conditions of approval for remedial or corrective action conducted entirely on site and authorized by the United States Environmental Protection Agency pursuant to federal law; or +16
3. A court order or decree that specifies the manner of conducting the remedial or corrective action. +16

   For purposes of this paragraph, "on site" means the contiguous areal extent of contamination and all suitable locations in close proximity to the contamination that are reasonably necessary to implement the remedial or corrective action. +16

Equestrian Trail: A natural surfaced path for equestrian use in locations identified by approved trails plans and constructed in accordance with standards on file with the Parks and Recreation Department. *28 *47

Erect: To build, construct, attach, hang, place, inscribe, suspend, or affix, and the painting of wall signs.

Erosion Control Zone: That portion of a watercourse which may include all or part of the one hundred-year floodway, one hundred-year floodplain, or erosion hazard zones wherein the encroachment of buildings, structures, fill or excavation material is determined by the Flood Control District of Maricopa County and/or City of Phoenix to cause detrimental impacts to the public health, safety, and general welfare for properties upstream or downstream of the subject site. +46

Erosion Hazard Zone: The erosion hazard zone encompasses the active channel, and the area next to the active channel that could reasonably be expected to erode during a large flood or during the expected design life of contiguous land uses, and the portion of the one hundred-year floodplain that could reasonably be expected to erode during a series of floods. This is the minimum area required to maintain the process of natural channel movement. It is also the minimum area required for preservation of the natural form and function of the stream. +46

Erotic Dance or Performance Studio: A business which emphasizes and seeks, through one or more dancers or other performers, to arouse or excite the patrons' sexual desires. Nothing in the definition of "erotic dance or performance studio" shall be construed to apply to the presentation, showing, or performance of any play, drama, or ballet in any theater, concert hall, fine arts academy, school, institution of higher education, or other similar establishment as a form of expression of opin-

ion or communication of ideas or information, as differentiated from the promotion or exploitation of nudity for the purpose of advancing the economic welfare of a commercial or business enterprise. +17

Exterior Wall: Any wall that defines the exterior boundaries of a building or site. +28

Family: A family is:

1. An individual or two (2) or more persons related by blood, marriage, or adoption, and usual servants, living together as a single housekeeping unit in a dwelling units, or
2. A group of not more than five (5) persons, who need not be related, living together as a single housekeeping unit in a dwelling unit.

Family Game Center: A supervised indoor amusement and recreation facility, the main use of which consists of mechanical, electronic, and electrical devices for entertainment and amusement, and which may include, but not be limited to, such facilities as card games, ping pong tables, and billiard tables.

Farmers Markets: A market held in an open area or in a structure where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, locally produced arts and crafts items (but not to include secondhand goods). Food and beverages dispensed from booths located on site is permitted as an accessory use. +61 *80

Fill: Sand, gravel, earth, or other materials of any composition whatsoever placed or deposited by humans. +28

Financial Institution: A State or Federally chartered bank, credit union, mortgage lender, savings and loan association, or automated teller machine. +61

Financial Institution, Non-Chartered: 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, "payday loan" businesses that make loans upon assignments of wages received, or businesses that function as deferred presentment services. +61

Fine Arts: Limited to painting, drawing, sculpturing, poetry, music, dancing, and dramatic art.

Floodplain: The channel and the relatively flat area adjoining the channel or a natural stream or river that has been covered by the floodwater of a 100 year frequency storm. +28

Floor Area: Reserved. -65

Floor Area, Gross: The sum of the gross horizontal area of each floor of a building or structure, measured from the exterior face of an exterior wall of a freestanding structure or from the center of common walls of attached buildings. +65

Floor Area, Net: The sum of the gross horizontal area of each floor of a building or structure, measured from the interior face of the walls, not including floors or parts of floors used principally

for non-public purposes such as storage, automobile parking, incidental repair, show windows, restrooms or powder rooms, or offices incidental to the management or maintenance of stores or the building. +65

Floor Area Ratio (FAR): The ratio of the gross floor area of the building to net site area. *63

0.5 FAR 1.0 FAR 1.0 FAR

Foster Home: A home maintained by any individual or individuals having the care or control of one or more, but not more than five (5) minor children, other than those related to each other by blood or marriage, or related to such individuals, or who are legal wards of such individuals which is licensed by the appropriate government agency. *47

Frontage: The linear edge of a property along the property line abutting a street, or private access-way. +63

Fund-Raising Event: A special event conducted for the purpose of obtaining money for the religious and educational activities of nonprofit religious organizations or public agencies. Such events may include but shall not be limited to fairs, bazaars, rummage sales, dances, and dinners.

Garage, Detached: A traditional method of garage treatment typically locating the garage at the rear of a property with single lane access to the structure and separating the garage structure from the primary structure by a minimum of six feet. +28

Garage, Private: An accessory building or part of a main building occupied by the passenger motor vehicles of the families residing on the same lot. This may include one commercial vehicle under five (5) ton capacity. Noncommercial vehicles of persons not residing on the lot may occupy up to one-half the capacity of such garage.

Garage Projection: The extension of a garage structure beyond the primary front facade of a house. +28

Garage, Public: Any building, other than that herein defined as a private garage, used for the storage or care of motor vehicles, or where any such vehicles are equipped for operation, repaired, or kept for remuneration.

Garagescape: The presence of uniformity in the treatment of house facades as it relates to the dominant presence of the garage on the street front elevation. +28

Garage, Side Entry: A garage oriented such that the entrance is located roughly parallel, rather than perpendicular, to the street. +28

Garage, Tandem: A garage designed to accommodate two or more vehicles in a line one behind the other, not adjacent to one another. +28

General Office: An establishment where commercial activities take place but where goods are not produced, sold, or repaired. These include: general and professional offices, insurance offices, real estate offices, and taxi-cab offices. +86

Glazing: A window, door or other transparent opening in the exterior wall of a building through which merchandise, services, or business are displayed or visible. +71

Grade: The average elevation of the ground adjoining the structure or building upon which the sign is erected.

Green Screen: Parallel galvanized steel wire (or equivalent) panels with a minimum of 3-inch separation and attached to vertical structures with climbing vegetation with adequate soil to enable complete coverage of the panel. +71

Gross Area: The area of a lot or parcel including all dedicated streets, alleys, private accessways roadway and/or alley easements, and canal rights-of-way. Such boundaries shall extended to the center of existing abutting street or alley right-of-way. In the case of an existing partial dedication or easement, the gross area shall not extend beyond what would be the centerline of the full dedication. Further, parcels abutting: 1) a freeway; or 2) a canal right-of-way when the abutting development has complied with the Canal Bank Design Guidelines set forth in Section 507 Tab A, including landscaping of canal bank right-of-way, shall include twenty-five feet of such right-of-way within gross area. *27 *47

Gross Area

Gross Building Area: The sum of the gross floor area of all buildings located on the premises, including the thickness of walls separating the interior from the exterior of all such buildings.

Gross Business Area: The total area of a property or building which is used to conduct business, such as outdoor dining or garden centers. +47

Group Home: A residential facility for six (6) or more unrelated persons providing living facilities, sleeping rooms, and meals and which have a permit issued by the appropriate government agency as a boarding house. *47

Group Home for the Handicapped: Dwelling unit shared as their primary residence by handicapped or handicapped elderly persons living together as a single housekeeping unit, in which staff

persons provide on-site care, training or support for the residents. Group homes shall not include nursing homes, personal care homes, or homes for the developmentally disabled as regulated by A.R.S. § 36-582. Such home or services provided therein shall be licensed by, certified by, approved by, registered with, funded by or through, or under contract with the State. +6 *47 *68

Guesthouse: A free-standing building which is designed to house guests or servants of the occupants of the primary dwelling unit. +32

For purposes of a guest house, a "free-standing building" shall be one which is either not connected to the primary dwelling unit or, if connected to the primary dwelling unit, shall be considered free-standing if: +32

1. The connecting structure is less than ten (10) feet wide; or +32
2. The connecting structure is greater than ten (10) feet wide and the length of the connection is more than twice the width of the connecting structure. +32

For purposes of a guest house, the width of the connecting structure shall be the shortest distance across its narrowest point, measured from the inside surfaces of the exterior, enclosing walls. The length of the connecting structure shall be the shortest possible straight line distance from the outside surface of the primary dwelling unit to the most distant outside surface of the connecting structure. +32

For purposes of a guest house, a structure shall be deemed to be "designed to house guests or servants of the occupants or the primary dwelling unit" if it contains the following; +32

1. A shower or bath; +32
2. A commode; +32
3. Space for sleeping; and +32
4. Cooking faculties or space and plumbing and electrical wiring which can be legally accessed and connected without the requirement of a permit issued by the City and which is reasonably capable of accommodation of cooking facilities. +32

Guestroom: A single room within a dwelling unit which may be occupied by no more than two persons and which are not members of a family. A guest room may not contain any cooking facilities.

Halfway House: See "Correctional Transitional Housing Facility". +34 *36

Handicapped: A person who: (1) has a physical or mental impairment which substantially limits one or more of such person's major life activities; (2) has a record of having such an impairment; or (3) is regarded as having such an impairment. However, "handicapped" shall not include current illegal use of or addiction to a controlled substance [as defined in Section 102 of the Controlled Substance Act (21 United States Code 802)]. +6 *47

Hardscape: Decorative pavement or other similar decorative walking surfaces, including defined natural surfaces, intended primarily for pedestrian use. +12

Health/Recreation Facility: An indoor facility including uses such as game courts, exercise equipment, locker rooms, jacuzzi, and/or sauna and pro shop.

Health and Support Services: A facility, place, or building that is maintained and operated to provide medical care. Includes intermediate care facilities, medical clinics, and home health agencies, all of which are licensed by the State. +61

Heliport: Any helistop which also includes all necessary passenger and cargo facilities; helicopter maintenance and overhaul, fueling service, storage, tiedown areas, hangars, and other necessary buildings and open spaces. Heliports include any of the uses of helistops.

Helistop: A designated landing area used for the landing and taking off of helicopters for the purpose of picking up or discharging passengers or cargo. No fueling or service facilities are permitted.

Hillside: An area where the natural slope of the ground exceeds 10 percent grade. +28

Historic Preservation: Historic preservation as defined and regulated by Chapter 8 of this ordinance.

Home Occupation: Home occupation is an occupation, profession, activity, or use which is clearly a customary, incidental, and secondary use of a residential dwelling unit and which does not alter the exterior of the property or affect the residential character of the neighborhood.

Homeless Shelter: A facility providing temporary housing to indigent, needy, homeless, or transient persons; may also provide ancillary services such as counseling, or vocational training. +93

Homeowners Association: A community association, other than a condominium association, that is organized in a manner which individual members share common interests and the responsibility of costs and up-keep of common areas and/or facilities. +28

Hospital: An institution which is licensed by the State of Arizona to provide in-patient and out-patient medical care, diagnosis, treatment or major surgical services for persons suffering from illness, injury or deformity or for the rendering of obstetrical or other professional medical care. A hospital may include such related facilities as laboratories, medical testing services, central service facilities, staff offices and volunteer community blood centers (non-profit only). The term "hospital" shall not be construed to include the office of a physician or practitioner. (For purposes of the definition "nursing care" shall not be construed to be "professional medical care.") *81

Household Moving Center: An independent operation managed business which specializes exclusively in the rental of household moving equipment and the sale of other products and services directly related to do-it-yourself moving.

Hotel: A residence facility designed for occupancy by transients or as a residence for periods of less than one year. A hotel shall contain rooming units and shall customarily provide housekeeping, bellhop, laundry, and on site recreation services. Where appropriately zoned, restaurant, bar, personal and retail services, and entertainment may also be available.

Imaginative Uses of Water and Shade: The combination of live plant or man-made shading together with water in movement.

Industrial Center: A group of three or more industrial establishments associated by voluntary common agreement or under common ownership or any recorded subdivision plat to be developed for industrial purposes.

Inoperable Vehicle: A vehicle physically incapable of operation or a vehicle which exhibits one or more of the following conditions: wrecked, partially or fully dismantled, abandoned, stripped, sub-

stantially damaged, inoperative, scrapped, having the status of a hulk or shell, discarded, or unable to be safely operated. +31

Interim Vacant Land Uses: Neighborhood pocket park, demonstration garden, public playground, meditation garden, public art display and similar uses are allowed uses for vacant property. +86

Item of Information: A business or center name, word, abbreviation, number, or symbol. A logo and corresponding business name shall be considered one (1) item of information. +15

Jail: See "Prison". +34

Junkyard: The use of a lot or portion thereof for the storage, keeping, or abandonment of junk, dismantled automobiles, or other vehicles, or machinery, or parts thereof, including scrap metals, rags, or other scrap materials.

Kindergarten: Same as "Nursery School".

Laboratory; Medical, Dental or Clinical: An establishment for scientific analysis of blood, tissue or other human or animal components. +86

Laboratory, Research: An establishment for scientific research, investigation, testing or experimentation, but not for manufacturing or sales of products. +86

Landscaped Area: A plot of land which has been decoratively or functionally altered by contouring and planting shrubs, trees, vines, and with a living and nonliving ground cover and with an automated watering system. *28 *47

Landscaped Parking: Landscaped parking are those parking areas which contain landscaping with the useable parking area, and may include, but are not limited to, the following elements:

1. Planters or planting areas separating the structure from the paved areas;
2. Trees planted in groups;
3. Combinations of planted trees and shrubs; or
4. A low wall, not more than three (3) feet high, complemented with trees and shrubs.

Landscape Setback, Average: Repealed. +28 -47

Large Scale Commercial Retail: Commercial development with primary building(s) greater than 100,000 square feet gross business area as a single freestanding use or in conjunction with other uses on a lot(s) or parcel(s). +47

Laundry, Self-Service: A building in which domestic-type washing machines and/or dryers are provided on a rental basis for use by individuals doing their own laundry.

Lighting, Architectural: Lighting placed on a building's facade to highlight or accentuate the building's design. + 67

Light Rail Transit (LRT): A fixed guideway transit system. +63

Liner Retail: A retail building adjacent to a street and serving pedestrian traffic. It is located at the front of a larger retail site that may also contain large format or large scale retail uses. +63

Liquor, Retail Sales: A retail establishment where the primary purpose is the sale of packaged liquor, including spirituous liquor, beer, and wine. +86

Live-Work: A residential unit that is also used for commercial purposes for a time, with minimum of 25 percent of the total building area given to the commercial use within the same structure as the residential component. +63

Livestock Fence: A fence in which at least seventy-five percent (75%) of the area between grade level and the top cross member (wire, wood or other material) is open. +76

Living Space, Active: A frequently used living space such as a kitchen, living room, or family room located within a residence such that visual surveillance of the public or private street adjacent to the residence is easily accomplished. The intent is to promote 'eyes on the street' and passive supervision of the public space. +28

Loggia: A space within the body of a building but open to the air on one side, serving as an open-air room or as an entrance porch. +63

Lot: A parcel of land shown in the records of the Maricopa County Assessor's Office, or any piece of property divided to be used separately from other pieces or parcels of property by description, as in a subdivision or on a recorded survey map, or by metes and bounds, for purposes of sale, lease, or separate use in a legal manner pursuant to all state, county, and city requirements for the development and proposed use or that property. *10 *15

Lot, Area: The total horizontal area within the property lines of a lot or parcel of land including land over which easements have been granted, but not including any land within the limits of a street or alley upon which the lot abuts. +56

Lot, Corner: A lot abutting on two or more intersecting streets where the interior angle of intersection does not exceed one hundred thirty-five (135) degrees. A corner lot shall be considered to be in that block in which the lot fronts.

Lot Coverage: The total structural coverage provided on a lot or site inclusive of all roofed areas or structures capable of supporting a roof divided by the net area of the lot or size. The first three feet of roof overhang or projection shall not be included in the lot coverage. +28

Lot Coverage, Planned Residential Development: The total structural coverage provided on the sum of all the lots within the Planned Residential Development of which is divided or prorated between each of the lots after streets (both public and private) are subtracted from the total net area. +28

Lot, Interior: Not a corner or key lot. *47

Lot, Key: Any lot, one side line of which is contiguous to the rear line of a corner lot.

Lot Length: The length (or depth) of a lot shall be:

1. If the front and rear lines are parallel, the shortest distance between these lines.
2. If the front and rear lines are not parallel, the shortest distance between the midpoint of the front lot line and the midpoint of the rear lot line.

3. If the lot is triangular, the shortest distance between the front lot line and a line parallel to the front lot line, not less than ten (10) feet long lying wholly within the lot.

Lot Line: *47

1. *Lot Front* - The front lot line of a lot shall be determined as follows: *8

   a. *Corner Lot:* The front lot line of a corner lot shall be the shorter of the two lines adjacent to the streets as platted, subdivided, or laid out. Where the lines are equal, the front line shall be that line which is obviously the front by reason of the prevailing custom of the other buildings on the block. If such front is not evident then either may be considered the front of the lot, but not both. *8

   b. *Interior Lot:* The front lot line of an interior lot shall be the line bounding the street frontage. *8

   c. *Through Lot:* The front lot line of a through lot shall be that line which is obviously the front by reason of the prevailing custom of the other buildings in the block. Where such front lot line is not obviously evident, the Zoning Administrator shall determine the front lot line. Such a lot over two hundred (200) feet deep shall be considered, for the purpose of this definition, as two lots, each with its own frontage. *8 *47

2. *Lot Rear:* The rear lot line is that lot line opposite to the front lot line. Where the side lot lines meet in a point, the rear lot line shall be assumed to be a line not less than ten (10) feet long,

lying within the lot and parallel to the front lot line. In the event that the front lot line is a curved line then the rear lot line shall be assumed to be a line not less than ten (10) feet long, lying within the lot and parallel to a line tangent to the front lot line at its midpoint. *8 *47

3. *Lot Side* - The side lot lines of a lot are those lot lines connecting the front and rear lot lines of the lot. *8

Lot or Parcel, Multiple Use: A lot or parcel or combination of lots or parcels, containing two or more establishments which must share parking, access and other amenities to comply with ordinance requirements. *15

Lot, Through: A lot abutting two parallel or approximately parallel streets.

Lot Width: The width of a lot shall be:

1. If the side lot lines are parallel, the shortest distance between these sidelines. *8

2. If the side lot lines are not parallel, the width of the lot shall be the length of a line at right angles to the axis of the lot at a distance equal to the front setback required for the district in which the lot is located. The axis of a lot shall be a line joining the midpoints of the front and rear lot lines. *8

The rear property line is that lot line opposite the front property line. Where these are not parallel, the rear property line shall be that line which is intersected by a line drawn perpendicular through a tangent to the midpoint of the front property line. All property lines joining the front and rear property lines shall be side yard lines.

If the line drawn through the tangent to the midpoint of the front property line strikes a ten foot long line drawn parallel to the tangent, then that line shall be considered the rear property line, and all other lines between that and the front line shall be side property lines.

Lot Terminology

Mainline of Freeway/Expressway: Repealed. -47

Maintenance: The replacing, repairing or up-keep of a part or parts of a building, parking facility or site landscaping which have been made unusable or unfunctional by ordinary wear or tear, by the

weather or by overgrowth. For purposes of signage, maintenance shall mean the replacing, repairing, or repainting of a portion of a sign structure; periodic changing of bulletin board panels; or renewing copy which has been made unusable by ordinary wear and tear, weather, or accident. The replacing or repairing of a sign or sign structure or the repainting of a painted wall sign when fifty percent or more of the total area has been damaged or is to be renovated, as determined by the Building Official, shall not be considered maintenance. *10 *28

Major Hospital Building: The principal medical building in a hospital providing at least one hundred (100) in patient beds.

Major Retail Shopping Building: Repealed. -47

Mall: A pedestrian way of passage within or between closed buildings. Only areas at least fifty (50) feet within any open end mall shall be considered as being within the mall.

Manufactured Home: A multi-sectional dwelling unit manufactured after June 15, 1976, and built to the Manufactured Housing Construction and Safety Standards and the State of Arizona Installation Requirements For Manufactured Housing. *72

Manufacturing and Assembly: An establishment for manufacturing and assembly of products primarily for sale to retail establishments. +86

Manufacturing, Artisan: An establishment for small-scale production of goods primarily by hand manufacturing or assembly, involving the use of hand tools, and small-scale equipment. +86

Manufacturing, General: An establishment for manufacturing, processing, compounding, assembly, packaging, treatment or fabrication of parts or products that are mass produced from extracted or raw materials, recycled or secondary materials. Includes bulk storage and handling of such products or materials. Manufacturing and assembly uses are conducted either fully or partially within an enclosed building with limited off-site impacts. +86

Manufacturing, Heavy: An establishment for manufacturing, processing, compounding, assembly, packaging, treatment or fabrication of parts or products that are mass produced from extracted or raw materials, recycled or secondary materials. Includes bulk storage and handling of such products or materials. Manufacturing and assembly activities may be conducted entirely outdoors and have moderate to significant off-site impacts. Uses involving radioactive or highly toxic materials, chemicals, highly combustible or explosive materials, or other substances of noxious nature in the manufacturing process are included in this classification. +86

Manufacturing, Light: An establishment for manufacturing, processing, assembly, packaging, treatment, fabrication, or storage of finished or semi-finished parts or products. Light manufacturing and assembly uses are conducted within an enclosed building with incidental outdoor storage. +86

Marquee: A roof-like cover attached to building and used to shelter wall openings and entrances to the building. That part of the roof or a flat-roofed building extending beyond the walls or exterior columns or such a building, if not more than twenty-five feet above grade, shall be considered a marquee. No part of such structure shall extend more than sixteen feet from the face of the exterior wall of the building to which it is attached, except that if the width of such structure, measured parallel to the building wall is not more than twelve feet, the marquee may project up to twenty-five feet from the face of the building wall. * 10

Mechanical Penthouse: A room or space located on a building roof dedicated to housing mechanical equipment and its associated electrical equipment. +71

Medical Marijuana: Means all parts of the genus cannabis whether growing or not, and the seed of such plants that may be administered to treat or alleviate a qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition. +73

Mezzanine: A partial ceiling area between two main floors of a building.

Microwave Antenna: A device consisting of an antenna and reflector, having any dimension of more than 1.5 meters, and is a solid, open mesh, or bar configured structure in the shape of a shallow dish, cone, horn, or cornucopia.

Minimum Security Facility: A facility containing inmates designated by the Arizona Department of Corrections or other governmental entity as being low risk and nonviolent, with no perceived danger to the community. +22

Mixed-Use: Development contained within a single parcel (horizontally or vertically) or adjacent parcels that contains different uses that are complementary to each other and provide activity throughout the day. +63

Mixed Use Building: A building in which a minimum of 50 percent of the ground floor building frontage includes an active use that is in a different land use category from the floor above. Parking is not considered a separate use for mixed use buildings. +71

Mixed Use Development: A site in which a minimum of 50 percent of the ground floor building frontage is developed with an active use, and at least two land use categories exist on site that are designed to be interconnected. Parking is not considered a separate use for mixed use developments. +71

Mobile Food Vending Unit: mobile food vending unit: any motorized or non-motorized vehicle, trailer, kiosk, pushcart, stand, display, blanket, ground covering or other device designed to be portable and not permanently attached to the ground from which only food is peddled, vended, sold, served, displayed, offered for sale or given away. +48

Mobile Food Vendor: Mobile food vendor: a person who sells, serves, offers for sale, or gives away only food from a mobile food vending unit which is parked or located on a parcel of private property. This term does not include a person who operates a mobile food vending unit that visits multiple private property sites on a daily basis for no more than thirty (30) minutes per site per day. +48

Mobile Home: A structure built prior to June 15, 1976 that is a movable or portable dwelling unit constructed either to be towed on its own chassis, or designed to be installed or parked with or without a permanent foundation for human occupancy. *47 *72

Mobile Home Development: Any lot, tract, or parcel of land used or offered for use in whole or in part, with or without charge, for the parking of occupied mobile homes.

Mobile vending site: "Mobile vending site" or "site" (as used in subsection 10-166 (b)(1) of the Phoenix City Code) means the property address or Maricopa County parcel number of the land where the mobile vending unit or mobile food vending unit will be located, which is required to be submitted to the City Clerk pursuant to subsection 10-163(11) of the Phoenix City Code. +48

Mobile vending unit: Any motorized or nonmotorized vehicle, trailer, kiosk, pushcart, stand, display, blanket, ground covering or other device designed to be portable and not permanently attached to the ground from which any is used to sell goods, wares, merchandise or food, are peddled, vended, sold, served, displayed, offered for sale or given away. This includes any display consisting solely of the goods, wares, merchandise or food being peddled, sold, served, displayed or offered for sale. +37 *48

Mobile vendor: A person who peddles, vends, sells, serves, displays or offers to sell or gives away goods, wares or merchandise, or food from a mobile vending unit which is parked or located on a parcel of private property. this term does not include a mobile vending unit that visits multiple private property sites on a daily basis for no more than one hour thirty minutes per site per day. +37 *48

Modular Home: A dwelling unit which is either wholly or in substantial part manufactured at an off-site location to be assembled on-site, except that it does not include a manufactured home, mobile home, park model, or recreational vehicle as defined in this section. +72

Modular Subdivision Sales Office: A factory built building used for temporary sales of residential subdivision lots or homes. +42

Motel: A building or group of buildings containing apartments, and/or rooming units, each of which maintains a separate outside entrance. Such building or group of buildings being designed, intended, or used primarily for the accommodation of automobile travelers, and providing automobile parking conveniently located on the premises.

Motor Vehicle Rental: Rental of automobiles, including storage, and incidental maintenance of the rental vehicles. +86

Motor Vehicle Sales (New) and Leasing: Sales or leasing of new automobiles, motorcycles, and trucks, including storage, and incidental maintenance. +86

Motor Vehicle Service and Repair (Minor): An establishment engaged in the retail sale of gas or diesel fuel, lubricants, parts, and/or accessories, including quick-service oil; tune-up; brake and muffler shops; and tire sales and installation, where repairs are made, or service provided in enclosed bays, and vehicles are not typically stored overnight. This classification excludes establishments providing engine repair; body and fender work; vehicle painting; towing; or repair of heavy trucks, or construction vehicles. Vehicles must be less than 10,000 gross pounds. +86

Motor Vehicle Washing: An establishment that washes, waxes, or cleans automobiles or similar light vehicles. +86

Multifamily Residence: See "Dwelling, Multifamily." *88

Multi-Use Trail (MUT): A natural or hard surfaced path for alternative modes of transportation such as pedestrian, bicycle, and equestrian use in locations identified by approved trails plans and constructed in accordance with standards on file with the Parks and Recreation Department. +28 *47

Nameplate: A plate or plaque which bears the name of the occupant of the building or property to which it is affixed.

Natural Features: Land formations which include elements such as natural drainageways, rock outcroppings or formations, and significant grouping of mature vegetation. +28

Natural Grade: The elevation through any section of a site on an undisturbed lot at the time of adoption of this ordinance by City Council. On lots that have been disturbed previously, the natural grade is the pre-existing grade if it can be determined; otherwise it shall be determined by an average of off-site elevations at points taken around the boundary of the site. +1 *50

Naturalized Wash: Where a single wash is modified by humans to accept a decrease or increase in flows and/or multiple washes are eliminated with their flows directed along fewer washes modified by humans. The modified washes are designed with irregular banks, typically in a curvilinear fashion which simulates washes as they occur in a natural undisturbed condition. the modified washes are revegetated to closely match the context area with regards to plant species, range of plant maturity and other conditions occurring in the context area. +1 *50

Neighborhood: An area of a community with characteristics that distinguish it from other areas and which may include distinct ethnic or economic characteristics, housing types, schools or boundaries defined by physical barriers, such as major highways and railroads or natural features such as rivers or canals. +28

Neighborhood Collection Center: A facility that accepts, handles and temporarily stores recyclable consumer materials before shipment to a recycling center. +1

Net Area: The area of a lot or parcel excluding all dedicated streets or alleys and roadway or alley easements but including twenty-five (25) feet of abutting canal right-of-way when the abutting development has complied with the Canal Bank Design Guidelines set forth in Section 507 Tab A, including landscaping of canal bank right-of-way. *27 *47

Non-Chartered Financial Institution: Reserved. +57 -61

Non-Commercial Message: A message that does not promote a commercial transaction.

Non-Profit Medical Marijuana Cultivation Facility: A not-for-profit entity that acquires, possesses, cultivates, delivers, transfers, transports, supplies or sells medical marijuana. +73

Non-Profit Medical Marijuana Retail Dispensary Facility: A not-for-profit entity that acquires, possesses, delivers, transfers, transports, supplies, sells or dispenses medical marijuana. +73

Non-Profit Medical Marijuana Infusion Facility: A not-for-profit entity that acquires, possesses, manufactures, delivers, transfers, transports, supplies or sells medical marijuana by the means of cooking, blending, or incorporation into consumable or edible product. +73

Nonconforming Use: See Section 907.

Nondaily Newspaper Delivery Service: The provision of services related to and/or necessary to the delivery of nondaily newspapers, coupon booklets, or other similar printed materials. +5

Nonstructural Trim: Attachments to a sign or structure that are not structural in nature, such as latticing, polecovers, ornamental bases, including masonry, lighting fixtures, decorative trim, and platforms. *15

Nursery School: An institution for the care of five (5) or more children of preschool age, the activity of which shall be conducted between the hours or 7 a.m. and 7 p.m. Even though some instruction may be offered in connection with such care, the institution shall not be considered a "school" within

the meaning of this ordinance. A nursery school shall be licensed by the appropriate government agency. *47

Nursing Home: A health care institution other than a hospital or an assisted living home or center that provides inpatient beds or resident beds to persons who need continuous nursing services. A nursing home shall be licensed by the State of Arizona. *86

Occupiable Space: An indoor or outdoor enclosed space designed for human interactions, such as but not limited to: lobbies, patios, rooftop decks and gardens, or areas for assembly, or other similar purposes. +86

Office Center: A lot or group of lots containing professional and administrative office buildings where: (1) there are three or more businesses or tenants, (2) the lot contains at least 50,000 square feet of gross floor area, and (3) buildings are served by common parking areas. *30

Off-Street Loading Spaces: An on site space for the standing, loading, and unloading of vehicles. +65

Off-Street Parking: Parking provided on private property.

Off-Street Passenger Loading: The provision of space off the street and adjacent to a building entrance for the loading and unloading of automobile passengers. The design of such space shall be subject to the approval of the Street Transportation Department. *47

On-Site or Dedicated Open Space: On-site space must be landscaped and maintained. Dedicated open space must be offered to and accepted by the City of Phoenix.

One Hundred-Year Flood: A flood having a one percent chance of being equaled or exceeded during any given year. +46

One Hundred-Year Floodplain: The area adjoining a river, stream, or watercourse covered by water during the occurrence of a one hundred-year flood. +46

One Hundred-Year Floodway: The channel of a river or watercourse and the adjacent areas that must be reserved in order to discharge the one hundred-year flood without cumulatively increasing the water surface elevation more than one foot. +46

Open Inner Court: A court bounded on all sides by building walls or other structures.

Open Space, Active: Common open space with active recreational facilities, such as swimming pools, play equipment, ball fields, game courts, and picnic tables. +28

Open Space, Common: Land within or related to a development, not individually owned or dedicated for public use, that is designated and intended for the common use or enjoyment of the residents and their guests of the development and may include such complementary structures and improvements as are necessary and appropriate. Required open space is to be centrally located, be a minimum of 1,000 square feet of level surface area, and maintain a maximum grade of 4:1 at any point including its periphery. +28

Open Space, Passive: Common open space with passive elements, such as gardens, benches, fountains or the preservation natural vegetation. +28

Open Space, Usable: To be considered as usable open space or common space, the space must be centrally located within the development, project or neighborhood, have a minimum 1,000 square foot level bottom if also utilized as stormwater retention, be finished with turf or quarter minus

decomposed granite, be adequately lit to ensure the safety of nighttime users, and be equipped with amenity improvements such as passive or active open space elements. +28

Optical Illusion of Sign Movement: A static design which presents a pattern capable of reversible perspective, giving the illusion of motion or changing of copy. *15

Oriented To: For the purposes of outdoor advertising signs, i.e. billboards, oriented to shall mean that the sign face makes an angle of more than thirty (30) degrees with the arterial street or freeway from which the sign is intended to be read. For purposes of on premise signs, oriented to shall mean that the sign is positioned or placed in such a manner as to be viewed from a particular direction. *15 *29

Outdoor Display or Sales: An outdoor arrangement of products or services used for the purpose of advertising a business that is located on site. +86

Outdoor Recreation Areas for Restaurants, Bars, Taverns, Night Clubs, or Similar Drinking Establishments: Outdoor space that includes active, programmed outdoor areas specially designed and equipped for recreational use (including but not limited to volleyball, table tennis, horse shoes, and bean bag toss). +95

Outdoor Storage: An exterior space used for the stockpiling or placement of materials or goods for more than 48 consecutive hours. +86

Overhang: The architectural elements of a building that extend horizontally beyond the wall. +63

Owner: A person recorded as such on the records of the County Assessor, or a person who has been granted written authorization by the owner to act on his behalf. *87

Panhandle Lot: A lot, which contains an appendage that provides private or shared access to a public right-of-way or private accessway. The panhandle portion of the lot is not required to meet the required minimum lot width at the required front yard setback. +51

Parcel: One or more pieces of land separated from other pieces by description as in a subdivision or by metes and bounds as shown on records in the County Assessor's Office.

Park Model: A trailer type unit not exceeding 400 square feet that is primarily designed to provide temporary living quarters for recreational, camping, or seasonal use that is built on a single chassis mounted on wheels. +72

Parking Demand: The number of parking spaces determined to be adequate for the site, based on approved parking rates. Parking demand for certain centers may be based on Phoenix's Shared Parking Model and may include modifications to reflect specific uses, transit availability, and trip reduction programs for the site. +30

Park-And-Ride Lot: A parking structure or surface parking lot intended primarily for use by persons riding transit or carpooling, and that is owned or operated either by a transit agency or by another entity with the concurrence of the transit agency. +63

Parking, Off-Street: Marked or unmarked parking located within a parcel and outside a private or public right-of-way. +63

Parking, On-Street: Marked or unmarked parking located within a private or public right-of-way. +63

Parking Facility, Commercial: A parking structure or a surface parking lot operated for profit that is not related to a primary or accessory use. This term does not include a park-and-ride lot. +63

Parking Lot, Private: A lot upon which cars are parked without charge and in conformance with requirements of Section 702.

Parking, Shared: Parking that is utilized by two or more uses taking into account the variable peak demand times of each use; the uses can be located on more than one parcel. +63

Parking Space, Office, Industrial, Or Residential: An office or industrial establishment parking space or a residential project parking space typically having low parking turnover during a day. +30

Parking Space, Retail: A retail or entertainment establishment parking space typically having high parking turnover during a day. +30

Parking Space, Tandem: Two parking spaces, one of which is positioned in such a manner that it is necessary to pass through one parking space to access the other from a public street, private access-way, alley or drive aisle. +59

Parking Structure: A parking garage located above ground or underground consisting of one or more levels, that may or may not include other primary or accessory uses. +63

Parking Space, Unreserved: An unassigned parking space that is available to both residents and visitors. +74

Parking, Temporary: A parking area to provide temporary parking spaces for the general public to park passenger vehicles for no more than 48 consecutive hours. +86

Paseo: A hard surfaced, ADA accessible path that can accommodate pedestrian and other non-motorized traffic, such as bicycles, moving in two opposite directions. +50

Patio: A level, landscaped, and/or surfaced area, also referred to as terrace, directly adjacent to a principal building or within three feet of the finished grade and not covered by a permanent roof. +28

Pavers: Performance paving blocks that are installed on the ground to form patterns while at the same time facilitate accessible pedestrian and vehicular travel. +28

Pawn Shop: The location or premises at which a pawnbroker is licensed to regularly conduct the pawnbroker's business. This includes advancing of money on the security of pledged goods or engaging in the business of purchasing tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed or variable price within a fixed or variable period of time. +86

Pedestrian-Oriented Design: The design of communities, neighborhoods, streets, streetscapes, sites, and buildings that emphasizes pedestrian access, comfort, and visual interest. Transit-oriented design is a particular type of pedestrian-oriented design that includes design and intensity of land use to support transit in addition to pedestrians. +63

Pergola: An arbor or passageway with a covered roof or trelliswork. +63

Perimeter: The boundaries or boundary of a lot, tract, or parcel of land. +28

Permanent Border: Shall mean the method of creating a permanent delineation of a parking, maneuvering, ingress, or egress area from the remainder of the yard area. When the parking, maneuvering, ingress, or egress area consists of a crushed rock or gravel surface which differs from the surface treatment of the remaining yard, then the permanent border shall be constructed of: 1) asphalt,

concrete, masonry, metal, wood, or other material secured to or embedded in the ground; or 2) other method as approved by the Planning and Development Department. When the delineation of a parking, maneuvering, ingress, or egress area is required as a result of similar dust free surfaces being used throughout the front yard, then alternative methods such as the use of fences, landscape hedges, berms, or painted demarcations (on hard surfaces) shall be permitted as approved by the Planning and Development Department. +14

Permanent Undisturbed Open Space: Areas containing naturally occurring Sonoran Desert vegetation and topographical features, including washes that have not been altered except to allow trails (private or public) in accordance with ADA guidelines and utility easements as necessary. +50

Permitted Use: A use specifically permitted or analogous to those specifically permitted as set forth in Chapter 6 herein.

Person with a Disability: An individual who has an impairment, including mobility, sensory, or cognitive impairment, that results in a functional limitation in access to and use of a building or facility. +41

Personal Care Home: A health care institution other than a hospital or nursing home which is licensed by the Arizona State Department of Health Services as a personal care home for two (2) or more unrelated persons.

Personal Services: Businesses offering services including barber shops, beauty shops, tanning salons, day spas, weight loss clinics, massage therapy, yoga/pilates studio, personal training studio, laundromats, laundry and dry cleaning pick-up and delivery stations. +86

Pet Care Facility: A lot or building in which household pets are kept regularly and for overnight or extended periods of time for the benefit of persons who do not reside on the premises. Facilities may provide shelter, feeding, grooming and retail sales. This shall not include breeding or raising of household pets or animals. +43 *64

Pet Day Care Facility: An establishment in which household pets are kept for a limited time for the benefit of persons who do not reside on the premises. Facilities may provide shelter, feeding, grooming and retail sales. This shall not include breeding or raising of household pets or animals. +64

Pet Grooming: An establishment providing services for household pets that may include bathing, grooming and clipping. +64

Pharmacy: A place where medicines only are compounded or dispensed.

Planned Community Development: A master planned area which predetermines development standards related to streets, water and sewer services, drainage considerations, trails and open space, lighting, and landscaping construction and an area which is usually controlled by a master developer and maintained by a master homeowners association. +28

Planned Residential Development: A group of dwelling units with common areas which are designed as an integrated functional unit and with the permissibility of potential bonus density and considerable flexibility in the selection of building setbacks, lot areas and street configuration as long as the public health, safety and welfare are maintained. *28

Plant Nursery: An enterprise that conducts the retail and/or wholesale of plants grown on the premises, as well as accessory items (but not power equipment, such as gas or electric lawn mowers and farm implements) directly related to their care and maintenance. +61

Plat: An engineered map representing a tract of land showing the boundaries and location of individual properties and streets. +28

Pocket Shelter: A class of residential facility that is accessory to a place of religious assembly, or similar place of worship, that provides residence for one to 12 unrelated persons. Minors (age 18 and younger) accompanied by a parent or guardian shall not be counted in the number of unrelated persons. A pocket shelter primarily offers food and shelter to individuals and families. +86

Porch, Open: See "Building, Open Porch".

Porte Cochere: A covered automobile entryway to provide shelter for persons arriving or leaving a building by vehicle. +63

Portico: A porch or walkway with a roof supported by columns, often leading to the entrance of a building. +63

Premises: All contiguous land used and occupied; or owned or leased from another party by an establishment. Also included are all buildings, parking, storage and service areas, and private roads or driveways which are an integral part of the establishment.

Preservation Area: See "Conservation Area". +47

Primary Entrance: A ground floor entrance to a commercial lobby or suite that is open to the public during business hours or an entrance to a residential courtyard, unit or lobby. Emergency, service and storage room entrances are not a primary entrance. +71

Prison: A facility in which persons are housed to serve a sentence as a result of being convicted of committing a criminal act. This does not include a "Correctional Transitional Housing Facility". +34 *36

Private Lane: The provision of a private circulation route within a planned residential development with the primary purpose of providing automobile access to the rear of a lot, and with a secondary purpose of providing utility services. +28

Private Swimming Pool: Any pool maintained for private use. *47

Private Use: One which is restricted to the occupants of a lot or building, together with their guests, where compensation for such use is not received and where no business or commercial activity is associated with such use or building.

Professional Use: The rendering of service of a professional nature by:

1. Architects, engineers, and surveyor.
2. Doctors of medicine, osteopathy, dentistry, and optometry.
3. Lawyers.
4. Accountants.

5. Consultants and practitioners who are recognized by the appropriate above licensed professions.
6. Chiropractors, chiropodists, and naturopaths.
7. Dispensing opticians.

Prohibited Use: A use which is not specifically permitted or analogous to those specifically permitted.

Projection: Any element or embellishment attached to a structure for environmental protection or architectural enhancement which does not support any portion of the structure.

Public Assembly—Active Recreational: Venues where people typically gather in an outdoor area, and the majority of the area is devoted to recreational equipment or attractions with the minority of space dedicated to patron occupancy, including but not limited to amusement parks, fairgrounds, miniature golf, water parks, and zoos. +30

Public Assembly—Entertainment: Establishment where patrons gather for limited size indoor and outdoor entertainment and where the assemblage follows a daily or regular pattern. It includes, but is not limited to, restaurants, bars, private club, lodges, and dance halls. +30

Public Assembly—General: Venues where patrons gather for limited sized indoor or outdoor activities such as fitness centers, dance or other forms of physical or instructional training. +47

Public Assembly—Residential: Venues where patrons gather for activities and where the assemblage follows a pattern that significantly changes the normal flow of pedestrian or vehicular traffic within a residential neighborhood. It may include places of worship or private schools. +79 *90

Public Assembly—Spectator: Venues where patrons gather for large scale events, but where the assemblage does not follow a regular pattern. It includes, but is not limited to assembly halls, exhibition halls, auditoriums, theaters, sports arenas, stadiums, race tracks, and spectator gymnasiums. +30

Public Swimming Pool: A swimming pool admission to which may be gained by the general public with or without the payment of a fee.

Queue(ing) Lane: A lane on a lot for the exclusive use of vehicles accessing a service window or parking structure. +30 *47

Reader Panel: A sign designed to permit rapid change of copy which shall be other than the name of the business advertised by electronic or mechanical means. *15

Recreational Vehicle: A vehicular type unit thirty-two (32) feet or less in length and eight (8) feet or less in width, primarily designed as a temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.

Recreational Vehicle Park: Any lot, tract, or parcel of land used or offered for use in whole or in part with or without charge, for the parking of occupied recreational vehicles, tents, park models, or similar devices used for temporary living quarters for recreational camping or travel purposes. *72

Recyclable Consumer Materials: Items that are commonly used for domestic and business purposes and made of a single material. The items shall include the following, and similar goods: plas-

tics; glass; paper; cardboard; chipboard (e.g. cereal boxes); polystyrene; metal (e.g. aluminum, cans, fixtures and wire); fabrics; and foam rug padding. Specifically excluded are materials or containers for substances that are flammable, corrosive, toxic or otherwise hazardous as determined by the Fire Department or United States EPA. +1

Recyclable Materials: Any item that can be recycled through an industrial or organic process. +1

Recycling Center: A facility at which recyclable materials may be collected, sorted and processed. +1

Relief, Architectural: The avoidance of a single continuous plane on a building facade by the incorporation of inset forms such as windows or doors and/or the incorporation of forms which project from the primary building surface such as wainscot, cornice or the projection of organic or geometric ornamentation. +28

Religious Assembly: An establishment where persons regularly assemble for religious purposes and related social events. The following may be included: rectory or convent, dormitory, private school, meeting hall, administrative offices, licensed day care (adult or child), playground, athletic fields or pocket shelter. +86

Residential Convenience Market: A small scale retail establishment the primary purpose of which is the sale of fresh and packaged food, dry goods, and medicine primarily to residents of the multiple-family development in which it is located. A residential convenience market may include the following: laundry and dry cleaning drop off and pick up; sale of food, beverages, household supplies, toiletries; package drop off and pick up; postal substation; video sale and rental; and coffee shops. Residential convenience market shall not include: 1) any use which is considered an adult use under this ordinance; 2) automobile servicing or sale of fuel; or 3) sale of alcoholic beverages. +13 *75

Residential Density: The number of dwelling units divided by the gross acres of the legally described development area. +28

Residential Purposes: The intent to use and/or the use of a room or group of rooms for the living, sleeping, and housekeeping activities of persons on a permanent or semi-permanent basis of an intended tenure of one month or more.

Residential Use: Shall be deemed to include single and multiple dwellings, hotels, motels, dormitories, and mobile homes.

Resort Hotel: A building or group of buildings containing guest rooms providing outdoor recreation activities such as golf, tennis, horseback riding, or swimming for guests. A resort may provide services customarily furnished by a hotel or guest ranch including restaurant, bar and convention facilities. A resort may contain dwelling units in conjunction with guest rooms.

5. Consultants and practitioners who are recognized by the appropriate above licensed professions.
6. Chiropractors, chiropodists, and naturopaths.
7. Dispensing opticians.

Prohibited Use: A use which is not specifically permitted or analogous to those specifically permitted.

Projection: Any element or embellishment attached to a structure for environmental protection or architectural enhancement which does not support any portion of the structure.

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Public Assembly—Entertainment: Establishment where patrons gather for limited size indoor and outdoor entertainment and where the assemblage follows a daily or regular pattern. It includes, but is not limited to, restaurants, bars, private club, lodges, and dance halls. +30

Public Assembly—General: Venues where patrons gather for limited sized indoor or outdoor activities such as fitness centers, dance or other forms of physical or instructional training. +47

Public Assembly—Residential: Venues where patrons gather for activities and where the assemblage follows a pattern that significantly changes the normal flow of pedestrian or vehicular traffic within a residential neighborhood. It may include places of worship or private schools. +79 *90

Public Assembly—Spectator: Venues where patrons gather for large scale events, but where the assemblage does not follow a regular pattern. It includes, but is not limited to assembly halls, exhibition halls, auditoriums, theaters, sports arenas, stadiums, race tracks, and spectator gymnasiums. +30

Public Swimming Pool: A swimming pool admission to which may be gained by the general public with or without the payment of a fee.

Queue(ing) Lane: A lane on a lot for the exclusive use of vehicles accessing a service window or parking structure. +30 *47

Reader Panel: A sign designed to permit rapid change of copy which shall be other than the name of the business advertised by electronic or mechanical means. *15

Recreational Vehicle: A vehicular type unit thirty-two (32) feet or less in length and eight (8) feet or less in width, primarily designed as a temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.

Recreational Vehicle Park: Any lot, tract, or parcel of land used or offered for use in whole or in part with or without charge, for the parking of occupied recreational vehicles, tents, park models, or similar devices used for temporary living quarters for recreational camping or travel purposes. *72

Recyclable Consumer Materials: Items that are commonly used for domestic and business purposes and made of a single material. The items shall include the following, and similar goods: plas-

tics; glass; paper; cardboard; chipboard (e.g. cereal boxes); polystyrene; metal (e.g. aluminum, cans, fixtures and wire); fabrics; and foam rug padding. Specifically excluded are materials or containers for substances that are flammable, corrosive, toxic or otherwise hazardous as determined by the Fire Department or United States EPA. +1

Recyclable Materials: Any item that can be recycled through an industrial or organic process. +1

Recycling Center: A facility at which recyclable materials may be collected, sorted and processed. +1

Relief, Architectural: The avoidance of a single continuous plane on a building facade by the incorporation of inset forms such as windows or doors and/or the incorporation of forms which project from the primary building surface such as wainscot, cornice or the projection of organic or geometric ornamentation. +28

Religious Assembly: An establishment where persons regularly assemble for religious purposes and related social events. The following may be included: rectory or convent, dormitory, private school, meeting hall, administrative offices, licensed day care (adult or child), playground, athletic fields or pocket shelter. +86

Residential Convenience Market: A small scale retail establishment the primary purpose of which is the sale of fresh and packaged food, dry goods, and medicine primarily to residents of the multiple-family development in which it is located. A residential convenience market may include the following: laundry and dry cleaning drop off and pick up; sale of food, beverages, household supplies, toiletries; package drop off and pick up; postal substation; video sale and rental; and coffee shops. Residential convenience market shall not include: 1) any use which is considered an adult use under this ordinance; 2) automobile servicing or sale of fuel; or 3) sale of alcoholic beverages. +13 *75

Residential Density: The number of dwelling units divided by the gross acres of the legally described development area. +28

Residential Purposes: The intent to use and/or the use of a room or group of rooms for the living, sleeping, and housekeeping activities of persons on a permanent or semi-permanent basis of an intended tenure of one month or more.

Residential Use: Shall be deemed to include single and multiple dwellings, hotels, motels, dormitories, and mobile homes.

Resort Hotel: A building or group of buildings containing guest rooms providing outdoor recreation activities such as golf, tennis, horseback riding, or swimming for guests. A resort may provide services customarily furnished by a hotel or guest ranch including restaurant, bar and convention facilities. A resort may contain dwelling units in conjunction with guest rooms.

Resource Based Revegetation: The process of reestablishing indigenous vegetation based on an inventory of established plants. Revegetation is based on the plant types and densities found in the immediate area of disturbance with the intent to return the area to the pre-disturbed condition. +46

Restaurant: An establishment other than a boarding house where meals which are prepared therein may be secured by the public.

Rest Home: Same as "Group Home".

Retail Center: A lot or group of lots containing retail and entertainment commercial establishments where: (1) there are three or more businesses or tenants, (2) the lot contains at least 50,000 square feet of gross floor area, and (3) buildings are served by common parking areas. *30

Retail Sales: A commercial enterprise that provides goods and/or services directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser. +61

Retention Basin: A facility for the permanent storage of stormwater runoff. +28

Right-of-Way: A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, or similar exclusive public use. +28

Roof, Flat: A roof that is not pitched and the surface of which is generally parallel to the ground. +28

Roof, Gable: A ridged roof forming a gable at both ends of the building. +28

Roof, Gambrel: A gabled roof with two slopes on each side, the lower steeper than the upper. +28

Roof, Hip: A roof with sloping ends and sides. +28

Roofline: The top edge of a peaked roof or the highest continuous horizontal line of the parapet which extends for the length of the building. * 15

Roof, Mansard: A roof with two slopes on each of four sides, the lower steeper than the upper. +28

Roof, Shed: A roof with one slope. +28

Rooming House: Same as "Group Home".

Rooming Unit: Living quarters which are designed for transient or occupancy of less than one year, when located in a motel, hotel, apartment or group living structure. A rooming unit may contain cooling facilities, in which case each rooming unit shall be counted as a dwelling unit for density purposes.

Satellite Earth Station: A device consisting of an antenna and reflector, having any dimension of more than 1.5 meters, and is a solid or open mesh configured structure in the shape of a shallow dish, cone, horn, or cornucopia for reception or transmission of radio energy to or from an earth orbit satellite or celestial body.

School: A place of general instruction including public and parochial schools, charter schools operating under a valid contract issued by the state or a state sponsored organization, institutions of higher education and private educational institutions offering a curriculum of general instruction comparable

to public schools, but not including business schools or colleges, nursery schools, dancing schools, riding academies, or specialized trade, technical or vocational schools. *62

School, Commercial: A school established to provide for the teaching of industrial, clerical, managerial, or artistic skills including such things as dance and gymnastics. This definition applies to schools that are owned and operated privately for profit. +61

Screening: A device or materials used to conceal one element of a development from other elements or from adjacent or contiguous development. Screening may include one or a combination of the following materials of sufficient mass to be opaque or which shall become opaque after twelve (12) months and which shall be maintained in an opaque condition: Walls, berms, or plantings.

Second Hand or Used Merchandise Sales: Buying, selling, trading, exchanging, receiving on consignment or otherwise dealing in second hand goods, wares, merchandise or articles. +86

Self-Service Storage Facility (Mini-Warehouse): A building or group of buildings that contain spaces of varying sizes that are rented for storage of excess personal property. Establishments have individual, compartmentalized and controlled access. +86

Semi-Public Swimming Pool: A swimming pool on the premises of, or part of, a hotel, motel, trailer court, apartment house, private club, association, or similar establishment, where admission to the use of the pool is included in the fee or consideration paid or given for the general use of the premises.

Separation of Pedestrian and Vehicle: The provision of public access by means of underground passageways, above-street passageways, or other means to separate pedestrian and vehicular traffic.

Service Station: Same as "Automobile Service Station".

Setback: The required minimum distance between the building line and the related front, side, or rear lot line and over which no part of any building may extend, except as otherwise provided. When the property abuts a dedicated right-of-way, the distance shall be measured from the dedicated right-of-way line or future right-of-way line as shown on the street classification map. When the property abuts a private street, the distance shall be measured from the back of the tract or easement used for the private accessway. +8 *29

Setback, Landscaped, Average: The averaging of a required setback to encourage variation along a single continuous plane of a building, perimeter wall or street frontage. +28 *47

Shade/Shading: A shadow cast by structure or vegetation to provide shelter from the heat and glare of sunlight. Percentage shading shall be the shadow cast on the sidewalk or pedestrian path measured at noon (12:00 p.m.) of the June/Summer Solstice. +63

Shade Structure: A structure, such as a pergola, arbor or open porch, which is designed and used for protection from the sun and which contains at least one (1) side which is at least fifty percent (50%) open. +9 *20 *47

Shade Tree: A tree, usually deciduous, planted primarily for overhead canopy and the diffusion of the suns rays. +28

Shop: A business.

Shopping Center, Planned: A group of commercial establishments located in a Planned Shopping Center (PSC) District as set forth by the Zoning Ordinance of the City of Phoenix, and amendments thereto.

Shortened Walking Distance: The provision of access by means of a passageway, corridor, plaza, or other means from one street to another in such a manner as to shorten the distance between a point of one street and a point on the other as compared to walking along the public sidewalk.

Sign: Any identification, description, illustration, symbol, or device which is affixed directly or indirectly upon a building, vehicle, structure, or land and which identifies or directs attention to a product, place, activity, person, institution, or business.

Sign, Aerial View: A sign applied to or placed upon a roof surface and intended to be viewed from above. an aerial view sign is not visible from ground level. +67

Sign, Animated: A sign that contains images or illumination that incorporate the appearance of motion. +67

Sign, Architectural Ledge: A sign that stands on a horizontal shelf on a wall or architectural element projecting from the building. +67

Sign, Area of: That area in square feet of the smallest geometric figure or combination of regular geometric figures which figure or figures entirely enclose both the copy and the sign face. The spaces between letters, which make up words or elements of the sign and contrasting backgrounds, illustrations, borders, or devices shall be included. The area of any double-face or "V" shaped sign shall be the area of the largest single face. The area of a sphere shall be computed as a circle. The area of any other multiple-face signs shall be computed as fifty percent (50%) of the sum of the area of all faces of the sign.* 15

Sign, Awning: A sign located anywhere on any surface of an awning. +67

Sign, Building Identification: Any sign identifying a building by name or symbol only. Such signs must be built into the building and shown on its structural plans.

Sign, Canopy: Any sign placed directly upon or suspended from a canopy.

Sign, Center Identification: Any sign which identifies a shopping center, industrial center, or office center, or a group of three or more uses or businesses by name, address, or symbol. *15

Sign, Channel Letters: A sign comprised of multi-dimensional, individually fabricated letters, numbers or figures that are affixed to a building or structure. A channel letter is the outline of a letter, with metal returns, into which a light source is placed. +67

Sign, Combination: Any sign which is supported partly by a pole and partly by a building structure.

Sign, Construction Project: Any temporary sign erected on the premises of an existing construction project and designating the architect, contractor, designer or builder, or developer or the name and nature of the project.

Sign Copy: Those letters, numerals, figures, symbols, color schemes, logos, and hieroglyphics used to make up words and elements of the sign message, including the spaces between letters, numerals and figures, but excluding numerals identifying street address only as exempted under Section 705.E.

Sign Copy, Area of: That area in square feet of the smallest geometric figure or combination of regular geometric figures which entirely encloses words and elements of the sign copy.

Sign Copy, Obsolete: Any sign copy which no longer correctly directs or identifies an existing use or product available on the premises where such sign is displayed.

Sign, Directional: Any sign which is designed solely for the purpose of traffic or pedestrian direction and placed on the property to which or on which the public is directed. *15

Sign, Directly Illuminated: Any sign which has as its source of illumination directly visible to the eye and is not internally or indirectly illuminated.

Sign, Directory: A sign including a series of two or more names or addresses of people, offices or destinations at a specific building, facility or venue, within a common cabinet or face area. A directory sign may also include maps, site plans or diagrams for the building, facility or venue. *67

Sign, Double-Faced: A sign composed of two parallel faces, back to back and not more than five feet apart. The faces may be on common or separate structures.

Sign, Electric: Any sign which has electrical wiring in, on, or attached to it or which is intended to be energized by electricity.

Sign (Electronic Message Display): A sign capable of displaying words, symbols, images, or figures that can be electronically or mechanically changed by remote or automatic means. +67

Sign Embellishment: Letters, figures, characters, or representations in cutouts, irregular forms, or similar ornamentation attached to or superimposed upon a sign to provide a three-dimensional effect. +67

Sign Face: The surface of the sign upon, against, or through which the message is displayed or illustrated, not including architectural details, nonstructural trim, or any areas that are separated from the sign copy area by a distinct delineation, such as a reveal. In the case of a sign painted on or with letter or insignia directly affixed to the wall of a building, a residential subdivision identification sign on a perimeter site wall, or a non-residential identification sign on a perimeter site wall, the facing or surface of such sign shall include that area: * 15 *53

a. Enclosed by straight lines drawn closest to the figure's extremities and entirely encompassing individual words of symbols; or

b. Enclosed within a painted or illuminated border.

Sign, Freeway: An on-premise or off-premise sign structure erected within 300 feet of the right-of-way, oriented to and intended to be read from, a freeway, parkway, expressway, and similar traffic corridors. *47 *53

Sign, Ground: Any sign supported by a structure affixed to the ground and in no way supported by a building or part of a building. Ground signs shall include, but are not limited to, those supported by poles, fences, masonry, or metal structures, and vehicle-mounted signs other than those excepted by Section 705.C.2.f.

Sign, Groundsheet: An off-premise sign placed horizontal to and affixed to the ground or an approved support structure that is designed to be seen primarily by aircraft passengers either landing or departing Phoenix Sky Harbor International Airport. +60

Sign Height: The distance measured from natural grade or the nearest public sidewalk or street curb when such are adjoining the site to the maximum height of the sign face.

Sign, Identification: Any sign identifying by name, message, or symbol a business, activity, institution, establishment, operation, merchandise, product, or service available at the property on which the sign is displayed.

Sign, Indirectly Illuminated: Any sign the facing of which is illuminated from a source intentionally directed upon it. This shall include silhouettes of letters or symbols placed before a background of reflected light.

Sign, Inflatable: A sign that is inflated with air or a lighter-than-air substance. +67

Sign, Internally Illuminated: Any sign which has the source of light entirely enclosed within the sign and not visible to the eye.

Sign, Kinetic: A ground or building mounted sign that has the ability to move due either to the presence of a motor that drives the moveable parts or an environmental catalyst, e.g. wind or gravity. +67

Sign, Marquee: Any sign which is painted, inscribed, or otherwise depicted upon or attached to, or supported by a part of a marquee.

Sign, Nonconforming: Any sign and/or its structure lawfully erected and maintained which no longer conforms to the provisions of this section for reasons beyond the control of the sign owner, sign user or for reasons beyond the control of the property owner.

Sign, Outdoor Advertising: Any billboard or other sign, which is not appurtenant to a use of the property, a product sold on or the sale or lease of the property on which it is displayed and which does not identify the place of business as a purveyor of the merchandise, services, etc., advertised upon the sign. An outdoor advertising structure shall be further classified as follows:

- *Junior*—A sign of 75 square feet or less plus 20% embellishments for a total not to exceed 90 square feet.
- *Poster*—A sign of from 76 to 300 square feet plus 20% embellishments for a total not to exceed 350 square feet.
- *Bulletin*—A sign of from 301 to 672 square feet plus 20% embellishments for a total not to exceed 785 square feet.

Sign, Pedestrian: A sign intended primarily for viewing by pedestrian traffic, displayed as a wall or window sign, and containing information including the following and other similar information: suite numbers; instructions regarding operation of doors; names of accepted credit companies; and hours of operation. +15

Sign, Political: Any sign which supports the candidacy of any candidate for public office or urges action on any other issue or a non-commercial nature.

Sign, Portable: Any sign not permanently attached to the ground, a building, or other structure, and not including vehicle mounted signs.

Sign, Projected Image: A sign using an image projected onto the face of a wall, awning, canopy or other building element or a light reflective surface from a separate device. +67

Sign, Projecting: Any sign other than a wall sign erected upon a structure, pole or building and which projects outward from such structure, pole or building wall. *67

Sign, Property Sale, Lease Or Rental: Any sign advertising the availability for sale, rental, or lease of land or buildings.

Sign, roof: Any sign vertically erected upon the roof of a building or which is partially or totally supported by the roof or roof structure of the building. That part of the roof of a flat-roofed building extending beyond the walls or exterior columns of such a building, if not more than twenty-five feet above the grade, shall be considered a marquee. *67

Sign, Special Event: Any sign advertising or announcing a special promotional event.

Sign Structure: The structural components of the sign. *15

Sign Structure, Abandoned: A sign structure which has ceased to be used to display or support a sign, and where the owner of the sign structure has manifested an intention to permanently cease to use the sign structure. A sign structure shall be presumed to be abandoned if it has not been used to display or support a sign or message during any continuous one year period.

Sign, Supergraphic: A type of sign that consists of an image printed on vinyl, mesh, window film, or other material supported or attached to a wall, window or freestanding structure. +67

Sign, Temporary: Any sign or advertising display intended to be displayed for a period of less than six months or for such period as may be established in a use permit, except that construction project signs may remain for the duration of construction.

Sign, Temporary Window: Any sign painted on a window or constructed of paper, cloth, or other light material and attached to, or located within six feet of the interior side of the window, and displayed so as to call to the attention of persons outside the building a temporary sale of merchandise or a change in the status of the business.

Sign, V-Shape: Signs erected upon common or separate structures which present a "V" shape appearance and having an interior angle between faces of not more than sixty degrees with distance between facing or such signs at their closest point not exceeding five feet, except outdoor advertising structures which shall have an interior angle of not greater than thirty degrees.

Sign, Wall: Any sign placed or painted directly against a bearing and/or nonbearing wall connected to a building structure within the building setback lines of the premises, with the exposed face of the sign in a plane approximately parallel to the plan of said wall and projecting outward from the wall not more than eighteen inches. *15

Sign, Warning: Any sign displaying warnings or other messages necessary for the safety of persons or protection of property, and which has no advertising copy.

Sign, Wayfinding: A pedestrian or vehicle-oriented sign that indicates the route to, direction of or location of an on-site or off-site destination. +67

Sign, Window: Any sign affixed to the interior or exterior of a window, or any sign located inside a building within six feet or the interior side of a window and displayed so as to attract the attention of persons outside the building. Merchandise which is included in a window display shall not be considered as part of a window sign.

Single-Family Attached (SFA) Development: A group of single-family attached dwelling units located on individually owned lots with common areas which are designed as an integrated functional unit. Perimeter standards are defined and potential bonus density and design flexibility allow for quality individual property ownership within a larger development. Includes townhouse and row house dwellings located on small single-family owned lots. +88

Single-Loaded Street: A street with development on one side and open space or undeveloped areas on the other side. +50

Slope: Is the vertical rise in feet measured over a horizontal distance of one hundred (100) feet, expressed as a percentage, measured generally at right angles to natural contour lines, and shall extend across property lines if necessary to obtain the one hundred (100) foot measurement, but shall not extend across significant changes in grade.

Snack Bar: A retail food service establishment serving such items as coffee, tea, milk, soft drinks, sandwiches, and pastry. All customer service shall be confined to the physical limits of the snack bar.

Solid Waste: Any garbage, bulk trash, yard waste and other materials or products, including foul smelling and decomposing wastes, organic and inorganic wastes, combustible and non-combustible wastes, and liquid non-hazardous waste, but not including hazardous waste or human body parts. +54

Solid Waste Transfer Station: A facility where solid waste is unloaded from one vehicle and reloaded into another vehicle for transport to a final disposal site. +54

Special Promotional Event: Promotional productions, displays, and exhibitions for the purpose of attracting persons to an establishment. This shall also include occurrences such as bona fide grand opening celebrations, special price sales, and church or school bazaars, carnivals, social events; but not limited to these.

Specified Anatomical Areas:

1. Less than completely and opaquely covered: (a) Human genitals, pubic region, (b) buttock, and (c) female breast below a point immediately above the top of the areola; and Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual intercourse, or sodomy;
3. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

Stadium: A place designed primarily for the playing of sports such as baseball, football and soccer but also suitable for use for concerts, meetings and gatherings of large groups. A stadium may be open air or covered by either a fixed or retractable roof. +21

Station Platform: An elevated platform to the level of the passenger doors on the light rail vehicles to allow for access to all passengers. +63

Step Back: An offset or reduction in the mass of a structure, typically at upper story levels in order to mitigate differences in height from adjacent structures. +71

Storage: Any property put aside for future use, salvage, repair, disposal, or dismantling.

Storage/Warehousing Indoors: An enclosed building designed and used primarily for the storage of assorted goods and materials. +86

Story: That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. A basement, the ceiling of which is less than four feet six inches (4'6") above the natural grade, shall not be considered a story. A mezzanine floor shall not be considered a story if it is less than thirty-three and one-third percent (331/3%) of the area of the floor next below it. *58

Story

Street: Arterial, collector, or local - a dedicated public right-of-way which dedication shall be in accordance with standards of the adopted street classification map. *29

1. *Freeway/Expressway* - Provides for long-distance traffic movement within Phoenix and between Phoenix and other cities. No service is provided to adjacent land and access points

are limited to other freeways, expressways, and selected arterial streets, with typical minimal spacing of one mile. +29

2. *Arterial Street* - Refers to both major arterial and arterial streets as designated on the street classification map. All arterial streets provide for moderate to long distance traffic movement within Phoenix and between Phoenix and adjacent cities. Major arterials have very limited service to abutting land and generally have three through lanes in each direction. Arterials have moderate service to abutting land and may have two to three through lanes in each direction. +29

3. *Collector Street* - Refers to both collector and minor collector streets. All collector streets provide for short distance traffic movement and provide direct access to abutting land. Collectors primarily function to collect and distribute traffic between local streets or high volume traffic generators and arterial streets. Collectors may have one to two through lanes in each direction. Minor collectors primarily function to collect and distribute traffic between local streets and arterial streets. Minor collectors generally have one through lane in each direction. +29

4. *Minor Collector* - Provides for short distance (less than 3 miles) traffic movement; primarily functions to collect and distribute traffic between local streets and arterial streets. Provides direct access to abutting land. Some access may be controlled by the spacing and location of intersections. +47

5. *Local Street* - Primarily functions to provide direct access to abutting land and for traffic movements within neighborhoods. Local streets connect to collector and arterial streets and have one lane in each direction. +29

Street, Arterial: Repealed. +28 -47

Street Classification System: A part of the City General Plan which provides for the development of a system freeways, arterials, and collectors, including the location and alignment of existing and proposed thoroughfares. Some design features of each street classification vary with the character of the abutting land uses. +29

Street, Collector: Repealed. +28 -47

Street, Front: A street identified by an area plan towards which the front of buildings are oriented to minimize driveway cuts. If no area plan is adopted, all single-frontage lots adjoining a front street must orient the front of the building to the front street. For multi-frontage lots, the street with the most pedestrian activity is the front street. When lots adjoin two or more streets with an equal amount of pedestrian activity, both are front streets. Front streets are not necessarily the street adjoining the lot front. +71

Street, Local: Repealed +28 -47

Street, Pedestrian: Sidewalk, landscape, driveway and buildings are designed to create a safe, pleasant and enjoyable experience for pedestrians. Building openings are oriented toward the street and vehicular conflicts with pedestrians are minimized. Designated on Map 1202.E and individual character areas in Chapter 12. +86

Street, Private Accessway: A private right-of-way for vehicles which provides a principal means of access to two or more lots which meets all minimum City of Phoenix design standards, and is covered by an ingress/egress easement for emergency and service vehicles and for the exclusive use by the residents and their guests of the lots which it serves. *28

Street, Public: A dedicated public right-of-way for vehicles which affords a principal means of access to abutting property.

Street, Side: A street identified by an area plan towards which the side of buildings are oriented. If no area plan is adopted, the street with the least amount of pedestrian activity is the side street for multi-frontage lots. Side streets are not necessarily the street adjoining the lot side. +71

Streetscape Zone: The area located behind the right-of-way curb that has either landscaping per Section 1207 or public amenities (such as seating, artwork). +86

Structure: That which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner and placed upon or attached to the ground.

Subdivision: The division of a lot, tract, or parcel of land into three or more lots, tracts or parcels of which the original land area is greater than two and one half acres. Land for which a subdivision plat has been recorded, and for any condominium, community apartment, townhouse or similar project. *10 *28

Subdivision, Average Lot: A subdivision in which residential density is controlled by the number of dwelling units in a development rather than by minimum lot size.

Subdivision, Conventional: A subdivision in which residential density is controlled by the density provisions within each zoning district, and by development standards related to lot width, the management of stormwater, the provision of infrastructure requirements and constraints related to the property topography or configuration. +28

Subdivision, Planned Residential Development: See "Planned Residential Development". +28

Subdivision, Zero Lot Line: A subdivision in which the main building may be constructed without a side yard.

Tattoo or Body Piercing Studio: An establishment whose principal business activity is placing designs, letters, figures, symbols or other marks upon or under the skin of any person; using ink or other substances that result in the permanent coloration of skin by means of the use of needles or other instrument designed to contact or puncture skin; or creating an opening in the body of a person for the purpose of inserting jewelry or other decoration. +86

Telecom Hotel: A structure dedicated to containing high-tech equipment often supporting remote users. +63

Temporary Fence: Structure used to enclose an outdoor activity or use for a period as set forth in Section 703.C that is contained fully above ground and includes no permanently implanted or affixed footings. +47 *55

Tenant Leasable Area: The total floor area designed for tenant occupancy in a retail or office center not including areas such as entrances, elevator lobbies, malls, or stairwells that are used for patron access to the center and where no business is conducted. The tenant leasable area also excludes mechanical and utility areas which typically are 5% of the building area. For purposes of computing required parking, the tenant leasable area shall not be less than eighty percent (80%) of the total floor area of the center. *30

Tennis Court Fence: Any fence, wall, backstop, or other enclosure partly or completely bounding a tennis court or other area in which tennis or similar games are played.

Theaters: A building or part of a building devoted to showing motion pictures, or for dramatic, dance, musical, or other live performances. +61

Tobacco Oriented Retailer: An establishment engaged in the sale and/or display of tobacco related products, including, but not limited to: cigarettes, chewing and dipping tobacco, cigarette papers, electronic nicotine delivery system, or any other instrument or paraphernalia for the smoking or ingestion of tobacco and products prepared from tobacco. This includes uses such as, but not limited to, a cigar store, head shop, hookah lounge, or vape lounge. A tobacco oriented retailer must not include any establishment over 10,000 square feet in gross floor area, or any establishment devoting less than five percent of its floor space to the sale/display of tobacco related products. +84 *92

Tourist Court: Same as "Motel".

Traffic Study: A study and/or analysis of the movement of people and goods at a specific location or within a specified area over a given period of time. +47

Transect District: Establishes the range of form based code standards that support a pedestrian friendly environment along the light rail system. Refer to Chapter 13 for more information. +91

Transient Purposes: Occupancy of a dwelling, guest room, or rooming unit on a temporary basis. Such temporary basis shall be of less than three months. Residency for transient purposes requires the provision of food and housekeeping services.

Transit Access Facility: The design of the curb and sidewalk to provide a bus turnout approved by the Street Transportation Department, together with an approved shelter with bench for waiting passengers. *47

Transit Platform: A designated transit loading and waiting area as assigned by the Public Transit Agency. +63

Transit Station: The area including the platform which supports transit usage and that is owned by the Transit Authority. +63

Transit Street: A street that contains a light rail transit line. +63

Transit-Oriented Development (TOD): A development pattern characterized by a mix of uses surrounding a transit platform where streets have a high level of connectivity, blocks are small, and streetscape, buildings, and uses cater to the pedestrian. +63

Travel Trailer: See "Recreational Vehicle".

Under Roof, Hillside: The area under roof is considered as all areas covered by any permanent non-permeable roof structures including roof overhangs. +51

Urban Context: The combination of buildings, structures, and streetscape that form a distinct neighborhood or section of a city or urban place. +28

Use: The purpose for which a building, lot, sign, or other structure is arranged, intended, designed, occupied or maintained. *10

Use Permit: An authorization to conduct a use or activity when such authorization is required by this ordinance and when established according to the procedures in Section 307.

Variance: A deviation from any term or standard contained in this ordinance and authorized according to the procedures in Section 307.

Veterinary Hospital: An institution for the diagnosis, treatment, and care of disease and injury in all types of animals by a licensed doctor of veterinary medicine.

Veterinary Office: An office maintained by a licensed doctor of veterinary medicine for the treatment and care of small animals, namely the usual household pets and other animals of a similar size and nature but not livestock.

View Fence: The provision of open wrought iron or tubular steel fencing with the intent of maintaining visual surveillance on public or semi-public spaces. +28

View Preservation: Consideration given to the location of structures on the site so that the arrangement maximizes the view for the surrounding property and existing or anticipated development.

Walkway: A hard surfaced path for pedestrians. *47

Wall, Noise Mitigation: A masonry wall of a minimum eight (8) inch thickness, fully mortared block construction, and built to a height required to reduce noise transmission in decibels to the level specified in Section 703. +24

Wall, Retaining: A wall which supports or retains earth higher on one side than the other side. For purposes of this ordinance, the "height" of a retaining wall is the maximum vertical dimension of the wall measured from the top of the footing to the top or the retaining wall. A retaining wall shall be no higher than necessary to retain earth. +24

Wholesale: The business of selling goods or merchandise to retailers or jobbers for resale to the ultimate consumer.

Wireless Communication Facility (WCF): A facility that sends and/or receives wireless communication signals, including, but not limited, to antennas, microwave dishes, antenna structures, towers, equipment enclosures and the land upon which they are all situated. Wireless Communication Facilities can be concealed, disguised or visible. +66

Wireless Communications Facility, Antenna: Any structure or device used to transmit and/or receive wireless signals for the provision of cellular, paging, personal communications services and microwave communications. Such structures and devices include, but are not limited to, directional antennas, such as panel antennas, microwave dishes and satellite dishes, and omni-directional (WHIP) antennas. +66

Wireless Communications Facility, Antenna Structure: An antenna and its associated structure, such as a monopole or tower and co-axial cables. +66

Wireless Communications Facility, Cell On Wheels (COW): A portable self-contained cell site that can be moved to a location and set up to provide personal wireless services on a temporary or emergency basis. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure. +66

Wireless Communications Facility, Co-Location: The act of siting multiple wireless communications providers in the same location and on the same support structure. Collocation also means locating one or more additional Wireless Communication Facilities on a structure designed for a different purpose such as, but not limited to, buildings, water tanks, towers, flagpole or utility poles without the need to construct a new support structure. +66

Wireless Communication Facility, Co-Located: A facility owned by one or more wireless communication service providers that is attached to a facility or site owned by a different wireless communication service provider. +66

Wireless Communication Facility, Concealed: A facility designed to be architecturally integrated into a building so that the antenna, support structures, cabling and equipment are completely encased or hidden or designed in a manner that blends into the environment so the antenna structure can not be seen or, if seen, can not be recognized as Wireless Communication Facilities. Concealed Wireless Communication Facilities include, but are not limited to, architecturally screened roof-mounted facilities such as elevator or stairway penthouses, chimneys, flues, vents and roof-top equipment

storage areas. Artwork or architectural design features such as church spires, clock towers and signs or flag poles may also be considered concealed Wireless Communication Facilities if they encase or hide the Wireless Communication Facility. +66

Wireless Communication Facility, Disguised: A facility designed and sited so that the antenna structure is minimally obtrusive and appears to be part of the physical surroundings. Disguised Wireless Communication Facilities include, but are not limited to, a monopalm, a monocactus, or monopine. The location of a wireless communication facility on athletic field light poles, water towers, street lights, traffic light or utility poles, walls and fences, and suspended wire antennas would also be considered disguised if the antennas, cabling and related equipment and structures are not commonly recognized as a Wireless Communication Facility. +66

Wireless Communication Facility, Equipment Enclosure: A tract or area of land enclosed by a solid wall that contains one or more Wireless Communication Facility antennas, their associated equipment shelters and other equipment associated with and ancillary to wireless communication. +66

Wireless Communication Facility, Equipment Shelter: A fully enclosed structure, cabinet or vault located at the base of or near a Wireless Communication Facility that is used to house and protect the electronic and supporting equipment necessary for processing wireless communication signals. An equipment shelter often has, among other things, batteries, generators, electrical equipment, one or more air conditioning units, a power meter and disconnect located on the outside. +66

Wireless Communication Facility, Monocactus: A single, freestanding and unguyed three-dimensional structure in the shape of a saguaro or similar cactus erected on the ground that houses one or more antenna. The structure must be anatomically correct in its color, texture and design to give the appearance of a cactus. For purposes of this ordinance, a monocactus is not a tower. +66

Wireless Communication Facility, Monopalm: A single, freestanding and unguyed structure in the shape of a palm tree erected on the ground that supports one or two disguised antenna. The structure must be anatomically correct in its color, texture and design to give the appearance of a palm tree. For purposes of this ordinance, a monopalm is not a tower. +66

Wireless Communication Facility, Monopine: A single, freestanding and unguyed structure in the shape of a pine tree erected on the ground that supports one or more antenna. The structure must be anatomically correct in its color, texture and design to give the appearance of a pine tree. For purposes of this ordinance, a monopine is not a tower. +66

Wireless Communication Facility, Monopole: A single, freestanding and unguyed pole-type structure erected on the ground that supports one or more antenna. For purposes of this ordinance, a monopole is not a tower. +66

Wireless Communication Facility, Support Equipment: Any equipment serving or being used in conjunction with a Wireless Communication Facility or support structure. This equipment includes, but is not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or other structures. +66

Wireless Communication Facility, Support Structure: A structure that supports a Wireless Communication Facility including, but not limited to, monopoles, towers, utility poles and other freestanding self-supporting structures. +66

Wireless Communication Facility, Tower: A lattice-type structure, guyed or freestanding, that supports, holds or contains equipment that sends and/or receives wireless communication signals, including, but not limited to, antennas. +66

Wireless Communication Facility, Visible: A facility that is clearly recognized and not concealed or disguised. +66

Wireless Communication Service Provider: the entity that is responsible for providing wireless communication to the general public, private sector, or governmental or quasi-governmental agency that owns or operates and maintains a wireless communication facility. +66

Yard: A space on any lot, unoccupied by a structure and unobstructed from the ground upward except as otherwise provided herein, and measured as the minimum horizontal distance from a building or structure, excluding carports, porches and other permitted projects, to the property line opposite such building line in the side or rear yards, or to the street right-of-way or easement in the front yard; provided, however, that where a future width line is established by the provisions of this ordinance for any street bounding the lot, then such measurement shall be taken from the line of the building to such future width line.

Yard

Yard, Required: The minimum dimensions of a front, side, or rear yard as established by the use regulations for each district.

Zero Lot Line Development: A residential development, according to the provisions of Chapter 6, wherein a building envelope may extend to side lot lines.

Date of Addition/Revision/Deletion - Section 202

+1 Addition on 11-28-1990 by Ordinance No. G-3378
+2 Addition on 9-18-1991 by Ordinance No. G-3461
+3 Addition on 10-30-1991 by Ordinance No. G-3465
+4 Addition on 12-11-1991 by Ordinance No. G-3480

+5 Addition on 1-8-1992 by Ordinance No. G-3488
+6 Addition on 2-19-1992 by Ordinance No. G-3498
*6 Revision on 2-19-1992 by Ordinance No. G-3498
-6 Deletion on 2-19-1992 by Ordinance No. G-3498
+7 Addition on 3-4-1992 by Ordinance No. G-3504
-8 Deletion on 5-20-1992 by Ordinance No. G-3529
*8 Revision on 5-20-1992 by Ordinance No. G-3529
+8 Addition on 5-20-1992 by Ordinance No. G-3529
+9 Addition on 7-1-1992 by Ordinance No. G-3553
*10 Revision on 10-7-1992 by Ordinance No. G-3572
+11 Addition on 11-18-1992 by Ordinance No. G-3604
+12 Addition on 3-31-1993 by Ordinance No. G-3628
+13 Addition on 3-31-1993 by Ordinance No. G-3629
+14 Addition on 6-30-1993 by Ordinance No. G-3663
*14 Revision on 6-30-1993 by Ordinance No. G-3663
+15 Addition on 6-30-1993 by Ordinance No. G-3663
*15 Revision on 6-30-1993 by Ordinance No. G-3663
+16 Addition on 7-7-1993 by Ordinance No. G-3681 which corrects Ordinance No. G-3665 adopted on 6-30-1993
+17 Addition on 2-2-1994 by Ordinance No. G-3731
*17 Revision on 2-2-1994 by Ordinance No. G-3731
+18 Addition on 6-8-1994 by Ordinance No. G-3766
+19 Addition on 7-6-1994 by Ordinance No. G-3787
*20 Revision on 8-31-1994 by Ordinance No. G-3795
+21 Addition on 1-18-1995 by Ordinance No. G-3829
+22 Addition on 3-5-1995 by Ordinance No. G-3847
+23 Addition on 4-19-1995 by Ordinance No. G-3850
+24 Addition on 3-19-1997 by Ordinance No. G-3996
*25 Revision on 4-30-1997 by Ordinance No. G-4004
*26 Revision on 7-2-1997 by Ordinance No. G-4039
*27 Revision on 7-2-1997 by Ordinance No. G-4041
+28 Addition on 5-1-1998 by Ordinance No. G-4078
*28 Revision on 5-1-1998 by Ordinance No. G-4078
+29 Addition on 7-1-1998 by Ordinance No. G-4109
*29 Revision on 7-1-1998 by Ordinance No. G-4109
+30 Addition on 2-3-1999 by Ordinance No. G-4156
*30 Revision on 2-3-1999 by Ordinance No. G-4156
+31 Addition on 4-14-1999 by Ordinance No. G-4170
+32 Addition on 12-15-1999 by Ordinance No. G-4230
+33 Addition on 1-19-2000 by Ordinance No. G-4238
+34 Addition on 4-12-2000 by Ordinance No. G-4255
-34 Deletion on 4-12-2000 by Ordinance No. G-4255
+35 Addition on 4-12-2000 by Ordinance No. G-4256
*36 Revision on 4-26-2000 by Ordinance No. G-4264
+37 Addition on 10-4-2000 by Ordinance No. G-4298, eff. 2-1-2001
+38 Addition on 5-2-2001 by Ordinance No. G-4345, eff. 6-1-2001
+39 Addition on 5-2-2001 by Ordinance No. G-4345, eff. 6-1-2001
+40 Addition on 5-2-2001 by Ordinance No. G-4345, eff. 6-1-2001
+41 Addition on 5-2-2001 by Ordinance No. G-4345, eff. 6-1-2001
+42 Addition on 5-2-2001 by Ordinance No. G-4347, eff. 6-1-2001
+43 Addition on 6-27-2001 by Ordinance No. G-4366, eff. 7-27-2001
+44 Addition on 6-27-2001 by Ordinance No. G-4367, eff. 7-27-2001

+45 Addition on 6-27-2001 by Ordinance No. G-4367, eff. 7-27-2001
+46 Addition on 8-28-2002 by Ordinance No. G-4457, eff. 9-27-2002
+47 Addition on 2-19-2003 by Ordinance No. G-4498, eff. 2-19-2003
*47 Revision on 2-19-2003 by Ordinance No. G-4498, eff. 2-19-2003
-47 Deletion on 2-19-2003 by Ordinance No G-4498, eff. 2-19-2003
+48 Addition on 6-25-2003 by Ordinance No. G-4526, eff. 7-25-2003
*48 Revision on 6-25-2003 by Ordinance No. G-4526, eff. 7-25-2003
+49 Addition on 7-2-2003 by Ordinance No. G-4532, eff. 7-2-2003
-49 Deletion on 7-2-2003 by Ordinance No. G-4532, eff. 7-2-2003
+50 Addition on 10-8-2003 by Ordinance No. G-4545, eff. 10-8-2003
*50 Revision on 10-8-2003 by Ordinance No. G-4545, eff. 10-8-2003
+51 Addition on 11-12-2003 by Ordinance No. G-4553, eff. 12-12-2003
*52 Revision on 12-17-2003 by Ordinance No. G-4566, eff. 12-17-2003
*53 Revision on 6-2-2004 by Ordinance No. G-4611, eff. 7-2-2004
+54 Addition on 5-18-2005 by Ordinance No. G-4686, eff. 5-18-2005
*55 Revision on 11-30-2005 by Ordinance No. G-4760, eff. 12-30-2005
+56 Addition on 7-5-2006 by Ordinance No. G-4815, eff. 8-4-2006
+57 Addition on 7-5-2006 by Ordinance No. G-4817, eff. 8-4-2006
*58 Revision on 11-15-2006 by Ordinance No. G-4840, eff. 12-15-2006
+59 Addition on 1-3-2007 by Ordinance No. G-4857, eff. 2-2-2007
+60 Addition on 1-31-2007 by Ordinance No. G-4863, eff. 3-2-2007
+61 Addition on 6-4-2008 by Ordinance No. G-5181, eff. 7-4-2008
-61 Deletion on 6-4-2008 by Ordinance No. G-5181, eff. 7-4-2008
*62 Revision on 9-3-2008 by Ordinance No. G-5243, eff. 10-3-2008
+63 Addition on 9-3-2008 by Ordinance No. G-5244, eff. 10-3-2008
*63 Revision on 9-3-2008 by Ordinance No. G-5244, eff. 10-3-2008
+64 Addition on 11-5-2008 by Ordinance No. G-5268, eff. 12-5-2008
*64 Revision on 11-5-2008 by Ordinance No. G-5268, eff. 12-5-2008
+65 Revision on 12-3-2008 by Ordinance No. G-5290, eff. 1-2-2009
-65 Deletion on 12-3-2008 by Ordinance No. G-5290, eff. 1-2-2009
+66 Addition on 3-4-2009 by Ordinance No. G-5329, eff. 4-3-2009
+67 Addition on 3-11-2009 by Ordinance No. G-5330, eff. 4-10-2009
*67 Revision on 3-11-2009 by Ordinance No. G-5330, eff. 4-10-2009
*68 Revision on 6-3-2009 by Ordinance No. G-5380, eff. 7-3-2009
+69 Addition on 10-7-2009 by Ordinance No. G-5440, eff. 11-6-2009
+70 Addition on 12-2-2009 by Ordinance No. G-5453, eff. 1-10-2010
+71 Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
+72 Addition on 4-7-2010 by Ordinance No. G-5499, eff. 5-7-2010
*72 Revision on 4-7-2010 by Ordinance No. G-5499, eff. 5-7-2010
-72 Deletion on 4-7-2010 by Ordinance No. G-5499, eff. 5-7-2010
+73 Addition on 12-15-2010 by Ordinance No. G-5573, eff. 1-14-2011
+74 Addition on 1-19-2011 by Ordinance No. G-5581, eff. 2-18-2011
*75 Revision on 1-19-2011 by Ordinance No. G-5582 eff. 2-18-2011
+76 Addition on 3-2-2011 by Ordinance No. G-5594 eff. 4-1-2011
+77 Addition on 6-8-2011 by Ordinance No. G-5633, eff. 7-8-2011
+78 Addition on 7-6-2011 by Ordinance No. G-5641, eff. 8-5-2011
+79 Addition on 3-21-2012 by Ordinance No. G-5687, eff. 4-20-2012
+80 Addition on 5-2-2012 by Ordinance No. G-5688, eff. 6-2-2012
*80 Revision on 5-2-2012 by Ordinance No. G-5688, eff. 6-2-2012
*81 Revision on 10-31-2012 by Ordinance No. G-5742, eff. 11-30-2012
+82 Addition on 10-31-2012 by Ordinance No. G-5744, eff. 11-30-2012

+83 Addition on 10-31-2012 by Ordinance No. G-5745, eff. 11-30-2012
+84 Addition on 10-31-2012 by Ordinance No. G-5746, eff. 11-30-2012
+85 Addition on 12-19-2012 by Ordinance No. G-5766, eff. 1-18-2013
+86 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*86 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
+87 Addition on 10-2-2013 by Ordinance No. G-5846, eff. 11-2-2013
*87 Revision on 10-2-2013 by Ordinance No. G-5846, eff. 11-2-2013
+88 Addition on 12-18-2013 by Ordinance No. G-5874, eff. 1-17-2014
*88 Revision on 12-18-2013 by Ordinance No. G-5874, eff. 1-17-2014
*89 Revision on 10-1-2014 by Ordinance No. G-5952, eff. 11-1-2014
*90 Revision on 11-5-2014 by Ordinance No. G-5959, eff. 12-5-2014
+91 Addition on 7-1-2015 by Ordinance No. G-6047, eff. 7-31-2015
*92 Revision on 4-20-2016 by Ordinance No. G-6150, eff. 5-20-2016
+93 Addition on 4-20-2016 by Ordinance No. G-6151, eff. 4-20-2016
*93 Revision on 4-20-2016 by Ordinance No. G-6151, eff. 4-20-2016
+94 Addition on 2-15-2017 by Ordinance No. G-6278, eff. 3-15-2017
+95 Addition on 4-5-2017 by Ordinance No. G-6304, eff. 5-5-2017

+83 Addition on 10-31-2012 by Ordinance No. G-5745, eff. 11-30-2012
+84 Addition on 10-31-2012 by Ordinance No. G-5746, eff. 11-30-2012
+85 Addition on 12-19-2012 by Ordinance No. G-5766, eff. 1-18-2013
+86 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*86 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
+87 Addition on 10-2-2013 by Ordinance No. G-5846, eff. 11-2-2013
*87 Revision on 10-2-2013 by Ordinance No. G-5846, eff. 11-2-2013
+88 Addition on 12-18-2013 by Ordinance No. G-5874, eff. 1-17-2014
*88 Revision on 12-18-2013 by Ordinance No. G-5874, eff. 1-17-2014
*89 Revision on 10-1-2014 by Ordinance No. G-5952, eff. 11-1-2014
*90 Revision on 11-5-2014 by Ordinance No. G-5959, eff. 12-5-2014
+91 Addition on 7-1-2015 by Ordinance No. G-6047, eff. 7-31-2015
*92 Revision on 4-20-2016 by Ordinance No. G-6150, eff. 5-20-2016
+93 Addition on 4-20-2016 by Ordinance No. G-6151, eff. 4-20-2016
*93 Revision on 4-20-2016 by Ordinance No. G-6151, eff. 4-20-2016
+94 Addition on 2-15-2017 by Ordinance No. G-6278, eff. 3-15-2017
+95 Addition on 4-5-2017 by Ordinance No. G-6304, eff. 5-5-2017

Chapter 3

DECISIONMAKING AND ADMINISTRATIVE BODIES*

Section 301. City Council.
Section 302. Planning Commission.
Section 303. Board of Adjustment.
Section 304. Hearing Officers.
Section 305. Planning and Development Department.
Section 306. Department of Planning and Development.
Section 307. Zoning Administrator.
Section 308. Design Standards Committee.
Section 309. Design Review Committee.
Section 310. Village Planning Committees.

***Editor's note**—Ord. No. G-5599, (TA-4-11), § 1, adopted March 23, 2011, effective April 22, 2011, amended portions of the Zoning Ordinance of the City of Phoenix, Arizona, to reflect the consolidation of the Planning Department with the Development Services Department and change all references to the department name to Planning and Development Department.

Section 301. City Council.

(Reserved.)

Section 302. Planning Commission.

(Reserved.)

Section 303. Board of Adjustment.

A. **Creation of Board of Adjustment.** A Board of Adjustment is hereby created.

1. The Board of Adjustment shall be composed of seven members who shall be residents of Phoenix and who shall serve without pay. Members shall be appointed by the Council of the City of Phoenix. Each appointment shall be for a term of four years, except that in the event of a death or resignation of a member, the vacancy may be filled for the unexpired term.
2. The Board shall elect a chairman and a vice-chairman from among the members appointed by the City Council. The chairman and vice-chairman shall have power to administer oaths and take evidence.
3. Meetings of the Board shall be open to the public. The minutes of its proceedings, showing the vote of each member and records of its examinations and other official actions, shall be kept and filed in the office of the City Planning and Development Department as a public record. *2

B. **Authority of the Board of Adjustment.**

1. The Board of Adjustment shall have the authority to:
   a. Hear and decide appeals in which it is alleged there is an error in an order, requirement, or decision made by the Zoning Administrator in the enforcement of the Zoning Ordinance.
   b. Hear and decide appeals from the action of the Zoning Administrator in the granting or denying of variances, the issuance of use permits, or in the interpretation of the provisions of this ordinance.
   c. Hear and decide all matters referred to the Board by the Zoning Administrator.
   d. Reverse or affirm, wholly or in part, or modify the order, requirement, or decision of the Zoning Administrator appealed from, and make such order, requirement, decision, or determination as necessary.
2. The Board of Adjustment may not:
   a. Make any changes in the uses permitted in any zoning classification or zoning district, or make any changes in the terms of the Zoning Ordinance; provided that the restriction in this paragraph shall not affect the authority to grant variances.
   b. Grant a variance if the special circumstances applicable to the property are self-imposed by the property owner.

C. **Procedure before the Board of Adjustment.**

1. Appeals from an order, requirement, or decision made by the Zoning Administrator, may be made by any person or governmental agency, on forms provided by the Planning and Development Department, and shall specify the basis of the appeal. *2

2. Any appeal shall be heard by the Board of Adjustment. A quorum of the Board consisting of four members not otherwise disqualified, shall be necessary to hear any matter. The concurring vote of a majority of members present and not otherwise disqualified shall be necessary to reverse or modify an order, requirement, or decision of the Zoning Administrator, otherwise such order, requirement, or decision shall be affirmed. *1

3. An appeal may be reheard only when there has been a manifest error affecting the Board's action.

4. Any person aggrieved by any decision of the Board, or any taxpayer or municipal officer, may within thirty days after the Board has rendered its decision, file a complaint for special action in the Superior Court to review the Board's decision. Filing the complaint does not stay proceedings on the decision sought to be reviewed, but the court may, on application, grant a stay and on final hearing may affirm or reverse, in whole or in part, or modify the decision reviewed.

Date of Addition/Revision/Deletion - Section 303
*1 Revision on 4-17-2002 by Ordinance No. G-4427, eff. 5-17-2002
*2 Revision on 3-23-2011 by Ordinance No. G-5594, eff. 4-22-2011

Section 304. Hearing Officers.

(Reserved.)

Section 305. Planning and Development Department.

(Reserved.)

Section 306. Department of Planning and Development.

(Reserved.)

Section 307. Zoning Administrator. –1 –2

A. **Authority and duties of the Zoning Administrator.** There is hereby created in the City Planning and Development Department a Zoning Administrator. The Zoning Administrator shall be appointed by the Planning and Development Director and shall be under his direction. The Zoning Administrator may appoint Deputy Zoning Administrators to perform the functions of the Zoning Administrator and to act under his direction. The Zoning Administrator shall: *5 *6

1. Enforce the provisions of this Zoning Ordinance.

2. Accomplish all administrative actions required by the ordinance, including the giving of notice, holding of hearings, preparation of reports, receiving and processing appeals, and the acceptance and accounting for fees.

3. Subject to the supervision of the Planning and Development Director, and to general and specific policy laid down by the Planning Commission and City Council, interpret the Zoning Ordinance to members of the public, to City departments, and to other branches of government. *5 *6

4. Undertake preliminary negotiation with, and provide advice to, all applicants for zoning adjustment action.

5. Appoint a secretary for the Board of Adjustment.

6. Report regularly to the Planning and Development Director on the conduct of his office, including number of cases handled and their disposal and recommendations for changes and improvements in ordinance regulations and procedures. *5 *6

7. Hear applications for and grant those special exceptions designated as use permits where required by this ordinance upon a finding that the use covered by the permit, or the manner of conducting the same:

   a. Will not cause a significant increase in vehicular or pedestrian traffic in adjacent residential areas; or emit odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions; or contribute in a measurable way to the deterioration of the neighborhood or area, or contribute to the downgrading of property values.

   b. Will be in compliance with all provisions of this ordinance and the laws of the City of Phoenix. *4

   c. No structure, building, or land shall be used where a use permit is specifically required by the terms of this ordinance until a use permit for such use shall have been granted by the Zoning Administrator or Board of Adjustment;

   d. Any structural alteration to the interior or exterior of a structure or building containing any of the uses referred to in paragraphs a and b above, other than maintenance, shall require the securing of a use permit;

   e. Any use permitted subject to a use permit shall continue to be subject to said permit in any less restrictive district unless such use shall specifically appear as a permitted use;

   f. Structures or buildings devoted to any use which is permitted under the terms of this ordinance, subject to the securing of a use permit, may be altered, added to, enlarged, expanded, or moved from one location to another on the lot only after securing a new use permit, unless the Zoning Administrator or Board of Adjustment has previously issued a use permit for such alteration, addition, enlargement, or expansion; and any use of the land which is permitted under the terms of this ordinance, subject to the securing

of a use permit, may be extended over the lot on which such use is located only after securing a new use permit, unless the Zoning Administrator or Board of Adjustment has previously issued a use permit for such extension;

g. A use permit may only be revoked by the Zoning Administrator upon a finding that there has been material noncompliance with a condition prescribed in conjunction with the issuance of the use permit or that the use covered by the permit or the manner of conducting the same violates the standards listed in this section that govern the granting of the permit;

h. Revocation of a use permit shall become final only after:

(1) The fifteen-day period expired within which an appeal may be filed; or

(2) A decision of the Board of Adjustment upholding the revocation.

8. When a lot is divided by a district boundary, but only when at least fifty percent of the lot area is within the less restricted district, to grant a use permit for the extension of a use which is permitted in a less restricted district into the more restricted district to a maximum of twenty-five feet, and subject to all regulations of the less restricted district.

9. Authorize upon application and hearing such variance from the terms of this ordinance as will not be contrary to the public interest, when owing to special conditions, a literal enforcement of any provisions of the ordinance would result in unnecessary property hardship.

A variance shall not be authorized unless the Zoning Administrator shall find upon sufficient evidence:

a. That there are special circumstances or conditions applying to the land, building, or use referred to in the application and which do not apply to other properties in the district; and

b. That such special circumstances were not created by the owner or applicant; and

c. That the authorizing of the variance is necessary for the preservation and enjoyment of substantial property rights; and

d. That the authorizing of the application will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general.

10. The Zoning Administrator may not:

a. Make any changes in the uses permitted in any zoning classification or zoning district, or make any changes in the terms of the Zoning Ordinance; provided that the restriction in this paragraph shall not affect the authority to grant variances.

b. Grant a variance if the special circumstances applicable to the property are self-imposed by the property owner.

11. Refer any of the matters on which he is authorized to rule or issue a permit to the Board of Adjustment for action.

12. Prescribe in connection with any use permit or any variance such conditions as he may deem necessary in order to fully carry out the provisions and intent of this ordinance. Such conditions applying to a use permit may include, among other things, a limitation of the time for which such permit shall be valid. Violations of any such condition shall be a violation of this ordinance and such violation shall render the use permit or variance null and void.
13. Such use permits and/or variances as are granted by the Zoning Administrator shall be void if the use is not commenced or if a building permit has not been obtained within sixty days of such granting or within the time stipulated.
14. Determine the location of any district boundary shown on the zoning map adopted as a part of this ordinance when such location is in doubt.
15. The Zoning Administrator may hear application concerning property upon which a previous application has been heard only when:
    a. The application does not involve the same request for use permit, determination of location of district boundary line, or alleging the same misinterpretation, point of noncoverage, or hardships as the previous application, or when:
    b. The application does not contain the original request for specific variance; or
    c. Substantial change in the use of adjacent property has occurred since the previous application was heard; or
    d. A period of not less than one year has passed since the previous application was heard; or
    e. The previous application was closed without hearing when neither the property owner nor his representative were present at the time such application was scheduled for hearing.
16. Temporary helistops. Use permits for temporary helistops may be approved for a period of not more than one year for sites located in any zoning district subject to:
    a. Demonstration of minimum adverse environmental impact to any neighborhood in the area of the site.
    b. Evidence shown that the site complies with provisions of the Phoenix Fire Code, and FAA "Notice of Landing Area Proposal," and a letter of no objection has been received from the FAA.

    Extension of the original use permit for temporary helistops may be obtained by applying for said extension prior to the one year expiration date.
17. Entertainment district alcohol sales and service. +7
    a. Authorize, upon application and hearing, a use permit for alcohol sales and service within an entertainment district requiring an exemption pursuant to Section 4-207(C)(4), Arizona Revised Statutes. +7

b. The City Council may only approve an exemption authorized by Section 4-207(C)(4), Arizona Revised Statutes, to a property that has an approved use permit for alcohol sales and service. +7

B. **Time Limit.** The Zoning Administrator shall act upon or refer to the Board any matter brought before him within sixty days of the date of filing or within such longer period of time as may be agreed to by the Zoning Administrator and the applicant. If no decision has been made at the expiration of such time limit, the application shall be deemed to have been denied for purposes of the applicant's right to further administrative review.*3

Date of Addition/Revision/Deletion - Section 307

-1 Deletion on 4-15-1992 by Ordinance No. G-3514
-2 Deletion on 11-18-1992 by Ordinance No. G-3603
*3 Revision on 4-13-2005 by Ordinance No. G-4681, eff. 5-13-2005
*4 Revision on 1-19-2011 by Ordinance No. G-5584 eff. 1-19-2011
*5 Revision on 2-23-2011 by Ordinance No. G-5590, eff. 3-25-2011
*6 Revision on 3-23-2011 by Ordinance No. G-5599, eff. 4-22-2011
+7 Addition on 1-20-2016 by Ordinance No. G-6116, eff. 2-19-2016

Section 308. Design Standards Committee. +1 *6

A. **Powers and Duties.** The Design Standards Committee shall have the following powers and duties under the provisions of these regulations: *6

1. To develop design standards, policies and guidelines and to recommend to the City Council the adoption of appropriate policy manuals and amendments to the development standards contained in these regulations; *6
2. To review and make recommendations to the City Council on all specific plans and other City studies including design guidelines to ensure formats compatible with the City-wide design guidelines; *6
3. To evaluate the success being achieved in meeting the goal of a higher quality of design in the City;
4. To periodically make recommendations to the City Council for changes to design standards, policy manuals and procedures; and *6

B. **Membership.** Members of the Design Standards Committee shall be appointed and removed as follows: *6

1. The Design Standards Committee shall be composed of the following members: *3 *6
   a. One member of the Planning Commission;
   b. Two residents who are not part of the groups described in subsections c and d below, and who have served at least two years on a village planning committee; *3 *6
   c. Two representatives of owners and developers of projects that are subject to design review; and
   d. Three design professionals, such as architects, landscape architects, planners, and civil engineers. *6
   e. One member of the Parks and Recreation Board. +4
2. The members of the Design Standards Committee shall be appointed by the City Council, except for the Planning Commission member who shall be selected by the Planning Commission and the Parks and Recreation member who shall be selected by the Parks and Recreation Board, and shall serve without pay. *2 *6
3. Except for the Planning Commission member, each appointment shall be for a term of two years, and no member shall serve more than two successive terms. The Planning Commission member shall serve for two years, but the term shall not be renewable.
4. Except for the Planning Commission member, in the event of a death or resignation of a member, the vacancy may be filled for the unexpired term by the City Council. The vacancy of a Planning Commission member shall be filled by the Planning Commission. The Parks and Recreation Board shall fill a vacancy of a Parks and Recreation member. *3 *6

Date of Addition/Revision/Deletion - Section 308
+1 Addition on 1-9-1991 by Ordinance No. G-3392

*2 Revision on 7-3-1991 by Ordinance No. G-3449
+3 Addition on 3-23-1994 by Ordinance No. G-3742
*3 Revision on 3-23-1994 by Ordinance No. G-3742
+4 Addition on 5-2-2001 by Ordinance No. G-4346, eff. 6-2-2001
*4 Revision on 5-2-2001 by Ordinance No. G-4346, eff. 6-2-2001
*5 Revision on 5-2-2001 by Ordinance No. G-4346, eff. 6-2-2001
*6 Revision on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010

Section 309. Design Review Committee. +1 *2

A. **Powers and Duties.** The Design Review Committee shall have the power and duty under the provisions of these regulations to hear specific items appealed by the development review applicant contesting decisions made by the Planning and Development Department regarding the interpretation and implementation of design guidelines and architectural diversity standards, to review and approve Design Alternatives and Sustainability Bonuses for properties within the boundaries of the Downtown Code, and to review and approve design alternatives and modification to standards within the boundaries of the Walkable Urban Code. *2 *3

B. **Membership.** Members of the Design Review Committee shall be appointed and removed as follows: *2

1. The Design Review Committee shall consist of nine members who are residents of the City of Phoenix, no more than two of whom may be members of the Design Standards Committee, composed as follows: *2
   a. One member of the Planning Commission;
   b. Two members of the Central City Village Planning Committee; *2
   c. Two residents; *2
   d. One representative of an owner or developer of projects that are subject to design review; and *2
   e. Three design professionals, such as architects, landscape architects, planners, and civil engineers. *2
2. The members of the Design Review Committee shall be appointed by the City Council, except the Planning Commission member who shall be selected by the Planning Commission, and shall serve without pay. *2
3. Except for the Planning Commission member, each appointment shall be for a term of two years, and no member shall serve more than two successive terms. The Planning Commission member shall serve for two years, but the term shall not be renewable. *2
4. Except for the Planning Commission member, in the event of a death or resignation of a member, the vacancy may be filled for the unexpired term by the City Council. The vacancy of a Planning Commission member shall be filled by the Planning Commission. *2

Date of Addition/Revision/Deletion - Section 309
+1 Addition on 1-9-1991 by Ordinance No. G-3392
*2 Revision on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
*3 Revision on 7-1-2015 by Ordinance No. G-6047, eff. 7-31-2015

Section 310. Village Planning Committees.

(Reserved.)

Chapter 4

PLANNING DOCUMENTS*

Section 401. General Plans.
Section 402. Area Plans.
Section 403. Specific Plans.

***Editor's note**—Ord. No. G-5599, (TA-4-11), § 1, adopted March 23, 2011, effective April 22, 2011, amended portions of the Zoning Ordinance of the City of Phoenix, Arizona, to reflect the consolidation of the Planning Department with the Development Services Department and change all references to the department name to Planning and Development Department.

Section 401. General plans.

(Reserved.)

Section 402. Area plans.

A. Special Planning (SP) District.

1. **Purpose.** The Special Planning District is intended as a means for property owners to initiate and implement programs for the conservation or revitalization of neighborhoods. The district takes effect through the adoption of a precise plan and set of regulations, called the special district plan, specifically intended, in each case, to facilitate maintenance and upgrading of the neighborhood, to encourage development of vacant or under-used lots, to ameliorate the adverse effects of incompatible mixtures of uses, and to encourage neighborhood residents and owners to take positive steps for the improvement and orderly development of the neighborhood.

2. **Special district plan.** In any Special Planning District the regulations governing the uses of land and structures, the height of buildings and requirements for lot area, width and yards, shall be as set forth in the underlying zoning district except as may be expressly modified by the special district plan for that district. There will be a separate and specific special district plan for each Special Planning District.

   a. **Initiation of a Special Planning District.**

      (1) A petition requesting the establishment of the district, bearing the signatures of the owners of not less than fifty percent of the property within the area proposed to be included in the special planning district, may be submitted to the Planning Department. For the purpose of this requirement, the signature of one cotenant, or, if community property, the signature of either spouse is sufficient to count the petition if no objection is made by the other cotenant or spouse. If the signature is so protested, the petition shall be counted only to the extent of the signer's interest in the property. The petition shall set forth the preliminary boundaries of the area proposed to be included and shall be on a form prepared and provided by the Planning Department. Such preliminary boundaries shall be natural or rectangular in configuration, subject to City Council approval.

      (2) A citizens' committee shall be formed for the purpose of circulating petitions and other such purposes as are specified in this section. The committee shall designate the name of the proposed Special Planning District which shall appear on all petitions. Membership on the committee shall be open to all property owners and residents within the proposed district. The citizens' committee shall work with City staff during preparation of the plan, be responsible for conducting informational meetings within the area during preparation of the plan and disseminating information on the plan upon its completion.

b. **Public hearing.**

(1) Upon initiation of proceedings as set forth in section 402.A the Planning Commission shall call a public hearing at a location in or convenient to the area proposed to be included in the district, for the purpose of explaining the purpose and operation of a Special Planning District and to determine the degree of interest in the establishment of such district, as well as to receive any suggestions regarding the content of the special district plan or the boundaries of the Special Planning District.

(2) Following the public hearing, the Planning Commission may recommend to the City Council that the Planning Department proceed with the preparation of a special district plan as set forth herein, and the Planning Commission shall recommend to the City Council the boundaries of the proposed district, or it may recommend the termination of the proceedings if it determines that the plan will not serve the purposes for which the Special Planning District is intended. If the Commission recommends initiation of the district, they shall be the applicant for the request.

(3) The City Council may without further hearing concur in the recommendation of the Planning Commission or make such recommendations that they desire and so instruct the Planning Department. If the City Council instructs the Planning Department to prepare a special district plan, the Council shall also specify the boundaries for the proposed district.

c. **Preparation of the special district plan.** When so instructed by the City Council, the Planning Department shall prepare a special district plan in accord with direction from the citizens' committee which shall consist of a detailed plan of land uses and related regulations in substantial conformity with the Phoenix General Plan. The special district plan may:

(1) Indicate proposed changes, if any, to permitted land uses within the Special Planning District. The plan may contain recommendations for which other administrative procedures are established, including but not limited to street closures or abandonments, improvement districts, rezoning, or special assessment districts. Implementation of such actions shall be through the normal procedures established for each.

(2) Contain a schedule of proposed changes, if any, to density, coverage, height, and other requirements applicable to buildings or structures.

(3) Contain specific regulations for the remodeling of existing buildings and structures, application of performance standards and application of site plan review procedures.

(4) Contain proposals for social services to be furnished in the area and plans for capital improvements by all public agencies and utilities in the area.

d. **Establishment of the Special Planning District.**

(1) Upon completion of the Special Planning District plan, the Planning Department shall reproduce and distribute the plan to all property owners and residents in the proposed district with the assistance of the citizens' committee.

(2) After distribution of the plan, the Planning Department shall conduct a poll of all property owners within the proposed district to determine if there is support for the plan. If seventy percent of those responding indicate support for the plan the Planning Department shall notify the Planning Commission who shall:

(a) Set a date for a public hearing on the plan and the establishment of a district and post notice of and publicize such hearing in accordance with section 506.

(b) Mail notices to the owners of all property within the district fifteen days prior to the hearing.

(c) Conduct the public hearing solely in regard to the plan that has been prepared by the Planning Department.

(3) The percentage of support shall be determined in the same manner as are petitions for the initiation of a district.

(4) Upon completion of the public hearing, the Planning Commission may recommend to the City Council the adoption or modification and adoption of the special district plan and recommend the establishment of the Special Planning District. The plan shall contain both a special district plan and a Special Planning District zoning overlay coterminous with the boundaries of the plan. The special district plan shall also contain all special zoning criteria applying within the district.

(5) Upon receipt of a recommendation from the Planning Commission, the City Council shall conduct a public hearing in accordance with section 506. Following the public hearing the City Council may approve, deny, or modify the special district plan and the Special Planning District.

(6) Applications for amendments to the plan shall be in accordance with section 506.

(7) Special Conservation Districts which the City Council has approved prior to the effective date of this ordinance shall be deemed to be Special Planning Districts pursuant to this ordinance. Proposed Special Conservation Districts for which City Council has authorized preparation of a neighborhood conservation plan prior to the effective date of this ordinance shall be deemed to be Special Planning Districts pursuant to this ordinance and shall be subject to section 402.A.2.d(4) through (7).

E. **Interpretation, administration, and enforcement of special planning districts.** +1

(1) Where a provision in a special planning district varies from the underlying zoning or the subdivision ordinance, the special planning district shall control. +1

(2) In any area governed by a special planning district, no building shall be erected and no existing building shall be moved, altered, added to or enlarged, nor shall any land or building be used except in conformance with any regulations contained in the special planning district. +1

(3) If, at the time of adoption of a special planning district regulation or amendment thereto, any lot, structure or building was being used in an otherwise lawful manner that does not conform to the regulations contained in a special planning district, such lot, structure or building shall be deemed to be a nonconforming use,

and may continue in the manner and to the extent that it existed or was being used at the time of such adoption. Nonconforming uses shall be governed by the nonconforming use regulations set forth in the zoning ordinance. +1

(4) Violation of any regulation contained in a special planning district shall be deemed to be a violation of the zoning ordinance. +1

(5) Deviations from any regulatory provision of a special planning district shall require an applicant to process a variance in accordance with the provisions of section 307 of this ordinance or amend the special planning district. This section shall apply to all deviations from regulatory elements of a special planning district, regardless of acreage.

Date of Addition/Revision/Deletion - Section 402
+1 Addition on 9-20-2006 by Ordinance No. G-4819, eff. 10-20-2006

Section 403. Specific plans. *1

A. **Statement of purpose.** A specific plan is intended to provide a greater level of detail needed to implement a subarea of the General Plan such as a village core, along a transportation corridor, a large vacant area, a conservation or redevelopment area, or any other area in which the need for special study and planning exists. A specific plan is a detailed element of the General Plan. This chapter prescribes procedures for the adoption, amendment, administration and enforcement of specific plans.

B. **Initiation and application.**

1. Specific plans may be initiated by the Planning Commission, by the City Council, or by a real property owner(s) within the area to be included in the proposed specific plan. Privately initiated specific plans shall be prepared by the Planning Department based upon the application and shall be accepted for processing where the applicant is able to demonstrate that the applicant owns or is authorized to represent not less than seventy-five percent of the area to be included in the proposed specific plan.

   a. No specific plan shall contain less than one hundred acres unless initiated by the Planning Commission or City Council.

2. Specific plans include such regulations, criteria and guidelines as may be necessary or desirable for the systematic execution of the General Plan. Specific plans may, in addition to recommended zoning ordinances and subdivision regulations, include:

   a. Regulations, criteria or guidelines determining the location of buildings and other improvements with respect to rights-of-way, floodplains and public areas and facilities.

   b. Regulations of the use of land, buildings and structures, the height and bulk of buildings and structures and open areas about buildings and structures.

c. Street and highway naming and numbering plans in order to establish and reserve the official names of streets and highways, to remove conflicts, duplication and uncertainty among such names, and to provide an orderly system for the numbering of proposed or existing buildings and properties.

d. Measures required to insure the execution of the General Plan.

e. Other matters which will accomplish the purposes of A.R.S. tit. 9, ch. 4, art. 6.

3. A specific plan may be regulatory or nonregulatory. A regulatory plan is defined as any plan containing provisions with restrictions on land use that differ from existing regulations. For the purposes of this chapter, specific plans that only contain statements of goals, standards, or policies that will be implemented by other means are deemed to be nonregulatory.

C. **Submittal requirements.** The proposed specific plan shall be submitted in two parts:

1. The plan document, consisting of maps, sketches, diagrams, and text indicating the magnitude, intensity, and location of all land uses proposed, and the standards which are required for all proposed development, shall be provided as follows:

a. Purpose statement: relationship of the project to the General Plan, and all other relevant adopted City development policies.

b. The general area description, legal description and acreage of the specific plan.

c. Definitions for special terms used in the specific plan.

d. Acreage and/or square footage of the land uses contained in the area.

e. Performance and/or development regulations, criteria or guidelines which may include densities, heights, floor area and floor area ratios, setbacks, building bulk, lot coverage, parking, open space, landscaping, signage and other site amenities.

f. Conceptual or illustrative plans and/or diagrams.

g. Implementation plan including a public and private improvement phasing schedule.

2. The development analysis, consisting of items such as basic data and relationships to judge the appropriateness of the plan with regard to market demands, service impacts, surrounding area impacts, and public fiscal impacts as follows:

   a. Traffic study and transportation plan.

   b. Natural features study.

   c. Archeology and historic features.

   d. Inventory and plans for utilities and public facilities.

   e. A description of the manner in which regulatory elements in the proposed specific plan will alter the existing zoning regulations including, but not limited to, use, building height, lot coverage, setbacks, open space and parking requirements.

3. The Planning Department may waive any of the above items which are deemed to be unnecessary to support the application. Any additional information intending to support the application may be submitted by the applicant.

4. The Planning Department shall determine that all data to support the plan is relevant to the proposed land uses and locations.

D. **Review and hearing procedure.**

1. At least thirty days before initiation of a specific plan by the Planning Commission or City Council, a meeting shall be conducted by the Planning Department in or near the subject area to inform interested persons of the possible initiation of a specific plan and the procedures to be followed. Property owners in and within six hundred feet of the proposed area, village committee(s) and others in the village area(s) registered with the Neighborhood Notification Office will be notified by mailed written notice twenty-one days prior to the meeting. *3

   Within sixty days of acceptance of a private application for a specific plan, a meeting shall be conducted by the Planning Department in or near the subject area. The purpose of the meeting shall be to inform interested persons of the initiation of the specific planning process and to inform them of the procedures that will be followed during preparation and review of the proposed plan. Notice of this meeting shall be published once in a newspaper of general circulation and posted in the area proposed to be included in the specific plan at least fifteen days before the meeting. No more than thirty days from receipt of an application by a real property owners(s) and at least fifteen days prior to this public meeting, the Planning Department will notify the applicant whether the proposal would require an amendment to the General Plan. If it is determined that a General Plan amendment is required, then no further meetings, after that provided in this paragraph, nor any further review of the plan shall take place unless:

   a. The General Plan is amended so that the proposed specific plan is in conformance with it; or

   b. The proposed specific plan is amended to be consistent with the General Plan. +1

2. Upon preparation and review of the plan by the Planning Department, they shall hold a second meeting in or near the subject area. The purpose of the meeting shall be to distribute the plan, present the plan to interested persons, and to record all comments made or received about the plan.

   The meeting shall be advertised and posted as provided in section 403.D.1. For all specific plans, except infrastructure financing plans, written notice shall be sent by bulk mail at least twenty-one days prior to the meeting to all real property owners in and within six hundred feet of the proposed specific plan area. Real property owners shall be identified by the County Assessor, City Clerk, or title company licensed by the State of Arizona. +1 *3

3. Upon completion of the second meeting, the Planning Department shall submit the plan and all comments received to the Planning Commission for their review and recommendation. The Planning Commission shall conduct a public hearing in regard to the plan. The Planning Commission hearing regarding regulatory specific plans shall be noticed as provided in section 506 for Zoning Ordinance amendments. Notice of the Planning Commission hearing regarding nonregulatory specific plans shall be published in a newspaper of general circulation at least fifteen days before the hearing and shall also be posted in the area proposed to be included in the plan at least fifteen days before the hearing. +1

4. A copy of any proposed specific plan with the recommendation of the Planning Commission shall be submitted to the City Council accompanied by a statement of the Planning Commission's reasons for such recommendations.

   a. In the event that a written protest against a proposed regulatory specific plan is filed in the office of the Planning Department or with the City Clerk no later than seven days following Planning Commission action by the owners of twenty percent or more, either of the area of the lots included in such proposed plan or of those immediately adjacent in the rear thereof extending one hundred fifty feet therefrom, or of those adjacent to any one side and extending one hundred fifty feet therefrom, or of those directly opposite thereto extending one hundred fifty feet from the street frontage of such opposite lots, such specific plan shall not become effective except by the favorable vote of three-fourths of all the members of the City Council of the City of Phoenix. If any members of the City Council are unable to vote on any such amendment because of a conflict of interest, then the required number of votes for passage of such amendment shall be three-fourths of the remaining membership of the City Council, provided that such required number of votes shall not be less than a majority of the full membership of the City Council. +1

   b. For plans initiated by real property owners, within fifteen days after action is taken by the Planning Commission on a specific plan, if a petition is submitted to the Planning Department in opposition which is signed by real property owners of at least seventy-five percent of the area within the plan, then no further hearings shall be held and the plan is terminated.

   c. Upon receipt of a copy of any proposed specific plan or amendment, the City Council may by ordinance or resolution adopt the plan or amendment. Before adopting the

proposed specific plan or amendment, the City Council shall hold at least one public hearing. Notice of the time and place of such hearing shall be given in the time and manner provided for the giving of notice of the hearing by the Planning Commission as provided in section 403.D.3.

E. **Interpretation, administration, and enforcement of specific plans.**

1. Where a provision in a specific plan varies from the underlying zoning or the Subdivision Ordinance, the specific plan shall control.
2. In any area governed by a specific plan, no building shall be erected and no existing building shall be moved, altered, added to or enlarged, nor shall any land or building be used except in conformance with any regulations contained in the specific plan.
3. If, at the time of adoption of a specific plan regulation or amendment thereto, any lot, structure or building was being used in an otherwise lawful manner that does not conform to the regulations contained in a specific plan, such lot, structure or building shall be deemed to be a nonconforming use, and may continue in the manner and to the extent that it existed or was being used at the time of such adoption. Nonconforming uses shall be governed by the nonconforming use regulations set forth in the Zoning Ordinance.
4. Violation of any regulation contained in a specific plan shall be deemed to be a violation of the Zoning Ordinance.
5. Deviations from any regulatory provision of a specific plan shall require an applicant to process a variance in accordance with the provisions of section 307 of this ordinance or amend the specific plan before rezoning can occur. This section shall apply to all deviations from regulatory elements of specific plans, regardless of acreage. +1

F. **Amendment.** +1

1. **Initiation of applications.** An amendment of an adopted specific plan may be initiated by the Planning Commission, by the City Council, or by a real property owner within the area included in the specific plan. Privately initiated amendments to specific plans shall be accepted for processing where the applicant is able to demonstrate that:

   a. For map (land use) changes, the applicant owns, or is authorized to act on behalf of the owner of, the property which is the subject of the amendment; or

   b. For text amendments, the applicant owns, or is authorized to act on behalf of the owner of, property which is directly affected by the portion of the plan sought to be amended.

   Upon acceptance of an application or initiation of an amendment to a specific plan, the Planning Department shall send notice of the amendment by first class mail to the affected village planning committee(s) and the individual or group which originally sponsored the specific plan.

2. **Review and hearing procedure.**

   a. Within one hundred twenty days, but no less than thirty days, of acceptance of an application or initiation of an amendment to a specific plan, the Planning Department

shall conduct a meeting in or near the subject area. The purposes of the meeting shall be to inform interested persons of the initiation of the amendment process, to inform them of procedures that will be followed during preparation and review of the proposed amendment, to distribute the amendment, present the amendment to interested persons, and to record all comments made or received about the amendment. No more than thirty days from receipt of an application by real property owner(s) and at least fifteen days prior to this public meeting, the Planning Department will notify the applicant whether the proposal would require an amendment to the General Plan. If it is determined that a General Plan amendment is required, then no further meetings, after that provided in this paragraph, nor any further review of the plan shall take place unless:

(1) An application is filed to amend the General Plan so that the proposed specific plan amendment is in conformance with it; or

(2) The proposed specific plan amendment is revised to be consistent with the General Plan.

b. **Notice.** *2

Notice of the meeting shall include the following: *2

(1) **Published and posted notice.** *2

Notice of the meeting shall be published once in a newspaper of general circulation and posted in the area proposed to be included in the amendment at least fifteen days before the meeting.

(2) **Mailed notice.** *2

(a) Written notice regarding the meeting shall be mailed as indicated in the following chart: *2

	Proposed Change To	
	Map (Land Use)	*Text*
Regulatory or nonregulatory provision	First class mail to all real property owners in the specific plan amendment area and within 300 feet of the amendment's external boundaries and to the affected village planning committee(s) and any homeowners' associations and others in the village area(s) who are registered with the Neighborhood Notification Office; lower priority to all other addresses in the specific plan area and within 300 feet of the plan's external boundaries.	First class mail to all real property owners in the *specific plan area and within 300 feet of the plan's external boundaries and to the affected village planning committee(s) and any homeowners' associations and others in the village area(s) who are registered with the Neighborhood Notification Office.

***Editor's note**—This table in Section 403.F.2.b was included in Supplement No. 14 to make a correction so this Table will conform to Ord. No. G-3421, adopted May 1, 1991. "Amendment area" was used in the text section of the table instead of "Specific plan area" which is what appeared in the ordinance. Since the ordinance was correct, the typo was corrected without a new ordinance.

The notice shall include the date of the first Planning Commission hearing on the amendment. Real property owners shall be identified by the County Assessor, City Clerk, or a title company licensed by the State of Arizona. The applicant shall provide the addresses to the Planning Department which shall mail the notices. First class mailings shall be sent at least fifteen days prior to the meeting; lower priority mailings shall be sent at least twenty-one days prior to the meeting. The applicant shall pay the cost of the mailing. For purposes of this table, "village" shall mean the village(s) in which the specific plan is located and an adjacent village if the plan area abuts a village's boundary.

(b) Mailed notice shall not be required for infrastructure financing plans. *2

c. Upon completion of the meeting, the Planning Department shall submit the amendment and all comments received to the Planning Commission for their review and recommendation. The Planning Commission shall conduct a public hearing in regard to the amendment. Notice of the Planning Commission hearing on regulations contained in regulatory specific plans shall be published and posted as provided in section 506 for Zoning Ordinance amendments. Notice of the Planning Commission hearing on amendments of nonregulatory specific plans and amendments of nonregulatory portions

of regulatory specific plans shall be published in a newspaper of general circulation and shall be posted in the area proposed to be included in the amendment at least fifteen days before the hearing.

d. A copy of any proposed amendment to a specific plan with the recommendation of the Planning Commission shall be submitted to the City Council accompanied by a statement of the Planning Commission's reasons for such recommendations.

The process for specific plan amendments at the City Council shall be the same as that provided in section 403.D.4 for the adoption of a specific plan, except that section 403.D.4.a shall apply only to map/land use amendments to regulatory portions of specific plans.

e. A specific plan amendment and a related General Plan amendment may be heard on the same or a separate agenda. The Planning Department shall determine the hearing schedule at the time the application for a specific plan amendment is accepted. A zoning case shall be heard on an agenda which is separate from, and subsequent to, the agenda at which a related specific plan amendment is heard.

3. **Effect of decision.** A new application concerning amendment of a specific plan about which a previous application for amendment has been approved or denied may only be considered when:

a. The application does not involve the same request for amendment as the previous application; or

b. A period of not less than one year has passed since the date of decision of the previous application or since the date of adoption of the specific plan.

The "same request" shall include an application for the identical or similar allowance for height, floor area ratio, intensity of land use, reduction in setbacks, and other similar requests.

4. **Determination that amendment of nonregulatory portions of a specific plan is necessary.**

a. Unless this section is specifically modified in the adopted specific plan, an applicant for rezoning shall be required to process a request for amendment of nonregulatory portions of a specific plan in the following situations:

(1) Projects of ten or more gross acres, as defined in the Zoning Ordinance, with a use different than that shown on the specific plan land use map or set forth in the specific plan text regarding land use, or other proposals that would set a precedent or would collectively change the overall land use in the specific plan area.

(2) Residential proposals that would significantly raise the overall density for an area beyond that shown on the specific plan map, or discussed in the specific plan, or would set a precedent for other proposals that would collectively exceed the density shown or discussed, and which do not in other respects further the goals

of the specific plan taken as a whole. Significance of a proposed increase in residential density shall be calculated using methods as found in the General Plan amendment procedures which are kept on file with the Planning and Development Department.

(3) Residential uses, except hotels, in designated industrial areas.

b. The Planning and Development Department shall determine whether a rezoning request will require a specific plan amendment within ten working days after:

(1) Receipt of a rezoning application; or

(2) Receipt of a request for such determination without formal submittal of the rezoning application.

c. A Planning and Development Department decision regarding the need for a specific plan amendment may be appealed to the City Council within ten working days after the Planning and Development Department has rendered its decision.

G. **Repeal.** +4

1. This section applies only to specific infrastructure financing plans.
2. An adopted specific infrastructure financing plan may be repealed, all or in part, at a public hearing of the City Council upon recommendation of the Planning Commission.
3. Notice of the intent to repeal shall be published once in a newspaper of general circulation at least 15 days prior to public hearing.
4. Repeal of a specific infrastructure financing plan will not be effective prior to adoption of a new infrastructure financing plan created in accordance with applicable State statutes.

Date of Addition/Revision/Deletion - Section 403

+1 Addition and deletion on 5-1-1991 by Ordinance No. G-3421
*2 Revision on 10-26-1994 by Ordinance No. G-3807
*3 Revision on 10-7-1998 by Ordinance No. G-4128
+4 Addition on 9-21-2011 by Ordinance No. G-5653, eff. 10-21-2011

Chapter 5

DEVELOPMENT REVIEW PROCEDURES*

Section 502. Procedures of general applicability.
Section 503. Authorized uses.
Section 504. Conditional uses.
Section 504.1. Special permits.
Section 505. Variances.
Section 505.1. Appeals to City Council from Board of Adjustment decisions. (Deleted)
Section 506. Text amendments and rezonings.
Section 507. Development review approval.
Section 507 Tab A. Guidelines for Design Review
Section 507.1. Site plan approval.
Section 508. Administrative appeals.
Section 509. Building permits and certificates of occupancy.
Section 510. Temporary permits.
Section 511. Interpretations.

***Editor's note**—Ord. No. G-5599, (TA-4-11), § 1, adopted March 23, 2011, effective April 22, 2011, amended portions of the Zoning Ordinance of the City of Phoenix, Arizona, to reflect the consolidation of the Planning Department with the Development Services Department and change all references to the department name to Planning and Development Department.

Section 501. Required permits and approvals.

(Reserved.)

Section 502. Procedures of general applicability.

A. **Use permits, location of district boundary.** Applications for use permits or location of a district boundary may be filed by any person, the City of Phoenix, or by any federal, State, County, school district or City governmental agency owning property subject to the provisions of this ordinance. Any potential applicant noted above must be the real property owner or provide a letter of authorization to file on the behalf of the property owner, in order to file an application for zoning adjustment. *1

B. **Appeals.** Applications for appeals to the Board may be filed by any person, the City of Phoenix, or by any federal, State, County, school district or City governmental agency, only when aggrieved by a decision or interpretation made by the Zoning Administrator providing such appeal is based on an allegation that the Zoning Administrator has:

1. Made an error in his interpretation of this ordinance; or that
2. The point in question is not covered by this ordinance.

C. **Variance.** Applications for variance may be filed by any person, the City of Phoenix, or by any Federal, State, County, school district or City governmental agency based on the allegation that an unnecessary property hardship, which substantially limits the preservation and enjoyment of property rights results from the provisions of this ordinance. Any potential applicant noted above must be the real property owner or provide a letter of authorization to file on the behalf of the property owner, in order to file an application for zoning adjustment. *2

D. **Procedures.**

1. Such applications and appeals must be filed, in the manner provided and after payment of fees as prescribed by this ordinance, within fifteen days from the time the officer charged with enforcement of the ordinance refuses to grant any such application or permit required.
2. Appeals and applications shall be made on forms provided by the Planning Department and shall specify, by allegation or allegations, the basis of the application or appeal.

   An application or appeal must further state the specific modification of such error, or the specific variation or variations from the provisions of this ordinance requested to alleviate the error or hardship alleged.
3. Applications for zoning adjustment or appeals shall be accompanied by a fee which is set forth in an ordinance, a copy of which is on file with the City Clerk and which is available in the Planning Department.

   Editor's note—A copy of the ordinance setting forth zoning fees is included herein as app. A.
4. An appeal to the Board stays all proceedings in the matter appealed from unless the officer from whom the appeal is taken certifies to the Board hearing the application that, by reason of the facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed, except by a restraining order

granted by the Board hearing the application or by a Court of Record on application and notice to the officer from whom the appeal is taken. Proceedings shall not be stayed if the appeal requests relief which has previously been denied by the Board, or which was previously denied by the Zoning Administrator and not appealed to the Board, except pursuant to a court order in accordance with A.R.S. § 9-462.06.

5. The Zoning Administrator shall fix a reasonable time for the hearing and give notice thereof to the parties in interest and the public by posting the property of the applicant at least five days prior to the hearing. It shall be the responsibility of the applicant to maintain the posting once erected.

6. The Board shall fix a reasonable time for its hearings and give notice thereof to the parties in interest and the public by publishing notice in a newspaper of general circulation in the City of Phoenix, giving at least fifteen days' notice of such hearing; and by posting the subject property at least five days prior to the hearing. It shall be the responsibility of the applicant to maintain posting once erected.

Date of Addition/Revision/Deletion - Section 502
*1 Revision on 5-2-2001 by Ordinance No. G-4344, eff. 6-2-2001
*2 Revision on 5-2-2001 by Ordinance No. G-4344, eff. 6-2-2001

Section 503. Authorized uses.

(Reserved.)

Section 504. Conditional uses.

(Reserved.)

Section 504.1. Special permits.

A. **Application and site plan.**

1. **Application.** An application for a special permit shall be filed by the owner of the site in accordance with procedures for amendments as set forth in section 506 of this ordinance. In addition to the special permit use, the application may also include specified uses permitted in the underlying zoning district. An ordinance granting a special permit shall specify which uses permitted in the underlying zoning district, if any, are authorized to be conducted on the site.

2. **Requirements.** All applicable yard, height and area provisions of chapter 6, the special provisions of chapter 7, and the off-street parking and loading requirements of chapter 7 for the zoning district in which the special permit use is proposed shall be the minimum requirements for the development of any special permit use. Whenever necessary, the Commission may recommend and the Council may impose additional stipulations. Such additional stipulations shall be complied with as a condition to the establishment of any use and shall be maintained as a condition to the continuance of the use.

3. **Site plan.** A site plan approved in accordance with section 507.1 of this ordinance is required for all uses.

B. **Hearing procedure.**

1. Every application for special permit shall be processed in accordance with the procedures set forth in section 506 of this ordinance.

2. **Special procedure.** Applications for the following special permit shall comply with the following procedure:

   a. **Helistop, heliport, or airstrip.** Every application shall be accompanied by: (1) an aerial photograph of a scale no less than one inch equals four hundred feet indicating the approach and departure routes, the location of all residences, schools, churches, hospitals and areas used for the open assembly of people as well as other noise sensitive areas within a radius of one-half mile of the proposed site; (2) information on the type of use of the helistop or heliport and type and weight of helicopters which will use the facility; (3) a plot plan showing location in relation to adjacent land use and the size and general detail of the proposed facility; (4) for elevated helistops or heliports, an architectural drawing should be attested by a licensed structural engineer as acknowledgment that the structure will support the helicopter(s) using the facility; and (5) a copy of the "Notice of Landing Area Proposal" and a letter of no objection from the Federal Aviation Administration. The information shall be sent first to the Aviation Department for their review.

3. **Appeal.** Any person aggrieved by a decision of the Council shall have a right of appeal to a court of competent jurisdiction.

C. **Special conditions.**

1. **Ordinance.** No special permit shall have final approval until an ordinance setting forth the terms and conditions thereof has been adopted by the Council and becomes effective.

2. **Limitation.** No use approved under a special permit shall be commenced or maintained upon a lot or parcel except in accordance with the approved site plan. Permitted uses in the zoning district, other than those authorized through special permit approval, shall be allowed only after an application to withdraw the special permit has been approved in accordance with the amendment procedures set forth in section 506 of this ordinance.

3. **Expiration.** The special permit shall expire by default:

   a. If, when no construction is required under the site plan, the use is not established within the time set by the Council. If no time is set, the period shall be twenty-four months; or

   b. If, when construction is required under the site plan, such construction has not been completed and the use not established within the time set by the Council. If no time is set, the period shall be thirty-six months; or

   c. The use once established has been discontinued for a period of twelve months or abandoned.

4. **Construction compliance and occupancy.** Whenever enforcement personnel find that any proposed construction or occupancy will not, in their opinion, substantially comply with the special permit, they shall refer the question to the Planning Department's representative to the Site Planning Division for his review.

5. **Special permit amendment.**

   a. When the holder of a special permit determines modification of the site plan or stipulation is necessary, he may apply for amendment thereto by filing an application for such amendment in the same manner as the original application. The amendment shall be processed in the same manner as an original application.

   b. Minor changes in the site plan may be approved by the Planning Director if such minor changes will not cause any of the following circumstances to occur:

      (1) A change in the character of the development.

      (2) An increase in the number of dwelling units.

      (3) An increase of the problems of circulation, safety and utilities.

      (4) An increase of the external effects on adjacent property.

      (5) A reduction in the originally approved setbacks from property lines.

      (6) An increase in ground coverage authorized in the zoning district.

      (7) A reduction in the required off-street parking and loading space.

      (8) A change in the subject, size, lighting or orientation of originally approved signs.

6. **Renewal and revocation.**

   a. **Renewal.** In order to extend a special permit for which this section establishes a time limit, a use permit shall be obtained. No single extension shall exceed the period of original approval.

   b. **Revocation.** A special permit may be revoked by the City Council upon a finding that there has been material noncompliance with any condition prescribed in conjunction with the issuance of the special permit or approval of the site plan or that the use covered by the permit or the manner of conducting the same is a safety hazard or is in any way detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general. Factors which may be reviewed include, but are not limited to, emitting of odor, dust, gas, noise, vibration, smoke, heat, or glare beyond any boundary of the lot on which the use is conducted; causing a significant increase in traffic congestion; causing or contributing to disturbances or breaches of the public peace and order; or causing or contributing to a decline in property values: or the use is being conducted in violation of any provision of this ordinance, or any law of the City of Phoenix, Maricopa County (if applicable), State of Arizona or the United States. Revocation shall be the subject of hearing before the Planning Commission and/or City Council in accordance with section 506.

Section 505. Variances.

(Reserved.)

Section 505.1. Appeals to City Council from Board of Adjustment decisions. –1

(Deleted.)

Date of Addition/Revision/Deletion - Section 505.1
-1 Deletion on 3-6-1996 by Ordinance No. G-3909

Section 506. Text amendments and rezonings.

A. **Amendments.**

1. The provisions of this ordinance may from time to time be amended, supplemented, changed, modified or repealed.
2. Requests to amend this ordinance may be initiated by the City Planning Commission or a real property owner in the area to be included in the proposed amendment, except that applications to overlay the Historic Preservation District may be initiated by the property owner, the City Planning Commission, the City Council, or the Historic Preservation Commission. Applications for amendment shall be made in the office of the City Planning Department on a form provided therefor.
3. Except as provided in section 506.B.3 of this section all applications for amendment of this ordinance must first be submitted to the Commission. The Commission shall hold a public hearing in relation to the proposed amendment at which parties in interest and citizens shall have an opportunity to be heard. After such public hearing, the Commission shall make a report and recommendation to the Council. This report shall be made by forwarding the applications for amendment to the Council with the appropriate recommendations, unless the applicant shall request that the application be withdrawn.
4. The date, time and place of such Commission meeting and the nature of the amendment requested shall be published at least once in a newspaper of general circulation in the City of Phoenix at least fifteen days before the hearing. The date, time and place of such meeting and amendment requested shall be posted within the area included in the amendment so as to give at least fifteen days of notice of such Commission hearing. In the case of a continuance, at least seven days' posting is required, but no publication is required. It shall be the responsibility of the applicant to maintain posting once erected. The notice of any change in a residential district shall contain specific information as to whether the change applied for will increase, leave unchanged, or decrease the number of dwelling units permitted in the area in question.
5. In the event that an application is denied by the City Council or that the application for amendment is withdrawn after the Commission hearing, if required, the Commission shall have the authority to refuse and accept another application for any amendment on the same property or any part thereof, within a year of the date of filing the previous application on the same property or a portion thereof. In the event the application is continued at the request of the applicant, the one year will commence from the date the Planning Commission forwards the application to the City Council with a recommendation for approval or denial.
6. The application for amendment shall be signed by a real property owner in the area included in the application. In the event that an application filed by a real property owner in the area involved included property other than that owned by the applicant, then before the application will be accepted for processing, the applicant shall file, on a form provided by

the Planning Department, a petition in favor of the request signed by the real property owners representing at least seventy-five percent of the land area to be included in the application. Said petition shall bear the property owners' signatures and addresses, the legal description and land area of each property represented on the petition, the total land area represented by the petition, and the total land area of individual properties included in the application.

7. In the event that requests for amendments to the general requirements and uses are made, no petitions or posting shall be required but all other requirements of this section shall be adhered to.

8. If the hearing officer or the Commission, if applicable, shall fail to report on any such amendment within one hundred twenty days after its receipt thereof, such failure shall be deemed to be a recommendation of approval. Acceptance of the complete application pursuant to section 506.B.5 is deemed to be the date of receipt.

9. In the event that a written protest against a proposed amendment is filed in the office of the Planning Department or with the City Clerk no later than seven days following Planning Commission action by the owners of twenty percent or more, either of the area of the lots included in such proposed change or of those immediately adjacent in the rear thereof extending one hundred fifty feet therefrom, or of those adjacent to any one side and extending one hundred fifty feet therefrom, or of those directly opposite thereto extending one hundred fifty feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the City Council of the City of Phoenix. If any members of the City Council are unable to vote on any such amendment because of a conflict of interest, then the required number of votes for passage of such amendment shall be three-fourths of the remaining membership of the City Council provided that such required number of votes shall not be less than a majority of the full membership of the City Council.

10. City Council may adopt the Planning Commission's recommendations without holding another public hearing unless:

    a. A member of the public, the governing body of a municipal corporation having a common boundary with the City of Phoenix, or a member of the Phoenix City Council, within seven calendar days after the Planning Commission announces its recommendation, either:

        (1) Objects in writing to adoption of the recommendation without a City Council hearing; or

        (2) Requests in writing that a public hearing be held on the proposed amendment; or

    b. The Planning Commission has recommended approval of the proposed amendment and a written protest causing a three-fourths vote of City Council has been filed.

11. In the event that a public hearing before City Council is to be held, the date, time and place of such hearing and the nature of the amendment requested shall be published at least once in a newspaper of general circulation in the City of Phoenix at least fifteen days before the hearing. The date, time and place of such hearing and amendment requested shall be posted

within the area included in the amendment so as to give at least fifteen days' notice of such Council hearing. In the case of a continuance, at least seven days posting is required but no publication is required. It shall be the responsibility of the applicant to maintain posting once erected. The notice of any change in residential districts shall contain specific information as to whether the change applied for will increase, leave unchanged, or decrease the number of dwelling units permitted in the area in question.

12. An application that has been acted upon by the City Council may only be reconsidered if within seven days of the final City Council action a written request for a motion to reconsider is submitted to the City Clerk by an eligible Council member.

B. **Rezonings.**

1. The City Council may approve a change of zone conditioned upon a schedule for development of the specific use or uses for which rezoning is requested. If at the expiration of this period either (1) a building permit has not been taken out for the use for which the zoning was conditionally approved or (2) a building permit, active at the end of the stipulated time, expired without issuance of an occupancy permit, an application shall be initiated by the Planning Commission to revert the zoning to its former classification, unless an extension of time has been granted prior to the expiration of the period specified by the schedule of development.

   a. When a zoning change is subject to such condition, the official zoning map shall include a notation that the zoning is conditional together with the number of the zoning application file.

   b. The City Council may attach conditions to a rezoning request as are necessary to carry out the purposes of the General Plan or other adopted plan(s) and assure compatibility with adjacent land uses. When a zoning change is subject to a condition, the zoning district map shall include an asterisk or other notation that indicates that the zoning is conditional, together with the number of the zoning application file. Except as modified by action of the City Council, conditions adopted by ordinance in accordance with prior law shall remain in full force and effect. A violation of any condition shall be considered a violation of this ordinance. The Planning Commission may recommend and the City Council may approve a change of zone conditioned upon one or more of the following: *1

      (1) Development in accordance with a specific site plan or site plan approval in accordance with section 507.1 of this ordinance.

      (2) Reductions in the otherwise applicable floor area ratio, lot coverage, building height, or density.

      (3) Increases in otherwise applicable building setbacks, lot area, parking spaces, landscaping, or open space.

      (4) Public dedication of rights-of-way as streets, alleys, public ways, drainage and public utilities, and the installation of off-site improvements, as are reasonably required by or related to the effect of the rezoning.

2. Zoning and site plan fees are set forth in an ordinance, a copy of which is on file with the City Clerk and which is available in the Planning Department.

3. There is hereby created in the Planning Department a planning hearing officer. The planning hearing officer shall as a minimum requirement hold a position of Planner III, and shall be under directions of the Planning Director.

   a. The planning hearing officer shall:

      (1) Hold public hearings on all requests to delete or modify any stipulations imposed as a condition of a zoning change, and consider modifications to comprehensive sign plans where provided in section 705.F.2. The hearing officer shall prepare a report which shall include the modification requested, a recommendation, a summary of testimony presented, and the reasoning behind the decision. *2

      (2) Hold public hearings on all applications to revert zoning in accordance with section 506.A.11, and shall recommend either:

         (a) That the zoning revert to the previous classification;

         (b) That the zoning be changed to another classification which has been noticed for hearing;

         (c) That the conditional zoning be extended;

         (d) That the existing zoning classification be continued without the time condition.

      (3) Notice of public hearings held pursuant to this section shall be in accordance with section 506.A.4.

      (4) Accomplish all administrative actions necessary to exercise the authority conferred by this section, including the giving of notice, holding hearings, preparing reports, receiving and processing appeals, and accepting and accounting for fees.

   b. The City Council may adopt the hearing officer's recommendation without holding public hearing, unless a member of the public, or a member of the Planning Commission or City Council, within seven calendar days after the hearing officer's recommendation is announced, objects in writing to adoption of the recommendation. Upon the filing of a written objection, a public hearing shall be held:

      (1) By the Planning Commission as to stipulations imposed as a condition of a zoning change in regard to which the City Council ratified the recommendations of the Planning Commission or for modification of comprehensive sign plans as provided; *2

      (2) By the City Council as to stipulations imposed as a condition of a zoning change in regard to which the City Council conducted a public hearing.

   c. The City Council may adopt the Planning Commission's recommendations as to appeals from the planning hearing officer in regard to which the Commission has conducted a public hearing unless a member of the public or a member of the City Council, within seven calendar days after the Planning Commission announces its recommendation, objects in writing to adoption of the recommendation.

d. The planning hearing officer shall conduct public hearings and make recommendations in relation to applications to amend this ordinance in accordance with the procedures specified in this section.

4. An applicant for a change of zone may elect to first submit the application to the zoning hearing officer.

   a. The zoning hearing officer shall hear such applications in accordance with the notice and hearing procedures specified in this section for the Planning Commission.

   b. Except as provided in section 506.B.4.c the City Council may adopt the zoning hearing officer's recommendation without holding a public hearing unless the applicant, or a member of the public within seven days after the zoning hearing officer announces his recommendation, requests in writing that a public hearing be held by the Planning Commission. If so requested, the Planning Commission shall conduct a public hearing in accordance within the notice hearing and appeal procedures specified in this section.

   c. An application which has been recommended for approval by the hearing officer and for which a Planning Commission hearing has not been requested shall be placed on the next available Planning Commission agenda. Unless the Commission, by a majority vote, decides to conduct a hearing on the application, it shall be placed on the next available City Council agenda for ratification.

5. No application for a change of zone shall be set for public hearing until a formal Planning Department review of the application has taken place and the applicant has submitted all the following materials in a form acceptable to the Planning Department, unless submission of the specific item is waived by the Planning Department.

   a. Legal description.

   b. Letter of authorization to file.

   c. Filing fee.

   d. Map to include the following:

      (1) Parcel identification.

      (2) Existing zoning and uses on-site and adjacent property.

      (3) Intensity and/or density proposals.

      (4) Traffic and parking study, if required by Planning Department.

      (5) Phasing schedule.

      (6) Statement on conformance to existing adopted City plans.

      (7) Ownership map of property owners within three hundred feet or nearest residence in all directions. This shall be the most current ownership information supplied through the Maricopa County Assessor's office.

      (8) Infrastructure: existing and proposed.

   e. Site plan and building elevations.

      (1) Building configuration and heights.

(2) Setbacks.

(3) Landscaped areas.

(4) Appropriate calculations. e.g., parking, lot coverage.

(5) Access points and modifications to existing street improvements.

(6) Street names, north point, date, right-of-way.

f. At the applicant's request, the formal Planning Department review may be postponed for up to ninety days from the date the application was filed. In the event the applicant is unable to submit the above-referenced materials within the ninety-day period, the application shall be considered terminated and all fees paid by the applicant shall be forfeited.

6. Before any of the required hearings before the Planning Commission and/or the City Council, any member of the public may express any issues or concerns they may have regarding a rezoning application at meetings of the village planning committee governing the area in which the application is being made, if the rezoning application is on the agenda of such committee. The chairman of the village planning committee may determine the amount of time available for the public to speak. The public may also submit written comments at or in advance of any of the required public hearings to the City of Phoenix Planning Director. +4

7. In proceedings involving rezoning of land which abuts other municipalities or unincorporated areas of the County or a combination thereof, copies of the notice of public hearing shall be transmitted to the planning agency of such governmental unit abutting such land.

To assist in providing adequate notice to interested parties, the applicant for a rezoning application shall: +4

a. Within ten working days of filing a rezoning application with the Planning Department, mail a notice by first class mail explaining the request and all appropriate review and comment opportunities to real property owners, as shown on the last assessment of the property, within six hundred feet of the site, the nearest resident within the four quadrants to the site, and to neighborhood associations registered with the City which are within a one-mile radius of the site. +4

b. Submit a list of the property owners and associations contacted, a copy of the notice sent, and a notarized affidavit stipulating to the mailing to the Planning Department within ten working days of the filing of the zoning application. Planning Department staff may request additional notification by the applicant. +4

c. Within ten working days of having a post-application meeting on a zoning application with Planning Department staff, mail a second notice explaining the request and providing the village planning committee meeting date, if applicable, and the first public hearing (zoning hearing officer or Planning Commission) date where the public may comment. The notice shall be mailed by first class mail to real property owners within six hundred feet of the site, the nearest resident within the four quadrants to the site, and to neighborhood associations registered with the City which are within a

one-mile radius of the site. If submittal information is insufficient or an amendment to the application is needed, a second post-application meeting may be scheduled by Planning Department staff. Staff may require the second letter to be mailed following this latter post-application meeting. +4

d. Post a single sign at a prominent location on the subject site prior to the village planning committee meeting, if applicable, or the first public hearing date. The sign shall be clearly legible and contain the nature of the request, as contained on the formal rezoning application. It shall also include the date, time and place of the village planning committee meeting, if applicable, and the current hearing (zoning hearing officer or Planning Commission). If the application is appealed (to the Planning Commission or City Council) the sign shall be updated to reflect the new hearing date, time and place. The size, posting date, and format of this sign shall be as determined by the Planning Department. +4

e. The applicant shall submit a notarized affidavit stating that the sign has been posted and a photograph showing the sign on the site. It shall be the applicant's responsibility to keep the sign updated and free of graffiti. The applicant shall remove the sign within seven days of final City Council action. +4

The failure of any person or entity to receive notice as specified herein shall not constitute grounds to invalidate the amendments for which the notice is given. +4

8. In proceedings that are not initiated by the property owner involving rezoning of land which may change the zoning classification, notice by first class mail shall be sent to each real property owner, as shown on the last assessment of the property, of the area to be rezoned and all property owners, as shown on the last assessment of the property, within three hundred feet of the property to be rezoned.

9. In proceedings involving one or more of the following proposed changes or related series of changes in the standards governing land uses, notice shall be provided in the manner prescribed by section 506.B.9 [506.B.10] of this section.

   a. A ten percent or more increase or decrease in the number of square feet or units that may be developed.

   b. A ten percent or more increase or reduction in the allowable height of buildings.

   c. An increase or reduction in the allowable number of stories of buildings.

   d. A ten percent or more increase or decrease in setback or open space requirements.

   e. An increase or reduction in permitted uses.

10. In proceedings governed by section 506.B.8 [506.B.9] notice shall be provided to real property owners pursuant to at least one of the following notification procedures:

    a. Notice shall be sent by first class mail to each real property owner, as shown on the last assessment, whose real property is directly governed by changes.

    b. Notice of such changes shall be included with water bills or other mailings.

c. Notice of such changes shall be published in the manner provided in sections 506.A.4 and 506.A.11 in a "display ad" covering not less than one-eighth of a full page.

11. If notice is provided pursuant to sections 506.B.9.b and c [506.B.10.b and c], notice shall also be sent by first class mail to persons who register their names and addresses with the Planning Department as being interested in receiving such notice. Persons who register shall indicate which zoning districts or sections of the Zoning Ordinance they wish to receive notice regarding proposed changes. A fee of five dollars per year shall be charged for providing this service. The Planning Department shall prescribe forms and procedures to implement this provision.

12. Notwithstanding the notice requirements set forth in sections 506.B.8 [506.B.9] and 506.B.9 [506.B.10], the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the amendments for which the notice is given.

13. **Takings appeal.** An appeal by the owner of any property which alleges that the adoption or amendment by the City Council of a zoning regulation relating to that owner's property has created a taking of property in violation of A.R.S. § 9-500.13 shall be pursuant to the following procedure: +3

    a. Such appeals shall be filed in writing within thirty days after the City Council has taken final action on the zoning regulation. The appeal shall be filed with the City of Phoenix Planning Director. +3

    b. The City shall submit a takings impact report to the hearing officer. The City shall have the burden to establish by a preponderance of evidence that the zoning regulation does not create a taking of the owner's property in violation of A.R.S. § 9-500.13. +3

    c. The hearing officer shall schedule a time for the appeal to be heard not later than thirty days after receiving the appeal. +3

    d. The City shall provide the property owner notice of the takings appeal hearing at least ten days prior to the appeal hearing, unless the property owner agrees to a shorter notice period. +3

    e. The hearing officer shall decide the appeal within five working days after the appeal is heard. If the City did not meet its burden under subsection B above, the hearing officer shall transmit a recommendation to the City Council. +3

    f. If the hearing officer affirms the zoning regulation, the property owner who is aggrieved by the decision may file a complaint for a trial de novo in Superior Court on the facts and the law regarding the issues of the zoning regulation within thirty days after the hearing officer has rendered the decision. +3

Date of Addition/Revision/Deletion - Section 506

+1 Revision on 10-7-1992 by Ordinance No. G-3573
*2 Revision on 8-28-1996 by Ordinance No. G-3951
+3 Addition on 7-5-2000 by Ordinance No. G-4289
+4 Addition on 7-5-2000 by Ordinance No. G-4290

Section 507. Development Review Approval. +1

A. **Purpose.**

1. Establish an integrated City-wide review procedure to process development review documents and subdivisions.
2. Ensure a high quality visual appearance and promote functional solutions for all development within the City of Phoenix.
3. Provide meaningful continuity between the appearance and function of individual projects. The requirements set forth are not intended to promote uniformity or stifle the creativity expressed in individual projects.

B. **Applicability.**

1. Development review applies to all public and private facilities in residential, commercial and industrial developments in the City in all zoning districts. The only complete exceptions to compliance with this section are as follows:
   a. Single-family and duplex dwelling units constructed prior to May 1, 1998; *3 *6
   b. Interior tenant alterations or improvements which do not affect parking requirements or exterior building appearance;
   c. Nonstructural remodeling of facade treatment;
   d. Sign permits for properties not otherwise subject to development review;
   e. Development submitted for site plan approval prior to the effective date of this section.
2. Exterior structural remodeling or new facade treatment to buildings without additional square footage is subject to development review approval as follows: +8
   a. For properties located within the boundary of the Downtown Code, the following shall apply: +8
      (1) Compliance with the development standards, design standards and design guidelines of Chapter 12 only for that exterior portion of the building being modified. +8
      (2) Provision of landscaping in accordance with adopted streetscape designs unless prohibitive because of existing public utilities. +8 *10
   b. Reserved. +8 -9
3. Additions to buildings are subject to development review approval as follows: *8
   a. An addition of two thousand square feet or less to an existing building may be required to submit a site plan to the Department of Planning and Development but shall not be subject to the design review principles and guidelines set forth in Tab A of Section 507 if the impacts of the addition are not significant, with the exception that new structures or additions of 500 square feet or greater on properties located within the boundary of the Downtown Code shall be required to meet the shading requirements in Section 1207.D. The Department of Planning and Development shall determine the significance

of an addition's impacts on adjacent properties based on noise, odor, lighting, glare, vibration, visibility from a public street, and removal of site amenities which are included in a design review principle or guideline. Surface parking as a primary use is subject to the provisions of development review if the use is determined to have impact on adjacent uses or visibility from a public street as determined by the Department of Planning and Development. *8

b. When an addition of two thousand square feet or less to an existing building is determined by the Department of Planning and Development as having significant impacts, as described above, the addition shall be subject to full development review including the design review principles and guidelines.

c. When additions to a property after the effective date of this ordinance total more than two thousand square feet, the property shall be subject to full development review including the design review principles and guidelines.

4. Subdivision plats are processed in accordance with Chapter 32 of the City Code. Preliminary subdivision plats have the additional requirement to be reviewed and approved in accordance with the provisions of this section for context plan and the design review guidelines for subdivisions of Section 507 Tab A.II.C, "Subdivision design." *3 *8

5. Existing legally constructed development with or without an approved site plan as of the date of this Ordinance is assumed to have a valid development review plan. Any site plans which received preliminary or final approval from the Department of Planning and Development prior to the enactment of this section shall remain and continue in full force and effect until such time as the plan is amended or its approval expires. *8

6. Implementation of single-family design review shall begin on May 1, 1998, for all subdivision applications which have not obtained preliminary development review approval. Any site plans or subdivision plats which received preliminary or final approval from the Department of Planning and Development prior to the enactment of this section shall remain and continue in full force and effect until such time as the plan is amended or its approval expires. *8 *10

C. **Design Review Principles and Guidelines.** Design review principles, and guidelines are listed in Tab A and other sections of this Ordinance. The principles reflect desired goals and policies for the City. The guidelines indicate specific implementation standards. The guidelines consist of requirements, presumptions and considerations. *3 *8

1. **Requirements (R).** Requirements (R) are guidelines contained in this and other sections of the Zoning Ordinance and specific plans. Requirements are not permissive in that they contain language that is not discretionary, such as "shall," "must" and "will." Requirements must be satisfied by any plan prior to design review approval. If a requirement cannot be satisfied, an applicant may seek relief through the variance process with the exception that those requirements followed by an asterisk (R*) are appealable to the Design Review Committee due to their design-related nature. *8 *10

2. **Presumptions (P).** Most of the guidelines are presumptions (P). A guideline that is a presumption normally will contain the word "should." A plan submitted for design review is

incomplete if it does not demonstrate that the presumptive elements have been in some way incorporated or overcome.

a. *Overcoming a presumption*. A presumption that may be unsuitable for a given project may be waived if an applicant can demonstrate to the Planning and Development Department that there is a good reason why the presumption is inappropriate, unless the property is located within the boundary of the Downtown Code. The Planning and Development Department may approve an alternative that achieves the intent of the presumption. *8

Appropriate reasons for overcoming a presumption include:

(1) Demonstrating that in this instance the underlying design principles will not be furthered by the application of the presumption;

(2) Showing that another design principle is enhanced by not applying the presumption;

(3) Demonstrating an alternative method for achieving the intent of the presumption;

(4) Explaining the unique site factors that make the presumption unworkable such as lot size and shape, slope, natural vegetation, drainage, and characteristics of adjacent development which are identified through their use of materials, colors, building mass and form, and landscaping. *3

Increase in the cost of development is not an acceptable reason to waive a guideline or determine that a guideline is inappropriate. *3 *10

b. *Appeals*. In the event that a presumption is not incorporated or overcome, or if the property is located within the boundary of the Downtown Code an appeal may be filed by the applicant with the Design Review Committee. Appeals to presumptions (P) and requirements followed by an asterisk (R*) located in Tab A.II.C, "Subdivision design," shall be heard by the Design Review Committee. *3 *8

c. *Purpose and intent of single-family design guidelines*. Notwithstanding the above, there are differences in the application of design guidelines for single-family development. In the R1-10 through R-5 zoning districts, the conventional development option establishes the baseline development conditions for single-family detached development. Deviations from these standards for the entire subdivision will require application of the planned residential development (PRD) option and the associated design guidelines found in subsection 507 Tab A.II.C. When applying these guidelines, staff will consider the unique conditions of each site, such as context area, lot size and shape, slope, natural vegetation, and drainage. In addition, staff will strive to ensure that affordable housing opportunities are not precluded. The PRD option is intended to encourage quality and creative design solutions through the use of flexible development standards. This design review structure is intended to foster a dialogue between staff and the applicant which facilitates creative responses to unique site conditions while being mindful of housing affordability. +3 *5

3. **Considerations (C).** Design guidelines listed in the adopted design review guidelines as considerations (C) are issues and concepts that an applicant should consider in preparing a plan.

Their omission is not grounds for rejecting a plan, but their inclusion or recognition is encouraged and may assist in overcoming certain presumptions and in gaining acceptance for a plan.

D. **Process.** The development review process includes the following steps:

1. Pre-application conference with the Planning and Development Department staff (see subsection E);
2. Preliminary review (see subsection F);
   a. Submittal of design review documents by the applicant/property owner;
   b. Routing of documents to various departments and agencies for comment where needed;
   c. Staff review and consolidation of comments;
   d. Preliminary design review meeting with applicant and any interested citizen where needed;
3. Consideration of any appeals (see subsection G);
4. Review of technical documents (see subsection H);
5. Final document submittal responding to staff comments (see subsection I);

6. Final approval of development review documents (see subsection J);
7. Building permit issuance (see subsection J);
8. Site inspection and issuance of certificate of occupancy (see subsection J);
9. Follow-up inspection (see subsection J).

E. **Pre-Application Conference.**

1. **Purpose.** The pre-application conference is a meeting between City staff and the development team to discuss the context plan for the site and how it affects the design and technical requirements for development, and to explain the City processes to secure permits for construction.
2. **Applicability.** A pre-application conference is required before submittal of all preliminary (new preliminary, revised preliminary and amendment) development review documents and time extensions. The Development Services Department may waive the pre-application conference, if the staff determines that it would not be necessary.
3. **Context plan.** The Context Plan shall show the relationship of the project's site to its adjacent setting. The context plan must show the information required on the checklist provided and in the format required by the Development Services Department. The Development Services Department may waive any of the following items whenever they are not necessary for the proposed project. The context plan includes:
   a. Existing conditions analysis showing surrounding property and the location and general footprint of existing development within the context area. The context area includes all adjacent parcels and property within approximately three hundred feet.
   b. Conceptual site plan diagram showing the relationship of the proposed project to the existing development.

   A context plan shall be required of the applicant at the time of the pre-application meeting.
4. **Discussion items.** The following items will be discussed at the pre-application conference:
   a. Impact on surrounding properties.
   b. Visual appearance.
   c. Functional relationships.
   d. Conformance to the design guidelines.
   e. Compliance with zoning regulations and stipulations.
   f. Right-of-way and easement dedications.
   g. Technical requirements.
   h. City processes.

F. **Preliminary Review.**

1. **Application.** An application is submitted to the Development Services Department by the property owner or his representative. It shall be accompanied by preliminary development review documents. Preliminary review of these documents shall not begin until all application requirements are complete.

   a. *Preliminary development review documents.* The preliminary development review documents shall show how the design guidelines have been addressed. The preliminary development review documents must show the information required on the checklist provided and in the format required by the Development Services Department. The Development Services Department may waive any of the following items whenever they are not necessary for the proposed project.

      (1) Context plan.

      (2) Shading and reflectivity.

      (3) Preliminary landscape plan.

      (4) Building elevations.

      (5) Technical information required by a checklist on file with the Development Services Department.

   b. *Notice.* The Development Services Department shall notify persons who spoke in interest at the time of rezoning the property which is the subject of development review approval. These persons shall be invited to a meeting to review the development review documents.

   c. *Fee.* The preliminary application shall be accompanied by a fee as set forth in the Appendix A.2 of the City Code.

   d. *Review.*

      (1) The Development Services Department may refer the development review documents to affected departments or agencies to check its compliance with pertinent City standards and regulations.

      (2) The Development Services Department upon timely response from the other departments or agencies shall take one of the following actions:

         (a) Approve the development review documents as submitted.

         (b) Conditionally approve the development review documents with modifications. In addition to the special requirements of this section, the Development Services Department may impose on the development review documents such additional requirements affiliated with adverse impact as are necessary to safeguard the public welfare, safety and health or as necessary to implement City Council or Development Services Department policy. Additional requirements imposed by the Development Services Department may be appealed to the Design Review Committee or the City Manager's representative as determined by the Development Services Department.

(c) Disapprove the development review documents. If the development review documents are disapproved, the Planning and Development Department shall notify the applicant of the reasons for disapproval and may state the modifications necessary for approval of the development review documents.

(d) Grant a time extension. If zoning or other City actions significantly affect the ability of the Department to review the project, then a time extension shall be granted. Payment of appropriate fees is required to remove a project from time extension.

e. The Planning and Development Department shall notify the applicant in writing of the decision within thirty calendar days after the application has been filed by the applicant. Following this decision, the City shall not impose additional requirements. For design review of residential subdivisions or residential architecture, additional provisions of development review approval may be applied if the applicant requests modifications to the originally approved development review documents.

f. *Final approval.* Development review documents shall be approved when the conditions of preliminary approval are met. Fees will be charged after the second resubmittal of the development review documents. One copy of the approved development review documents shall be filed in the office of the Planning and Development Department, and one copy sent to the applicant.

g. *Modification to approved preliminary.* If the property owner requests changes to the approved development review documents, the Planning and Development Department may require a revised preliminary submittal with the payment of appropriate fees as set forth in the Appendix A.1.

G. **Design Alternatives and Sustainability Bonus Appeals.** A Design Alternative or Sustainability Bonus Appeal is a deviation from the prescribed standards and design guidelines. Design Alternatives and Sustainability Bonus Appeals apply to properties within the boundary of the Downtown Code, which would result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject Character Area as approved by the DRC. Design Alternatives apply to properties within the boundaries of the Walkable Urban Code, which would result in a furtherance of the goals and policies of the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano Transit Oriented District (TOD) Policy Plans. +8 *9 *11

1. Each Design Alternative application shall include, at a minimum, the following: +8

a. A Certificate of Appropriateness or Certificate of No Effect must be obtained in advance of filing for any property with a Historic Preservation (HP) zoning designation; +8 *11

b. A listing of the standard(s) or guideline(s) that are the subject of the proposed Design Alternative; +8

c. A narrative statement describing the justification for the Design Alternative and the manner in which the proposed Design Alternative would result in a furtherance of the goals and policies of the Downtown Phoenix Plan or of the Gateway, Eastlake-Garfield, Mid-

town, Uptown and Solano TOD Policy Plans, and would satisfy the findings required for approval; +8 *11

d. Site plan; +8

e. Building elevations; +8

f. Context plan; +8

g. Landscaping and Shading plan; +8

h. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office; and +8 *11

i. Such other information as may be required by the Planning and Development Director or DRC. +8

2. Each Sustainability Bonus Appeal application shall include, at a minimum, the following: +8 *9

a. A listing of the credits that are being utilized and any support documentation (to be sealed by a licensed professional). +8

b. Site plan; +8

c. Building elevations; +8

d. Context plan; +8

e. A narrative statement describing any deviation from the prescribed credit(s) that indicates how the proposed standard is furthering the goals and policies of the Downtown Phoenix Plan and making a quantifiable improvement in the performance of the building(s); +8

f. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office; +8

g. Such other information as may be required by the Planning and Development Director or DRC. +8 *9

3. Within 15 calendar days of the date of filing a Design Alternative or Sustainability Bonus Appeal application, the applicant shall mail a notice by first class mail to all property owners within 150 feet of the subject site explaining the request and providing the date, time and location of the DRC meeting at which the application will be reviewed. +8 *9 *12

4. In order to approve a Design Alternative, the DRC must make findings as follows: +8

a. That the project is consistent with the intent stated for the subject Character Area in the Downtown Code; +8 *11

b. That the project demonstrates design excellence by addressing at least two of the following: +8

(1) Design innovation and the imaginative use of space, form and materials. +8

(2) Permeability and connectivity which enables people to move within, around and through the project with ease. +8

(3) The project improves safety and security by introducing human activity to the public realm with active building frontages onto streets and other public spaces, and enables "Eyes on the Street." +8

(4) The project incorporates materials and design which enhances thermal comfort. +8

(5) Modifications from prescribed standards as per Section 1313; and +11

c. That the project demonstrates design excellence by addressing Design Alternatives that demonstrate conformance with the intent of the Walkable Urban Code as set forth in Section 1301.B and in general conformance with the policies contained within the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano TOD Policy Plans. The modifications must meet the standards set forth in Section 1313. +11

5. In order to approve a Sustainability Bonus Appeal, the DRC must make findings as follows: +8 *9

   a. That the project is consistent with the intent stated for the subject Character Area; +8

   b. That the project is improving the overall performance of the building(s) through generally accepted building and design standards and innovation; and +8

   c. The increased entitlements are consistent with the improved performance of the building(s). +8

6. In approving a Design Alternative or Sustainability Bonus Appeal, the DRC may impose any reasonable conditions to ensure that the approval complies with the findings required above. +8 *9

7. A Design Alternative or Sustainability Bonus Appeal application will be reviewed at a public meeting within 30 calendar days from the date of submission of the application. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of the meeting. +8 *9 *12

8. A decision on the Design Alternative or Sustainability Bonus Appeal application will be made by the DRC on the date of the public meeting unless continued at the discretion of the Committee and a certificate of approval shall be transmitted to the applicant in writing. +8 *9

H. **Appeals.** There are two distinct categories of review standards, design and technical: +8

1. **Appeal of design review decisions.** An action or decision of the Planning and Development Department imposing conditions in accordance with presumptive design review guidelines, urban design principles, or design decisions which are imposed to protect the public health, safety and welfare may be appealed to the Design Review Committee within 15 calendar days from the date of the staff's preliminary review decision. The Planning and Development Department will submit any background material regarding the appeal to the Design Review Committee within two working days prior to the hearing date. *8 *10

   a. Appeals shall be in writing on a form provided by the Planning and Development Department and shall include only those items being appealed.

   b. An appeal will be heard within 30 calendar days from the date of submission of an appeal. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of appeal hearing.

   c. A decision on the appeal will be made by the Design Review Committee on the date of the hearing unless continued at the discretion of the Committee and shall be transmitted to the applicant in writing. The decision of the Design Review Committee shall be final. *8

2. **Appeal of technical requirements.** An action or decision of the Planning and Development Department which results from a non-design-related issue may be appealed within 15 calendar days to the City Manager's representative. The Planning and Development Department

will submit any background material regarding the appeal to the City Manager's representative within two working days prior to the hearing date. *3 *10

a. Appeals shall be in writing on a form provided by the Planning and Development Department and shall include only those items being appealed.

b. An appeal will be heard within 15 calendar days from the date of submission of an appeal. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of appeal hearing.

c. A decision on the appeal will be made by the City Manager's representative within five calendar days from the date of the hearing and transmitted to the applicant and interested parties in writing.

d. *Appeal to Development Advisory Board.* An appeal of the decision of the City Manager's representative may be made to the Development Advisory Board within 15 calendar days after the date of the decision. Appeals shall be in writing on a form provided by the Planning and Development Department and shall include only those items not agreed upon. Within 30 calendar days after service of the "notice of appeal," the Planning and Development Department shall transmit to the Development Advisory Board and to the Law Department a transcript, with exhibits, of the City Manager's representative's hearing. The Development Advisory Board shall review the transcript and exhibits and may, at their discretion, hear further oral arguments and receive written briefs from both the applicant and the Law Department. *10

e. *Development Advisory Board action.* The Development Advisory Board may: *10

(1) Affirm the decision of the City Manager's representative;

(2) Remand the matter for further proceedings before the City Manager's representative; or

(3) Reverse or modify the City Manager's representative's decision.

The decision of the Development Advisory Board is final. *10

I. **Review of technical documents.**

1. **Technical standards review.** As a part of development review process, technical standards will be applied to each property and compliance will be required unless a property owner is relieved of the requirements through an appropriate appeal process. Applicable standards may include, but are not limited to, the current editions of the following:

a. Grading and Drainage, City Code chapter 32A.

b. Storm Drain Design Manual, Planning and Development Department.

c. Floodplains, City Code chapter 32B.

d. Streets and Sidewalks, City Code chapter 31.

e. Street classification map. *4

f. Driveway Standards Ordinance.

g. Uniform Standard Details for Public Works Construction (with City of Phoenix Supplement).

h. Landscape Standards and Guidelines, City of Phoenix.

i. American Nursery Association Standards.

j. Low Water Using Plant List Phoenix AMA, State of Arizona Department of Water Resources.

k. City Water Conservation Ordinance.

l. Shielding and filtering outdoor lighting ("Dark Sky"), City Code section 23-100.

m. Zoning Ordinance.

n. Phoenix Construction Code.

o. Phoenix Fire Code.

p. Subdivision Ordinance, City Code chapter 32.

q. American Society of Irrigation Consultants Minimum Standards For Landscape Irrigation. +2

2. **Technical plans and improvements.** The following plans indicating dedications and improvements should be shown, as determined by the Planning and Development Department, and are required for review and approval:

a. Grading and drainage plans including, but not limited to, hillside and floodplain reviews.

b. Paving plans.

c. Water and sewer line plans.

d. **Landscaping plans.** Each applicant shall submit landscaping plans showing the information required on the checklist provided and in the format required by the Planning and Development Department including:

(1) **Landscape conservation plan.** Prior to clearing and grubbing a site or obtaining a grading permit, an applicant shall submit a landscape conservation plan indicating existing vegetation and salvage items. The Planning and Development Department will determine if this plan is necessary following the review of the context plan.

(2) **Landscape plan.** Each applicant shall submit a landscape plan which must show the information required on the checklist provided and in the format required by the Planning and Development Department.

(3) **Standards.** Plant material sizes and specifications must conform to American Nursery Association standards.

(4) **Installation and maintenance.** All plant material as shown on approved landscape plans is to be installed and maintained with an appropriate watering system in a living and viable state.

e. Architectural plans and elevations. +3

J. **Final document submittal.** The Planning and Development Department may require the applicant to submit a revised site plan incorporating the imposed requirements, conditions and modifications.

K. **Effect of development review approval.**

1. **Construction document submittal and building permit issuance.** Approved development review documents shall be binding upon the applicants and their successors or assignees and shall nullify all previously approved plans. Copies of the approved development review documents or exemption must be included in any construction documents submitted for building permit approval. No building permit shall be issued for any building or structure not in accord with the approved development review documents and conditions of approval. The construction, location, use or operation of all land and structures within the site shall conform to all conditions and limitations set forth in the development review documents. Evidence of development review approval in the form of a copy of the approved development review documents or exemption must be available on the construction site. In the event the property owner does not comply with the conditions imposed on the development review documents, this shall be considered a violation of the Zoning Ordinance.

2. **Temporary construction facilities.** Temporary construction facilities shall be permitted for the purpose of developing the project. In case of a question the Planning and Development Department shall determine if facilities proposed qualify as temporary and related to construction. Such facilities shall be removed within seven days after completion of initial construction or prior to issuance of the certificate of occupancy, whichever first occurs.

3. **Amendments.** No structure, use or element of approved development review documents shall be eliminated, altered, or provided in another manner unless an amendment is approved in accordance with the standards for new reviews.

4. **Site inspection and issuance of certificate of occupancy.** The Planning and Development Department shall inspect each project prior to certificate of occupancy. No final certificate of occupancy shall be issued if the project does not meet the requirements of the approved development review documents. The Planning and Development Department may issue conditional certificates of occupancy in conformance with the provisions of the Construction Code. In the case of subdivision development, the Planning and Development Department will monitor the buildout of each subdivision approved through the development review process for conformance to approved development review documents and exhibits. The Planning and Development Department may withhold the release of building permits within a subdivision if, at the discretion of the Planning and Development Director, the buildings within the subdivision are not conforming to diversity standards set by the approved development review documents. *3

5. **Enforcement.** Development review documents approved under this section shall be enforced by the Planning and Development Department under the supervision of the Zoning Administrator. Whenever enforcement personnel find that any proposed construction or occupancy or completed facility does not or will not comply with the approved development review documents, they shall require the property owner to comply with the conditions of the development review documents.

   In the event the property owner does not comply with the conditions imposed on the development review documents, it will be considered a violation of the Zoning Ordinance.

6. **Validity.**

   a. *Preliminary approval.* Approval of the preliminary development review documents shall be valid for a period of 24 months. In a phased project, if preliminary development review documents are filed over the total site and final development review approval is achieved on a portion of the site within the 24-month period, the preliminary development review documents will remain valid for an additional 12 months. Additional time beyond the 36 months shall require approval by the City Manager's representative. *10

   b. *Final approval.* Approved development review documents shall be valid for a period of 24 months and continue in effect beyond 24 months if a building permit has been issued and has not expired or a certificate of occupancy has been issued with the project complying with the approved development review documents.

Date of Addition/Revision/Deletion - Section 507

+1 Addition on 1-9-1991 by Ordinance No. G-3392
+2 Addition on 3-31-1993 by Ordinance No. G-3628
+3 Addition on 5-1-1998 by Ordinance No. G-4078
*3 Revision on 5-1-1998 by Ordinance No. G-4078
*4 Revision on 7-1-1998 by Ordinance No. G-4109
*5 Revision on 6-2-1999 by Ordinance No. G-4188
*6 Revision on 9-7-2005 by Ordinance No. G-4724, eff. 10-7-2005
*7 Revision on 6-3-2009 by Ordinance No. G-5379, eff. 7-3-2009
+8 Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
*8 Revision on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
*9 Revision on 11-3-2010 by Ordinance No. G-5562, eff. 12-3-2010
-9 Deletion on 11-3-2010 by Ordinance No. G-5562, eff. 12-3-2010
*10 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
+11 Addition on 7-1-2015 by Ordinance No. G-6047, eff. 7-31-2015
*11 Revision on 7-1-2015 by Ordinance No. G-6047, eff. 7-31-2015
*12 Revision on 6-1-2016 by Ordinance No. G-6176, eff. 7-1-2016

SECTION 507 TAB A. GUIDELINES FOR DESIGN REVIEW +1

I. URBAN DESIGN PRINCIPLES.

These principles are based on a shared understanding of the current character and condition of Phoenix as follows:

- Phoenix is a new city reflecting a diversity of architectural styles.
- Phoenix is a large metropolis in a valley of small towns and neighborhoods. Phoenix has been developed largely in small pieces occupying a vast land area. Despite its size, the separation of those pieces remains as a barrier to the goals of community and a higher quality of life. We should seek to diminish these forces of separation in the form of our city by fostering an attitude of neighborliness within our urban fabric. Each development should enhance its neighborhood and relate to the valley as a whole.
- Phoenix is a desert city - our unique environment should be celebrated.
- Phoenix is currently a city with a priority for travel by private vehicles. New development should foster the creation of environments with a priority for pedestrians. The average pedestrian moves at about four mph and views (and uses) the environment in a detailed fashion. *14
- Phoenix has the opportunity to become one of the great cities of the 21st Century. Our cultural history includes the prehistoric civilization that once inhabited this valley. When we acknowledge this fact, we become one of the few cities in the world to have such a heritage. When we ignore this resource, we become just another large American city.

A. **Contextualism.** Every development has a relationship to its setting. Positive relationships can be achieved by examining the next largest (and smallest) context of the site. Ignoring the context can often assure poor relationships.

NOTE: Each project should have a context plan.

1. The size, character and setting of proposed protects should relate to their specific contexts and functions of adjacent streets and pedestrian networks. Buildings should be oriented to public rights-of-way as well as additional internal circulation systems.
2. Each project should reflect the broader environmental context of Phoenix as a desert city and respect the value of our scarce resources, the abundance of sunshine and the richness of our natural resources and amenities.
3. The natural environment of our desert context contains critical extremes. The opportunity of a harmonious response exists when these factors are understood and addressed in the design. Those projects which acknowledge this tend to thrive; those which ignore this fact tend to be foolish.
4. New development should incorporate building materials and technology that are compatible with the Southwest setting and that are responsive to the climate of this region.

5. Each project should identify at the outset of its design whether its specific context is an oasis or an arid setting. Deviating from the general character of the site context is generally not appropriate, particularly in the landscape. *14

B. **Amenity/Comfort.** Settlements in the desert generally occur in an "oasis" setting which is a respite from the extreme of the larger area context. A development in an arid setting requires design features to aid human comfort. It is important to understand that urban conditions such as paved areas and buildings generating reflected heat create aridity and require mitigating design features which enhance habitability.

1. Promote human comfort by providing shaded areas, courtyards, colonnades and other areas as site amenities.
2. Create developments for the ease of pedestrians both on and off site.
3. Promote the creation of public and semi-public places at both large and small scales to encourage a sense of community.
4. Recognizing our desert setting, create a sense of place that respects nature and utilizes natural and man-made materials and devices.
5. Protection from the sun and heat is a priority between late April and September, while access to the sun is a priority from October to mid April.
6. Encourage separation of pedestrians and automobiles.
7. Promote night time uses of sites with secure, well lighted amenity zones and programmed activities.

C. **Visual Interest.** An environment that contains a harmonious balance of various forms and materials can be visually interesting. Too much variety or too much uniformity can lack visual interest. New development should seek to preserve and enhance this basic human need.

1. Incorporate architectural and landscape elements at the pedestrian level.
2. Maintain a human scale by creating variation of the urban form.
3. Recognize the interest created by both the repetition and changes in various project patterns from window openings to paving designs.
4. Promote a diversity of architectural styles.
5. Integrate arts and crafts creatively into the built environment.
6. When a project occurs in a visually rich context, its form, materials, orientation and detailing should incorporate the assets offered by its setting.
7. When a project occurs in a setting devoid of visual interest, it should seek to provide variety of forms and texture.

D. **Activity.** Environments that provide a variety of choices for people are generally active settings for people to gather. This fosters a sense of community when a visit can serve multiple needs in a setting that provides safety, security, and activity.

1. Encourage mixed-use developments so as to provide increased opportunities for informal and planned activities beyond the typical 9 a.m. to 5 p.m. work hours.
2. Promote design which will increase opportunities for activities both within the project boundaries and between existing adjacent developments and neighborhoods.
3. Where feasible, encourage design of single-usage facilities to accommodate retail and other uses at the pedestrian level to encourage activity and use.

E. **Clarity and Convenience.** An environment that is easy to understand will usually also be convenient for the people who use it. That is not to say complexity must be avoided. Complexity can offer excitement, but not at the expense of routine accessibility of the general public.

1. Environments should be created that are understandable and help orient the user and the general public.
2. Developments should be convenient to and accessible by persons with physical limitations and disabilities.
3. Developments should derive their basic ordering from the underlying geometry of city streets and the north/south, east/west orientation it implies. This will assist the ready comprehensibility of the city. Individual projects should relate to existing streets and canals, except where creative design establishes a more successful relationship to new streets, pedestrian walkways, or major open spaces.
4. Sites should be planned to respect existing natural and manmade landmarks and to create landmarks for the ease of public recognition.
5. Protect major vistas and panoramas that give special emphasis to open space and mountains.
6. Design project signage and environmental graphics at a scale that provides clarity to the pedestrian as well as the automobile and does not result in visual clutter.

F. **Character/Distinctiveness.** Every project should strive to enhance the unique character of its neighborhood. Without limiting the creative opportunities for the specific project, the development should help make its neighborhood more distinctive.

1. Each development should contribute to the character identified for each village and the specific character for neighborhoods within each village.
2. Promote neighborhood identity by planning elements that reinforce the landscape and built character of the area.
3. The character and environments should be designed at a human scale as well as within its neighborhood identity.

G. **Definition of Space.** Streets, parking lots, buildings and landscape are the major elements that define the special qualities of our environment. Organize them to foster a setting supportive to the pedestrian as well as the driver.

1. Relate the size, character and setting of proposed projects to the functions of adjacent streets and pedestrian networks. Buildings should be oriented to the public rights-of-way and close to pedestrian movement.
2. The areas immediately adjacent to buildings should be designed to integrate with surrounding landscape and pedestrian walkways. Shaded courtyards, cloisters, trellises, colonnades and public art are encouraged for consideration into the design to define space.
3. In an effort to create safe pedestrian walkways on highly traveled public rights-of-way, a buffer area should separate the sidewalk from the street curb.
4. On-street parking should be encouraged in village core business areas to further protect the pedestrian zone from vehicular traffic.

H. **Views.** City dwellers and visitors alike appreciate being reminded of the beauty of their environment. Protecting views of it assist in fostering appreciation of our environment, as well as allowing the environment to aid in orienting people spatially within Phoenix.

1. Protect major vistas and panoramas that give special emphasis to open space, mountains and special manmade or nature landmarks.
2. Promote the creation of views both from within a project and from the adjacent streets and neighborhoods into the project. Consider the access to views of both the project users and the general public.
3. Create opportunities for incorporating individual projects into the patterns and sequence of views that exist within an area, neighborhood or urban village.

I. **Variety/Contrast.** Variety of site and building design helps to create interest within an urban area. Coupled with attention to creating environments for human activities, such variety fosters goals of creating identifiable neighborhoods and of encouraging creative development.

1. Promote variety and diversity of building and site design within a context of urban and architectural continuity.
2. Create environments that encourage a number of specific activities fronting the street, court or plaza at ground level to provide variety at a human scale.

J. **Scale and Pattern.** Ultimately, all developments must relate to the human scale. Patterns help humanize development. *14

1. A large structure should contain elements which transition to the human scale, particularly near the ground.
2. If a development is larger (or smaller) than its adjacent physical context, the design should provide transitional elements at the perimeter to integrate it with its surroundings.

3. The variation of scale, pattern and texture of building and landscaping elements is encouraged to create a more visually interesting project. The variety should be "readable" at the pedestrian scale as well as from a distance (skyline).

4. The proportion between the height of a building and the width of the street and setback determine the basic urban form. If the intent of the design is urban in character, the height should be greater and the setback less.

5. Building should be designed to reveal or express their primary patterns of use and entry. This will not only assist comprehensibility, but also achieve a desirable variety.

K. **Cultural History.** Our city is a crossroad for various cultures which can thrive together or be ignored completely. While Phoenix may appear to be a very new city, there are many layers of history upon which this valley has been built. These remnants contribute to our heritage and to the vitality of this city. Honoring this heritage enriches our community. To ignore this decreases the opportunity and significance of the development.

1. Enhance and promote the historical and cultural qualities that are inherent and distinctive to the area.

2. Identify and incorporate as much as possible the particular history of each site. Whenever possible, historically significant buildings and their related landscape setting should be retained and restored, or put to adaptive reuse with respect to their cultural value, and their connection with the city's heritage.

3. Encourage and develop spaces for activities that promote the local and historic characteristics of the people of Phoenix. These events and activities should take advantage of the Southwest climate and other natural amenities.

4. Building design should be responsive to the existing context - including historical patterns and cultural expectations.

L. **Sonoran Preserve.** The City Council approved Sonoran Preserve Master Plan provides public amenities that contain large areas of scenic and sensitive lands. The preservation of significant hillsides, addressing the relationship to desert washes and the native vegetation, creates a unique setting for surrounding development, an attractive identity, and an amenity for all Phoenix citizens. +15

1. Where rezoning occurs adjacent to the Sonoran Preserve, encourage development on the lower slopes below the ten percent slope line, consistent with the general plan, to maintain the preserve as a visual amenity for all citizens and to maintain connectivity between mountains within the same range. +15

2. Maintain physical access to public preserve lands and a sense of public ownership. +15

3. Prohibit gated communities adjacent to the Sonoran Preserve that preclude public access to the preserve, except that gated subdivisions will be allowed after assurance that the sixty percent open edge treatment is provided and connectivity in accordance with the Sonoran Preserve Master Trail Plan is maintained. +15

4. Development design should take advantage of the proximity of the Sonoran Preserve in subdivision layout and site design. +15
5. Minimize damage in the Sonoran Preserve by providing controlled access points including trails, parking areas and recreation amenities. +15
6. Encourage commercial uses that compliment and assist in the active or passive enjoyment of the Sonoran Preserve lands near primary and secondary access points to the preserve. +15
7. Use the desert wash system for storm water management, allowing for the natural function of the floodplain and desert washes where feasible, based on engineering parameters and public safety. +15
8. Construct bridges and culverts to minimize impacts to washes. +15
9. The wash system can provide a place for trails, within trail easements above the wash banks, or below the wash banks in approved areas and can provide physical or visual connections to the Sonoran Preserve and wildlife habitat. +15
10. Use desert vegetation landscaping for low water use, survivability, and to maintain the existing sense of place. +15
11. Minimize the impact of invasive plant species. +15

II. CITY-WIDE DESIGN REVIEW GUIDELINES.

The design review guidelines indicate specific standards of implementation and are categorized as Requirements (R), Presumptions (P), or Considerations (C).

A. **Site Design/Development.** +14

1. **Desert Preservation.** +14

1.1. Development should minimize the removal of existing healthy Sonoran Desert vegetation (trees over 4" caliper in diameter) and cacti over 3' in accordance with City Native Plant Preservation Standards (Table 1). If removal is necessary, mature trees and cacti should be salvaged and utilized on site. (P) +14

Rationale: Sonoran desert vegetation is a slow growing, scarce, valuable resource which provides a unique character and sense of place to this region which should be preserved. +14

Table 1
PROTECTED NATIVE PLANT PRESERVATION STANDARDS +14

PROTECTED NATIVE PLANTS shall mean cacti, which are three (3) feet, or greater in height and trees which are four (4) inches or greater in caliper of the following species: +14

TREES: +14	
Botanical Name	**Common Name**
Acacia constricta	Whitethorn Acacia

Acacia greggii	Catclaw Acacia
Berberis haematocarpa	Red Barbery
Canotia holocantha	Crucifixion Thorn
Celtis pallida	Hackberry
Cercidium floridum	Blue Palo Verde
Cercidium microphyllum TcFoothill Palo verde	
Chilopsis lineraris	Desert Willow
Juniperus species	Juniper
Olneya tesota	Ironwood
Populus fremontii	Cottonwood
Prosopis species	Mesquite
Quercus species	Scrib Oak
Rhus ovata	Sugar Sumac
Vauquelinea Californica	Arizona Rosewood
CACTI: +14	
Botanical Name	**Common Name**
Carnegiea gigantea	Saguaro
Ferocactus species	Barrel
Fouquieria splendens	Ocotillo
Penicereus greggii	Night-Blooming Cereus

1.2. Natural washes and vegetation should be maintained in a natural state to avoid impeding drainage flows to the extent practicable for public safety and preservation of the natural ecology. (P) +14

Rationale: Natural wash corridors and associated vegetation should be preserved as open space amenities and wildlife habitat corridors. +14

1.3. Where appropriate, the landscape plan should reflect the establishment of an on-site wash (arroyo) system for surface drainage. (C) *14

Rationale: On-site wash systems can prove to be more economical as well as being more appropriate for a desert environment.

2. **Grading/Drainage.**

2.1. Where they exist in their natural state, significant washes which have one or more of the following characteristics:

- Flows greater than 250 cfs. for the 100 year storm. *14
- Average widths greater than 50 feet.
- Depths greater than two (2) feet.
- Wash connectivity to established watersheds (in contrast to isolated wash segments) and/or
- Significant vegetation or riparian habitats should be preserved. (P)

Rationale: Natural washes can provide a significant landscape open space amenity and ecological infrastructure.

2.2. Surface, site drainage and retention should be designed to avoid hard lined channels. (P) +10

Rationale: A more natural approach to drainage and retention can reduce the amount of required grading and result in a quality open space amenity for the development. +10

2.3. Surface site drainage and retention should be integrated with the overall landscape design. (P)

Rationale: Integrating drainage with the landscape design can provide for efficient use of water.

2.4. Retention areas should be integrated into usable open space. (P)

Rationale: More efficient use of land can be made if it serves multiple purposes.

2.5. Required landscape setbacks adjacent to perimeter streets may utilize the required setback for retention provided: +14

- A maximum 50% of the required landscape setback is devoted to retention. +14
- The maximum depth of retention within 20 feet of right-of-way is 24-inches. +14
- Side slopes are a maximum 4:1 (P) +14

Rationale: The primary purpose of landscaped setbacks on perimeter streets is to improve the image of the public streetscape. Retention should not have a detrimental impact on the pedestrian environment or aesthetic quality of the public streetscape. +14

2.6. Sites shall be designed to minimize erosion. Steep slopes shall be stabilized with vegetation, rock or other measures. (R) +14

Rationale: Slopes require means of stabilization unless composed of solid rock or material determined as stable by a geotechnical report.

2.7. Grading plans in non-hillside areas adjacent to residential development should be designed with grades that are lower than or closely match existing grades to mitigate potential impacts on residential privacy. (P) +14

Rationale: Development with substantially higher grades adversely impacts the privacy of adjacent residential land use, creates barriers and may disrupt drainage patterns. *14

2.8. Within areas identified as permanent undisturbed open space, no grading or other disturbance shall occur except grading for trails, roadways, utility easements, and fire protection. Restoration of the disturbed area is mandatory and shall follow plans reviewed and approved by the City. (R) +14

Rationale: Disturbance should be kept to the minimum necessary in areas designated as undisturbed open space. +14

3. **Landscape Architecture.**

3.1. **Plant Materials.**

3.1.1 Development should minimize the removal of existing, non-native healthy plants (trees 4" caliper in diameter) or greater) and cacti (6' high or greater). If removal is necessary, mature trees should be salvaged and utilized on site. (P) +10 *14

Rationale: Healthy non-native plant material contributes to the historical context and neighborhood identity of an area and is a resource that provides shade and screening which would take years to replace. +10 *14

3.1.2 At installation, the landscape palette should contain a mixed maturity consisting of 60% of trees with 2-inch minimum caliper and 40% with minimum 1-inch caliper in accordance with Arizona Nursery Association Standards. (P) *14

Rationale: Mixing maturities creates a more mature looking landscape at installation and promotes greater plant survival.

3.1.3 Low water use plants that reflect and enhance the image of the Sonoran Desert should be used. (P) +3

Rationale: Water conservation and community image should be important criteria for plant material selection.

3.1.4 A gradual transition of landscape material should be provided where different oasis and arid landscape themes are proposed among adjacent uses. (P) +14

Rationale: A gradual or consistent landscape treatment among adjacent uses serves to unify the urban fabric. +14

3.1.5 Any proposed landscape treatment should be compatible with and relate to any established distinctive character in the surrounding context area. (P) *14

Rationale: Landscape treatment that reflects the distinctive character of the surrounding area can help to create a sense of place and enhance the character of the community. *14

3.1.6 Street tree improvements shall be made in accordance with adopted streetscape designs for each street or as approved by Development Services Department staff. (R) +14

Rationale: Street trees provide another form of shading and produce a more attractive environment. +14

3.1.7 Landscape should relate to and reinforce any established identifiable streetscape. (P) *14

Rationale: Consistent landscaping enhances the existing character of an area and aids in the creation of a sense of place. *14

3.1.8 Areas proposed for revegetation should be planted on maximum 4:1 slopes. A 3:1 slope for revegetation may be considered if additional natural features and/or vegetation can be preserved. (P) *14

Rationale: Sites should be designed to minimize erosion, steep slopes, should be stabilized with vegetation, rock or other measures. *14

3.1.9 Coordinate site utility elements such as overhead power lines, transformers, meter boxes, backflow preventers, and fire protection devices, with landscape design to effectively diminish the impact of such elements on the site character. (P) *14

Rationale: Coordinating the landscape design with placement of utility elements helps to mitigate their impact and reduce the potential for conflicts as the landscaping matures.

3.1.10 Trees adjacent to pedestrian walkways should have a minimum canopy clearance of six feet eight inches. (P)

Rationale: Clear walkways are necessary for pedestrian safety.

3.1.11 Pedestrian safety and comfort should be considered when selecting trees and plant material. (P) *14

Rationale: Trees or other plant materials which drop fruit, pods or nuts, shed bark, or are prone to drop branches can create a danger to pedestrian safety.

3.1.12 Landscape plant material selection and placement along perimeter walls should function to discourage graffiti. (P) +10

Rationale: When the surface area of a wall is decreased, the opportunity for graffiti is also reduced. +10 *14

3.1.13 No more than 50% of the landscaped area at maturity or 10% of the net lot area, whichever is less, should be planted in turf or high water use plants. Functional turf areas such as in parks, schools, multiple-family and single-family common areas, individual single-family lot, and golf courses are exempt. (P) +3 *14

Rationale: The Sonoran Desert environment of Phoenix requires a careful balance of the amount of landscaping and the minimization of water consumption. Landscaping should be used to cool the environment, shade buildings, and improve air quality; high water use landscaping such as turf grass should be limited to areas where they are required for the function of the area. +3

3.1.14 A minimum 50% of the landscaped area at maturity (excluding hardscape areas) should be treated with living vegetation including groundcover, shrubs and trees, as well as inorganic material and an automatic irrigation system. (P) +3 *14

Rationale: An adequate covering of living vegetation helps to mitigate the "heat island" effect and is consistent with the Sonoran Desert composition of scattered plant massings. *14

3.1.15 If allowed by specific provisions of the Zoning Ordinance, the placement of recycling containers in a required landscape setback or required landscaped island should not result in the elimination of any required trees. (P) +21

3.2. **Maintenance.**

3.2.1 Native Sonoran Desert vegetation should not be pruned or removed from areas identified on approved plans as permanent undisturbed open space unless demonstrated to the City that a health, safety or welfare issue exists. This includes removal of dead trees or cacti. (P) +14

Rationale: Sonoran Desert wildlife is dependent on the habitat created by the natural environment. Dead trees, fallen saguaros and low growth on trees provide cover for a variety of native wildlife. +14

3.2.2 Landscape treatment must be used for the entire site exclusive of building(s) and pavement for vehicular use. (R) *3 *14

Rationale: Development should project an image that the entire site has been considered and appropriately treated in the design of the development. *4

3.2.3 Irrigation systems should be permanent and automatic to minimize maintenance and water consumption. (P) *14

Rationale: An efficient irrigation system will control growth and reduce maintenance costs.

3.2.4 Phased developments shall indicate a mechanism for dust, weed, and debris control on undeveloped portions of the site. (R) *14

Rationale: Disturbed portions of sites which are undeveloped often become unsightly and hazardous due to lack of proper maintenance. *14

3.3. **Hardscape.**

3.3.1 Commercial pads and freestanding commercial buildings less than 5,000 square feet should contain usable hardscape for pedestrian circulation and foundation planting to create an attractive visual identity. (P) +14

Rationale: Commercial pads should be attractively landscaped and functional for ease of pedestrian use. +14

3.3.2 Pavement materials along pedestrian routes and gathering areas should be chosen to minimize reflected light and glare. (P) +14

Rationale: Pedestrian routes and gathering areas should be designed with appropriate hardscape materials to enhance the pedestrian experience. +14

3.3.3 Consider indigenous and alternative paving materials which permit the infiltration of water, yet still provide accessibility to the physically disabled. (C) *14

Rationale: Infiltration of water reduces runoff.

3.4. **Art/Water Elements.**

3.4.1 Water features, including fountains, should be sited to allow significant environmental enhancement primarily to on-site and incidentally to off-site users and to minimize water consumption. (P) +5

Rationale: Water features can provide relief from the extreme desert temperatures, but should be used sparingly with every attempt made to limit the amount of water used. For a city in the Sonoran Desert, Phoenix should project an image of using its limited water resources as efficiently as possible for the benefit of its citizens. *14

3.4.2 If there is public art, it should be integrated into the overall design of a project. (P)

Rationale: Public art creates a greater impact if integrated into the overall design of the site.

4. **Open Space/Amenities.**

4.1. Improved open spaces, plazas and courtyards should be functional in terms of area, dimensions, location and amenities to promote safe human interaction. (P) +14

Rationale: Pedestrian amenities help to encourage the use of public spaces. With respect to open space, bigger is not necessarily better. A series of small areas, each provided with amenities may foster more human interrelationship than a large monolithic space. *14

4.2. Usable public space should incorporate shading through the use of structures that provide shading, landscaping or a combination of the two unless otherwise prohibited by site visibility triangles or other technical constraints. (P) *9 *14

Rationale: People are attracted to public areas with shade during large portions of the year in Phoenix.

4.3. If a developer builds a public park, dedicated to the city, the public park shall be constructed as adopted by the City Council in accordance with the Parks and Recreation Department's approved standards. (R) +14

Rationale: Public parks built by developers shall meet the same standard used by the Parks and Recreation Department. A citywide standard insures service, quality, and equity throughout community. +14

5. **Trails/Paths.**

5.1. Public Multi-Use Trails (MUTs) shall be located outside retention areas and wash bottoms unless approved by the Parks and Recreation Department. (R) +14

Rationale: The public trail system is designed for use by a variety of users. Trails outside of washes and retention are accessible by equestrians, bicyclist, joggers, and the physically challenged. Maintenance is also important. The decomposed granite that comprises the MUT can not be maintained in washes or retention areas that are subject to periodic flooding. +14

5.2. Public MUTs may be located in public rights-of-ways, landscape setbacks or private properties with an appropriate public trail easement. (P) +14

Rationale: Placing trails within public rights-of-way or easements insures public and maintenance crews access.

5.3. Vehicular access (not exceeding 1/2 of a mile) from public collector and arterial streets to off-street parking shall be provided to all designated City primary or secondary trailheads. (R) +14

Rationale: The Mountain Preserve and associated trails are public amenities. Providing vehicular access to trailheads via public collectors and arterial streets will ensure visual and physical access to open space and minimize potential neighborhood conflicts. +14

5.4. Vehicular access with on street parking should be provided to all designated City neighborhood trailheads. (P) +14

Rationale: City neighborhood trails need to be accessible to the public without creating encroachment on private property. +14

6. **Parking/Circulation.**

6.1. **Surface Parking Design.**

6.1.1 Five percent of the surface parking lot, exclusive of perimeter landscaping and all setbacks, must be landscaped. Landscaping shall be dispersed throughout the parking area. (R)

Rationale: To be of greatest benefit to all users of parking lots, landscaping should be dispersed throughout the parking area.

6.1.2 Landscape planters for trees in parking lots shall be a minimum of 5 feet wide (inside dimension). (R) *14

Rationale: This Landscape planters of sufficient size increase shading and provide enhance survivability for larger trees. *14

6.1.3 Parking areas should be buffered from adjacent residential properties and screened from streets so that cars are not visible below the average height of the headlights. (P)

Rationale: Objectionable uses should always be screened

6.1.4 Access drives, internal circulation drives, parking areas, and pedestrian walkways shall be designed to provide safety and convenience for both motorists and pedestrians and to insure access for the physically disabled. (R) *14

Rationale: Enhancing safety and convenience improves the function of a parking area.

6.1.5 For office and retail commercial projects, every parking space should be no greater than 150 feet from a sidewalk leading to the building or from a building entrance, and unshaded segments of walkway should not exceed 15 feet except at driveway crossings. (P)

Rationale: Accessibility and shade enhances comfort and safety for pedestrians and parking lots.

6.1.6 With the exception of safety considerations, the location of driveway curb cuts for parking lots or driveways should not cause the removal of mature landscaping. (P) *14

Rationale: Saving mature landscaping enhances street character and neighborhood identity. *14

6.1.7 Surface parking design should utilize shared access drives with adjacent, similarly zoned properties. (P) *14

Rationale: The number of curb cuts should be minimized and pedestrian access enhanced.

6.1.8 Freestanding surface parking lots or parking lots in residential zoning districts adjacent to residential property should continue the existing setback along common street frontage. (P) +14

Rationale: Surface parking lots should be compatible and blend with the surrounding residential environment. +14

6.1.9 Excessive asphalt/hardscape not needed for adequate vehicular maneuvering or parking, staging or material storage should be minimized. (P) +14

Rationale: Excessive paving used as an alternative to avoid landscape treatment contributes to the "heat island" effect and is not desirable in appearance. Alternative surface treatments should be provided which minimize heat absorption.

6.2. **Parking Structure Design.**

6.2.1 A parking structure within one hundred-fifty (150) feet of an existing residential use or zoning district shall be entirely enclosed on the side or sides adjacent to the residential district, with the exception of the ground floor. The enclosure shall wrap around the adjacent corners a distance of thirty (30) feet. (R) +14

Rationale: A solid enclosure will minimize noise, light, and glare and reduce negative impact to residential uses. +14

6.2.2 A parking structure located more than one hundred-fifty (150) feet away from an existing residential use or zoning district shall be screened a minimum of four (4) feet in height where the sides of the structure are open. (R) +14

Rationale: Screening of parking prevents light and glare from adjacent uses. +14

6.2.3 The parking structure exterior should be finished with architectural embellishments and detailing that will create visual interest for adjoining properties. (P) +14

Rationale: Architectural enhancements on multi-story parking structures will reduce the impact on adjacent properties. +14

6.2.4 Lighting within the parking structure should provide safety and security and be integrated into the architectural character both in terms of illumination and fixtures. (P)

Rationale: Lighting must provide safety but not be offensive to off-site uses.

6.2.5 Rooftop lighting shall be setback a minimum of twenty-five (25) feet from the perimeter of the rooftop parking structure and shall be a maximum of twelve (12) feet in height. (R) +14

Rationale: The direct source of light should not be visible from lower levels or adjacent uses. +14

6.2.6 Staging areas should be designed to accommodate the required queuing within the structures and not on the street. (P)

Rationale: Staging must not interfere with street movement or pedestrian circulation.

6.2.7 Appropriate visibility triangles and pedestrian crossing at exits and entrances should be provided in all parking structures. (P) *14

Rationale: Parking ingress and egress should not interfere with street movement or pedestrian circulation.

6.2.8 Parking structures which are located adjacent to street frontages and/or sidewalks should incorporate street level occupied space and/or pedestrian arcades along those sides adjacent to these pedestrian circulation areas. (P)

Rationale: Pedestrian amenities create a more active street which adds visual interest as well as enhancing the security of the area.

6.2.9 The parking structure should be integrated with the form and materials of the site structures or the scale, form, color and materials of the adjacent uses. (P)

Rationale: These features will assure efficiency and minimize the disruptive impact to the surrounding uses.

6.2.10 There should be a convenient, clear, safe and efficient internal circulation system within the parking structure for both vehicular and pedestrian traffic including appropriate signage and placement of pedestrian circulation cores (elevators and stairs). (P)

Rationale: Parking structures should provide clarity, safety and be convenient for the user.

6.2.11 Consider the use of landscaping at all levels of the parking structure. (C)

Rationale: Appropriate landscaping at all levels of the structure may substantially enhance the structure design.

6.3. **Access/Circulation.**

6.3.1 Nonresidential uses should not be permitted to access local or collector streets if adequate access is available to arterial streets. (P) *11

Rationale: Nonresidential traffic on local streets should be minimized and directed out of neighborhoods.

6.3.2 The site plan should clearly express the separation between pedestrian and vehicular traffic. (P)

Rationale: Clearly separated pedestrian walkways promote pedestrian safety. *14

6.3.3. Development adjacent to existing or proposed City of Phoenix park sites (neighborhood, community and/or district) should be developed with perimeter streets bounding the park site and/or municipal golf course. Potential exceptions to the perimeter streets presumption might include parks next to Schools, significant public open spaces or natural features. Exceptions to this presumption must be approved by the Parks, Planning, Street Transportation and Planning and Development Departments. +14 *17 *20

Rationale: High visibility of park open space will enhance the public's health, safety and welfare. This is especially important in residential land uses; however, non-residential land uses should also be designed accordingly. +14 *17

7. **Walls/Fencing.**

7.1. Walls adjacent to arterial and collector streets should have a finished appearance. Untextured, unfinished block and reinforced, mortar-free concrete walls should be avoided. (P) *14 *23

7.2. Wall lengths exceeding 50 feet adjacent to arterial and collector streets should be articulated or contain substantial landscaping to break the continuous wall surface and create varying shading patterns. (P) +9 *11 *14 *23

Rationale (7.1-7.2): Perimeter wall treatment should provide decorative elements for visual interest and contribute an enhanced image to the surrounding community. Finished wall treatments should include decorative elements, variation in wall materials, and textured or stucco surfaces compatible with primary structures. +9 *14 *23

7.3. Subject to the provisions of Section 703.C, temporary fencing must be removed or replaced with permanent fencing within one year of installation, in compliance with Section 703.A, unless extended pursuant to Section 703.C. (R) +9 *14 *19 *23

Rationale: Temporary fencing does not have the same durability in construction or installation as permanent fencing, and deteriorates more rapidly. This creates a negative aesthetic and image impact when viewed from the street. +9

8. **Site Lighting.**

8.1. All on-site lighting is to be shielded to prevent direct visibility of the light source from adjacent property. (P) *14

8.2. Lighting should be shielded with cut-off fixtures and deflectors to direct light downward and limit on-site lighting levels to a maximum of one (1) foot candle at the property line. (P) +9 *14

Rationale (8.1-8.2): Lighting should not have an adverse impact on adjacent uses. +9

8.3. Parking lot and security lighting shall not exceed a maximum of fifteen (15) feet in height including lamp, pole, and base within one hundred fifty (150) feet of a residential district. (R) *14

8.4. Parking lot and security lighting should not exceed a maximum of twenty-five (25) feet in height adjacent to nonresidential districts.(P)

Rationale (8.3-8.4): The height of light standards at the perimeter of the site should respect the adjacent property.

8.5. Service areas and other screened areas should have proper security lighting. (C)

Rationale: Well lighted areas discourage criminals from loitering and endangering passing pedestrians.

8.6. Lighting fixtures and illumination should be of similar design and character as the project's building components. (P)

Rationale: Compatible lighting fixtures and other appurtenances help to reinforce the design theme or a project.

8.7. Site lighting should be provided to ensure personal safety at building entrance/exits, and in public assembly and parking areas. (P) *9

Rationale: Site lighting should provide pedestrians with a sense of security on site.

8.8. Recommended lighting levels and uniformity ratios established by the Illumination Engineering Society of North America (IESNA), as may be modified by the City of Phoenix, should be incorporated in lighting design for on-site non-residential and multi-family development. (P) +14

Rationale: Lighting should be designed in conformance with nationally accepted standards to provide: +14

- minimum standards for adequate lighting and safety +14
- maximum standard to minimize glare and lighting trespass on adjacent uses. +14

8.9. Illuminative gases, LED lights and fiber optics should not be placed on structures which are adjacent to or across an alley from adjacent residential property. (P) +14

Rationale: Visible neon/fiber optics represents a commercial intrusion into adjoining residential character. +14

9. **Hillside Development Guidelines.** +16

9.1. Panhandle lots may be considered in hillside areas when they promote the following: +16

• Preserve significant natural features such as washes, rock outcroppings, and natural vegetation. +16

• Minimize excessive grading, cut and fills. +16

• Provide reasonable development opportunities by providing access to buildable portions of steep lots and parcels. (P) +16

Rationale: Preservation of the natural features and vegetation in hillside areas warrants the utilization of unusual lot configurations. +16

9.2. A minimum of five feet beyond a building wall or permanent fence should be considered as disturbed area and contribute to hillside grading area calculations unless it can be demonstrated that the wall can be constructed from one side. (P) +16

Rationale: Establishing a standard that must be attributed to the hillside grading area calculation standardizes the amount of land that would be considered disturbed during the construction phase. +16

9.3. Driveways in hillside areas should provide safe access while minimizing grading, visible cut/fills and retaining walls. Generally driveways in hillside areas should not exceed 12 feet in width. Additional width may be considered for curves, short driveway lengths, shared access, or joint vehicular/pedestrian access. (P) +16

Rationale: Establishing maximum grading standards aids in reducing the amount of visual scarring and soil erosion possible from hillside development.

9.4. Disturbed hillside areas should be revegetated with irrigation to prevent erosion and establish plant material of similar type, size, coloration and amount as the context area when mature. (P) +16

Rationale: Providing irrigation to revegetated soils ensures the establishment of plant materials which prevents erosion and minimizes the visual impact of hillside development. +16

9.5. The grading of a hillside lot should minimize visible cut and fill to encourage gradual topographical transitions that blend with the natural grade and reduces visual scarring. (P) +16

Rationale: Minimizing grading and topographical alterations help to preserve the hillside terrain. +16

9.6. Buildings in hillside areas should be sensitive to and blend with the site through the use of techniques which consider appropriate proportion and scale to minimize the size, massing, bulk and height of visible portions of the structure. (P) +16

Rationale: Buildings need to be designed to minimize the visual impact they have on hillside areas. +16

9.7. Exterior building, roofing, fencing colors, materials, and retaining walls that are visible from adjacent property or adjacent streets should convey color, form, textures, and material that blend with natural conditions within the context area. (P) +16

Rationale: Buildings should be designed to enhance the hillside environment and to not detract from the scenic landscape. +16

9.8. Hillside development shall preserve ridgeline views and visible significant natural features such as mountain peaks. (R) +16

Rationale: Ridgelines, peaks and significant rock outcroppings are natural features that provide visual amenities and aid in preserving the ecological infrastructure. +16

B. **Building Design/Construction.**

1. **Placement/Orientation.**

1.1. Building additions and alterations should not eliminate an existing developed pedestrian path or public area. (P)

Rationale: Existing developed pedestrian paths should be respected.

1.2. The proposed building orientation should respect the orientation of surrounding buildings and surrounding streets by maintaining continuity of pedestrian routes and promoting opportunities for pedestrian interaction at the street level. (P) *14

Rationale: Placement of the building in relation to the surrounding elements is as important as the building design. Site design should encourage the continuity of pedestrian movement and enhance pedestrian interaction at the street level. *14

1.3. The orientation of buildings, windows and balcony features should not significantly reduce or infringe on the existing privacy of adjacent single-family residential uses. (P) +9 *14

Rationale: If windows are provided adjacent to occupied, residential areas, mitigation efforts should be implemented to limit the adverse impacts on existing privacy. Examples may include louvers, screening, providing minimum heights of windows at least six (6) feet above the respective finished floor, frosted, tinted window treatment, etc. +9

1.4. The proposed building orientation should respect climatic conditions by minimizing heat gain and considering the impact of shade on adjacent land uses and areas. (P)

Rationale: Energy efficiency and comfort of its inhabitants are essential to the successful design of a building. Examples are to minimize the east/west exposures, use high performance technological solutions and/or shade control.

1.5. Natural surveillance should be maximized in project design to encourage easy observation of people and property near entryways, pathways, public spaces and parking lots. (P) +14

Rationale: The incorporation of visible public spaces in project design discourages criminal behavior and enhances public safety through increased public awareness and user activity. +14

1.6. Projects or portions of projects in public view (adjacent to streets and residential areas) should demonstrate a greater level of design sensitivity and detail to visual image than other development. (P) +14

Rationale: The level of design continuity and detailing varies by structure and contextual setting. Phoenix encompasses over 500 square miles with various land uses in diverse settings with urban, suburban and rural characteristics. Boundaries between residential and non-residential uses and the interface of development with the public right-of-way are given priority to encourage compatible land use relationships, improve the appearance of development in the public view and protect residential areas. +14

2. **Height, Bulk, and Area.**

2.1. The proposed building should respect the scale of those buildings located on adjacent properties and, where desirable, serve as an orderly transition to a different scale. Building heights with a vastly different scale than those on adjacent parcels should have a transition in scale to reduce and mitigate potential impacts. This guideline shall not further restrict development intensity and/or density from what is allowed in the Zoning Ordinance. (P) *9 *14

Rationale: An orderly transition created by such means as stair-stepping building height, breaking up the mass of the building, and shifting building placement results in a coherent streetscape and mitigates the impact of differing building scales and intensities. In areas undergoing change, long-range plans should be consulted for guidance as to appropriate densities and intensities. *14

2.2. Parapet walls should not extend beyond the building height more than five feet (5') for a building that is twenty feet (20') or less in height or seven feet (7') for a building above twenty feet in height unless greater height is needed to screen mechanical equipment. (P) +16

Rationale: Parapet walls should be in proportion to the height of the building in order to be of a complementary scale. +16

3. **Architecture.**

3.1. Architecture and applied treatments that express corporate identity should be tempered to provide unique structures that compliment and blend with their immediate context. (P) +14

Rationale: Corporate identity may be utilized to create a unique identity that can be recognized. However the overall architectural theme should be the predominant feature of the building. +14

3.2. Parking shade and canopy structures should reflect the architecture of the primary buildings and have minimal visual impact to the public streetscape and adjacent residential areas. (P) *9

Rationale: Parking shade structures should be an integral design element of the project.

3.3. Architectural design should take into account the solar consequences of building height, bulk and area. (C)

Rationale: Buildings should maximize public comfort by providing shaded public outdoor areas, minimizing glare (especially from 11 a.m. to 2 p.m.), and facilitating breezes.

3.4. Building exposures subject to solar intensity, should minimize the use of glass and provide landscaping and architectural surface relief to reduce heat gain on the building itself. (C)

Rationale: Buildings should be designed in a climate responsive manner to conserve energy.

4. **Articulation.**

4.1. Building facades visible from public streets and adjacent to residential property that exceed 100-feet should contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies. (P) +9 *14

Rationale: Facade embellishments create detail at a pedestrian scale and provide transitional elements to the public streetscape. Large horizontal or vertical building facades without varied architecture features should be avoided. Architectural features should break up the exterior massing and impact of large building facades. +9 -14 +14

4.2. The building facade should be designed to provide a sense of human scale at ground level by providing a clear architectural distinction between ground floor levels and all additional levels. (P) *9

Rationale: A building should reflect a human scale and be inviting to the public.

4.3. Building entrances should be identifiable and directly accessible from a public sidewalk. (P)

Rationale: Buildings should be accessible for pedestrian and public transit users, not just for people driving private automobiles.

5. **Colors/Materials.**

5.1. All sides of a structure should exhibit design continuity and contain multiple exterior accent materials that exhibit quality and durability. Examples include materials such as brick, stone, colored textured concrete or stucco. Roof materials may include treated metal, concrete, and clay tiles, decorative wood, or similar materials. (P) +14

Rationale: Monotonous building elevations should be avoided, building accents should be expressed through differing quality materials and/or architectural detailing rather than applied finishes such as paint, graphics, or forms of plastic or metal panels. +14

5.2. Multiple buildings on the same site should borrow and incorporate (not duplicate) architectural styles, materials, forms, features, colors and compatible elements from the same site. These should include: continuation of distinctive rooflines, covered walkway alignments, consistent detailing of finish, accent features on all visible sides of structures, compatible shapes, material, wall and landscaping treatment. (P) +9 *14

Rationale: Multiple buildings on the same site should be compatible and unified through incorporation of similar design elements within the project. *9

5.3. The extensive use of the following architectural treatments and details are strongly discouraged and should be limited in their proposed application: +14

- Colored plastic or fiberglass +14

- Shiny metal details or reflective materials +14

- Untextured concrete, unfinished block, steel panels, or asphalt shingles as a predominant exterior material. (P) +14

Rationale: Distinctive architectural treatment, detailing and lighting elements should be designed with durable materials that exhibit quality and portray an attractive compatible image with their surroundings. +14

5.4. Corporate colors, associated graphics, and highly contrasting bands of vibrant colors on buildings and on accessory structures (excluding signage) should be used as an accent feature with restraint as a minor element of the building's exterior. (P) +14

Rationale: Business and corporate identity should not be a dominant architectural feature or theme. +14

5.5. Pre-engineered metal building visible from public streets or residential areas should have at least 30% of exterior elevations composed of alternative building materials such as glass, brick, masonry, stone and stucco. (P) +14

Rationale: Metal buildings should be finished with materials that are compatible with the contextual setting of the surrounding area. Exterior materials should not have an adverse impact on the public streetscape or adjacent land uses. +14

6. **Public Amenities/Environmental Protection.**

6.1. Pedestrian walkways and gathering areas should be shaded (minimum 50% at maturity) to encourage use. (P) *14

Rationale: The design of pedestrian routes and gathering areas, such as courtyards and plazas, should be designed with appropriate shading to enhance the environment and the pedestrian experience. *14

6.2. Overhangs and canopies should be integrated in the building design along all pedestrian thoroughfares. For planned commercial shopping centers with exterior pedestrian circulation, continuous shade protected walkways should be provided. (P) *9

Rationale: Overhangs and canopies can provide a shaded walking area which encourages pedestrian interaction and reduces the number of separate automobile trips.

6.3. There should be convenient accessible pedestrian walkways between bus stop/shelter and the building entry and/or activity area(s). (P) *2 *14 Rationale: Incorporating bus shelters into the site design helps to maximize their function and promotes greater usage. *2

6.4. Where provided, bus shelters should be incorporated in the building design and in accordance with the "transit stop guidelines for developers" published by the Public Transit Department. (C)

Rationale: Bus shelters should be integrated with the building design.

7. **Screening.**

7.1. Service areas should be located away from public view. (P)

Rationale: Service areas such as loading docks, refuse and recycling collection areas and similar facilities which could be sources of odor, noise and smoke, or could be visually objectionable should not be located in highly traveled areas. *21

7.2. All rooftop equipment and satellite dishes must be screened to the height of the highest equipment and/or integrated with the building design. (R) *14

7.3. All screening should be architecturally compatible with the primary structure. (P)

Rationale (7.2-7.3): The screening should be part of the articulation of the building and not appear to be an afterthought.

7.4. All service areas must be screened to conceal trash containers, recycling containers, loading docks, transformers, backflow preventers and other mechanical and or electrical equipment from eye level adjacent to all public streets. (R) *21

Rationale: Although service areas and utility services are necessary to building operations, screening devices and landscaping should be used to mitigate their general negative visual appearance.

7.5. All new or relocated electric lines 12 kv and smaller, communications and cable television and all on premise wiring should be placed underground in all developments where visible from streets or adjoining properties. (P) +14

Rationale: Utility Services should not have an adverse visual impact on adjacent development or visibility from the public streetscape. +14

C. **Subdivision Design/Development.**

1. **Streets/Circulation.**

1.1. Local streets exceeding 600 feet in length should incorporate traffic calming measures. (P) +10

Rationale: By incorporating traffic calming measures, vehicle speeds will be reduced and the occurrence of cut-through traffic should be minimized. +10

1.2. Intersections of major arterials, arterials, and collectors should be aligned. Where two minor collectors intersect, they may be offset but no closer than 125'. (P) + 10

Rationale: Off-sets create confusion in major traffic flows. However, for minor residential collectors, off-sets are permissible and may even be desirable to discourage cut-through traffic. +10

1.3. "Dog-leg" culs-de-sac are discouraged. (P) +10

Rationale: Dog-leg culs-de-sac create "blind" spots in the road which hinder emergency and protective services. Because the end of the cul-de-sac is not visible, a driver is not able to see that there is no outlet. +10

1.4. Local streets adjacent to schools and parks shall install vertical curbing, 5' sidewalks and paving for the half street. (R) +10 *14

Rationale: Vertical curbing will ensure that the sidewalks are kept free of vehicular obstructions. Further, the slightly wider street better accommodates on-street parking. +10

1.5. Subdivision design should provide convenient pedestrian access via sidewalks to transit stops along arterial or collector streets. (P) * 11

Rationale: Sidewalk access makes walking to transit convenient and safe. *14

1.6. If meandering sidewalks have been constructed adjacent to the site within the context area, then meandering sidewalks should be extended along the perimeter of the proposed subdivision. (P) +10

Rationale: All aspects of development should fit with surrounding development. +10

1.7. Where transit stops are required or exist adjacent to a subdivision, pedestrian connections should be provided from the transit pad to the interior of the subdivision at reasonable intervals - approximately every 800'. Where street or cul-de-sac extension are not provided a landscaped pedestrian path should be established in a 15' wide corridor dedicated as a tract or easement as appropriate. (P) +10

Rationale: In an effort to promote the use of public transit, new developments should offer convenient access to planned stops. +10

1.8. Residential and non-residential projects should consider upgraded or custom street lights and street signs as approved by the Street Transportation Department and consistent with the adopted Street Lighting Policy . (C) *14

Rationale: Upgraded street lights and street signs improve appearance and give projects a sense of identity. *14

2. **Lot Layout/Orientation.**

2.1. Avoid isolating individual lots have no relationship to the majority of the subdivision. (P) +10 *14

Rationale: Providing lots that clearly relate to the lots around them, creates a better sense of neighborhood +10 *14

2.2. Where a "T-type" street intersection exists within a subdivision, houses should be off-set to avoid the placement of the livable portion of a residence from being directly in line with the end of the street. (P) +10

Rationale: Residences located at the end of a street should not be impacted at night by headlights from on-coming vehicles. +10

2.3. Where culs-de-sac are proposed adjacent to perimeter lot lines or arterial perimeter streets, lots should be configured to back onto the adjacent lots/parcel. (P) +10

Rationale: The negative impacts of a street should be mitigated by additional separation created by the rear yards of the houses. +10 *14

2.4. Residential lots abutting existing non-residential uses, or arterial streets or freeway corridors should be designed with special impact-mitigating features, as needed (e.g. extra width, single story units, added depth or landscape buffering). (P) +10

Rationale: Dissimilar land uses typically require additional separation or mitigative measures to achieve compatibility. +10

3. **Landscaping and Buffers.**

3.1. Where subdivisions back up to streets a minimum twelve foot landscaped easement between the subdivision wall and the back of the curb (exclusive of sidewalk) should be provided. (P)

Rationale: Landscape buffers clearly separate subdivisions from streets where backup treatment is permitted.

3.2. Where landscape tracts are located next to freeway or arterial street right-of-way, minimum 2-inch caliper trees should be used to screenviews. (P) +10 *11 *14

Rationale: Mature trees with dense canopies have been identified as an effective visual screening tool. +10

4. **Open Space/Amenities.**

4.1. Large open space and retention areas (generally greater than 10,000 square feet) should be improved to include active and passive amenities (e.g. tot lot, ramada, tennis court, barbecues, large seating areas, landscaping, etc.). (P) +10

Rationale: Different types of improvements will appeal to different segments of the resident population. To ensure long-term maintenance of open space areas, it is important to provide amenities in which the homeowners association will maintain interest. +10

4.2. Open space and retention tracts/easements should be landscaped, accessible, safe and secure. Common retention may qualify for required common open space if it has a minimum area of 1000 square feet of level bottom with maximum side slopes of 4:1, and is properly landscaped as usable open space (minimum 50% vegetation). Streets (public and/or private) and required perimeter landscape setbacks will not count towards common open space. (P) +10

Rationale: Open space and retention areas that are accessible and functional are an amenity to the neighborhood. If feasible, open space should be centrally located in order to be accessible to as many residents as possible. +10

4.3. Natural features such as washes, canals, significant topography and existing vegetation should be integrated into the design of the subdivision. (P) +10

Rationale: The natural topography and vegetation of the desert is important in providing character to the subdivision. By preserving these amenities, more interesting developments will occur, which will increase the long-term viability and desirability of the neighborhood. +10

4.4. Where a subdivision is adjacent to a natural amenity such as a wash or mountain preserve, a minimum of 15% of the frontage along this amenity should remain open. (P) +10

Rationale: By providing "windows" to the open space and single-loading streets adjacent to the open space, the neighborhood will be able to enjoy and access the amenity. +10

4.5. Permanent entry features should use colors, materials, and/or textures which complement or provide an accent to those used in structures on the site. (P) +10 *14

Rationale: Entry features which incorporate similar colors, materials, and/or textures provide greater identity for a development. +10 *14

5. **Trails/Paths.**

5.1. If a multi-use trail (MUT) is planned for a non-arterial street, lots should be oriented so they side or back onto the trail. (P) +10 *14

Rationale: If units are oriented so that the MUT is in the front yard of homes, the trail will be interrupted by driveways and the possibility of vehicular conflicts exists. +10

5.2. If residential areas are divided by a wash or open-space corridor, pedestrian access at reasonable intervals (approximately every 800 feet) should be provided. (P) +10 *14

Rationale: Neighborhoods need to be connected to other neighborhoods, schools, and neighborhood uses by means other than public streets. +10

5.3. Where a trail exists parallel to a subdivision edge, pedestrian connections to the trail should occur at a maximum distance of 800'. Where street or cul-de-sac access is not provided, access to trails should be made in landscaped tracts or easements at least 15' wide. (P) +10 *14

Rationale: Providing convenient access to recreational facilities improves the quality of the neighborhood. Sufficiently wide connections offer visual surveillance which promotes safety and security. +10

6. **Walls/Fencing.**

6.1. Lots that back up or side on to dedicated public or private open space areas, City parks, natural and/or improved drainage ways or recreational areas should incorporate the use of view walls. (P) *14

Rationale: Open fencing creates a spacious feeling, encourages surveillance and discourages graffiti and vandalism to the wall and adjacent property. +10 *14

6.2. Subdivision walls adjacent to perimeter streets, should have a decorative finished appearance . (P) +7 *14

Rationale: Back up walls define the boundaries of a streetscape. Particularly where walls over six (6) feet in height are used, it is necessary to have decorative elements incorporated in order to create a positive image to the boundaries of the street scape. +7

7. **Auto Court Cluster Guidelines.**

7.1. Cluster subdivisions should be limited to a maximum of six dwelling units with only one point of access in each cluster. (P) +10

Rationale: The interior space of clusters is intended for private use for multiple purposes by residents of the cluster. More than six units may increase traffic, need for parking and number of residents using this space as well as potentially creating a situation where the scale of the cluster will increase multiple social conflicts between residents of the cluster. +10

7.2. Cluster subdivisions may use public streets or private accessways to provide vehicular access to each cluster. The private accessways shall meet the minimum City of Phoenix standards. Private accessways will be maintained by a homeowners association. (P) +10

Rationale: Private accessways can be used if gates are desired, and they provide some flexibility in regard to street lighting standards, pavement treatment and other considerations which are not permitted in a public right-of-way. +10

7.3. Cluster subdivisions may use shared driveways to provide access to each unit in the cluster. Shared driveways shall have a minimum width of 24 feet at the intersection with public streets or private accessways and may transition to a minimum width of 20 feet within each cluster, and be maintained by a homeowners association. (P) +10

Rationale: The common interior area of clusters functions as a private space used primarily to benefit residents and their guests. As such, this area should be maintained by a homeowners association. +10

7.4. Shared driveways within individual clusters should be differentiated from adjacent public streets or private accessways by a strip of decorative paves, stamped or colored concrete or materials other than those used to pave adjoining streets. (P) +10

Rationale: Paving in the common interior area of a cluster should be different from adjoining streets. A change in material indicates that the area is semi-private and may be used for purposes other than automobile traffic. +10

7.5. Shared driveways within individual clusters should be a maximum of 150 feet in length, measured from curb line at the intersection with the public street or private accessway to termination of the shared drive. (P) +10

Rationale: The length of a cluster driveway must be limited to accommodate safe ingress and egress requirements of emergency vehicle apparatus, provide reasonable distance for utility connections and to provide reasonable walking distances to the dwelling units at the rear of the cluster. +10

7.6. Cluster subdivisions should provide a minimum of three parking spaces for each unit in the cluster, with at least one space per unit being non-exclusive and located within 150 feet of the cluster as measured from curbline at the intersection with the public street or private accessway to termination of the shared drive. (P) +10

Rationale: Cluster subdivisions, because of their configuration, cannot typically furnish parking as provided in traditional single-family homes fronting on local streets. Sufficient parking for residents and guests should be provided inside and outside the cluster. Parking provided outside the cluster should be close enough to the cluster so that guests are within reasonable walking distance. +10

7.7. If additional parking is provided internal to the cluster, driveways to accommodate such parking should be a minimum of 18 feet long and a minimum 8 feet wide/per garage bay. If the garage door of any unit faces on a private accessway or public street serving other clusters in the subdivision, then a minimum of 18 feet must be provided between the back of sidewalk (or curb, if no sidewalk) to the face of the garage door. (P) +10

Rationale: A length of 18 feet is sufficient to park a typical vehicle without encroaching into a sidewalk or maneuvering area internal to a cluster. This provides more safety for pedestrians and motorists in the cluster subdivision. +10

7.8. Each dwelling unit driveway in the cluster should be designed such that each driver backing a mid-size passenger vehicle out of the driveway can maneuver with one turning movement in order to exit the cluster and vehicles entering a garage can drive into the garage without having to back up. Driveways for 60% of the units in each cluster should be design such that a large-size vehicle may back out with one turning movement in order to exit the cluster without backing into the public street or private accessway. (P) +10

Rationale: Residents of each unit in a cluster expect convenience (as in a traditional single family home) when entering or exiting their garages. Additional turning movements can increase the chance of accidents internal to the cluster. +10

7.9. Trash and recycle container locations (storage and collection) in each cluster are to be clearly illustrated on the site plan. (P) +10

Rationale: Residents of units in a duster will be required to wheel trash and recycle containers to the public street or private accessway for collection, if City collection is provided. A reasonable distance to wheel the containers is desired for the convenience of residents. +10

7.10. Street lighting on public streets or private accessways serving each cluster in the subdivision is required. Such lighting should provide a sufficient level of light to provide safety and security for motorists, pedestrians and bicyclists in the subdivision. (P) +10

Rationale: Streets serving cluster subdivisions are used in the same way as any local public or private street. Sufficient levels of lighting provide additional safety for motorists, pedestrians and bicyclists using these streets and to meet crime prevention through environmental design (CPTED) goals. +10

7.11. Security lighting internal to the cluster should also be provided at a level sufficient to provide a safe environment for residents of the cluster. (P) +10

Rationale: Lighting internal to the cluster is necessary to illuminate common areas, define driveway locations and provide a level of safety for residents in the cluster. +10

7.12. Surface water drainage should not be allowed to pass from one cluster to another over the shared driveway of another cluster. Surface water drainage from individual clusters, however, may pass over the driveway for that respective cluster. (P) +10

Rationale: The interior space of a cluster is perceived as private space for the residents of the cluster. + 10

7.13. Provide exterior detailing on elevations visible from internal public streets or private accessways, such as stucco recesses, pop outs, accent materials or corbels. (P) +10

Rationale: Houses at the entry to individual clusters typically present a side elevation to the internal circulation streets. Without exterior detailing, this elevation can appear blank and massive and result in a negative impact on the pedestrian environment. +10

8. **Single-Family Design Review.** New single-family detached dwelling units, individual duplexes (duplex developments consisting of ten or more duplex buildings located on the same lot or adjacent lots are not subject to single-family design review), manufactured homes, and modular homes that have not received preliminary site plan or subdivision approval, or building permit issuance prior to August 1, 2005 shall be subject to single-family design review, as follows (R*): *13, *18, *22

a. Single-family detached developments where 10% or more of the lots are equal to or less than 65' in width or any residential horizontal property regime shall incorporate Design Guidelines Sections 8.1 through 8.4. *18 *22

b. Individual single-family detached dwelling units, not subject to Subdivision Design Guidelines 8.1 through 8.4, on a lot or parcel of 65 feet in width, or less, shall incorporate Design Guidelines Section 8.5. +18

c. Individual duplexes (as specified above) shall incorporate Design Guidelines Section 8.5. +18

d. Individual manufactured and modular homes, regardless of lot width, shall incorporate Design Guidelines Section 8.5. +22

e. Manufactured and modular home subdivisions, regardless of lot width, shall incorporate Design Guidelines Sections 8.1 through 8.4. +22

The design guidelines in each of the following sections (subdivision design, housing design, garage treatment, and community safety) must be satisfied in one of two ways. The first method, called the standard approach, is to meet each of the design guidelines as written in the following tables. The second method, called the alternative approach, allows consideration of creative design solutions on a section by section basis, as long as the intent of that section has been met. Either method may be used for all or some of the following sections. For example, an applicant may choose the standard approach for the subdivision design and garage treatment sections and the alternative approach for the housing design and

community safety sections or the standard approach may be used for all four sections. Whether the alternative approach is acceptable will be determined by the design advisor of the Development Services Department. *13 *22

Diversity: The goal of diversity is to provide a variety of subdivision and housing designs which lend visual interest and distinctive character and identity to the community. This goal is addressed in two subsections, subdivision design and housing design. *13

8.1 **Subdivision Design**—Provide subdivision designs which address the goal of diversity by incorporating these or substantially equivalent design characteristics: 1) Vary the building's relationship to the street, 2) Vary the driveway orientation or location, 3) Vary the relationship between buildings, and 4) Vary street orientation. *13 *22

Design Guidelines: All are required (R*), unless otherwise noted.

		House Width[1]			*Manufactured & Modular Homes +22*
		≤40'	*>40' to 50'*	*>50' to 59'*	
Vary building's relationship to the street:		1 of A or B	1 of A or B	1 of A or B	1 of A or B
A	Stagger front setbacks for covered building elements by a minimum of 5 feet for 25% of each block face.				
B	Provide curvilinear or angled streets.				
Vary the driveway orientation or location for 25% of the lots in each subdivision by using one or a combination of the following design guidelines:		1 (or a combination) of C, D, E or F	1 (or a combination) of C, D, E or F	1 (or a combination) of C, D, E or F	1 (or a combination of C, D, E, or F
C	Provide elbow, circular or angled driveways.				
D	Provide alternate driveway surfaces, such as exposed aggregate, tire strips, patterns, or textures, etc.				
E	Provide shared driveways for 25% of each block.				
F	Provide side-entry garages for all corner lots, excluding collectors or where prohibited by site visibility regulations.				

		House Width[1]			Manufactured & Modular Homes +22
		≤40′	>40′ to 50′	>50′ to 59′	
Vary the relationship between buildings:		1 of G or H	1 of G or H	1 of G or H	1 of G or H
G	Provide a combined side yard of 10 feet for 50% of the lots on each block face.				
H	Vary the lot width by 5 feet for 10% of the lots on each block face.				
Vary street orientation:		R*	R*	R*	R*
I	Provide street patterns that minimize the impact of sequential garages, e.g. culs-de-sac, short block lengths, eyebrows, etc.				

[1] Lots greater than 65 feet in width are exempt.

8.2 **Housing Design:** Provide house designs with sufficient variation in elevations and detailing which address the goal of diversity, while maintaining an identifiable image for the subdivision. *13 *14

Design Guidelines: All are required (R*), unless otherwise noted.

		House Width[1]			Manufactured & Modular Homes
		≤40′	>40′ to 50′	>50′ to 59′	
A	Provide at least three distinctive elevations for each standard plan within the subdivision.	All of A, B, C; and 1 of D or E	All of A, B, C; and 1 of D or E	A and B; and 1 of C, D or E	All of A, B, C; and 1 of D or E
B	Provide at least three body colors per subdivision with 50 or less homes, and 6 body colors for subdivisions with more than 50 homes.				
C	Provide three alternative roof materials, shapes, and/or colors.				

		House Width[1]			Manufactured & Modular Homes
		≤40′	>40′ to 50′	>50′ to 59′	
D	Offer, as an option, exterior accent materials (e.g. brick, stone, masonry).				
E	Offer, as an option, alternative stucco textures (e.g. Spanish Lace, Criss-Cross, Santa Fe, etc.)				
F	Provide 3 different front yard plant palettes consisting of 1 accent tree, 5 shrubs and turf or ground cover, or offer evidence of a landscaping incentive package.	R*	Optional	Optional	R*
G	Provide at least 3 standard plans for subdivisions with 50 or fewer lots, and 6 for those with greater than 50 lots.	R*	R*	R*	R*
H	Provide exterior detailing on all elevations visible from public streets, such as stucco recesses, pop-outs, accent materials or corbels.	R*	R*	R*	R*
I	Provide a masonry stem wall under the dwelling unit with no more than seven (7) inches of exposed foundation measured from highest finished grade	N/A	N/A	N/A	R* (Manufactured homes only)
J	The exposed masonry stem wall color should be compatible to the dwelling unit	N/A	N/A	N/A	P* (Manufactured homes only)

[1] Lots greater than 65 feet in width are exempt.

8.3 **Garage Treatment:** The goal of garage treatment is to encourage an improved streetscape appearance which is not dominated by garage doors by minimizing the impact of the garage as the predominant architectural feature. *13 *14

Design Guidelines: All are required (R*), unless otherwise noted.

		House Width[1]			*Manufactured & Modular Homes*
		≤40′	*>40′ to 50′*	*>50′ to 59′*	
A	Provide elevations with garage doors not exceeding 50% of the house width for 2-car garages, and 55% of the house width for 3 or more car garages.	R*	R*	R*	R*
B	Provide house designs where the front plane of the garage projects no more than 10 feet beyond that of the living area, covered porch or architectural structure (e.g. arch, or porte cochere) for 75% of the lots. Those lots where the garages project more than 10 feet must be located on either corner lots, next to open space, or paired such that the front entries are located adjacent to a common lot line.	R*	R*	Optional	R*
C	Provide alternative garage locations (e.g. rear or side entry, off a private lane, etc.) for 10% of the houses.	1 of C, D or E	2 of C, D or E	2 of C, D or E	2 of C, D or E
D	Provide garage doors with windows, raised or recessed panels, architectural trim, and/or single garage doors.				
E	Provide an architectural treatment above the garage, such as windows or balconies, to create visual interest.				

		House Width[1]			Manufactured & Modular Homes
		≤40′	>40′ to 50′	>50′ to 59′	
F	For 3-car garages, separate stalls such that no more than 2 stalls are in the same vertical plane or adjacent to each other (i.e. provide a 2-foot offset with architectural trim for at least 1 stall or provide 1 stall in a side-entry or tandem configuration).	N/A	R*	R*	R*

[1] Lots greater than 65 feet in width are exempt.

8.4 **Community Safety:** The goal of the community identity is to encourage an enhanced sense of safety and community by creating a visual relationship between the front of the home and the public street. *13

Design Guidelines: All are required (R*), unless otherwise noted.

		House Width[1]			Manufactured & Modular Homes
		≤40′	>40′ to 50′	>50′ to 59′	
A	Provide front entries (which may include security gates) that are visible from the street or adjacent open space for a minimum of 90% of the houses. Where front entries are not visible from the street or adjacent open space, they should be located in pairs next to a common property line.	R*	R*	R*	R*
B	Provide an architectural feature which clearly delineates the front entry of the home such as a front porch, entry patio, courtyard, or archway.	R*	R*	R*	R*

[1] Lots greater than 65 feet in width are exempt.

8.5 **Individual Unit Design Standards.** The goal of these individual unit design standards is to ensure a minimum level of design quality for detached single-family dwelling units, duplexes, manufactured homes, and modular homes. For information on relief from requirements (R) and presumptions (P) refer to Section 507.C of the Zoning Ordinance. +18 *22

a. Plot plans shall show all required design guidelines as plan details or general notes. (R) +18

Rationale: Design guidelines should be shown on plans to help ensure they are easily understood by the public and equally applied by City staff. +18

b. Where two detached units are placed on a single lot, a notice that the lots are not to be split without prior City approval shall be recorded with the Maricopa County Recorder's Office prior to issuance of building permits. The recorded document shall be on a form approved by the City Attorney's Office. A copy of the recorded document shall be submitted with the application for building permit approval and the recorded document noted on the submitted site plan. (R) +18

Rationale: The public is often unaware that the City has lot split requirements and may unknowingly create an illegal lot, causing self-imposed obstacles to development. +18

c. All driveways and parking spaces shall be hard surfaced with brick, pavers, concrete, asphalt or equivalent. (R) +18

Rationale: A defined driveway and parking area reduces vehicle maneuvering on areas not suitable for vehicles. Hard surfaces contribute to dust emissions substantially less than loose or unimproved surfaces. Hard surfaces are generally more attractive and compatible with surrounding residences. +18

d. Each dwelling unit shall have at least one covered parking space located in a garage or under a carport. The design of the covered parking shall be substantially similar with regard to texture, color and material to that of the housing. (R*) +18

Rationale: Covered parking reduces the visual impact of parked cars. Carports and garages that are designed with the same level of quality as the house are more attractive and more compatible with surrounding residences. +18

e. The area between the front building line and the front property line, excluding areas necessary for access, should be landscaped with the following elements: +18

1) A minimum of one, two inch caliper or greater, drought resistant, accent tree. (P*) +18

2) A minimum of five, five gallon or greater, drought resistant shrubs. (P*) +18

3) Dustproofed with ground cover, turf, rock, decomposed granite, or equivalent material as approved by the Development Services Department. (P*) +18

4) An irrigation system. (P*) +18

Rationale: Landscaping contributes to an attractive environment, provides shade, and contributes to neighborhood identity. +18

f. Unless all parking is provided off an alley, no more than half of the area between the rear lot line and the rear building line of a single family dwelling unit, or two-thirds of said area for duplexes, should be used for parking. (P*) +18

Rationale: Excessive vehicle parking areas reduces compatibility with surrounding residences and minimizes the opportunity for recreational activity and landscaped space. +18

Parking—Rear Building Line +18

g. Required covered parking for single family dwelling units, duplexes, manufactured homes, and modular homes shall not protrude more than ten feet beyond the front building line. (R*) +18 *22

Rationale: When parking structures are concentrated in front of a dwelling unit, the building loses its residential character and compatibility with surrounding residences is negatively impacted.

Covered Parking 2 +18

h. The area between the rear building line and the rear lot line shall be enclosed by a block wall, wrought iron fence, or equivalent enclosure, a minimum of four feet in height, as approved by the Development Services Department. (R*) +18

Rationale: Rear yard enclosures provide physical security and also ensure rear yard activities, such as pool areas and material storage, are not readily visible. In addition, enclosures are visually appealing and benefit the neighborhood. +18

i. Walls, fences, and enclosure materials shall not include chain link fencing with, or without, plastic or metal slats, sheeting, non-decorative corrugated metal and fencing made or topped with razor, concertina, barbed wire, or equivalent as approved by the Development Services Department. (R*) +18

Rationale: Certain enclosure materials are not durable, and are incompatible with surrounding residences. +18

j. Development of two detached dwelling units on a lot, duplexes, manufactured homes, or modular homes should provide a single, common access drive to parking areas. (P*) +18 *22

Rationale: Shared access and common parking minimize unnecessary curb cuts and breaks in the streetscape. Common parking areas also reduce the paved area of a site. +18

k. Single family dwelling units, duplexes, manufactured homes, and modular homes should provide the following architectural design elements: +18 *22

1) Consistent detailing and design for each side of the building. (P*) +18

2) Window and door trim as well as accent detailing should be incorporated and vary from the primary color and materials of the building. (P*) +18

3) Garage doors should be provided with windows, raised or recessed panels, architectural trim, or single doors. (P*) +18 *22

4) The front entry of the building should be clearly defined and identifiable. (P*) +18

5) Materials such as untextured concrete, unfinished block, steel panels, and shiny or highly reflective detailing should not be used as a predominant exterior material. (P*) +18

Rationale: High quality design promotes neighborhood pride and visual interest in residential architecture.

l. Garage doors visible from the public street should not exceed 50% of the house width. (P*) +18

Rationale: Garage doors should not be the aesthetic focus of a house; they should compliment and appear subordinate to the main structure. +18

m. The front entrance, of buildings within 50 feet of the front property line, shall face the street and shall not be set back more than ten feet behind the front building line. (R*) +18

Rationale: Emphasizing the entrance and front facade adds to the residential character of new dwelling units and provides eyes on the street. +18

Parking—Front Entrance +18

n. Manufactured homes shall provide the following additional architectural design elements: +22

1) Materials such as wood, hardboard, brick veneer, hardiplank, stucco, or horizontal vinyl siding shall be used as a predominant exterior material. (P*) +22

2) The exposed roof pitch shall be at a minimum of 3/12 for units twenty-eight (28) feet or less in width and be covered with shingles, tile or metal, excluding aluminum. (R*) +22

3) A minimum fifty (50) square foot recessed entry or covered porch shall be provided along the front entry of the building. (R*) +22

4) Permanent access to the porch or recessed entry should be constructed with materials and colors that are compatible with the dwelling unit. (P*) +22

5) A masonry stem wall shall be provided under the dwelling unit with no more than seven (7) inches of exposed foundation measured from highest finished grade. (R*) +22

6) The exposed masonry stem wall color should be compatible to the dwelling unit. (P*) +22

Rationale: High quality design promotes neighborhood pride and visual interest in residential architecture for manufactured homes. +22

D. **Specialized Uses.**

1. **Large Scale Commercial Retail.**

1.1. **Building Materials.**

1.1.1 Exposed exterior walls shall be constructed of the following materials (minimum of three types required). At least two of the materials combined shall cover a minimum of thirty (30) percent for each building elevation: (R*) +14

A. Natural or faux stone +14

B. Wood +14

C. Decorative metal +14

D. Decorative concrete (including precast) +14

E. Clay or glazed masonry +14

F. Glass or glass block accents (low reflectivity) +14

G. Tile or terra cotta or other wall facings +14

H. Stucco or Exterior Insulation and Finish System (EIFS) or concrete masonry +14

I. Brick +14

J. Alternative material(s), as approved by the Development Services Department +14

1.2. **Compatibility.**

1.2.1 Multiple buildings on the same site should borrow and incorporate (not duplicate) architectural styles, materials, forms, features, colors and compatible elements from

same site. These should include: continuation of distinctive rooflines, covered walkway alignments, consistent detailing of finish, accent features on all visible sides of structures, compatible shapes, material, wall and landscaping treatment. (P) +14

1.2.2 Corporate colors, associated graphics, and highly contrasting bands of vibrant colors on buildings and on accessory structures (excluding signage) shall be used as an accent feature with restraint as a minor element of the building's exterior. (P) +14

1.3. **Building Massing and Articulation.**

1.3.1 Building facades along street frontages shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhang/canopies. These embellishments create detail at a pedestrian scale and provide transitional elements to the public streetscape. (R)

1.3.2 Provide a minimum of two defined entries (if appropriate to the designed function). (P)

1.3.3 Provide a minimum of 1 (one) defined covered customer loading area (if appropriate to the designed function). (P)

1.4. **Building Accents.**

1.4.1 Where building accents are used, they should be built with quality materials or contain architectural detailing. The sole use of finishes such as paint, graphics, forms of plastic, or metal panels are discouraged. (P) +14

1.5. **Public Amenities/Environmental Protection.**

1.5.1 Provide roof overhangs or shading along designated pedestrian routes adjacent to building walls with the intent of providing functional shade. (P) +14

Rationale (1.1.1-1.5.1): Requiring variety in the construction materials and colors used on the exterior of commercial buildings, as well as the massing of buildings, encourages more attention to architectural detail and creates more visual interest in buildings. Architectural details such as multiple entries, space for outdoor displays, articulated roof elements and roof overhangs help avoid sterile building facades and also make the complex more user friendly. +14

2. **Service Stations.**

2.1. Service station canopies should have the following characteristics: +14

A) Canopy heights measured from finished grade to the lowest point of canopy fascia should not exceed 14 feet in height. The overall canopy height should not exceed 16 feet. (P) +14

B) All canopy lighting in enclosed structures shall be flush mounted or recessed. (R) +14

C) In open canopies the light fixture shall be recessed or flush with the lowest point of the fascia. (R) +14

D) The fascia of the canopy should be finished with similar or compatible materials and colors as those of primary buildings on site. (P) +14

E) Column treatment should be finished with similar materials and accents, as those used on primary buildings on site. Finished column treatment should be used from the ground to the canopy. (P) +14

Rationale: Service station canopies should be integrated into project design and constructed to minimize visual impact to the public streetscape and nearby residential areas.

3. **Communication Towers.**

3.1. When expanding their capacity, existing communication towers accessory buildings and equipment in or within five hundred (500) feet of a hillside development area as defined in Section 710 should minimize the added visual impact (and preferably reduce the overall visual impact) through the application of appropriate mitigation measures. (P)

Rationale: Maximizing the capacity of existing facilities reduces the need for new towers and provides an opportunity to apply design standards commensurate with the proposed change that will visually minimize the change and preferably reduce the overall visual impact of the facility.

3.2. Communication towers in or within five hundred (500) feet of a hillside development area as defined in Section 710 should be designed and constructed for minimal visual impact by: maintaining the minimum height and size necessary, including the number and configuration of booms, to meet the need; using antennae of minimal cross sectional area; placing antennae as low as possible; using low contrast colors on all towers and tower mounted equipment unless otherwise regulated by the FAA or FCC; preserving hillside development areas as defined in Section 710 in a natural state to the greatest extent possible; and chemically color treating and otherwise minimizing the visual scarring of all disturbed areas.(P)

Rationale: Providing neutrally colored towers with minimum height and bulk will decrease the visual impact on surrounding areas.

3.3. Buildings, fencing, and auxiliary equipment for communication towers in or within five hundred (500) feet of a hillside development area as defined in Section 710 should be sized, positioned, and color treated for minimal visual impact by using low contrast colors; using indigenous material or acceptable materials or similar coloration for building walls; berming or depressing facilities below grade where feasible; preserving hillside development areas as defined in Section 710 in a natural state to the greatest extent possible; chemically color treating and otherwise minimizing the visual scarring of all disturbed areas; and screening with native vegetation or acceptable alternative plants depending on the site area and water availability. (P)

Rationale: The most effective means for screening communication towers and related equipment occurs near the ground level. Ground level facilities, when properly screened, should not be visible from lower base elevations. This will in turn offset the overall visual impact created by the higher portion of the tower.

3.4. Communication towers, microwave dishes, and/or antennae should be incorporated into the design of the new or existing building when possible. (P) +14

Rationale: Incorporation into building design will reduce the visual impact of tower or antennae clutter. +14

4. **Signs.**

4.1. **Character.**

4.1.1 Signs should be designed to be consistent with the architectural treatment and overall character of the site. (P)

Rationale: Signs help reinforce the image created by the architecture of the development.

4.1.2 Signs should use materials or textures which are complementary to those used in the building or project being signed. (P) +4

Rationale: Signs which incorporate the materials used on site are better integrated into a development. +4

4.1.3 Signs should use colors which match or complement the colors used on the building or in the project being signed. (P) +4

Rationale: Sign colors can enhance and carry out the character of a development. +4

4.1.4 Wall signs that are placed above the roofline of a building should be integrated into the design of the wall to which they are attached through the use of colors and textures on the sign structure that are complementary to the architecture of the building. (P) +16

Rationale: Wall signs should normally appear to be a part of, rather than distinct from, the architecture of the building. +16

4.1.5 Wall signs that are placed above the roofline should not exceed eighty percent (80%) of the width or height of the architectural feature to which they are attached. (P) +16

Rationale: Wall signs should not create a crowded appearance and should be in harmony with the architecture of the building. +16

Wall Signs (2)

4.1.6 Wall signs placed on a peaked roof should be structurally integrated into the appearance of the roof, without visible bracing. (P) +16

Rationale: Signs mounted on a peaked roof should appear to be a part of, rather than distinct from, the roof. +16

4.1.7 Ground signs placed closer to the building than the width of the sign should not exceed the height of the building, or should be designed to appear to be an integral part of the architecture of the building. (P) +16

Rationale: Ground signs placed close to a building should be complementary of the building's design and scale to avoid the appearance of being crowded against the building. +16

4.1.8 One wall sign within a commercial center, as defined in Section 202, may exceed thirty feet (30') in height provided that it is architecturally integrated into the building facade. Said sign should be limited to a maximum height of forty feet (40') in height. This provision does not apply to commercial centers that have received a height waiver or are located within a zoning district that otherwise allows buildings to exceed two stories or thirty feet (30') in height. (P) +16

Rationale: The height of wall signs placed upon architectural features should be in proportion to the height of the building in order to be of a complementary scale. +16

4.2. **Location.**

4.2.1 Sign locations should be integrated within the design of the site and the adjacent streetscape. (P)

Rationale: Signs should be located to provide their functional purpose of communication, and not dominate the building, the site design, or the adjacent streetscape.

4.2.2 Signs and landscaping should be placed so that they are not in conflict when landscaping reaches full maturity. (P) *14

Rationale: Although landscaping may not initially appear to obscure a sign, it may significantly reduce or eliminate the sign's effectiveness unless taken into account in the planning process.

4.3. **Function.**

4.3.1 Sign placement and materials for multiple tenant occupancies should be delineated in a uniform and consistent manner. (P)

Rationale: Sign content is more comprehensible when it is displayed in a consistent manner and signage causes less visual clutter when it is executed uniformly.

4.3.2 Traffic directionals should be placed to promote safe and efficient traffic flow. (P)

Rationale: Poor placement of signs can confuse motorists and pedestrians and cause potential safely hazards.

4.3.3 Signs should be oriented to promote readability and serve their intended function. (P)

Rationale: Poor orientation reduces the effectiveness of a sign.

E. **Specialized Areas.**

1. **Freeway Mitigation.**

1.1. Where noise is, or may be, a detriment to a residence, the following construction techniques should be incorporated: +10

A. Noise walls a minimum of eight (8) feet in height should be constructed of 8" minimum thick, concrete masonry units (CMU), or of cast-in-place concrete and contain no openings unless they are above the minimum height required for adequate noise mitigation. +10

B. Residential units should be limited to single story for lots abutting the freeway. +10

C. Use double-pane windows and solid-core or insulated exterior doors for freeway facings. +10

D. Reduce noise transmission through exterior walls by increasing the mass of wall materials, such as an additional layer of gypsum board, or by using staggered wall studs. +10

E. Where corner lots back onto the freeway right-of-way, noise walls should "wrap around" and continue along the street side of the lot. (P). +10

Rationale: Noise studies conducted by HUD have concluded that the listed building techniques will reduce the level of noise that reaches the living space. +10

1.2. Where lots are to be platted adjacent to an undesigned section of freeway, perimeter walls should be designed to accommodate 12' high walls and constructed to 8' high so

that the wall may later be increased in height by a public agency. Need for the additional 4' will be determined after freeway is designed. However, if a council-adopted freeway specific plan calls for a different height, or the developer conducts a noise study, the site-specific data and walls heights will take precedent. (P) +10 *14

Rationale: Until the freeway design is complete, it is difficult to determine the appropriate height for perimeter walls. However, it has been determined 8' will be adequate for most configurations. +10

1.3. The number of lots that abut a freeway right-of-way should be minimized. (P) +10

Rationale: By exposing fewer homes to the negative impacts of the freeway, the neighborhood will be less impacted. +10

2. **Canal Banks.** All development in the City of Phoenix on both public and private land adjacent to the Highline, Grand, Arizona, and Western canals which is subject to development review shall comply with the following Canal Bank Design Guidelines. Such development which uses Salt River Project (SRP) canal bank right-of-way or Flood Control District (FCD) Arizona Canal Diversion Channel (ACDC) right-of-way shall also be under a licensing agreement with the City of Phoenix and SRP, and the FCD as required. The Canal Bank Design Guidelines shall control if they conflict with

other Citywide development standards. The Canal Bank Design Guidelines which are presumptions and which a developer satisfies shall also-control if they conflict with other Citywide development standards. +8

2.1. **Physical Access.**

a. **Public Accessibility.**

2.1.a.1 No development project shall build closer than fifteen (15) feet to the water's edge. (R) +8

Cross Section of Canal Bank Improvements

2.1.a.2 No development shall restrict access to the canal by building to the water's edge or erecting a barrier across the canal bank which prevents nonvehicular travel on the canal banks. (R) +8

2.1.a.3 Developments adjacent to canal banks which provide unrestricted access to their sites from public streets, including retail/commercial, mixed-use, office, research parks and school/park uses, also shall provide public access from canal banks to the site during public hours of operation to promote use of alternative modes of transportation

if the canal bank grade is one (1) foot or less above or below the grade of the private property at any point adjacent to the canal bank. Any gates shall be self-closing and self-latching. (R) +8

Physical Accessibility 1

2.1.a.4 Developments adjacent to canal banks which provide unrestricted access to their sites from public streets, including retail/commercial, mixed-use, office, research parks and school/park uses, also should provide public access from the canal banks to the site during public hours of operation to promote use of alternative modes of transportation if the canal bank grade is greater than one (1) foot above or below the grade of the private property at any point adjacent to the canal bank. Any gates should be self-closing and self-latching. (P) +8

2.1.a.5 Where canal access points exist (cul-de-sac, alleys, streets, and utility rights-of-way), adjacent development should provide landscaping on the development's property. (P) +8 *14

Physical Accessibility 2

2.1.a.6 Public pedestrian bridges across the canal are encouraged to link neighborhoods, commercial, recreational, and public uses. (C) +8

b. **Private Accessibility - For Property Residents/Owners/Tenants.**

2.1.b.7 Private yards in residential neighborhoods should be encouraged to have private, self-closing, self-latching pedestrian gate access from the yards to the canals. (C) +8

2.1.b.8 Residential and non-residential developments with common open space shall provide access to the canal banks with self-closing, self-latching gate(s) which may be keyed for resident/owner/tenant use if the canal bank grade is one (1) foot or less above or below the grade of the private property at any point adjacent to the canal bank. (R) +8

2.1.b.9 Residential and non-residential developments with common open space should provide access to the canal banks with self-closing, self-latching gate(s) which may be keyed for resident/owner/tenant use if the canal bank grade is greater than one (1) foot above or below the grade of the private property at any point adjacent to the canal bank. (P) +8

Rationale (3.1.a.1-3.1.b.3): Developments shall not restrict access to the canal by building to the water's edge. Canal banks should be a primary component of pedestrian (including modes of transportation necessary for people with disabilities), bicycle and equestrian pathways. Public accessibility to the canal system is essential in order to reinforce and preserve the system as a valuable public resource. Accessibility includes not only physical accessibility, but visual and temporal as well. Most people see canals when crossing on arterial streets. This exposure should be enhanced, not diminished. +8 *14

2.2. Visual Accessibility

2.2.1 No canal shall be placed underground. (R) +8

2.2.2 Solid walls above three feet should not be allowed, except to screen open industrial uses, to provide visual access between the canal banks and the adjacent development. (P) +8

Avoid Solid Walls Block Views

2.2.3 Solid walls abutting the canal bank shall not exceed six hundred sixty (660) feet in length except for open industrial uses. (R) +8

2.2.4 Not withstanding the provisions of Section 703 of the Zoning Ordinance, wrought iron fences up to eight feet in height shall be allowed. (R) +8

2.2.5 Significant view corridors of the canals from contiguous public spaces including existing streets and open spaces shall be preserved. (R) + 8

2.2.6 Wherever possible, combine existing views of canals with views of significant natural features (e.g. Camelback Mountain, South Mountain). (C) +8

Rationale (3.2.1-3.2.6): Views of the canal system should be enhanced and preserved as part of the public realm. Significant historical features of the canals, such as the Pueblo Grande Museum, Park of the Four Waters, and Arizona Falls should be visually integrated into the adjacent canal system. Canals should be placed underground only in cases of property hardship to further the public good; this is consistent with SRP's policy that canals remain open unless there is a higher public need and the continuity of the system is maintained. +8 *14

2.3. **Landscaping Features within Canal Rights-of-Way.**

2.3.1 New trees and shrubs along the canal banks shall be selected for their ability to provide shade and a visual amenity. Modifications to spacing may be required by SRP subject to site specific canal widths or by Development cervices or SRP or the FDC along the ACDC subject to access needs or the slope of the canal bank adjacent to the private property. (R) +8

2.3.2 Low water use landscape materials shall be used in canal bank development. Landscape materials shall be selected from the Phoenix low water use plant list and SRP's approved plant list. (R) +8

2.3.3 An irrigation system shall be designed for canal right-of-way landscaping and installed by the public or private development which is subject to design review, using a municipal water supply or private source. (R) +8

2.3.4 Landscaping of canal banks shall be designed to avoid drainage into the canals as runoff and into the ACDC as runoff unless the existing and prevailing drainage is already into the ACDC. (R) +8

Rationale (3.3.1 - 3.3.4): The overall landscape character of canal development should be appropriate to the Sonoran Desert and/or should reflect significant natural areas adjacent to the canals. +8 *14

2.4. **Safety.**

2.4.1 Grade separations should be installed at all arterial street crossings to ensure continuity of canal paths while providing maximum safety from vehicular traffic. (C) +8

2.4.2 The developer shall participate in the installation of one or more of the following safety measures, or an acceptable alternative, based on the determination of the developer's proportionate share of the cost due to the level of impact of the project on canal bank usage: (R) +8

A. Pedestrian activated traffic signal(s) if such a signal meets national standards; +8 *14

B. A pedestrian/cyclist safety island within the middle of the road right-of-way, +8

C. Clearly marked crosswalk with motorist warning signs, +8

D. Vehicular rumble strips to warn oncoming traffic that they are approaching a pedestrian crossing; +8

E. Curb ramps; +8

F. Street identification and safe crossing method signage; + 8

These alternatives require approval of the Street Transportation Department +14

Safety

2.4.3 Lighting shall be incorporated in underground pathways, such as those which pass under a street. (R) +8

2.4.4 No lighting placed within canal right-of-way shall shine onto private residential property. Light intensity shall not exceed one (1) foot candle at the residential property line. (R) +8

2.4.5 Vegetation height or massing shall not become a safety hazard by restricting visibility within the canal right-of-way. (R) +8

2.4.6 All alley and street access points perpendicular to the canals should be well lighted and clearly marked. (P) +8

2.4.7 Placing emergency call boxes which are accessible to wheelchair users and are hearing aid compatible at major arterial crossings is encouraged. (C) +8

Rationale (3.4.1-3.4.7): Every use of the canal right-of-way should strive to maximize public safety. All potential designs must be analyzed to ensure that the general publics activities are directed either to areas separated from the open channel and overhead electrical system or to areas where safety features are incorporated. +8 *14

2.5. **Power Easements.**

2.5.1 All canal uses shall be designed and planned with the coordination of the appropriate power jurisdiction. (R) +8

2.5.2 No permanent use area (e.g. rest areas) shall be allowed within a fifty (50) foot radius of the center line of any high voltage power tower. (R) + 8

2.5.3 Only trees on the SRP approved plant list shall be planted within the SRP power easement. (R) +8

2.5.4 Any conductive materials used within power easements shall be properly grounded. (R) +8

2.5.5 Pedestrians and cyclists should be kept away from power towers with minimum three and one-half (3.5) foot high barrier plantings. (This design must still allow necessary service access.) (P) +8 *14

Rationale (3.5.1-3.5.5): Of primary importance to the function of the canal system is the ability for SRP to maintain and operate its water delivery service and adjacent power system. +8 *14

2.6. **Adjacent Land Uses.**

2.6.1 Parks which abut a canal shall incorporate the canal banks and trails into the design of the park. (R) +8

2.6.2 Developers of new multi-family housing developments should face the windows and balconies of some units toward the canal. (P) +8

2.6.3 Some units in a multi-family housing development should be within five (5) feet of the canal right-of-way. (C) +8

2.6.4 New developments or redeveloped sites with canal frontage should place land uses near or adjacent to the canal which are compatible with the canal system including: +8

A. Open space (public or private); +8

B. Other public land uses (libraries, cultural facilities, municipal services); +8

C. Single-family housing; +8

D. Quasi-public land uses (golf courses, resorts, health clubs, research parks); +8

E. Retail/commercial (shopping, entertainment, restaurants, cafes, offices); +8

F. Multi-family housing; +8

G. Mixed-use (office/retail/housing) development. (C) +8

2.6.5 In order to enhance the visual experience for canal bank users and to promote safety, the frontage along canal banks of adjacent land uses such as storage facilities, parking garages, and outdoor storage should be minimized. (P) +8

2.6.6 Open industrial land uses and garages shall be screened. (R) +8

Industrial Land Uses and Garages

2.6.7 Public spaces within private developments should be located adjacent to the canal in order to achieve integration with the public system of the canal. (P) +8

2.6.8 Shared use of existing parking lots for canal uses is encouraged. (C) +8

2.6.9 Parking lots shall be designed so that they do not drain into canals. (R) +8

Rationale (3.6.1-3.6.9): Canals should be treated as an asset to be integrated with adjacent land use. +8 *14

2.7. **Urban Area/Canalscape Treatment - Design Continuity.** For purposes of this section, an urban area shall be defined as one in which commercial, office, resort/hotel, or public

assembly development of four (4) or more stories or a floor area ratio greater than or equal to 1.0, or residential development of twenty-five (25) or more dwelling units per acre abuts a canal bank. +8

2.7.1 Development which uses canal bank right-of-way at canal waterline edges in urban areas should be marked with curbs, railings, change in grade, change in paving materials, or landscape treatment subject to approval by Salt River Project. (P) +8

Urban Area/Canalscape Treatment - Design Continuity

Design Continuity

2.7.2 Canal bank right-of-way which is used for development in urban areas should be lighted at the pedestrian level at a minimum power of one (1) foot candle. Lighting fixtures on poles should not exceed fifteen (15) feet in height. (P) +8

2.7.3 Buildings adjacent to the canal bank should be constructed along the canal right-of-way line ("build-to-line") or a distance of twenty-five (25) feet from the water's edge (whichever is greater) for a minimum of fifty percent (50%) and a maximum of eighty-five percent (85%) of the building(s) canal facade. (P) +8

Urban Area/Canalscape Treatment

Urban Area Canalscape Treatment

2.7.4 The area between the portion of the structure not constructed to the "build-to" line and the canal right-of-way should be a public or private pedestrian area with a hard surface including street furniture, functional planting, and other pedestrian amenities and may include a twelve (12) foot wide arcade. The hard surface should include stone, unit paver concrete, fired brick, or poured in place concrete. Other design characteristics of a pedestrian area should include outdoor furniture, shade structures to enhance pedestrian comfort, low-water use fountains to passively cool immediately adjacent outdoor areas, cool towers in appropriate areas, low water use shade tree bosque, lighting, and sloping to avoid drainage of storm water and runoff into the canals (P) +8

2.7.5 The ground floor arcade portion as described in 3.7.4 should contain a mix of pedestrian-oriented building uses. (C) +8

2.7.6 Buildings or portions of a building constructed on the "build-to" line should be stepped back a minimum of ten (10) for each floor above the first floor. (P) +8

Urban Area/Canalscape Treatment - Design Continuity

Urban Area Canalscape Treatment Design Continuity

Rationale (3.7.1-3.7.6): An urban area is an area which generates high levels of activity and has a strong pedestrian emphasis. Urban area land uses along the canal banks would include retail, restaurants, offices, resort/hotel, cultural facilities, and high density residential. The canal right-of-way should take on the characteristics of a highly developed urban paseo. Building design should help accommodate outdoor spaces for the pedestrian adjacent to the canals in an urban area. One of the goals in urban areas is to line the canal with activities that are of interest to the canal bunk users. +8 *14

2.8. **Suburban Area/Canalscape Treatment - Design Continuity.** For purposes of this section, a suburban area shall be defined as one in which commercial, office, industrial, resort/hotel or public assembly development of less than four (4) stories or a floor area ratio less than 1.0, or residential development of less than twenty-five (25) dwelling units per acre abuts a canal bank. +8

2.8.1 Suburban areas of the canal right-of-way system should have the characteristics of a linear park. The design characteristics should include the following: +8

A. Periodic public access points, as discussed in Guideline 7.1, physical accessibility, every 1/4 mile minimum; (P) +8

B. Low water use plant materials when the canal right-of-way is landscaped. (P) +8

Suburban Area Canalscape Treatment Design Continuity

2.8.2 Design of the canal bank right-of-way should also include the following: +8

A. Optional shade structures to enhance pedestrian comfort; +8

B. A park-like system of multiple use trails. (C) +8

Rationale: A suburban area is an area which generates low levels of activity and which is sensitive to primarily adjacent residential land uses. A suburban area would include single family housing, parks, golf courses, and neighborhood retail uses. +8

3. **Sonoran Preserve Edge Treatment Guidelines.** All property adjacent to the proposed or acquired Sonoran Preserve boundary having a minimum continuous common boundary of five hundred feet shall be subject to edge treatment. +15

TABLE 1: APPLICABILITY +15

Single Family Land Use	*All Other Land Uses*
A lot or parcel depth or width, plus adjacent right-of-way, not to exceed 300 feet	A lot or parcel depth or width, plus adjacent right-of-way, not to exceed 1,200 feet

The intended Sonoran Preserve includes those lands identified on the "Sonoran Preserve Master Plan" as approved by City Council on February 17, 1998. The boundary of the preserve lands shall be the edge of those areas identified on the Sonoran Preserve Master Plan. These guidelines shall apply to development adjacent to preserve lands which at the time of preliminary site plan or preliminary plat approval: +15

- The land is owned by the city for preserve, or; +15
- The land has been stipulated by zoning case for preserve, or; +15
- Active negotiations are in progress for dedication or purchase of the adjacent preserve land by the city. +15

Or it includes all projects for which preliminary or final development services site plan or subdivision approval has been obtained prior to the effective date of this ordinance, these

design guidelines shall not apply. If a major amendment to the proposed use of configuration of a parcel of land adjacent to the Sonoran Preserve is sought after adoption of this ordinance these guidelines should be applied in a manner consistent with the change. +15

Where edge treatment design guidelines conflict with other development standards, the most restrictive shall apply. +15

3.1 **Plan Submittal.** +15

3.1.1 A site analysis shall be required with the submittal of a preliminary site plan, subdivision plan, or lot split to the city. The site analysis is a tool to assist in determining areas to be preserved and areas to be developed. City staff shall review the applicant's proposal and approve modifications with regard to proposed construction areas, areas to remain undisturbed, road corridor, storm water retention areas, and potential public or private utility areas. The base for the site analysis shall include a current aerial photo at a scale to be determined by staff. This will vary dependent upon the size of the proposed project. Specific areas within a large project may need to be provided at a suitable scale if more detail is necessary. The following information shall be included on the site analysis, as required or as modified by city staff. items A through K below are requirements. (R) +15

A. Land contours at a scale determined by staff; +15

B. A slope analysis identifying slopes of five percent and greater in increments of five percent where it is evident that slopes exceeding five percent transition to hillside areas of slopes exceeding ten percent; +15

C. Identify wash corridors and preliminary hydrologic information for the contributing watershed (i.e., cfs flows, on-site and off-site, sheet flow direction); +15

D. Identify the limits of riparian vegetation associated with washes and other areas where water concentrations have created dense stands of vegetation. Aerial photos can be used to map the limits of notable vegetation. +15

E. Identify potential view corridors to public or private open space areas along wash or roadway corridors; +15

F. Identify potential land uses and development areas; +15

G. Identify the projected one hundred-year floodplain and floodway boundary as required by the federal emergency management agency (FEMA) and one hundred-year twenty four-hour flow boundaries for washes not addressed by FEMA per ARS Standard 2-96 or the Drainage Design Manual For Maricopa County. If the width is to be identified at the time of rezoning, this information may be required; +15

H. Provide evidence of a record check through the Arizona State Museum for Archeological Sites, confirm with the city archeologist and identify any sites; +15

I. Identify public trail and park locations using the approved master trails plan and master edge plan from the city, including on-site and off-site connections; +15

J. Identify potential subdivision layout or a site plan; +15

K. Identify potential arterial, collector and local street alignments. +15

Rationale: Rigorous analysis of a site prior to preparing the site plan or subdivision layout will allow preservation of important site features, such as wash corridors, and riparian stands of vegetation and reduce hazards from potential flooding and other natural occurrences. +15

3.2 **Signage.** +15

3.2.1 All signs shall be approved through a Comprehensive Sign Plan, per Section 705e.2. (R) +15

Rationale: A higher level of aesthetics will be achieved through a comprehensive sign plan, which addresses the quality and consistency of appearance of all signage on a site. +15

3.3 **Grading/Drainage.** +15

3.3.1 Box gabions and concrete channels should not be allowed unless designed to look natural in the desert setting through color, texture, landscaping or other means. (P) +15

Rationale: Box gabions and concrete channels create an unnatural appearance. Additionally, concrete channels can contribute to drainage problems where they interface with natural washes. +15

Concrete channels do not look natural

3.3.2 Riprap should not be used at the Sonoran Preserve edge to mitigate drainage unless used with restraint and designed to blend with the desert setting through color, texture, soil plating, landscaping and other means. (P) +15

Rationale: Where engineered erosion control is necessary, a more natural looking drainage way will preserve the scenic qualities of the desert. +15

Landscaping and other means improve appearance of rip rap

3.3.3 Where culverts are constructed, minimize the concrete while providing the opening required by the hydrology and to blend with the adjacent desert via materials and landscaping after construction. (P) +15

Rationale: Culverts can be visually obtrusive. Design can minimize visual impact by minimizing the concrete structure and blending materials and colors. +15

Culvert designed to blend

Culvert not designed to blend

3.4 **Walls/Fencing.**

3.4.1 When separated from the Sonoran Preserve by an arterial or collector street, residential subdivision or commercial perimeter walls, and other walls should vary by a minimum of four feet every four hundred lineal feet to visually reflect a meandering or staggered setback. Design features should be used to break up the appearance of a long, straight wall. Such design features may include, but should not be limited to planters, decorative walls less than three feet in height, and dense landscaping adjacent to the wall to screen it. if design features other than meandering or staggered setbacks are used, the developer should demonstrate how the design visually breaks up long, straight wall appearance and the plan must be approved by the city. (P) +15

Rationale: Providing a variation in the appearance of a wall line through allowing the wall to meander or be offset or through another design feature will visually soften the edge of development adjacent to the preserve. +15

3.4.2 Walls and fences should be designed to blend into the desert environment by addressing the color, materials, and alignment of the structure. (P) +15

Rationale: Because straight lines rarely occur in nature, addressing the alignment as well as the color of walls and fences will help blend development into the desert setting. +15

3.5 **Landscape Architecture.**

3.5.1 Plants in public open space, public or private common areas, other than turf for active uses, or along public or private rights-of-way shall be from the approved plant species list (Appendix A). Palm trees and other plants specified on the prohibited plant species list (appendix B) shall not be allowed at trailheads, open spaces, or landscape setbacks adjacent to the Sonoran Preserve. (R) +15

Rationale: Sonoran desert plants would make an effective landscape statement or focal point that would reflect the Arizona Desert Southwest. Palm trees are not indigenous and are invasive; other non-native species also create problems in the desert environment. +15

3.5.2 All lot grading and construction areas shall be clearly marked by a chain link fence, an orange net fence with posts fifty feet on center, or an equivalent approved by the city, to minimize impact during construction. A sign shall be posted on the fence to make all parties involved in construction aware of the purpose of the fence. Construction fence is to remain intact until completion of construction. (R) +15

Rationale: Defining and containing the allowed grading area prevents overlap into areas designated for preservation. where disturbance must occur, the impact should be minimized. +15

3.6 **Trails/Paths.** +15

3.6.1 Access points to the Sonoran Preserve shall be approved by the city. Construction of unauthorized access points shall not be allowed. (R) +15

Rationale: The parks and recreation department has specific needs and criteria for access points to open space areas that they manage. +15

3.6.2 Public access, via a public collector or arterial street, or local street as approved by the city, for community or regional level use should be provided to a city developed and maintained trailhead or activity center within the Sonoran Preserve at approximately one per mile of linear edge, or as designated on the Sonoran Preserve Master Edge Plan. (P) +15

Rationale: The master edge plan or one mile standard will assure adequate public access to the substantial amount of Sonoran Preserve Land. Adequate public access is a necessary element to minimize impact within neighborhoods. +15

3.6.3 All residential development should provide a minimum of one unrestricted public access to a perimeter trail in the Sonoran Preserve for neighborhood use at a rate not to exceed four access points per mile of the Sonoran Preserve Edge, or as approved by the city. There shall be no required access points within a gated community except to serve the residents of such community and access points shall not be required within 100 feet of a gated community boundary. Site conditions may impact the exact location of the access point. The width of the access shall be a minimum of forty feet and a maximum of fifty feet. (P) +15

Rationale: Access to the Sonoran Preserve should be provided within easy walking distance for area residents. These access points also serve to reduce the demand for parking at primary and secondary trailheads. +15

3.6.4 A paseo adjacent to the Sonoran Preserve or a Paseo adjacent to unimproved open space that is adjacent to a Sonoran Preserve Trail shall count as part of the required improved open space for a development provided the paseo provides public access as approved by the city. (P) +15

Rationale: In combination with providing an open edge treatment, paseos provide access and activity at the edge of the Sonoran Preserve. +15

3.7 **Open Edge Treatment.**

3.7.1 A minimum of sixty percent of the edge shall consist of open edge treatment. (R) +15

A. Open edge treatment shall not include private undisturbed open space or public preserve which is less than 50' in width and less than 100' in depth. in these cases the edge boundary will be the shortest distance between two points of private improvements. +15

Rationale: Sonoran preserve is purchased with public funds to serve as a visual and recreational amenity for all. The 60% edge is consistent with the voter approved general plan 2002 to provide adequate visual & physical access to the public land. +15

Edge boundary graphic

3.7.2 The open edge treatment may be shown on an individual project basis, in conjunction with a planned community district (PCD), or in an approved functional unit edge treatment plan. A master open edge treatment plan submitted in conjunction with a planned community district (PCD) or a functional unit of a PCD should verify that the required percentage of edge treatment is provided based on the overall master development rather than by parcel. The master open edge treatment plan allows the incorporation of facilities and open space available to the public, such as parks, schools, recreational facilities and retention areas, as long as the overall required percentage of edge treatment is reasonably dispersed throughout the PCD as approved by the city. (P) +15

MASTER EDGE PLAN COMBINES EDGE TREATMENT ON DIFFERENT PARCELS

Master edge plan

3.7.3 In development adjacent to the Sonoran Preserve Edge, open edge treatments shall be used on the required edge in accordance with the following table (P): +15

TABLE 2: OPEN EDGE TREATMENTS +15

MINIMUM 30% (1)	*MAXIMUM 70 (1)*	*MAXIMUM 30% (1)*
Single loaded public street or single loaded private street with public access easement (non-gated)	Public school	Single loaded gated private street
Public park	Shared parking as approved by the city (2)	Gated private street cul-de-sac (2)
Paseo	Public street T-intersection (2)	Gated private street T-intersection (2)

MINIMUM 30% (1)	*MAXIMUM 70 (1)*	*MAXIMUM 30% (1)*
Municipal facilities such as fire station, police station, community center, or library	Public street cul-de-sac (2)	Wash corridor
Private undisturbed open space	Retention or detention basin graded to blend (2)	
Private improved open space	Creative options	

(NOTE: The percentages may be modified if approved by the Planning, Parks And Recreation, and Development Services Department.) +15

(1) One or a combination of edge treatments provided multiple treatments do not overlap. +15

(2) Maximum of 1,000 feet without alternating a different edge treatment except for parkways, arterials, and collector streets. +15

Rationale: The Sonoran Preserve is a public amenity, and citizens should easily enjoy the preserve. +15

Open edge treatments are defined as follows: +15

1. *Single loaded public street.* Single loaded streets allow public access, especially visual access. They contribute to the sense the Sonoran Preserve is "ours" rather than "mine." +15

2. *Public park.* A public park may be designed to provide visual or physical access to the Sonoran Preserve for the public. +15

3. *Paseo.* Where identified on the Sonoran Preserve Master Edge Plan, a paseo should be placed along the Sonoran Preserve Edge to provide connectivity and public access between the preserve and adjacent development. Paseos should count both as open edge treatment and as part of a development's required open space, per the zoning district, where the paseo is on private land within a public easement. Where a paseo is constructed by a developer on adjacent public land, it should count as open edge treatment only. A paseo may have room for outdoor seating and special activities like outdoor dining or public gathering areas. The paseo may be designed to meander between an easement and the Sonoran Preserve. Private property outdoor uses may be placed in the easement but not on the Sonoran Preserve. All design is subject to review and approval by the city. Paseos are hard-surfaced, ADA accessible paths a minimum of sixteen feet wide on commercial or multi-family parcels and a minimum of twelve feet wide when adjacent to single family subdivisions. The intent of a paseo along the edge of development is to provide access and connection to and from Sonoran Preserve Trails, and to and from nearby development that might provide services or entertainment. +15

EXAMPLES OF PASEOS

Paseos

Paseos

Paseos

4. *Municipal facilities.* Municipal facilities such as a fire station, or police station, community center, or library may be designed to provide visual or physical access to the Sonoran Preserve for the public. +15

5. *Private undisturbed open space.* Private undisturbed open space, a minimum of 50 feet in width and a minimum of 100 feet in length. +15

6. *Private improved open space.* Private improved open space located between the Sonoran Preserve or undisturbed open space and an adjacent street. Private improved open spaces provide a connection to public open spaces and may serve necessary purposes, such as retention. +15

Adjacent Open Space May Be Unimproved Or Improved

500' open edge treatment

500' open edge treatment

500' open edge treatment

7. *Public school.* Public schools may provide visual access to the Sonoran Preserve for the public, and may be designed to also provide physical access to the preserve for the public. +15

8. *Shared parking.* Shared parking, as approved by the city, may count toward open edge treatment if it is shared public parking. Shared parking provides a public benefit, but is subject to a joint use agreement developed with the city. +15

   Shared parking is per joint use agreement.

Shared parking

9. *Public street "T" intersection.* Where a public street enters a "T" intersection such that an area the width of the street is maintained as undisturbed open space

between the street and the Sonoran Preserve that street width should be considered open edge treatment. A "T" intersection provides visual access for the public to the preserve from the developed side of the edge. +15

Public and private streets may be used, per Table 2.

Public & private streets

10. *Public street cul-de-sac.* Within a single family development, a street cul-de-sac design provides public visual or physical access to the Sonoran Preserve per a plan approved by the city, with a minimum width of the open space connection defined by a line running along the public or private preserve open space edge connecting

the rays of a one hundred forty degree angle measured from the center of the cul-de-sac. Culs-de-sac that open on to the preserve frequently provide visual access for the length of the cul-de-sac and passing streets. +15

Cul-de-sac

11. *Retention or detention basin.* A retention or detention basin, graded to blend with adjacent terrain, provides a visual and physical opening to the Sonoran Preserve, as well as serving drainage functions. +15

12. *A single loaded private street.* Single loaded private streets allow daily access, even if primarily visual. Private single loaded roadways provide access to residents of a development, rather than the greater public. +15

13. *Private street cul-de-sac.* Within a private development, a street cul-de-sac design provides visual or physical access for the residents to the Sonoran Preserve per a plan approved by the city, with a minimum width of the open space connection defined by a line running along the public or private preserve open space edge connecting the rays of a one hundred forty degree angle measured from the center of the cul-de-sac. +15

14. *Private street "T" intersection.* Where a private street enters a "T" intersection such that an area the width of the street is maintained as undisturbed open space between the street and the Sonoran Preserve that street width should be considered open edge treatment. A "T" intersection provides visual access for the residents of a subdivision to the preserve from the developed side of the edge. +15

Wash Corridors Provide A Connection To The Preserve

Wash corridors provide connection to preserve

15. *Creative option.* An equivalent creative alternative as approved by the city that reflects diversity, together with visual and physical access. +15

    A. Wash corridor credit. Wash corridors a minimum of 100 feet in width and not to exceed a length of five hundred feet that penetrate the edge of the Sonoran Preserve shall be considered open edge treatment as follows: +15

TABLE 3: WASH CORRIDOR CREDIT(1) +15

% OF WASH LENGTH AS OPEN EDGE TREATMENT	*% OF WASH OPEN*
25%	25—50%
50%	MINIMUM 50%
75%	25—50% WITH TRAIL

(1) Wash corridor credit split proportionately if wash is boundary between different property ownerships. +15

Creative option. Length of treatment × .20 +15

B. Artistic walls or wall treatment employing natural materials, planters or forms especially designed to enhance appearance on the public side; such walls designed in consideration of the landscape as opposed to simply responding to the houses. +15

C. Enhanced vegetation at the edge to form a transition from the natural condition in the preserve to the inhabited landscape in the subdivision. +15

D. Trails leading to preserve at the end of the culs-de-sac not to exceed 150 feet. +15

E. Paseos or walks along the edge of the preserve, where the paseo or walk is intended and designed for the use of the general public. +15

F. Paseos or walks along the edge of the preserve where the paseo or walk is intended and designed for the use of the general public and coordinated with trailheads of other access points. +15

G. Houses positioned so that the front faces the preserve and with garages and garage doors located away from the edge of the preserve. +15

H. Houses positioned to face small commons or other private open spaces of at least 100 feet in width and a length not to exceed 500 feet that in turn connect to the preserve at the edge, with garages situated as above (use entire length of space on three sides to measure treatment). +15

Creative option. Length of treatment × .40 +15

I. High density housing facing the preserve. Housing with a density of 8 units per acre or higher, designed in coordination with the edge of preserve and to increase awareness of the desert. +15

J. Non-residential uses facing the preserve. Schools, parks, recreation facilities, restaurants, cafes and other appropriate retail; office space; and other appropriate uses designated in coordination with the preserve edge and to increase awareness of the desert. (P) +15

3.7.4 TABLE 4: OPEN SPACE BETWEEN STRUCTRUES +15

Single-family lots less than 18,000 sq. ft.	*Single family lots minimum 18,000 sq. ft.*
Open edge treatment may be included between lots if placed in common tracts, a minimum of 50 feet in width and a minimum of 100 feet in length. The tract shall extend the entire length of the lot.	
	Open edge treatment on preservation lots (PSV) may consist of:

Single-family lots less than 18,000 sq. ft.	*Single family lots minimum 18,000 sq. ft.*
	1) A preservation or open space easement which is an average of 50 feet in width and 100 feet in length located outside of the building envelope. the easement shall extend the entire length of the lots. OR,
	Two adjoining lots with a preservation or open space easements(s) that is an average of 50 feet in width and 100 feet in length located outside of the building envelope. The easement shall extend the entire length of the lots.
	(P)

Rationale: Private undisturbed open spaces provide a connection to public open spaces and may preserve significant features. however, a minimum size prevents artificially created, minimal buffers. +15

3.8 **Parking/Circulation.** +15

3.8.1 A single loaded street or cul-de-sac opening adjacent to public or private preserve open space shall be designed to: +15

A. Follow existing contours to the greatest extent possible to minimize cut and fill; +15

B. Minimize the number of wash crossings; +15

C. Avoid riparian stands of vegetation and natural rock outcroppings to the greatest extent possible; +15

D. Blend cut and fill slopes with the natural desert through such means as chemical color staining, re-vegetation and the use of natural rock materials; +15

E. Blend any retaining walls with the adjacent terrain through such means as color, texture and materials. (P) +15

Rationale: The intent of the roadways is to open up views of the open space it defeats the purpose if construction damages the natural features or creates excessive scarring. +15

3.8.2 Streets adjacent to the Sonoran Preserve Edge should follow the natural form of the wash or preserve. The final design of the street must be approved by the city. (P) +15

Roadway Follows The Form Of The Preserve Edge

Roadway follows form of Preserve edge

Rationale: Single-loaded streets, when abutting the preserve's edge, shall have a unique design. A meandering road that follows the wash form or preserve edge reduces vehicular speed and allows for interesting views into the preserve. +15

3.9 **Multi-family.** +15

3.9.1 In multi-family development no private parking except shared parking shall be located within fifty feet of the Sonoran Preserve or private undisturbed open space. (R) +15

Rationale: The visual impact of a parking lot should not decrease the enjoyment of public or private undisturbed areas for residents. +15

3.9.2 If units are within fifty feet of the Sonoran Preserve Edge, development shall be designed so that a minimum of fifty percent of residential units adjacent to preserve open space shall face on to, or provide balconies or patios adjacent to the Sonoran Preserve. (R) +15

Rationale: Development contiguous to the Sonoran Preserve or private undisturbed areas will be able to take advantage of the view afforded by open space, as well as provide informal monitoring of activity in the area. +15

3.9.3 Multi-family development within twenty five feet of the Sonoran Preserve edge shall be limited to two stories or thirty feet in height from finished floor. One foot of additional height shall be allowed for every two feet additional setback from the preserve edge. (R) +15

Multiple Stories Are Stepped Back In Height

Multiple stories are stepped back in height

Rationale: The height limit adjacent to the edge opens views into the Sonoran Preserve. +15

3.9.4 In multi-family development adjacent to Sonoran Preserve or adjacent private undisturbed open space, a minimum of fifty percent of the required improved private open space should be located adjacent to the preserve edge. (P) +15

Rationale: Providing the improved open space for development adjacent to the Sonoran Preserve or undisturbed open space will allow access to the Sonoran Preserve for all residents within the development and encourage activity to or within the preserve areas. +15

3.9.5 The edge of improved open space contiguous to the Sonoran Preserve edge shall be approximately equal in width and depth, and a minimum of thirty feet and an average of not less than fifty feet. (P) +15

Rationale: The size of the open space at the Sonoran Preserve Edge should not be too small in width or length to be used by residents. +15

3.9.6 All perimeter fences or walls adjacent to the Sonoran Preserve or undisturbed private open space shall be view fencing or low seat walls. (R) +15

Rationale: Solid fencing or high walls block views, which are an amenity for the residents and also provide for informal monitoring of open space. In multi-family developments, privacy walls may be built around patios. +15

3.10 **Single Family.** +15

3.10.1 Lots that back up or side on to the Sonoran preserve edge shall accommodate drainage and necessary maintenance access on private land, as approved by the city. (R) +15

Rationale: Access for private drainage and maintenance of drainage areas for private developments should not be on public land. +15

3.10.2 Lots with two or more sides abutting undisturbed open space shall be designed with obtuse angles, rather than right angles or acute angles, to avoid sharp corners or sudden narrowing of connecting open space. (R) +15

Acute Angles Restrict While Obtuse Angles Open Development Into Open Space

Acute angles

Rationale: The angles will produce a gradual narrowing from the adjacent open space leading into the corridors. This will better blend development with the environment, minimize sudden constrictions, and provide better views. +15

3.10.3 Along undisturbed open space, where a building envelope is not used, not more than fifty percent of the homes shall have a building height greater than one story or twenty four feet measured to top of the parapet or the top of the ridge on sloping roofs. Where building envelopes are used, there is no restriction on the number of homes greater than one story, except regardless of lot grading, no more than two homes above one-story, or twenty-four feet may be adjacent to one another. (R) +15

Rationale: For view preservation and to blend into the desert environment, buildings must maintain a low single-story profile to be in character with adjacent Sonoran Desert

vegetation which generally reaches a mature height of approximately twenty two to twenty five feet. By maintaining a lower building height the sense of open space will be enhanced. +15

Single-Story Homes Blend With Low Profile Desert Vegetation Better Than Two-Story Units

Single-story homes

3.11 **Single family—Low Density Residential (Lots Of Eighteen Thousand Square Feet or More).** +15

3.11.1 On Non-Hillside Lots Adjacent to the Sonoran Preserve Edge, all improvements, including driveways, landscaping, and underground utilities, shall be located within a building envelope, occupying no more than fifty percent of the lot up to a maximum of twenty thousand square feet area of the lot area, whichever is less. (R) +15

Rationale: By establishing a building envelope, a portion of each lot is preserved and the character of the area is maintained, which creates value for all the residents. +15

3.11.2 The building envelopes may require greater setbacks than the minimum required by ordinance to maintain site features in an undisturbed condition, such as rock outcroppings, significant stands of vegetation, or specimen trees or saguaros. The minimum setbacks defined in this ordinance are not grounds for any increases in the size of the buildings envelope. Lots to be developed with building envelopes should be designated as preservation lots (PSV) on the site plan, final subdivision plat, or lot split. Areas outside of the building envelope are to remain permanent undisturbed open space and to be designated as such on all plans submitted to the city. (P) +15

Rationale: The native Sonoran Desert is the major component forming the identity of this north area and therefore is to be maintained in an undisturbed condition when advantageous. +15

3.11.3 Individual lot grading plans shall be submitted for review and approval by the city for lots eighteen thousand square feet and larger. Vegetation and topographical features, such as specimen plants, washes and rock outcroppings, are to be identified on the plans. (R) +15

Rationale: Individual grading plans showing topographical features will assist the builder and city plan reviewers in identifying key natural features on a site to be preserved. +15

3.12 **Commercial Buildings Adjacent To Preserve.** +15

3.12.1 Commercial uses adjacent to the Sonoran Preserve, regardless of its size, should vary the building mass by varying the setbacks of the building planes to articulate and mimic the form and treatment of the preserve edge at the particular location. (P) +15

building varies with preserve edge

Rationale: Commercial uses should complement the natural edge of the Sonoran Preserve. Buildings should be massed to allow the built form to reflect the irregular natural land forms. +15

3.12.2 Commercial uses adjacent to the Sonoran Preserve should include public pedestrian access through the site to the public open space and connected to designated trailheads per the approved Sonoran Preserve Master Edge Plan. Design for access to the Sonoran Preserve at all locations should be approved by the city. (P) +15

Pedestrian access through commercial site

Rationale: Access to the Sonoran Preserve must be planned at specific points through developed sites in order to prevent spider trails into the preserve area, as well as provide for control and safety at entrances to adjacent commercial development. +15

3.12.3 Commercial uses adjacent to the Sonoran Preserve should enhance the enjoyment and take advantage of proximity to the preserve by: +15

A. Providing for outdoor uses to allow enjoyment of the Sonoran Preserve, such as restaurants with outdoor patios, employee lunch or break areas, and recreation based businesses, such as bike or roller blade rentals, located between buildings and preserve. +15

B. Providing adequate open space between buildings to provide views into the Sonoran Preserve. +15

C. Where parking is within seventy feet of the Sonoran Preserve Edge or paseo, design parking in small groupings of less than fifty cars, separated by

pedestrian pathways of material other than asphalt, and shaded, to provide easily identifiable and accessible connections to the paseo and preserve. (P) +15

Rationale: Commercial uses located at the edge of the Sonoran Preserve can take advantage of proximity to preserve areas as well as provide safety through informal monitoring of such public spaces. Outdoor uses provide an amenity for employees as well as customers. +15

3.12.4 Service areas contiguous to Sonoran Preserve or private undisturbed open space areas are not allowed. All refuse and service areas must be separated from the preserve by parking or a circulation/service driveway and screened from views of abutting streets or the preserve with decorative walls and landscaping. (R) +15

Rationale: For the appropriate blending of the Sonoran Preserve with the built environment, service and refuse areas must not be visible from the preserve edge. Where service areas might be visible, the appropriate buffering and design of the loading, refuse, or service area will mitigate the effect of the service area on adjacent preserve. +15

3.12.5 Projects adjacent to the Sonoran Preserve Edge should provide shared or joint use of parking with other projects to facilitate accessibility to the preserve as approved by the city. (P) +15

Rationale: The provision of parking with easy access to the preserve will attract people that not only use the Sonoran Preserve but they can also be potential customers for commercial sites. The sharing of parking allows a more efficient use of parking in adjacent projects as parking loads distribute evenly depending on the different land uses. +15

3.12.6 Parking adjacent to the Sonoran preserve edge shall be limited to ten percent above the minimum required by ordinance, except: +15

A. An additional five percent is allowed for a pedestrian pathway a minimum length of one hundred feet provided across the parking lot to the preserve or paseo, when the pathway is a material other than asphalt, fifty percent shaded, and on addition to required perimeter sidewalks or multi-use trails, or +15

B. An additional five percent above the minimum required parking if landscaped planters are provided every fifty feet (approximately every five parking spaces). (R) +15

Rationale: The visual impact and heat gain from parking lots in proximity to the Sonoran Preserve should be minimized. Where parking lots are close to the preserve, it should not be unpleasant to cross the parking lot to access the preserve. +15

APPENDIX A: APPROVED PLANT SPECIES LIST FOR SONORAN PRESERVE EDGE TREATMENT GUIDELINES

TYPICAL	*GENUS SPECIES*
TREES—	
CERCIDIUM FLORIDUM	BLUE PALO VERDE
CERCIDIUM MICROPHYLLUM	FOOTHILL PALO VERDE
CHILOPSIS LINEARIS	DESERT WILLOW
OLNEYA TESOTA	IRONWOOD
PROSOPIS VELUTINA	NATIVE MESQUITE
SHRUBS—	
ACACIA GREGGII	CAT CLAW ACACIA
AMBROSIA AMBROSOIDES	CANYON RAGWEED
AMBROSIA DELTOIDEA	TRIANGLE LEAF BUR SAGE
ASCLEPIAS SUBULATA	DESERT MILKWEED
ATRIPLEX CANESCENS	FOURWING SALTBUSH
BACCHARIS SAROTHROIDES	DESERT BROOM (MALE CULTIVARS)
CALLIANDRA ERIOPHYLLA	FAIRY DUSTER
CANOTIA HOLACANTHA	CRUCIFIXION THORN
CELTIS PALLIDA	DESERT HACKBERRY
ENCELIA FARINOSA	BRITTLEBRUSH
EPHEDRA ASPERA	
ERICAMERIA TRIFURCA	MORMON TEA
ERICAMERIA LARICIFOLIA	TURPENTINE BUSH
ERIOGONUM FASCICULATUM	FLATTOP BUCKWHEAT
FOUQUIERIA SPLENDENS	OCOTILLO
HYPTIS EMORYI	DESERT LAVENDER
JUSTICIA CALIFORNICA	CHUPAROSA
KRAMERIA GRAYI	WHITE RATANY
LARREA TRIDENTATA	CRESOSOTE BUSH
LYCIUM BERLANDIERI	WOLFBERRY
LYCIUM FERMONTII	TOMATILLO
PSILOTROPHE COOPERII	PAPER FLOWER
SIMMONDSIA CHINENSIS	JOJOBA
VIGUIERIA DELTOIDEA	GOLDENEYE
ZIZYPHUS OBTUSIFOLIA VAR. CANESCENS	GREYTHORN
CACTI AND SUCCULENTS—	
CARNEGIEA GIGANTEA	SAGUARO
ECHINOCEREUS FASCICULATUS	HEDGEHOG CACTUS
FEROCACTUS ACANTHODES	COMPASS BARREL

TYPICAL	*GENUS SPECIES*
FEROCACTUS WISLIZENII	FISHHOOK BARREL
MAMMILLARIA MICROCARPA	FISHHOOK PINCUSHION
OPUNTIA ACANTHOCARPA	BUCKHORN CHOLLA
OPUNTIA BIGELOVII	TEDDY BEAR CHOLLA
OPUNTIA ENGELMANNII	ENGELMANN'S PRICKLY PEAR
OPUNTIA FULGIDA	CHAIN FRUIT CHOLLA
OPUNTIA LEPTOCAULIS	DESERT CHRISTMAS CHOLLA
ANNUAL WILDFLOWERS—	
ARGEMONE PLEIACANTHA	PRICKLY POPPY
ESCHSCHOLTZIA MEXICANA	MEXICAN GOLD POPPY
KALLSTROEMIA GRANDIFLORA	ARIZONA POPPY
LUPINUS ARIZONICUS	ARIZONA LUPINE
LUPINUS SPARSIFLORUS	DESERT LUPINE
ORTHOCARPUS PURPURACENS	OWL'S CLOVER
PECTIS PAPPOSA	CHINCH WEED
PLANTAGO INSULARIS	INDIAN WHEAT
SALVIA COLUMBARIAE	CHIA
PERENNIAL WILDFLOWERS—	
ARGEMONE PLATYCERAS	PRICKLY POPPY
BAILEYA MULTIRADIATA	DESERT MARIGOLD
DICHELOSTEMMA PULCHELLUM	BLUEDICKS
DYSSODIA PENTACHAETA	DYSSODIA
ERIGERON DIVERGENS	SPREADING FLEABANE
PENSTEMON PARRYII	PARRY'S PENSTEMON
SENNA COVESII (CASSIA)	DESERT SENNA
GRASSES—	
ARISTIDA PURPUREA	PURPLE THREE-AWN
HILARIA RIGIDA	BIG GALETA
TRICHACHINE CALIFORNICA	COTTON-TOP
THERE ARE PUBLIC AREAS WHERE IT MAY NOT BE AS CRITICAL THAT PLANT MATERIALS USED ARE NATIVE TO THE SONORAN DESERT BUT IT IS IMPORTANT THAT PLANT MATERIALS REPRESENT PLANTS THAT ARE GENERALLY NATIVE TO THE SOUTHWEST DESERTS OR HAVE THE APPEARANCE OF BEING NATIVE TO THOSE DESERTS. THE FOLLOWING PLANT LIST IS AN EXPANSION OF THE ABOVE LIST AND INCLUDES SONORAN DESERT NATIVES AS WELL AS NON-NATIVES THAT ARE REPRESENTATIVE OF SOUTHWEST DESERTS. THIS PLANT LIST IS TO BE USED FOR PUBLIC AREAS.	

TYPICAL	*GENUS SPECIES*
TREES— IN ADDITION TO THOSE IDENTIFIED ABOVE.	
ACACIA BERLANDIERI	GUAJILLO ACACIA
ACACIA FARNESIANA	SWEET ACACIA
ACACIA OCCIDENTALIS	SONORAN CATCLAW ACACIA
ACACIA SCHAFFNERI	TWISTED ACACIA
ACACIA STENOPHYLLA	SHOESTRING ACACIA
ACACIA WILLARDIANA	PALO BLANCO
BAUHINIA CONGESTA	ANACACHO ORCHID TREE
CAESALPINIA CACALACO	CASCALOTE
CERCIDIUM HYBRID	DESERT MUSEUM PALO VERDE
CERCIDIUM PRAECOX	PALO BREA
LEUCAENA RETUSA	GOLDEN BALL LEAD TREE
LYSILOMA MICROPHYLLA VAR. THORNBERI	DESERT FERN
PITHECELLOBIUM FLEXICAULE	TEXAS EBONY
PITHECELLOBIUM MEXICANUM	PALO CHINO/MEXICAN EBONY
PITHECELLOBIUM PALLENS	TENAZA
PROSOPIS GLANDULOSA	HONEY MESQUITE
PROSOPIS PUBESCENS	SCREWBEAN MESQUITE
PROSOPIS TORREYANA	TEXAS MESQUITE
SOPHORA SECUNDIFLORA	MESCAL BEAN
UNGNADIA SPECIOSA	MEXICAN-BUCKEYE
ACACIA SALICINA	WILLOW ACACIA
SHRUBS— IN ADDITION TO THOSE IDENTIFIED ABOVE.	
ACACIA CONSTRICTA	WHITE THORN ACACIA
ALOYSIA GRATISSIMA	BEE BUSH
ALOYSIA LYCIODES	BEE BUSH
ALOYSIA MACROSTACHYA	SWEET-STEM
ANISACANTHUS ANDERSONII	ANDERSON'S HONEYSUCKLE
ANISACANTHUS QUADRIFIDUS	FLAME HONEYSUCKLE
ANISCANTHUS THURBERI	DESERT HONEYSUCKLE
ARTEMESIA LUDOVICIANA	WHITE SAGE
ATRIPLEX HYMENELYTRA	DESERT HOLLY
ATRIPLEX NUMMULARIA	OLD MAN SALTBUSH
BERBERIS HAEMATOCARPA	RED BARBERRY
BUDDLEIA MARRUBIFOLIA	WOOLY BUTTERFLY BUSH
CAESALPINIA GILLIESII	DESERT BIRD OF PARADISE
CALLIANDRA CALIFORNICA	BAJA RED FAIRY DUSTER
CALLINDRA PENINSULARIS	BAJA RED FAIRY DUSTER
CANOTIA HOLACANTHA	CRUCIFIXION THORN

TYPICAL	*GENUS SPECIES*
CASSIA BIFLORA	TWIN FLOWER CASSIA
CASSIA WISLIZENII	SHRUBBY CASSIA
CORDIA BOISSIERI	ANACAHUITA
CORDIA PARVIFOLIA	LITTLE LEAF CORDIA
DALEA BICOLOR VAR. ARGYRAEA	SILVER DALEA
DALEA FRUTESCENS	BLACK DALEA
DALEA PULCHRA	INDIGO BUSH
DALEA VERSICOLOR VAR. SESSILIS	WISLIZENUS DALEA
DODONAEA VISCOSA	HOPBUSH
ERYTHRINA FLABELLIFORMIS	SOUTHWEST CORALBEAN
EUPHORBIA ANTHISYPHILITICA	CANDELILLA
GUTIERREZIA MICROCEPHALA	SNAKEWEED
JUSTICIA CANDICANS	RED JUSTICIA
JUSTICIA SONORAE	PALM CANYON JUSTICIA
JUSTICIA SPICIGERA	MEXICAN HONEYSUCKLE
KRAMERIA PARVIFOLIA	RATANY
LEUCOPHYLLUM CANDIDUM	SILVER SAGE
LEUCOPHYLLUM FRUTESCENS	TEXAS SAGE
LEUCOPHYLLUM LAEVIGATUM	CHIHUAHUAN SAGE
LEUCOPHYLLUM LANGMANIAE	SIERRA MADRE SAGE
LEUCOPHYLLUM PRUINOSUM	FRAGRANT SAGE
LEUCOPHYLLUM REVOLUTUM	
LEUCOPHYLLUM ZYGOPHYLLUM	BLUE RANGER
LOTUS RIGIDUS	DESERT ROCK PEA
MIMOSA BIUNCIFERA	WAIT-A-MINUTE BUSH
MIMOSA DYSOCARPA	VELVET POD MIMOSA
RHUS MICROPHYLLA	DESERT SUMAC
RHUS OVATA	SUGARBUSH
RHUS TRILOBATA	SKUNKBUSH
RUELLIA BRITTONIANA	BRITTON'S RUELLIA
RUELLIA CALIFORNICA	RUELLIA
RUELLIA PENINSULARIS	RUELLIA
SALVIA CHAMAEDRYOIDES	BLUE SAGE
SALVIA CLEVELANDII	CHAPPARAL SAGE
SALVIA GREGGII	AUTUMN SAGE
SALVIA LEUCOPHYLLA	MEXICAN BUSH SAGE
SALVIA DORRII	DESERT SAGE
TECOMA STANS	YELLOWBELLS
TRIXIS CALIFORNICA	TRIXIS
UNGNADIA SPECIOSA	MEXICAN BUCKEYE
VAUQUELINIA CORYMBOSA	NARROW-LEAF ROSEWOOD

TYPICAL	*GENUS SPECIES*
VAUQUELINIA CALIFORNICA	ARIZONA ROSEWOOD
GROUNDCOVERS—	
ATRIPLEX SEMIBACCATA	SALTBUSH
BACCHARIS CV.	
"CENTENNIAL"	CENTENNIAL BACCHARIS
DALEA GREGGII	INDIGO BUSH
OENOTHERA BERLANDIERI	MEXICAN EVENING PRIMROSE
OENOTHERA CAESPITOSA	TRAILING EVENING PRIMROSE
OENOTHERA STUBBEI	SALTILLO PRIMROSE
VERBENA BIPINNATIFIDA	VERBENA
VERBENA GOODINGII	GOODING'S VERBENA
VERBENA TENERA	MOSS VERBENA
CACTI AND SUCCULENTS— IN ADDITION TO THOSE IDENTIFIED ABOVE. THIS IS A SAMPLE LIST OF CACTI AND SUCCULENTS THAT MAY BE APPROPRIATE FOR THE AREA. OTHER MAY BE APPROPRIATE BASED ON SIMILARITY OF HEIGHT, CONTEXT, TEXTURE, AND COLOR AS WELL AS SUITABILITY TO THE NATURAL ENVIRONMENT.	
AGAVE SPP. - SAMPLE LISTING	
AGAVE COLORATA	MESCAL CENIZA
AGAVE PARRYI	PARRY'S AGAVE
AGAVE VICTORAE-REGINAE	ROYAL AGAVE
AGAVE VILMORINIANA	OCTOPUS AGAVE
AGAVE MURPHEYI	MURPHY'S AGAVE
ALOE SPP. - SAMPLE LISTING	
ALOE BARBADENSIS	MEDICINAL ALOE
ALOE FEROX	TREE ALOE
ALOE SAPONARIA	TIGER ALOE
ALOE MARLOTHII	TREE ALOE
ALOE STRIATA	CORAL ALOE
CACTACEAE - SAMPLE LISTING	
ECHINOCACTUS GRUSONII	GOLDEN BARREL
LOPHOCEREUS SCHOTTII	SENITA
OPUNTIA BASILARIS	BEAVERTAIL PRICKLY PEAR
OPUNTIA VIOLACEA	PURPLE PRICKLY PEAR
PACHYCEREUS MARGINATUS	MEXICAN ORGAN PIPE
STENOCEREUS THURBERI	ARIZONA ORGAN PIPE
DASYLIRION ACROTRICHE	GREEN DESERT SPOON
DASYLIRION ACROTRICHE	SOTOL, DESERT SPOON
HESPERALOE FUNIFERA	
HESPERALOE PARVIFLORA	RED HESPERALOE
NOLINA MATAEPENSIS	TREE BEAR GRASS

APPENDIX A: APPROVED PLANT SPECIES LIST FOR SONORAN PRESERVE EDGE TREATMENT GUIDELINES (Continued)

TYPICAL	*GENUS SPECIES*
NOLINA MICROCARPA	BEAR GRASS
YUCCA BREVIFOLIA	JOSHUA TREE
YUCCA RIGIDA	BLUE YUCCA
YUCCA ROSTRATA	BEAKED YUCCA
ANNUAL WILDFLOWERS—IN ADDITION TO THOSE IDENTIFIED ABOVE	
GAILLARDIA PULCHELLA	FIREWHEEL
LAYIA PLATYGLOSSA	TIDY TIPS
LESQUERELLA GORDONII	YELLOW BLANKET
PHACELIA CAMPAULARIA	CALIFORNIA BLUE BELL
PERENNIAL WILDFLOWERS—IN ADDITION TO THOSE IDENTIFIED ABOVE	
ALLIONIA INCARNATA	TRAILING WINDMILLS
DELPHINIUM AMABILE	LARKSPUR
MELAMPODIUM LEUCANTHUM	BLACKFOOT DAISY
PENSTEMON BACCHARIFOLIUS	ROCK PENSTEMON
PENSTEMON BARBATUS	SCARLET PENSTEMON
PENSTEMON EATONII	FIRECRACKER PENSTEMON
PENSTEMON PALMERI	PALMER'S PENSTEMON
PENSTEMON SPECTABILIS	ROYAL PENSTEMON
PENSTEMON SUPERBUS	SUPERB PENSTEM
RATIBIDA COLUMNARIS	MEXICAN HAT, CONEFLOWER
SPHAERALCEA AMBIGUA	GLOBE-MALLOW
TAGETES LEMONNII	MOUNT LEMMON MARIGOLD
ZINNIA ACEROSA	DESERT ZINNIA
ZINNIA GRANDIFLORA	ROCKY MOUNTAIN ZINNIA
GRASSES—IN ADDITION TO THOSE IDENTIFIED IN ABOVE	
MUHLENBERGIA DUMOSA	GIANT MUHLY
MUHLENBERGIA PORTERI	BUSH MUHLY
MUHLENBERGIA RIGENS	DEER GRASS
VINES—	
ANTIGONON LEPTOPUS	CORAL VINE
CALLAEUM MACROPTERA	YELLOW ORCHID VINE

APPENDIX A: APPROVED PLANT SPECIES LIST FOR SONORAN PRESERVE EDGE TREATMENT GUIDELINES (Continued)

TYPICAL	*GENUS SPECIES*
CLEMATIS DRUMMONDI	VIRGIN'S BOWER
MAURANDYA ANTIRRHINIFLORA	SNAPDRAGON VINE
MERREMIA AUREA	YELLOW MORNING GLORY VINE

APPENDIX B: PROHIBITED AND INVASIVE PLANT SPECIES LIST FOR SONORAN PRESERVE EDGE TREATMENT GUIDELINES:

TYPICAL	*GENUS SPECIES*
BRACHYCHITON POPLNEUS	BOTTLETREE
CENCHRUS CILIARIS OR PENNISETUM CILIARE	BUFFEL GRASS
CYNODON DACTYLON	COMMON BERMUDA GRASS
ERAGROSTIS LEHMANNIANA	LEHMANN'S LOVEGRASS
EUCLAYPTUS SP.	EUCALYPTUS
GUTIERREZIA SAROTHRAE	SNAKEWEED
HORDEUM JUBATUM	FOXTAIL BARLEY
WASHINGTONIA SP.	FAN PALM
PENNISETUM SP.	FOUNTAIN GRASS
OLEANDER SP.	OLEANDERS-EXCEPT FOR PETITE VARIETIES
THEVETIA PERUVIANA	YELLOW OLEANDER
OLEA SP.	OLIVE TREES
PARKINSONIA ACULEATA	JERSUALEM THORN/MEXICAN PALO VERDE
PINUS SP.	PINES
PROSOPIS CHILENSIS	CHILEAN MESQUITE-IN PARKING AREAS
RHUS LANCEA	AFRICAN SUMAC

4. **Regulatory Adopted Plan Areas.** The City Council has adopted several regulatory plans, which may have additional design guidelines for the specific area. Attached are maps for these regulatory plan areas.

5. **Critical Infrastructure.** +24

   5.1 Fences or freestanding walls built for the protection of critical infrastructure should be designed with enhancements to blend with the surrounding environment. (P) +24

   Rationale: Design features that blend the structure with the surrounding environment will mitigate negative impacts. +24

5.2 Walls should have a finished appearance. Untextured, unfinished block and reinforced, mortar-free concrete walls should be avoided. (P) +24

5.3 Wall lengths exceeding 50 feet should be articulated or contain substantial landscaping to break the continuous wall surface and create varying shading patterns. (P) +24

Rationale (5.2—5.3): Perimeter wall treatment should provide decorative elements for visual interest and contribute an enhanced image to the surrounding community. Finished wall treatments should include decorative elements, variation in wall materials, and textured or stucco surfaces compatible with primary structures. +24

Date of Addition/Revision/Deletion - Section 507 Tab A

+1 Addition on 1-9-1991 by Ordinance No. G-3392
*2 Revision on 5-6-1992 by Ordinance No. G-3523
+3 Addition on 3-31-1993 by Ordinance No. G-3628
*3 Revision on 3-31-1993 by Ordinance No. G-3628
+4 Addition on 7-7-1993 by Ordinance No. G-3676
+5 Addition on 10-6-1993 by Ordinance No. G-3690
*5 Revision on 10-6-1993 by Ordinance No. G-3690
+6 Addition on 2-1-1995 by Ordinance No. G-3833
+7 Addition on 3-19-1997 by Ordinance No. G-3996
+8 Addition on 7-2-1997 by Ordinance No. G-4041
+9 Addition on 11-5-1997 by Ordinance No. G-4045
*9 Revision on 11-5-1997 by Ordinance No. G-4045
+10 Addition on 5-1-1998 by Ordinance No. G-4078
*10 Revision on 5-1-1998 by Ordinance No. G-4078
*11 Revision on 7-1-1998 by Ordinance No. G-4109
*12 Revision on 6-2-1999 by Ordinance No. G-4188
*13 Revision on 1-19-2000 by Ordinance No. G-4238
+14 Addition on 2-19-2003 by Ordinance No. 4498, eff. 2-19-2003
*14 Revision on 2-19-2003 by Ordinance No. 4498, eff. 2-19-2003
-14 Deletion on 2-19-2003 by Ordinance No. 4498, eff. 2-19-2003
+15 Addition on 10-8-2003 by Ordinance No. G-4545, eff. 10-8-2003
+16 Addition on 6-2-2004 by Ordinance No. G-4611, eff. 7-2-2004
*17 Revision on 4-6-2005 by Ordinance No. G-4690, eff. 5-6-2005
+18 Addition on 9-7-2005 by Ordinance No. G-4724, eff. 10-7-2005
*18 Revision on 9-7-2005 by Ordinance No. G-4724, eff. 10-7-2005
*19 Revision on 11-30-2005 by Ordinance No. G-4760, eff. 12-30-2005
*20 Revision on 9-3-2008 by Ordinance No. G-5243, eff. 10-3-2008
+21 Addition on 11-4-2009 by Ordinance No. G-5447, eff. 12-4-2009
*21 Revision on 11-4-2009 by Ordinance No. G-5447, eff. 12-4-2009
+22 Addition on 4-7-2010 by Ordinance No. G-5499, eff. 5-7-2010
*22 Revision on 4-7-2010 by Ordinance No. G-5499, eff. 5-7-2010
*23 Revision on 7-3-2012 by Ordinance No. G-5722, eff. 8-2-2012
+24 Addition on 2-15-2017 by Ordinance No. G-6278, eff. 3-15-2017

Section 507.1. Site plan approval. -1

(Deleted.)

Date of Addition/Revision/Deletion - Section 507.1

-1 Deletion on 1-9-1991 by Ordinance No. G-3392

Section 508. Administrative appeals.

(Reserved.)

Section 509. Building permits and certificates of occupancy.

(Reserved.)

Section 510. Temporary permits.

(Reserved.)

Section 511. Interpretations.

(Reserved.)

Chapter 7

DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY*

Section 701. Bulk Regulations.
Section 702. Off-Street Parking and Loading.
Section 703. Landscaping, Fences and Walls.
Section 704. Environmental Performance Standards.
Section 705. Signs. *1 -2 +2
Section 705.2. Off-Premise Signs.
Section 706. Accessory Uses and Structures.
Section 707. Urban Design Presumptions.
Section 708. Temporary uses.
Section 709. Home Occupations.
Section 710: Hillside Development.
Section 711. Planned Development.
Section 712. Mobile Home Parks.
Section 713. Resource Extraction.
Section 714. Future Width Lines.
Section 715. Satellite Earth Stations And Wireless Communication Facilities.
Section 716. Sustainability.

*__Editor's note—__Ord. No. G-5599, (TA-4-11), § 1, adopted March 23, 2011, effective April 22, 2011, amended portions of the Zoning Ordinance of the City of Phoenix, Arizona, to reflect the consolidation of the Planning Department with the Development Services Department and change all references to the department name to Planning and Development Department.

Section 701. Bulk Regulations.

Notwithstanding any specific regulations enumerated below for each district, the following general regulations, where applicable, shall apply. *13

A. **Lots.**

1. **Corner lots.**

   a. In no case shall any structure, fence, or wall over three feet in height be located on a corner lot so as to be in conflict with the provisions of Section 31-13 of the City Code (G-76), entitled "Obstructing visibility at intersections," and amendments thereto.

   b. On a corner lot in any residence district a side yard of not less than ten feet shall be maintained on the street side of such corner lot.

2. Any parcel of land having an area or average width less than that required by the use regulations below, for a lot in the district in which such parcel is situated, and which parcel was legally established at the time it came under the provisions of this chapter, shall be deemed to be a lot and may be used as a building site, provided, however, that all other regulations for the district shall be complied with.

3. **Projections.**

   a. The following provisions apply to development in the subdivision option of Sections 604 through 607 and Sections 609 through 618: *2 *4 *6

      (1) **Open projections.**

         (a) In any district, an awning, open porch, open carport, or open balcony may project into any required front yard not more than five feet.

         (b) An attached open porch, open carport, or open balcony may project into any side yard other than the side yard on the street side of a corner lot, if it does not come nearest to the side lot line than three feet.

            i. For any lot wherein a ten-foot or greater side yard is required, no such projection shall be within an area ten feet wide and ten feet high, measured from finished grade, lying within that side yard.

            ii. No more than one such clear area, as stipulated in i. above, need be maintained on a lot.

         (c) An attached open porch, open carport, or open balcony may project into a rear yard, provided it does not come nearer to a common rear lot line than three feet. Where a rear alley exists this projection may extend to the rear lot line or to within eight or ten feet of what would be the centerline of a full sixteen- or twenty-foot-wide alley where only a one-half or partial alley exists.

         (d) Open fire balconies, and fire escape stairs may project not more than five

feet over any required yard provided they come no closer than two feet from a property line.

(e) Awnings, cornices, roof overhangs, and eaves may project more than three feet over any required yard providing they come no closer than two feet from a property line.

(f) Sills, leaders, belt courses, and similar ornamental features may project not more than six inches over any required yard.

(g) An entrance awning may project into any required yard in an R-5 or less restricted district.

(2) **Closed projections.**

(a) A bay window, oriel, entrance, or vestibule, ten feet or less in width, may project not more than three feet into any front or rear yard.

(b) A chimney may project not more than three feet into any required yard, if it is not more than six feet long measured in a direction parallel to the nearest property line so long as it is not closer than two feet from a property line.

(c) The main building in a residence district may project five feet into the required front yard for no more than one-half of the maximum width of the structure.

(d) The main building in a residence district may project five feet into the required rear yard for no more than one-half the maximum width of the structure. A greater projection than five feet is subject to obtaining a use permit in accordance with the provisions of Section 307. +2

b. The following provision applies to development in the average lot and planned residential development options of Sections 609 through 618: *3

(1) There shall be no projections into the required front or rear yard or required perimeter setbacks except: *3

(a) A roof overhang may project not more than three feet into either of these yards; and *3

(b) An attached awning, open porch or other similar shade structure may project not more than ten feet into the required rear yard provided that the structure shall neither cover more than two hundred square feet nor come closer than three feet to a side or rear property line. +3

(2) A roof overhang may project no more than three feet into a required street side yard setback. *3

c. The following provisions apply to single-family attached residential development: +12

(1) Open Projections. +12

(a) An awning, open porch, or open balcony may project into any required setback not more than five feet. +12

(b) Where an alley exists, an awning, open porch, or open balcony may extend to the property line. +12

(2) Closed Projections. A bay window, oriel, entrance, or vestibule, ten feet in width or less, may project not more than three feet into any required building setback. +12

4. No lot shall be divided in such a way that any division of such a lot shall contain more dwelling units than are permitted by the zoning regulations of the district in which such lot is situated.

5. If, after dividing the area of a lot by the zoning requirements for the district in which the lot is situated, there is a remainder which is less than that required for a unit but more than seventy-five percent of that amount, then one additional dwelling unit may be built on such a lot.
6. Where future width lines have been established, all required yards shall be measured from such future width lines.

When a building option is used which requires a three foot side yard setback, roof overhangs, eaves, etc., may not project any closer than 2 ft. from a property line.

Open projection may project 5 ft. into the required front yard.

A chimney, not over 6 ft. wide may project up to 3 ft. into a required yard, so long as it is not closer than 2 ft. from the property line.

A bay window, so long as it is not more than 10 ft. wide, may project up to 3 ft. into the front or rear yard.

7. In any district no automobile service station pump shall be located closer than twelve feet to a street property line or a future width line, whichever is applicable.

8. Every occupied recreational vehicle shall be located in a recreational vehicle park as provided in Section 647.A.2.h of this ordinance, except for accessory parking allowed at hospitals as provided in Section 622.D.78, 623.D.81, and 647.A.2.i herein; and every mobile home occupied for sleeping or living purposes shall be located in a mobile home development as set forth in Section 647.A.2.l of this ordinance, except as provided for watchmen's purposes in Sections 627 and 628 herein, or as may be approved for living purposes by a property owner during the construction of a permanent home on the premises, subject to a use permit and the obtaining of a building permit, for a period not to exceed one year.

9. Any use permitted subject to a use permit shall continue to be subject to said permit in any less restrictive district unless such use shall specifically appear as a permitted use.

10. In any district where a lot is bounded on a side lot line by a partial alley, there shall be a side yard setback to provide for a full sixteen-foot-wide or a twenty-foot-wide alley, whichever is applicable, in accordance with Chapter 32 [32-39(a)(5)] of the City Code, the Subdivision Ordinance of the City of Phoenix, plus two feet.

11. A lot, as defined, shall be subject where applicable to the following special regulations:

    a. Where two or more lots are used as a building site and where main buildings cross lot lines then the entire area shall be considered as one lot for the purposes of setbacks, density, and lot coverage, except that the front of the parcel shall be determined to be the front of the individual lots as platted, subdivided, or laid out.

    b. Any division of property shall be in accordance with the provisions of section Chapter 32 of the City Code, "The Subdivision Ordinance of the City of Phoenix," as amended.

B. **Height provisions.** The building height limitations of this ordinance shall not apply to church spires, signs, belfries, cupolas, domes, monuments, water towers, chimneys, flues, vents, flagpoles, radio and television towers, fire lookout towers or airway beacons; nor to any water tank, bulkhead, elevator, or stairway penthouse or similar structure used solely as an auxiliary space for equipment and machinery of the mechanical, electrical, or utility systems of the building and which do not occupy more than twenty-five percent of the roof area, except for the restrictions in Section 658. *8 *9

C. **Area provisions.** In any district, any parcel of land shown as a lot on the plat of a subdivision, duly recorded in the office of the County Recorder and where the site boundary lines are not parallel, may have a frontage of less than the sixty feet otherwise required, provided that the width of such parcel measured along a line at right angles to the center axis thereof and at a distance from the front lot line equal to the required front yard measurement shall not be less than sixty feet.

D. **Commercial and high-rise building setbacks.**

Purposes. The purposes of this ordinance are: to assure adequate light, air, open space, visibility for pedestrian and vehicular traffic; to prevent traffic and civil disorders; to reduce dust and other air pollution; to preserve a healthful environment; and to maintain and enhance values for commercial property in the City.

1. **Applicability.**

   a. The provisions of this section are applicable to all structures higher than four stories or forty-eight feet in height and to any use or structure except signs and sign structures located within the C-1, C-2, or C-3 districts and where specified in the Commerce Park, A-1, and A-2 districts. Any and all signs in these districts shall be regulated by the provisions of Section 705, Signs, of the Zoning Ordinance.

   b. Compliance with this ordinance shall be certified by obtaining such site plan approval as may be required under Section 507.1 of the Zoning Ordinance of the City of Phoenix, or, otherwise shall be demonstrated at the time of application for a building permit by submission of such plans and statements as may be required herein to the Building and Housing Safety Department. All such plans shall be completed and all such statements shall be met prior to the issuance of a certificate of occupancy.

   c. The provisions of this section shall not be applicable for the purpose of locating temporary construction facilities on the development site. Such construction facilities shall be removed within seven days after completion of initial development or prior to issuance of the certificate of occupancy, whichever first occurs.

2. **Applicability to high-rise buildings.** All structures higher than four stories high or forty-eight feet in height, except as may be otherwise regulated by Section 701.D.2.b and 701.D.4, shall conform to the following standards:

   a. A front yard of not less than thirty-five feet in depth shall be provided.

      (1) A landscaped area of not less than five times the width of the front yard, measured in square feet, shall be provided.

      (2) Parking spaces shall be permitted in the front yard; provided, however, that such parking is screened from any public right-of-way by appropriate walls, beams, or solid landscaping.

      (3) A structure of less than forty-eight feet or four stories in height may be constructed in the required front yard; provided however, that such a structure conforms to the requirements of Section 701.D.3.

   b. The required thirty-five-foot front yard setback established by Section 701.D.2 may be reduced to twenty-five feet according to the following:

      (1) The inclusion in the development plan of any of the following amenities shall allow the setback requirement to be reduced by five feet per amenity, with a maximum allowable reduction of ten feet.

         (a) Underground parking;

(b) Developed pedestrian mall or plaza;

(c) Additional landscaping.

(2) The inclusion in the development plan of any of the following amenities shall allow the setback requirement to be reduced by two and one-half feet, per amenity, with a maximum allowable reduction earned of five feet.

(a) View preservation;

(b) Transit access facility;

(c) Landscaped parking;

(d) Imaginative uses of water and shade;

(e) Artistic enhancement.

(3) The inclusion in the development plan of any of the following amenities shall allow the setback requirement to be reduced by two feet, per amenity, with a maximum allowable reduction earned of four feet.

(a) On-site or dedicated open space;

(b) Separation of pedestrian and vehicle;

(c) Aboveground parking structure.

(4) The inclusion in the development plan of any of the following amenities shall allow the setback requirement to be reduced by one foot, per amenity, with a maximum allowable reduction earned of three feet.

(a) Off-street passenger loading;

(b) Direct access to off-street parking;

(c) Covered pedestrian ways.

c. Side yards shall be provided according to the following standards:

(1) On a corner lot which has side yard abutting an arterial street, as designated on the street classification map, the side yard setback shall be at least twenty-five feet. *5

(2) On a corner lot abutting an intersecting street other than an arterial street no side yard shall be less than fifteen feet. *5

(3) A landscaped area of not less than five feet times the distance between the required front yard and the rear property line, measured in square feet, shall be provided within each side yard which abuts any street.

(4) Parking spaces may be established in any side yard; provided, however, that any such parking space which abuts any street is screened therefrom by appropriate walls, berms, or solid landscaping.

(5) A structure of less than forty-eight feet or four stories in height may be constructed in any required side yard; provided, however, that such structure conforms to the requirements of section 701.D.3.

d. All structures higher than four stories or forty-eight feet in height shall have a rear yard of not less than fifteen feet in depth which depth may be measured from the centerline of any existing rear alley with a width of not less than sixteen feet or from that point on a partial alley, designed to have a width of not less than sixteen feet, which is intended to establish such centerline.

3. **Applicability to commercial and industrial use districts.** All structures located in the C-1, C-2, or C-3 districts and where specified in the Commerce Park, A-1, and A-2 districts, except as may be otherwise regulated by section 701.D.3.b and section 701.D.4.a, shall conform to the following standards:

   a. A front yard of not less than twenty-five feet in depth shall be provided.

      (1) Where any parking space is established between the front property line and the principal building or structure, landscaping is required as follows:

         (a) A total landscaped area not less than eight feet times the lot frontage, measured in square feet, shall be provided between property lines abutting public right-of-way and the principal building or structure; and

         (b) Of this total area, a landscaped strip of not less than five feet in depth shall be located between the front property line and the parking area, exclusive of driveways and walkways.

   b. On any lot where no parking spaces are established in the front yard, the front yard setback may be reduced to a minimum setback of not less than twelve feet by providing amenities on the site in accordance with the following guidelines:

      (1) By utilizing only landscaping, increments of one foot reductions in the front yard setback may be realized by the inclusion of landscaping equal in area to one foot times the lot frontage, measured in square feet; or

      (2) By combining landscaping and other amenities as established below:

         (a) The inclusion in the development plan of any of the following amenities shall allow the setback requirement to be reduced by three feet, per amenity, with a maximum allowable reduction earned of six feet.

            i. Transit access facility;

            ii. Underground parking;

            iii. Developed pedestrian mall or plaza;

            iv. Landscaped parking;

            v. Imaginative use of water and shade.

         (b) The inclusion in the development plan of any of the following amenities shall allow the setback requirement to be reduced by one and one-half feet, per amenity, with a maximum allowable reduction earned of six feet.

            i. On-site or dedicated open space;

            ii. Separation of pedestrian and vehicles;

            iii. Covered pedestrian walkways;

            iv. Aboveground parking;

            v. Artistic enhancement.

(c) The inclusion in the development plan of any of the following amenities shall allow the setback requirement to be reduced by one foot, per amenity, with a maximum allowable reduction earned of five feet.

i. View preservation;

ii. Off-street passenger loading;

iii. Direct access to off-street parking;

iv. Additional off-street parking;

v. Shortened walking distances;

vi. Walkways, bicycle paths, equestrian trails.

c. On a corner lot which abuts an intersecting arterial street as designated on the street classification map, a side yard of not less than twenty-five feet in width shall be provided. *5

(1) Said side yard shall be subject to the requirements of section 701.D.3.a and may be reduced to not less than twelve feet in accordance with procedures in section 701.D.3.b.

(2) On a corner lot intersecting other than an arterial street a side yard of not less than ten feet in width shall be provided. *5

4. **General requirements.** All structures higher than four stories or forty-eight feet in height and all structures located in the C-1, C-2, or C-3 districts and where specified in the Commerce Park, A-1 and A-2 districts shall, as applicable, be subject to the following general provisions:

a. In that area bounded by Van Buren Street, Third Street, the alley south of Jefferson Street, and Third Avenue, there shall be no setback requirement imposed by this ordinance except that a landscaped area equal to five feet times the total street frontage, measured in square feet, is required located along at least one street line.

b. All structures or uses existing in the C-1, C-2, or C-3 districts prior to October 21, 1975, and all structures or uses existing in the Commerce Park, A-1, and A-2 districts prior to April 19, 1986, where specified in sections 626, 627, and 628 of this ordinance, may be reconstructed, expanded or altered notwithstanding front, side or rear setback requirements imposed by this ordinance subject to the securing of a use permit.

(1) No use permit approval shall be required in the following exempt circumstances:

(a) Where alteration consists solely of modifications to the building interior; or

(b) Where exterior alteration is limited to thickening of exterior walls (not including projections) by not more than eight inches, or by the addition of a porch or other open projection not to exceed eight feet in depth; or

(c) Where change of use from one permitted use to another permitted use does not result in either an increase in the number of required parking spaces or altered traffic flow on the subject premises.

(2) No use permit approval shall be required upon a finding by the Zoning Administrator, or his duly authorized representative, that landscaping, beautification and/or setback plans submitted by the applicant in conjunction with the proposed reconstruction, expansion or alteration are in general compliance with guidelines established by the Planning Department for the informational purposes of property owners making such exterior improvements and are in accord with the intent of this section 701.D. The applicant submitting such plans shall be entitled to the following:

(a) Notification of plan approval or disapproval within five working days of submittal, failure of such notification to be construed as disapproval for purposes of exhausting administrative remedies; or

(b) Specific recommendations for amending the plan in such manner as would result in approval; and

(c) The right to appeal any disapproval directly to the Board of Adjustment upon filing of an application for Use Permit and payment of the application fee set forth in section 307.

c. In all C-1, C-2, or C-3 districts and where specified in the Commerce Park, A-1 and A-2 districts, any landscaping requirement exclusive of that landscaping which may be chosen as amenity bonus, shall not exceed seven percent of the total lot area, measured in square feet, for any lot of record (as of the effective date of this ordinance) which is less than sixty feet wide, ninety-four feet deep, or less than six thousand square feet in area.

d. In addition to the requirement of section 701.A.10, automobile service stations shall be required to provide landscaping in compliance with section 701.D.3.a.1.(b).

e. Where landscaping is provided the following standards must be met:

(1) Landscaping shall include the installation and maintenance of, at a minimum, two of the following elements:

(a) Shrubs;

(b) Trees (fifteen-gallon or larger);

(c) Vines;

(d) Lawn or other living ground cover; or

(e) Ground cover such as rocks, boulders, or decomposed granite varieties.

(2) Plant materials must be selected from those species and varieties which can be maintained in a growing condition. All such landscaping shall be maintained by the owner or his designated agent.

(3) The substitution of artificial plants or artificial turf, or the waiver of the living plantings requirement, in those areas as necessitated by the particular

conditions or the site in question, may be obtained after written justification therefor submitted along with the submission of the plans in accordance with Section 701.D.1.b herein.

(4) A water source shall be available within any area landscaped with live plantings, and shall be shown on the submitted plans.

E. **Separation Requirements—Registration.** +1

Any person who intends to establish any use which under the provisions of this ordinance is required to maintain a minimum separation from another use may register with the Planning and Development Department a notice of intention to establish such a use which complies with applicable separation requirements as of the date of registration. Upon the filing of such notice, until the expiration of the time period specified in subsection 1 of this section, no other use which under the provisions of this ordinance is required to maintain the minimum separation from the registered use may be registered or established closer to the registered use than the minimum distance prescribed by this ordinance. The fee for such registration shall be as set forth in appendix A.1 of the City Code. +1

Editor's note—The zoning fee schedule, formerly app. A.1 of the Code of Ordinances, is included herein as app. A.

1. **Time period.** +1

Expiration of the time period shall be as follows: +1

a. When a permit to establish the registered use is not required under the provisions of the Construction Code of the City of Phoenix, the time period shall expire sixty days from the date the notice of intention to establish the use is filed with the Planning and Development Department. +1

b. When a permit to establish the registered use is required under the provisions of the Construction Code of the City of Phoenix, the time period shall expire sixty days from the date the notice of intention to establish the use is filed with the Planning and Development Department, unless the required building permit is applied for during the sixty-day period. If a building permit is applied for during the sixty-day period, the time period shall expire upon the expiration of the building permit or in three hundred sixty-five days from the date of application for the building permit, whichever first occurs. +1

c. Registrations that have expired are nonrenewable. A new registration for the proposed use shall not be accepted within thirty days of the expiration date of the prior registration. +1

2. **Establishment of registered use.** +1

Establishment of a registered use shall be evidenced by and shall occur on the date a certificate of occupancy is issued for such use. Application for and issuance of a certificate of occupancy shall be according to the procedures established in the Construction Code. If, at the expiration of the time period specified in subsection 1 of this section, the regis-

tered use has been established, no other use which under the provisions of this ordinance is required to maintain a minimum separation from the registered use may subsequently be established closer to the registered use than the minimum distance prescribed by this ordinance. +1

3. The provisions of this section shall not apply to a mobile vendor use. +7

Date of Addition/Revision/Deletion - Section 701

+1 Addition on 2-19-1992 by Ordinance No. G-3498
*2 Revision on 5-20-1992 by Ordinance No. G-3529
+2 Addition on 5-20-1992 by Ordinance No. G-3529
*3 Revision on 5-20-1992 by Ordinance No. G-3531
+3 Addition on 5-20-1992 by Ordinance No. G-3531
*4 Revision on 5-1-1998 by Ordinance No. G-4078
*5 Revision on 7-1-1998 by Ordinance No. G-4109
*6 Revision on 7-1-1998 by Ordinance No. G-4111
+7 Addition on 10-4-2000 by Ordinance No. G-4298 (effective 2-1-2001)
*8 Revision on 11-29-2006 by Ordinance No. G-4841, eff. 11-29-2006
*9 Revision on 2-14-2007 by Ordinance No. G-4867, eff. 2-14-2007
*10 Revision on 7-2-2007 by Ordinance No. G-4937, eff. 7-2-2007
*11 Revision on 4-7-2010 by Ordinance No. G-5499, eff. 5-7-2010
+12 Addition on 12-18-2013 by Ordinance No. G-5874, eff. 1-17-2014
*13 Revision on 2-15-2017 by Ordinance No. G-6279, eff. 3-15-2017

Section 702. Off-Street Parking and Loading.

A. **Off-Street Parking and Maneuvering.** *18

1. **Off-street parking requirement.** *18

   a. Shall be provided for all uses of property in accordance with the standards in this Section. +18

   b. Shall include sufficient on site maneuvering for each parking space (refer to parking layout policy) along with adequate driveways, all of which must be located entirely on private property. +18

      (1) If maneuvering is required on a site other then [than] the site of development a cross access agreement shall be executed. A copy of the executed and recoreded agreement shall be provided to the Building Official and Development Services Traffic Engineer. +18

   c. All off-street parking areas shall be accessible from a public street or alley unless prohibited in the Driveway Ordinance (Phoenix City Code). +18

2. **When a parking plan is required.***18

   a. An area for off street parking, drives and maneuvering meeting the requirements of this Section shall be provided on a parking plan in conjunction with the issuance of a building permit for any new construction or expansion of an existing building. The Building Official shall not issue a building permit unless these requirements are satisfied. *18

   b. Whenever a parking plan has been approved, the parking area must be developed in accordance with the plan and may not be changed to deviate from the plan without the approval of the Development Services Department. *18

   c. A parking plan shall be required by the building official whenever any change in use of a property is made that results in an increase in the number of required parking spaces or of the standards for parking areas contained in this Section. A parking plan is also required for new construction or site plan amendments. *18

3. **Existing parking areas.** Any parking area, existing as of July 2, 2003, which has an approved parking plan and is in conformance with that plan shall be considered a legal use under the terms of this section. New parking spaces required because of tenant changes, new construction, or site plan amendments occurring after July 2, 2003 may maintain the existing, legally nonconforming space dimensions. If more than fifty (50) spaces are added, the new spaces shall meet the dimensions of this Section. *18

4. **Availability of parking on subject lot.** The required parking for any use shall be on the same lot as the use, except: *18

   a. A non-residential use in a non-residential district may have parking on another lot when: *18

      (1) The lot is located within 300 feet of the use measured in a direct line from the building or, if no building is present, from the property line, and is not across an arterial or collector street; *18

(2) The off-site parking area is zoned the same as the use or is in a zoning district permitting commercial parking lots; and *18

(3) The use of the parking area is exclusively for the subject use and does not reduce parking for any other use below that required by this Section. *18

If not owned by the owner of the property containing the use, the off-site area must be used in conjunction with a recorded, non-cancelable lease, renewable in a minimum of five (5) year increments. A copy of the executed and recorded lease shall be provided to the Building Official and Development Services Traffic Engineer. The lease must remain permanently in effect to satisfy the parking requirements of this Section. *18

b. Parking for a nonresidential use legally permitted within a residence district may be provided on a lot separated from the property by no more than a public alley. *18

c. Parking for any use located outside a residence district shall not be located within a residence district unless in accordance with the provisions of this Ordinance. *18

B. **Site and Parking Space Design Standards.***18

1. **Parking plan requirements.** Parking plans shall be submitted to and approved by the Development Services Department. The plan shall indicate the location and dimensions of all parking spaces, driveways, queuing lanes, maneuvering areas, parking and maneuvering surface, landscaped areas and pedestrian ways. The design shall provide sufficient on site maneuvering for each parking space (Refer to parking layout policy) along with adequate driveways. All parking plans shall conform to Section 31-44 of the Phoenix City Code, as amended. *18

2. **Space and aisle dimensions.** Dimensions for maneuvering aisles and for different types of parking spaces shall be as follows: *18

a. *Parking garages:* +18

(1) Parking space dimensions. +18

(a) *Commercial retail, assembly uses and restaurant establishments:* shall have dimensions measuring a minimum of nine and one-half (9½) feet by eighteen (18) feet. The depth of the parking space may be adjusted, as approved by the Development Services Department and consistent with parking area dimension policies, for angled parking. +18

(b) *Office, industrial and multi-family residential developments:* Shall have parking space dimensions measuring a minimum of eight and one-half (8½) feet by eighteen (18) feet. The depth of the parking space may be adjusted, as approved by the Development Services Department and consistent with parking area dimension policies, for angled parking. +18

(c) *Tandem parking is permitted for multi-family development:* Tandem parking spaces shall have dimensions measuring a minimum of nine and one-half (9½) feet by eighteen (18) feet for each parking space, except for accessible spaces. +18

(2) A minimum of one and one-half (1½) foot setback from any interior wall or column shall be provided, if required by the Development Services Department, to ensure proper maneuverability. +18

(3) Parking garages serving a mixture of retail or assembly uses or restaurants and other uses shall have a clearly designated area on the site plan for the 9½ × 18 foot spaces. +18

(4) The lengths of all parking stalls shall be double striped with a minimum of twelve (12) inches between the striping. Said striping need not extend the minimum width of the stall, as specified in item a.(1) above. +18

(5) Maneuvering aisles for two-way traffic shall be a minimum of twenty-four (24) feet in width, except as provided in 702.B.2.b.(5) below. Aisle widths may be adjusted, as approved by the Development Services Department and consistent with parking area dimension policies for angled parking and/or one-way traffic. +18

(6) Retail, assembly uses or restaurant establishments that do not exceed ten percent (10%) of the gross floor area of a development in the Light Industrial (A-1), Industrial District (A-2), and Commerce Park Zoning Districts are not subject to the above parking provisions. +18

b. *Surface parking:* +18

(1) Parking space dimensions. +18

(a) *Commercial retail, assembly uses and restaurant establishments:* Parking spaces located in surface parking lots that are single striped shall have dimensions measuring a minimum of nine and one-half (9½) feet by eighteen (18) feet. If the entire surface parking lot is double striped, fifty percent (50%) of the spaces provided in the lot must be nine and one-half (9½) feet by eighteen (18) feet wide, while the remainder of the spaces may be a minimum of nine (9) feet wide. the depth of the parking space may be adjusted, as approved by the Development Services Department and in compliance with parking area dimension policies, for angled parking. +18

(b) *Office, industrial and multi-family residential developments:* Shall have parking space dimensions measuring a minimum of eight and one-half (8½) feet by eighteen (18) feet. The depth of the parking space may be adjusted, as approved by the Development Services Department and consistent with parking area dimension policies, for angled parking. +18

(c) *Tandem parking is permitted for multi-family development.* Tandem parking spaces shall have dimensions measuring a minimum of nine and one-half (9½) feet by eighteen (18) feet for each parking space, Except for accessible spaces. +18

(2) Surface parking serving a mixture of retail or assembly uses or restaurants and other uses shall have a clearly designated area on the site plan for the spaces that comply with the requirements outlined in item b.(1) above. +18

(3) All double striped spaces shall have a minimum of twelve (12) inches between the striping. Said striping need not extend the minimum width of the stall, as specified in item b.(1) above. +18

(4) Retail or restaurant uses, including outdoor areas reserved for such uses, that do not exceed ten percent (10%) of the gross floor area of a development in the Light Industrial (A-1), Industrial District (A-2), and Commerce Park Zoning Districts are not subject to the above parking provisions. +18

(5) The combined depth of the parking space and the aisle width shall equal sixty-two (62) feet for a double loaded aisle and forty-three (43) feet for a single loaded aisle. +18

c. *Compact parking.* +18

(1) May only be used for spaces in excess of required parking spaces and shall be located in the lowest use areas of the site. The minimum dimensions are eight (8) feet by sixteen (16) feet. +18

(2) Multi-famliy projects may use compact space dimensions for no more than 10% of required parking spaces. If garages are provided for dwelling units, one compact space may be allowed for each garage unit up to a maximum of 30% of required parking. +18

d. *Single family residential.* +18

(1) Tandem parking is permitted for single-family. Surface tandem parking spaces shall have dimensions measuring a minimum of nine and one-half (9½) feet by eighteen (18) feet for each parking space. +18

(2) Individual garages for residential uses shall have unencumbered parking space dimensions measuring a minimum of nine and one-half (9½) feet by nineteen (19) feet. +18

3. **Dustproofing and paving.** +18

a. All parking and maneuvering areas within the front yard and side yards adjoining a primary residential structure shall be maintained in a dustproofed condition. If more than the above prescribed area of the front yard is surfaced with a similar dustproof material, the parking and maneuvering area within the front yard and side yards adjoining the primary structure shall be delineated with a permanent border. +18

b. All parking and maneuvering areas on a residential lot, except single-family or duplex residential, shall have dustproof paving. +18

c. All parking and maneuvering areas on a non-residential lot shall have dustproof paving. This includes areas of a lot used to store pneumatically tired vehicles and lots for used cars. +18

d. Dustproof paving or surfacing shall be provided on any such lots by April 20, 1999 or the effective date of the original City Zoning. The Zoning Administrator may approve an alternate schedule if there are extenuating circumstances. +18

4. **Control.** Control shall be established to prevent vehicles from leaving parking and maneuvering areas except through necessary driveway openings and shall be provided on the property in the following manner: +18
   a. Parking or maneuvering areas which abut a property line shall have a solid masonry wall or a minimum six (6) inch high curb installed and located so that no part of a vehicle shall extend over or beyond the property line. +18
   b. Parking or maneuvering areas which do not abut a property line and which are not bounded by a fence, wall, building, or established landscaping plot shall be bounded by curbing. +18
   c. Solid curbing shall be installed, if required for drainage control by the City Engineer. +18
5. **Lighting.** Any lights used to illuminate said parking place shall be so arranged as to reflect the light away from adjoining lots in residential districts. +18
6. **Queuing lanes.** Queuing lanes for drive-through facilities shall be provided on site and shall not be located within the required front or street side yards. Queuing lanes shall be in addition to required off street parking and shall be designed so as not to interfere with the operation of driveways and maneuvering areas for off street parking areas. Queuing lanes shall be provided as follows: +18
   a. *Banks, savings and loan establishments, and other similar financial institutions:* Minimum of one hundred fifty (150) linear feet of queuing space for the first bay plus one hundred (100) linear feet of queuing space per additional bay. Queuing lengths shall be a linear measurement from the point of service. +18
   b. *Drive-in theaters:* Queuing space in a number of linear feet which equals two (2) times the number, of viewing stalls located within the theater. +18
   c. *Drive-through facilities for restaurants:* One hundred fifty (150) linear feet of queuing space per pick-up window. queuing lengths shall be a linear measurement for the point of service. +18
   d. All other drive-through facilities not addressed shall have a minimum of one hundred (100) linear feet of queuing space per bay or pick-up window. Queuing lengths shall be a linear measurement from the point of service. +18
   e. Facilities providing multiple bays or points of service shall provide a minimum of two (2) approach lanes. +18
7. **Screening.** +18
   a. *Residential districts.* Screening of parking is required in residential districts when the lot serves any use, except single-family units or a multi-family project of less than sixteen (16) units. A screen consisting of a solid wall or landscaping shall be required, detailed as follows: +18
      (1) Along that portion of the perimeter of the parking area bounding or within side or rear yards, the wall shall not be less than four (4) feet nor more than six (6) feet in height. Landscaping, when matured, shall be a minimum of four (4) feet in height and shall be maintained in a living condition. +18

(2) Along that portion of the perimeter of the parking area bounding or within a front yard, the wall shall be three (3) feet in height. Landscaping shall, when matured, be a minimum of three (3) feet in height and shall be maintained in a living condition. +18

(3) All landscaping or wall construction adjacent to driveway entrances is not to exceed three (3) feet in height within a triangle measuring ten (10) feet in depth from the property line tapering to the property line twenty (20) feet on either side of the driveway. All landscaping and wall construction shall comply with the vision obscurement requirement of the Phoenix City Code. +18

(4) All required walls and landscaping shall be maintained in a neat and orderly condition. +18

(5) Landscaping as required in this Section shall provide at least continuous evergreen (broad leaf or conifer) shrubs or hedges in a planting area which shall be a minimum of three (3) feet in width. +18

b. *Non-residential districts.* Screening of the parking area is required in nonresidential districts, when the following conditions exist: The lot serves any use, except single-family units or a multi-family project of less than sixteen (16) units, and the lot adjoins a residential zoning district or is separated from a residential district by an alley, locale or collector street. A screen consisting of a solid wall or landscaping shall be required along the portions of the parking lot and drives which adjoin or are across the street or alley from the residential zoning district, detailed as follows: +18

(1) Along that portion of the perimeter of the parking area bounding or within interior, side or rear yards, the wall shall not be less then [than] four (4) feet nor more than six (6) feet in height. Landscaping, when matured, shall be a minimum of four (4) feet in height and shall be maintained in a living condition. +18

(2) Along that portion of the perimeter of the parking area bounding or within a street side or front yard, the wall shall be three (3) feet in height. Landscaping shall, when matured, be a minimum of three (3) feet in height and shall be maintained in a living condition. +18

(3) All landscaping or wall construction adjacent to driveway entrances is not to exceed three (3) feet in height within a triangle measuring ten (10) feet in depth from the property line tapering to the property line twenty (20) feet on either side of me [the] driveway. All landscaping and wall construction shall comply with the vision obscurement requirement of the Phoenix City Code. +18

(4) All required walls and landscaping shall be maintained in a neat and orderly condition. +18

(5) Landscaping as required in this section shall provide at least continuous evergreen (broad leaf or conifer) shrubs or hedges in a planting area which shall be a minimum of three (3) feet in width. +18

C. **Parking Requirements.** Off-street automobile parking space or area shall be provided according to the following table, except for large scale retail commercial uses (see Section 702.D). The parking ratios in the table identify the minimum level of parking required to serve that use and receive site plan approval. *18

Type of Land Use	Parking Requirements
+18 Art Gallery	1 space per 300 sq. ft.
+18 Art Studio	1 space per 500 sq. ft. or 1 per 1.5 employees
+12 Basketball and Volleyball Courts	9 spaces per court, 6 spaces per half-court
Batting Cages	1 space per 60 s.f. of batting area (area where batter is standing)
Billiard Parlors	1.5 spaces per table (3 feet around pool tables will not be counted for parking in bars & lounges)
Car Wash, Automated	1 space per 3 non-office employees and 1 space per 300 s.f. of office and sales area and 2 space per 24 feet of wash bay
Churches, Synagogues, Temples, or Other Places of Worship (See Public Assembly—General, for public event facilities)	1 space per 3 seats or 1 space per 58 lineal inches of pew space
+18 Convention/ Conference Centers	1 space per 100 sq. ft.
Court Rooms, Detention Facilities	1 space per 60 s.f. of hearing rooms or 1 space per 90 lineal inches of pew space and 1 space per 300 s.f. office area and 1 space per 3 employees in jail area and 1 space per 5 beds
Day Care Center	1 space per 300 s.f. of floor area (20% reduction allowed for storage, restrooms, etc).
Dormitories, Fraternity and Sorority Houses	1 space per 1 dwelling unit and 1 space for each 2 guest rooms

Type of Land Use	Parking Requirements
Dwelling Unit, Multi-family	Total required parking 1.3 spaces per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit and 2 spaces per 3 or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms *16 *22 When the required parking is reserved for residents, additional unreserved parking is required as follows: +22 0.3 spaces for each efficiency unit and 0.5 spaces per each 1 or 2 bedroom unit and 1.0 space per each 3 or more bedroom unit. +22 Exception for unreserved parking: where minimum 18-foot driveways are provided for individual units, .25 space per each unit. +22 Unreserved parking shall be distributed throughout the site.
	Note: Any unreserved parking spaces required by this section may be counted toward the total required parking count.
Dwelling Unit, Single-Family Attached	1.3 spaces per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit and 2 spaces per 3 or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms
Dwelling Unit, Single-Family Detached	2 spaces per 1 dwelling unit
+18 Field Sports i.e. Softball, Soccer, Football	15 spaces per field
Fire Station	1 space for each 3 employees for the two largest shifts
*18 Fitness Center/Family Activity Center	1 space per 150 s.f. floor area
Furniture Store	1 space per 400 s.f. floor area
Go Cart Tracks	2 spaces per cart and 1 space per 60 s.f. floor area
Golf Course	2 spaces per hole and (60/tee time spacing (in minutes)) spaces and 2 spaces per designated station on the driving range tee area and 1 space per 50 square feet of dining area (indoor and outdoor combined) and 1 space per 300 s.f. of retail sales area and 1 space per golf course facility staff and 1 space per 500 s.f. putting and chipping green

Type of Land Use	Parking Requirements	
	For golf course facilities located adjacent to or within a resort to and from which the golf course facility provides free motorized transportation (e.g. golf cart), the 'course' golfer, range user, diner and customer parking requirements stated above will be reduced by 30%.	
Group Home	1 space per 2 resident beds	
Hospital	1 space per 3 employees, including nurses not domiciled on the property and 1 space per resident doctor and 1 space per 2 patient beds	
Industrial Plants, Manufacturing, Wholesale, including but not limited to warehouses and storage buildings and yards, public utility buildings, contractor equipment and lumber yards, business service establishments, such as blueprinting, printing and engraving, soft drink bottling establishments and fabricating plants	Specified industrial use: 1 space per 1.5 warehouse or production workers. If the facility runs more than one shift a day, employee count will be based on the two largest shifts and 1 space per 300 s.f. of administration office.	
	Unspecified Industrial Use (Shell Building):	
	Gross Floor Area	Parking Ratio
	0 to 150,000 sq. ft.	1 space per 1,000 sq. ft.
	150,001 to 500,000 sq. ft.	1 space per 2,000 sq. ft
	500,001 and greater sq. ft.	1 space per 2,500 sq. ft
	Office square footage that is incidental to the industrial operation, e.g. manager's office, will be calculated based on the industrial ratio. Office square footage that is the administrative or research component of an industrially based business will use the office ratio.	
Libraries	1 space per 190 s.f. gross floor area and 1 space per 3 employees	
Medical Offices: Doctor, Dentist, Clinics, Centers	1 space per 200 s.f. gross floor area between exterior walls	
Mini-Warehouses	1 space for each 35 storage units (storage stalls or lockers) and 2 spaces for manager's apartment	
Miniature Golf Courses	1.5 spaces for each hole and 1 space per 60 s.f. of game room area	

Type of Land Use	Parking Requirements	
Mixed Use Project	Sum of the requirements of the various uses computed separately. The parking spaces for one use shall not provide required parking for another use except through use of the shared parking model.	
Mobile Home Development	2 spaces per 1 dwelling unit	
Motels, Hotels, Resort Hotels	1 space per 1 dwelling unit or rooming unit (each curbside parking space shall be 8 feet 6 inches wide by 23 feet long)	
Movie Theaters	1 space per 3.5 seats	
*18 -20 Assisted Living Facility, Nursing Homes, Personal Care Homes, Specialized Treatment Facility	1 space per 2 patient beds	
*12 Office Building(s) with less than 50,000 s.f. of gross building area	1 space per 300 s.f. floor area	
*12 Office Building(s) or Centers with 50,000 s.f. or greater of gross building area	Square feet of tenant leasable area (TLA)	Spaces per 1,000 square feet of TLA
	50,000 to 250,000	3.5
	250,001 to 600,000	3.2
	600,001 to 1,000,000	2.8
	Over 1,000,000	2.7
Public Assembly—General	1 space per 60 sq. ft.	
Public Assembly—Spectator	1 space per 4 seats and 1 space per 60 s.f. of area in public assembly	
Public Assembly—Entertainment	1 space per 50 s.f. exclusive of kitchen, rest rooms, storage, etc.	
*18 Public Assembly—Active Recreational	Requires parking study	
+18 Public Museum	1 space per 60 sq ft of public area, 1 space per 300 sq. ft. for retail and office	
Racquetball/Handball Courts	3 spaces for each court.	
Recreational Vehicle Park	1.1 spaces for each recreational vehicle space	
+18 Resort	Requires parking study or is based on previously approved parking interpretation for a like use	

Type of Land Use	Parking Requirements
Restaurants, Bars, Taverns, Night Clubs, or Similar Drinking Establishments	1 space per 50 s.f. (including outside dining/sales) exclusive of kitchen, rest rooms, storage, etc. 1 space per 200 s.f. of outdoor recreational areas. Landscape planters with trees and shrubs, ingress/egress pathways and retention areas will not be counted as outdoor recreational areas. +27

Type of Land Use	Parking Requirements		
Retail Establishments including those not specified with less than 50,000 sq. ft. of gross building area	1 space per 300 s.f. floor area		
Retail Establishments or Centers with 50,000 sq. ft. or greater of gross building area—(Large scale commercial retail developments not included)	Square feet of tenant leasable area (including outside dining/sales)	Spaces per 1,000 square feet of TLA	Gross assembly without surcharge
	50,000 to 350,000 sq. ft.	4	20%
	Greater than 350,000 sq. ft.	4.5	20%
	Centers with more than 20% of area in public assembly uses will be assessed a parking surcharge based on actual tenant use for the portion in excess of 20%. Gross, not net, public assembly is used in these calculations. Parking for theaters, hotels, schools, and medical offices is calculated separately from the rest of the center. This requirement will apply to any tenant improvements.		
Schools, Including Academies, Colleges, Universities, Elementary Schools, Junior High Schools, High Schools, Prep Schools and All Other Similar Institutions of Learning	1 space per 3 employees including administrators, teachers, and building maintenance personnel and 1 space per 5 high school, college, or university students, predicated on the designed capacity of the physical plant.		
Schools, Beauty and Vocational	1 space per 60 s.f. of classroom area and 1 space per 300 s.f. of administration		
Service Stations	2 spaces per service bay (pump islands not considered bays; standing areas at a pump islands and interior circulation areas shall not be counted as parking areas).		
Skate Board Tracks	1 space per 400 s.f. of track area on a concrete surface open to the public and space for other mixed uses as detailed in this table		
+18 Swap Meet	1 space per 300 sq. ft. of office and 1 space per leasable vender space.		
Swimming Pools/Spas	1 space per 60 s.f. of deck area		
+18 Tanning, Health and Beauty Salon	1 space per 300 s.f. office/waiting area and 1 space per service station/area		
Television Stations	1 space per 3 employees in studio areas and 1 space per 300 s.f. of office and sales area		

Type of Land Use	Parking Requirements
Tennis Courts	3 spaces for each court
Vehicle Sales: Recreational, Mobile Home Displays, New and Used Car Agencies, Marine Sales, and Other Businesses Selling Motorized and Non-Motorized Land or Marine Vehicles or Mobile Living and/or Transporting Units	1 space per 300 s.f. office and covered sales area and 1 space per 10,000 square feet of outdoor display or portion thereof and 1 space per 10,000 square feet thereafter and 1 space per 3 employees and 1 space for each service bay
Veterinary Offices	1 space per 200 s.f. gross floor area, excluding indoor and outdoor kennel areas.

D. **Parking Requirements For Large Scale Commercial Retail Developments.** *18

1. A minimum of 4 spaces per 1,000 square feet of tenant leasable area and a maximum of 5 spaces per 1,000 square feet of tenant leasable area (not including public assembly, theaters, hotels, schools, medical, restaurants and veterinary offices). Parking may be increased above the maximum allowable number of spaces by including one or more of the following options listed below: *18

Incentive Options:

a. *Provide additional 100 lineal feet of landscaped pedestrian walkway through parking areas in one or more locations:* Twenty (20) spaces. *18

b. *Provide enhanced landscaping within customer parking areas beyond required minimum:* Four (4) spaces for each fifty (50) square feet of additional landscaped area. *18

c. *Provide shaded bus shelter that is architecturally integrated with the design of the primary structure and as approved by the public transit department:* Twenty-five (25) spaces. *18

d. *Provide covered customer parking:* Ten (10) spaces for each covered space. *18

e. *Provide parking structure:* Fifty (50) spaces for each one (1) space provided in a parking structure. Said parking structure shall be a maximum of forty-eight (48) feet high and subject to a use permit as provided in Section 307. *18

f. *Improved outdoor public areas (plazas, courtyards, etc.), located adjacent to and integrated with the main pedestrian circulation:* Four (4) spaces for every fifty (50) square feet with seating. *18

g. *Permanent public art detached from the building and developed by a commercial artist that occupies a minimum of ten (10) cubic feet:* Ten (10) spaces. *18

h. *A freestanding or attached architectural tower of a minimum twenty-five (25) feet high (no tenant signage permitted):* Ten (10) spaces per tower. *18

i. *A freestanding or attached clock of a minimum twenty-five (25) feet high (no tenant signage permitted):* Fifty (50) spaces. *18

E. **Modifications to Parking Requirements.** *18

1. **Parking management study.** The purpose of a parking management study is to ensure that required site parking is available within reasonable walking distances, i.e., the walking distance from a required parking stall is less than 600 feet as the pedestrian travels to the curb directly in front of a business or mall entrance or the curb of the plaza or courtyard directly in front of the business or mall entrance. *18

   a. A parking management study may be required when one of the following conditions exists on the same site: *18

      (1) A retail center or mixed use project has more than 100,000 square feet of public assembly uses, including movies theaters, concentrated in the same general location. *18

      (2) A retail user of 100,000 square feet is located within 200 feet of a public assembly user of 50,000 square feet, including movie theaters. *18

   b. A final parking management study must be approved as part of the site plan review. It may include parking structures, site layout, use of shuttle system, valet service, or other techniques approved by the Planning and Development Department to make all required parking functional. The Planning and Development Director or his designee is authorized to approve parking management studies. *18

   c. The parking management study may designate an area for employee parking if it is designed and sectioned off in such a way that it functions as a separate lot. The employee parking spaces shall use the minimum size dimensions for office/industrial spaces. *18

2. **Shared parking model.** The shared parking model can be used as a basis for predicting the parking demand for a particular mix of uses on a site as an alternative to the parking requirements table. The model is a demand matrix and accompanying documentation and is available from the Planning and Development Department. The model assumes that every separate use will need the full amount of parking that is called for in the parking requirements at some point during the day (called the "peak" period for that use). Where different uses need parking at different times of the day, there is an opportunity for them to share parking. The total number of parking spaces needed to serve a mixed use site (the parking demand) may be significantly less than the number of stalls that would have to be built if each of the uses had to provide parking on its own. *18

   The standard shared parking model, developed and administered by the Planning and Development Department, is a tool for estimating the parking demand for a specific mix of uses. The demand curves represent the parking needed for an average, typical use, based on studies and observations. The curves are represented in a table showing the percent of the parking requirement needed by hour of day for each use. Modifications to the standard model can be proposed based on more detailed information on specific center uses as specified below. The Planning and Development Director or his designee may periodically modify the shared parking model to improve it as a predictor of parking demand based on national or local research, including site observations.

a. A retail, office, or mixed use center may use the shared parking model when: *18

(1) The gross floor area is at least 25,000 square feet; and *18

(2) The mix of businesses have compatible operating hours in terms of shared parking. *18

b. The shared parking model analysis must be performed, and the report must be sealed, by a professional civil engineer who has extensive experience with traffic and parking issues in private development when one of the following conditions exists: *18

(1) If the project, or any site or tenant improvement, warrants a traffic study, or *18

(2) If modifications to the standard demand matrix are proposed. *18

c. A reduction in parking of up to fifteen percent (15%) based on the shared parking model may be granted by the Planning and Development Department Traffic Engineer. Parking reductions greater than fifteen percent (15%) and based on the model must obtain a use permit in accordance with the standards and procedures of Section 307. *18

d. Properties or businesses approved to share parking must be approved under a combined site plan. *18

e. An applicant may petition the Planning and Development Traffic Engineer for review of parking situations which do not correlate with one of the standard uses in the model. *18

f. In addition to shared parking situations, the following items may be considered and counted toward parking reductions within the shared parking model: +9 *18

(1) Transit service available within one-quarter mile of the site with rush hour frequencies of thirty (30) minutes or less. *18

(2) The area fits the criteria for a level 2 pedestrian area as outlined in the Maricopa Association of Governments' Pedestrian Area Policies and Design Guidelines. *18

(3) The business participates in a transportation management association that sponsors trip reduction programs. *18

3. **Reductions.** Parking reductions are specified within the specific zoning districts. The listed zoning districts offer parking reductions: *18

a. *Downtown Core District:* No parking required. (Section 643) *18

b. *Warehouse District:* No parking required. (Section 645) *18

c. *Urban Residential District.* (Section 642) *18

d. *Interim Transit-Oriented Zoning District One (TOD-1).* (Section 662) +18

e. *Interim Transit-Oriented Zoning District Two (TOD-2).* (Section 663) +18

4. **Reductions for buildings higher than four stories.** The Zoning Administrator or Board of Adjustment may grant a request to reduce the otherwise applicable parking requirements for

buildings in excess of four (4) stories or forty-eight (48) feet in height through a use permit in accordance with the standards and procedures of Section 307 upon a showing by the applicant that: *18

a. Because of the nature of the existing or proposed use or the existence of pedestrian, mass transit, or service trips, adherence to applicable parking requirements is not necessary; and *18

b. The reduced parking will accommodate vehicular traffic without increasing traffic and on street parking of vehicles in adjacent neighborhoods. *18

5. **Reductions in village cores.** The Zoning Administrator or Board of Adjustment may grant a request to reduce the otherwise applicable parking requirements for uses in village cores, as shown on the current general plan for Phoenix as adopted by the City Council, through a use permit upon the applicant showing that: *18

a. Adherence to applicable parking standards is not necessary and will result in excess parking spaces because: *18

(1) The mixture of existing or probable uses will generate a high proportion of multiple destination vehicular trips, or *18

(2) There will be a high level of pedestrian, carpool, and public transit traffic; *18

b. The site has been designed to accommodate pedestrians, carpools, transit riders, and transit system features, e.g. stops; and *18

c. The reduction of parking will accommodate vehicular traffic and parking needs without increasing traffic and parking within adjacent residential areas. *18

6. **Special needs populations.** The Zoning Administrator or Board of Adjustment may grant a use permit in accordance with the standards and procedures of Section 307 to reduce the otherwise applicable parking requirements for housing which serves households with special needs, such as but not limited to the disabled and elderly, when it can be shown there is less demand for parking or alternative sources of transportation are available. *18

7. **Parking reduction for recycling containers.** Commercial and multi-family developments may reduce the number of required parking spaces when recycling containers are provided on-site in accordance with the following provisions: +18

a. Existing developments may convert a maximum of one (1) required parking space to install a recycling container. +18

b. New development on sites less than two (2) acres may reduce the number of required parking spaces by a maximum of one (1) space to install recycling containers on-site. +18

c. New developments on sites larger than two (2) acres may reduce the number of required parking spaces to allow recycling containers to be placed on site by securing an administrative use permit in accordance with the standards and procedures of Section 307. +18

8. **Adaptive reuse.** The purpose of these standards is to allow eligible properties to reduce the amount of required off-street parking. This practice will encourage re-investment in established neighborhoods, promote neighborhood preservation, revitalize neighborhoods and endorse sustainability. +20

   a. *Criteria for eligibility:* To be eligible for an off-street parking reduction from the requirements of Section 702, the following criteria must be met: +20

      (1) The building shall be a minimum of twenty-five (25) years of age; and +20

      (2) The project shall be a non-residential use or a mix of residential with non-residential within the same building; and +20

      (3) The size of the building shall not exceed five thousand (5,000) gross square feet including any proposed additions. No proposed additions may exceed fifty percent (50%) of the existing building. +20

   b. *Required parking:* The required parking for any use shall be on the same lot as the use, except for the following provisions: +20

      (1) The off-site parking area is located within one thousand three hundred twenty feet (1,320') of the use measured in a direct line from the building; and +20

      (2) The use of the off-site parking area is exclusively for the subject use and does not reduce parking for any other use below that required by this section; and +20

      (3) The off-site parking area must be used in conjunction with a recorded, non-cancelable lease, renewable in a minimum of five (5) year increments. A copy of the executed and recorded lease shall be provided to the Planning and Development Traffic Engineer. The lease must remain permanently in effect to satisfy the parking requirements of this section or another such lease shall be obtained and provided to the Planning and Development Traffic Engineer. +20

   c. *Parking reduction:* There shall not be less than two (2) on-site parking spaces provided, unless no on-site parking is required by Zoning Ordinance. +20

      (1) If the subject parcel is within one thousand three hundred twenty feet (1,320') of a public parking lot or garage, any parking spaces in excess of those already dedicated or designated toward other uses may be counted for up to fifty percent (50%) of required parking; or +20

      (2) If the subject parcel is within one thousand three hundred twenty feet (1,320') of a light rail station, a maximum reduction of fifty percent (50%) of required parking is permitted; or +20

      (3) If the subject parcel is within one thousand three hundred twenty feet (1,320') of a city owned park and ride facility, a maximum reduction of fifty percent (50%) of required parking is permitted; or +20

      (4) If the use is an outdoor dining area accessory to a restaurant, outdoor dining areas up to a maximum of five hundred (500) square feet and not exceeding twenty five percent (25%) of the primary building's ground level gross floor area, shall not be subject to additional required parking. +20

d. *Parking lot landscaping:* New parking areas with ten (10) or less spaces shall not be subject to required parking lot landscape standards. +20

e. *Tandem parking:* Tandem parking may be used for employee parking and may account for up to twenty percent (20%) of the required parking. Tandem parking spaces shall have dimensions measuring a minimum of nine and one-half (9 ¬1/2') feet by eighteen (18') feet for each parking space. Tandem parking spaces shall be signed for employee use only. +20

f. *Accessible parking:* All Zoning Ordinance requirements for accessible parking shall apply. +20

9. **Reductions for infill development district.** *18 *20 *25

a. Within the infill development district, as shown on the general plan for Phoenix, a development's on-street parking adjacent to and along the same side of a public, local or collector street may be counted toward parking requirements. *18 *25

b. *Off-site parking*. Off-site parking not within the right-of-way may account for up to a maximum of 50 percent of the required parking with a use permit and meeting the following conditions: *18 *25 *27

(1) The use is within 1,320 feet of a parking lot or garage to be used by patrons of the subject parcel. This shall be measured from the closest points from the parking area to the main entrance. +25

(2) The owner of the subject parcel must provide an executed lease in a minimum five-year increment to the City demonstrating the right to use the off-site parking spaces, which spaces shall not have been counted for use by others, unless a shared parking model is approved for the site. +25

(3) The lease must be renewable in a minimum of five-year increments. If at any time the lease is no longer in effect, the owner of the subject parcel shall notify the City in writing within 30 calendar days of this condition and provide the City a replacement executed lease for the required spaces. A copy of the executed recorded lease shall be provided by the applicant to the Planning and Development Department Traffic Engineer. If at any time a lease for necessary off-site parking is no longer in effect, it shall be considered a violation of the approved use permit. +25

(4) The off-site parking area must be identified for use by patrons of the subject parcel and shall not eliminate required parking for any other use if on private property. +25 *27

(5) The use permit for infill development parking reductions may be revoked if any of the use permit stipulations are violated including the failure to obtain an executed lease. +25

(6) Additional bicycle parking may be required as a condition of use permit approval. +25

c. Use Permit Notice Procedure for Infill Parking Reductions. The following additional procedures shall be followed as part of the infill parking reduction use permit process (in addition to the procedures required by Section 307): +25

(1) A Neighborhood Traffic Notification Zone (NTNZ) as determined by the Street Transportation Department. +25

(2) The applicant for the use permit shall send, by first class mail, a notice of the date, time and place of the use permit zoning adjustment hearing to all property owners within the NTNZ. The notice shall also include an invitation to a meeting to discuss the proposal, and shall include a short description of the request. +25

(3) The following shall be provided to the City at least seven days prior to the zoning adjustment hearing: +25

(a) A written summary of the meeting or meetings. +25

(b) A map showing all leased off-site parking areas, number of spaces and locations of signs shall be placed on site to clearly show the location and address of the off-site parking areas, together with executed leases for such spaces. +25

(c) A written summary of how parking needs will be met and on-site management procedures to minimize impacts to surrounding residentially zoned properties. If valet parking is proposed, a copy of the valet parking plan that has preliminary approval by the Planning and Development Department's Traffic Engineer. +25

(d) A copy of a shared parking agreement as defined in this section, if applicable. +25

F. **Special Parking Standards.** *18

1. **Residential lots.** *18

a. Required parking spaces for single-family and duplex residential uses may not be located in the required front yard.

b. Spaces in excess of those required for single family and duplex residential uses may be located in the required front yard. However, all parking and maneuvering areas within the required front yard shall not exceed forty-five percent (45%) of: *23

(1) The area of the required front yard, or

(2) An area equal to the required front yard setback times the average lot width when the adjoining side property lines are not parallel. Notwithstanding the above requirements, the parking and maneuvering area shall not be required to be less than:

(a) Eighteen (18) feet in width, or

(b) The cumulative width of all front facing garage doors or carports plus three (3) feet, whichever is greater. +23

c. Buses shall not be parked in the front yard of any residential district. A bus is any commercially licensed motor vehicle designed for carrying more than fifteen (15) passengers and used for the transportation of persons as well as any motor vehicle, other than a taxicab, designed for the transportation of persons for compensation. *18

d. Mobile homes shall not be parked in any residential district except as provided in Section 647.A.2.1. *18 *21

e. No semi-trailer or tractor; no commercial vehicle with a gross vehicle weight rating of more than 15,000 pounds as established by the manufacturer; and not more than one commercial vehicle with a gross vehicle weight rating of 15,000 pounds or less, as established by the manufacturer shall be parked on a lot in any residential district other than in conjunction with uses permitted in Sections 603 and 604. *18

f. Vacant lots or open land areas in any residential district may not be used as an area for the parking of customer and employee passenger vehicles. *18

2. **Temporary parking for professional sports arenas.** Temporary parking for professional sports arenas/stadiums, is permitted for non-residential uses in residential districts subject to obtaining a use permit, in accordance with the standards and procedures of Section 307 provided that all of the following conditions are met: *18

a. The subject parcel must have its primary driveway on an arterial street. Ingress and egress to the site during the time period the temporary use is functioning is restricted to arterial street driveways. *18

b. Parking may be permitted for no more than one hundred (100) days during the calendar year. *18

c. A use permit must be obtained for each of the first two (2) years. In the third and consecutive, subsequent years, no use permit approval shall be required to continue the temporary parking permitted by the use permit upon complying with the following: *18

(1) Payment of the application fee set forth in the City Code; *18

(2) Upon a finding by the Zoning Administrator that the temporary parking has not been detrimental to persons residing or working in the vicinity, to adjacent property or to the neighborhood; *18

(3) No sign be displayed or solicitation shall occur off the applicant's property; and *18

(4) The property is appropriately dustproofed. *18

3. **Temporary parking for civic events.** Temporary parking for civic events is permitted in all districts except residential uses located in a designated Historic Residential District subject to obtaining a use permit, in accordance with the standards and procedures of Section 307 provided that all of the following conditions are met: *18

a. Parking may be permitted for no more than two (2) events within one (1) calendar year, provided that the duration of the event(s) does not exceed a total of twenty-one (21) days. *18

b. Such parking shall be restricted to attendees of said civic event. *18

c. The Zoning Administrator may make stipulations regarding the area devoted to parking, location, points of access, dustproofing, duration of use, hours of operation, screening, number of vehicles, time limits, and other appropriate matters as a condition of use permit approval. *18

d. No use permit approval shall be required for temporary parking for a civic event on any property which within the previous two years has received use permit approval from the Zoning Administrator or Board of Adjustment and after complying with the following: *18

(1) Payment of the application fee set forth in the City Code; *18

(2) Upon a finding by the Zoning Administrator, or his duly authorized representative, that the temporary parking has not been detrimental to persons residing or working in the vicinity, to adjacent property or to the neighborhood; *18

(3) No sign be displayed or solicitation shall occur off each applicant's property; and *18

(4) The property shall be appropriately dustproofed. *18

G. **Accessible Parking.** *18

1. **Number of accessible parking spaces.** All off-street parking areas shall include reserved spaces for use by persons with disabilities according to the following requirements: *18

a. Health care facilities shall be provided in accordance with the following: *18

(1) *General health care facilities:* Parking to comply with Table 1. *18

(2) *Hospital outpatient facilities:* Not less than ten percent of the total parking spaces provided shall be accessible spaces. *18 *24

(3) *Rehabilitation facility and outpatient physical therapy facilities:* Not less than 20 percent of total parking spaces provided to serve rehabilitation facilities specializing in treating conditions that affect mobility and outpatient physical therapy facilities shall be accessible spaces. *18 *24

b. Multiple-family housing containing accessible or adaptable dwelling units shall be provided in accordance with the **U.S. Department of Housing and Urban Development Fair Housing Accessibility Guidelines** and as follows: *18

(1) Not less than two percent of all parking provided shall be accessible, including not less than two percent of any parking spaces assigned to individual apartment units and not less than two percent of all unassigned parking spaces. *18

(2) Where different types of parking are provided, such as uncovered parking, shade-covered parking, detached garages, carports or garages attached to apartment units, or garage structures, not less than two percent but not less than one of each different type of parking space shall be accessible. *18

(3) Where parking spaces are assigned to and designated for individual apartment units, the required accessible parking space shall be not less than 14'-2" in width and not less than 80" in unobstructed height. Assigned parking spaces are not required to be striped, signed or marked as accessible parking. Where parking spaces are not designated for individual apartment units, the required accessible parking shall comply with Section 702.G.1.c, for size, marking and signage. *18

(4) Where parking is provided and designated for common area amenities, not less than one such space shall be accessible and shall comply with Section 702.G.1.c for size, marking and signage. *18

(5) Where parking is provided and designated for leasing offices, not less than one such space shall be accessible and shall comply with Section 702.F.1.c. *18

c. Uses not listed in Section 702.G.1.a or b shall be provided in accordance with Table 1 which is based upon the total amount of unreserved parking spaces provided. *18 *24

Table 1—Required Number of Accessible Parking Spaces

Total Parking in Lot	*Required Number of Accessible Spaces*
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total
1,001 and over	20 plus 1 for each 100, or fraction thereof, over 1,000

2. **Size of accessible parking spaces.** A single accessible parking space shall be not less than 11 feet in width and shall have an adjacent access aisle not less than five feet in width. The length of accessible parking space and aisle shall not be less than 18 feet in length. Access aisles shall be permitted to be placed on either side of the parking space except for angled parking spaces which shall have access aisles located on the passenger side of the parking spaces. Two accessible parking spaces may share a single five-foot-wide access aisle. *18 *24

Accessible Parking Dimensions

a. *Width of stall:* Eleven feet.

b. *Width of access aisle:* Five feet.

c. *Length of stall:* Eighteen feet.

d. *Overall width of a single space:* Sixteen feet.

e. *Overall width of a double space:* Twenty-seven feet.

* Measurements taken for ninety-degree angle of parking

3. **Identification of accessible parking spaces.** All accessible parking spaces shall be prominently identified with an approved "Reserved Parking" sign and distinctive pavement markings in accordance with this Section. Each accessible parking space shall be outlined on all sides not adjacent to a curb and shall have the international wheel chair symbol displayed on the ground within each space. The access aisle shall be included within the outlined area and shall be marked with cross-hatching. The color scheme of the accessible parking space and access aisle shall distinctively contrast with that of the surrounding regular parking spaces. *18

   Each accessible parking space shall be designated as reserved for the physically disabled by a standard regulatory sign printed in blue on a white background showing the international wheel chair symbol and the minimum verbiage of "Reserved Parking" and "Phoenix City Code." Accessible parking signs erected or replaced after October 1, 2001, shall be a minimum size of 12 inches wide by 24 inches high and shall have verbiage which states: "Reserved Parking For Vehicles Showing Disabled Insignia or License Plate Only" and "Phoenix City Code." Accessible parking signs shall be permanently mounted to an approved stationary post or wall located directly in front of each accessible parking space. The bottom of the sign shall be located not less than five feet and not more than six feet above the parking surface. Accessible parking signs shall be located and maintained to be clearly visible to any vehicle entering the parking space. *24

   Exception: Where a total of four or fewer parking spaces, including accessible parking spaces, are provided on a site, identification of accessible parking spaces shall not be required. Accessible parking space dimensions shall be maintained and the access aisle shall still be provided. +24

4. **Location of accessible parking spaces.** Accessible parking spaces shall be located on the shortest possible accessible route of travel to the accessible building entrance. In facilities with multiple accessible building entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to each accessible entrance. Every parking access aisle shall lead directly to an accessible route of travel as set forth in the Phoenix Construction Code. Wherever practical, the accessible route of travel shall not cross lanes for vehicular traffic or pass behind parked vehicles. Where crossing vehicle traffic lanes is necessary, the route of travel shall be delineated as a crosswalk. *18 *24

5. **Covered parking.** Where parking is provided in a parking garage or under shade canopies, the ratio of covered to uncovered accessible parking spaces shall not be less than the ratio of covered to uncovered non-accessible parking spaces. Where accessible parking spaces are provided within a parking garage or under a canopy, one in six or not less than one of the accessible spaces shall be designated for high-profile vehicles with a minimum headroom clearance of eight feet two inches provided in all parking, maneuvering and circulation areas serving such spaces. Except when all accessible spaces are high-profile spaces, special signage shall be provided to identify high-profile accessible parking spaces and to direct users to the location of both high profile and standard-height accessible parking spaces. *18 *26

6. **Slope.** Accessible parking spaces and access aisles shall be located on a surface with a slope not exceeding one vertical foot in 48 horizontal feet in all directions. *18 *24

7. **Existing parking lots.** Whenever a parking area built before April 3, 1991 does not have sufficient accessible parking spaces to comply with Section 702.F., existing non-accessible parking spaces may be combined and converted to required accessible parking spaces and associated access aisles. The parking lot will be legally nonconforming if the total number of spaces drops below current ordinance requirements. *18

8. **Passenger loading zones.** Wherever a passenger loading zone is provided, at least one accessible vehicle pull-up space shall be provided for every continuous 100 linear feet of loading zone. The passenger loading zone space shall be a minimum of 96 inches wide and a minimum 20 feet long. The access aisles serving the loading zone space shall extend the length of the space and shall be a minimum 60 inches wide. The access aisles shall be marked so as to discourage parking in them. +24

B. **Off Street Loading Spaces.**

Editor's note—Ord. No. G-5267, TA-8-08, § 1, adopted Nov. 5, 2008, effective Dec. 5, 2008, amended Section 702.A. to add a new Section 702.B. but did not include the renumbering of this existing Subsection B. The City is aware of the duplicate numbering of Subsection B. and is adopting a new ordinance to address the renumbering of this subsection.

1. **General provisions, requirements for space size.** Off-street loading spaces shall be not less than ten (10) feet in width and thirty (30) feet in length, exclusive of access aisles and maneuvering space. *19

2. **Off-street loading spaces required.** The following shall apply to all developments, except for single family developments and vehicular parking areas. *19

   a. Commercial developments (excluding office) less than 60 feet in height and industrial developments, shall provide the following off-street loading spaces: +19

TABLE A:

Square Feet of Aggregate Gross Floor Area *19	Required Number of Spaces *19
0 sq. ft. up to and including 24,999 sq. ft. +19	0
25,000 sq. ft. up to and including 40,000 sq. ft.	1
40,001 sq. ft. up to and including 100,000 sq. ft.	2
100,001 sq. ft. up to and including 160,000 sq. ft.	3
160,001 sq. ft. up to and including 240,000 sq. ft.	4
240,001 sq. ft. up to and including 320,000 sq. ft.	5
320,001 sq. ft. up to and including 400,000 sq. ft.	6
400,001 sq. ft. up to and including 490,000 sq. ft.	7
For each additional 90,000 sq. ft.	1 additional space *19

   b. Office development less than 60 feet in height shall provide the following off-street loading spaces: +19

TABLE B: +19

Square Feet of Aggregate Gross Floor Area	Required Number of Spaces
0 sq ft. up to and including 24,999 sq. ft.	0
25,000 sq. ft. up to and including 100,000 sq. ft.	1
100,001 sq. ft. up to and including 200,000 sq. ft.	2
For each additional 100,000 sq. ft.	1 additional space

c. Multi-family residential development shall provide the following off-street loading spaces: +19

TABLE C: +19

Number of Residential Dwelling Units:	Number of Loading Spaces
0 to 25	0
26 to 150	1
For each additional 150 units	1 additional space

d. Commercial or office developments (excluding multi-family) over 60 feet in height and all hotel or resort developments shall provide the following off-street loading spaces: +19

TABLE D: +19

Square Feet of Aggregate Gross Floor Area:	Required Number of Spaces
0 sq. ft. up to and including 24,999 sq. ft.	0
25,000 sq. ft. up to and including 100,000 sq. ft.	1
100,001 sq. ft. up to and including 240,000 sq. ft.	2
240,001 sq. ft. up to and including 400,000 sq. ft.	3
For each additional 120,000 sq. ft.	1 additional space

3. The off-street loading facilities required shall in all cases be on the same lot or parcel of land as the structure they are intended to serve. In no case shall the required off-street loading space be part of the area to satisfy the off-street parking requirements of this Ordinance.

4. Reserved. -19

Date of Addition/Revision/Deletion - Section 702

+1 Addition on 4-3-1991 by Ordinance No. G-3408
+2 Addition on 10-30-1991 by Ordinance No. G-3465
+3 Addition on 1-22-1992 by Ordinance No. G-3495
*3 Revision on 1-22-1992 by Ordinance No. G-3495
+4 Addition on 6-30-1993 by Ordinance No. G-3663
*4 Revision on 6-30-1993 by Ordinance No. G-3663
*5 Revision on 6-21-1995 by Ordinance No. G-3869
-6 Deletion on 7-2-1997 by Ordinance No. G-4039
*7 Revision on 7-2-1997 by Ordinance No. G-4040
+8 Addition on 5-1-1998 by Ordinance No. G-4078
*8 Revision on 5-1-1998 by Ordinance No. G-4078
+9 Addition on 2-3-1999 by Ordinance No. G-4156
*9 Revision on 2-3-1999 by Ordinance No. G-4156
*10 Revision on 2-3-1999 by Ordinance No. G-4157
*11 Revision on 5-2-2001 by Ordinance No. G-4345, eff. 6-1-2001
+12 Addition on 7-2-2003 by Ordinance No. G-4532, eff. 7-2-2003
*12 Revision on 7-2-2003 by Ordinance No. G-4532, eff. 7-2-2003
-12 Deletion on 7-2-2003 by Ordinance No. G-4532, eff. 7-2-2003
*13 Revision on 11-19-2003 by Ordinance No. G-4558, eff. 11-19-2003
*14 Revision on 11-30-2005 by Ordinance No. G-4759, eff. 12-30-2005
*15 Revision on 12-21-2005 by Ordinance No. G-4769, eff. 1-20-2006
+16 Addition on 1-3-2007 by Ordinance No. G-4857, eff. 2-2-2007
*16 Revision on 1-3-2007 by Ordinance No. G-4857, eff. 2-2-2007
*17 Revision on 12-5-2007 by Ordinance No. G-5037, eff. 12-5-2007
+18 revision on 11-5-2008 by Ordinance No. G-5267, eff. 12-5-2008
*18 revision on 11-5-2008 by Ordinance No. G-5267, eff. 12-5-2008
+18 Revision on 11-5-2008 by Ordinance No. G-5267, eff. 12-5-2009
*19 Revision on 12-3-2008 by Ordinance No. G-5290, eff. 1-2-2009
-19 Deletion on 12-3-2008 by Ordinance No. G-5290, eff. 1-2-2009
-20 Deletion on 6-3-2009 by Ordinance No. G-5380, eff. 7-3-2009
+20 Addition on 12-2-2009 by Ordinance No. G-5453, eff. 1-10-2010
*20 Revision on 12-2-2009 by Ordinance No. G-5453, eff. 1-10-2010
*21 Revision on 4-7-2010 by Ordinance No. G-5499, eff. 5-7-2010
+22 Addition on 1-19-2011 by Ordinance No. G-5581, eff. 2-18-2011
*22 Revision on 1-19-2011 by Ordinance No. G-5581, eff. 2-18-2011
+23 Addition on 2-2-2011 by Ordinance No. G-5585, eff. 3-4-2011
*23 Revision on 2-2-2011 by Ordinance No. G-5585, eff. 3-4-2011
+24 Addition on 2-29-2012 by Ordinance No. G-5680, eff. 3-29-2012
*24 Revision on 2-29-2012 by Ordinance No. G-5680, eff. 3-29-2012
+25 Addition on 12-18-2013 by Ordinance No. G-5875, eff. 1-17-2014
*25 Revision on 12-18-2013 by Ordinance No. G-5875, eff. 1-17-2014
*26 Revision on 11-5-2014 by Ordinance No. G-5959, eff. 12-5-2014
+27 Addition on 4-5-2017 by Ordinance No. G-6304, eff. 5-5-2017
*27 Revision on 4-5-2017 by Ordinance No. G-6304, eff. 5-5-2017

Section 703. Landscaping, Fences and Walls.

A. Height of Fences and Retaining Walls.

1. The following shall apply to all districts: +7

   a. The height of a fence or freestanding wall shall be measured from the higher of the adjacent finished grade elevations, which elevation shall be the average measured perpendicular within fifty feet of the fence. +7

   b. No open fencing (such as wrought iron or chainlink fencing) may be placed on the roof of any building. This provision shall not apply to railings required by the Phoenix Construction Code. +7

   c. All requests to construct walls, fences or gates within a private access way, private drive or public utility easement must be approved by the Planning and Development Department. +7

   d. For fences or walls adjacent to the Highline, Grand, Arizona and Western Canals: +7

      1) All points higher than forty (40) inches shall be a minimum of 50 percent open, except when screening open industrial uses. +7

2) Solid walls shall not exceed six hundred sixty (660) feet in length, except when screening open industrial uses. +7

3) Open wrought iron fences may be allowed up to eight feet in height. +7

e) On lots of twenty-four thousand square feet or greater in net area, a livestock fence may be allowed within the required front yard to a maximum height of five feet where not prohibited by Section 31-13 of the City Code. +8

2. The following shall apply to all residence districts: *7

a. For lots fronting on a public street, private accessway or private drive, no fence or freestanding wall (not supporting a building or structure) within or bounding the required front yard, shall exceed a height of 40 inches, provided: *7

1) For properties located within an Historic Preservation (HP) Overlay District, fences or freestanding walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three (3) feet, and are conditioned upon obtaining a certificate of appropriateness or no effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three (3) feet beyond the front corner(s) of the primary structure. +7

2) A fence, not to exceed fifty-four inches high, may be erected within a front yard adjacent to an arterial subject to a use permit where not prohibited by Section 31-13 of the City Code. +7

3) Where a property line abuts or is adjacent to a freeway right-of-way, a noise mitigation wall exceeding the height limits in Section 703.A.2 may be erected under the following circumstances: +7

a) The lot is in an area for which there is an approved Freeway Mitigation Specific Plan; and +7

b) Wall height is indicated for that area in the Specific Plan or a noise analysis prepared by a registered professional engineer is submitted to the Planning and Development Department, which analysis demonstrates that the proposed wall height is required to reduce the noise level from freeway traffic to sixty-five dB(a) Ldn in outdoor living areas adjacent to the freeway. +7

4) The height of a wall erected for the purpose of flood protection as approved through grading and drainage plans is not regulated by Section 703.A. A fence or freestanding wall may be constructed on top of a flood wall so long as its height conforms with the provisions of Section 703.A.1 and 2. +7

b. An ornamental entry exceeding said height at the entrance of a new residential subdivision, planned area development project or multifamily development may be allowed by use permit and when not prohibited by Section 31-13 of the City Code.

c. For fences or freestanding walls within or bounding a required rear or side yard, the height shall not exceed six feet provided: *7

1) When not prohibited by Section 31-13 of the City Code, fences or freestanding walls up to ten (10) feet in height may be built around schools and other public or quasipublic institutions when necessary for the safety or restraint of the occupants thereof. *7

2) When not prohibited by Section 31-13 of the City Code, open wire fences exceeding six (6) feet may be built around game courts within or bounding a required rear or side yard subject to obtaining a use permit. *7

3) In any residence district, a noise mitigation wall of eight feet maximum height may be built within any side or rear yard abutting an arterial street. +7

d. On a corner lot contiguous to a key lot, fences or freestanding walls over three feet in height may be placed on the property line except within a triangle measured ten feet from the street along the common property line, and twenty feet along the property line extending from the common lot line towards the front of the corner lot.

The fence on the side street of a corner lot adjacent to a key lot must be set back, where it adjoins the key lot, a minimum of 10 feet for a distance of 20 feet along the street.

Key lot platted to include site visibility triangle

Subdivided corner lot with site visibility triangle

e. On a key lot contiguous to a corner lot, a fence or freestanding wall of six feet in height may be erected along that portion of a key lot contiguous with the rear yard of the corner lot, provided that such fence or wall shall not come closer than ten feet to the front line of the key lot.

f. For an assembled or unified development, such as a planned residential development or condominium: *7

1) A fence or freestanding wall may be erected a minimum of ten (10) feet and an average of fifteen (15) feet from the perimeter property line where not prohibited by Section 31-13 of the City Code and subject to the following: +7

a) A maximum height of six (6) feet; and +7

b) The fence or freestanding wall must be a minimum of fifty percent open at all points above forty (40) inches; and +7

c) The fence or freestanding wall shall not create an area within a dedicated common area(s) or tract(s) reserved for the exclusive use or benefit of an individual tenant or landowner. +7

g. Residential developments subdivided after May 2, 2008 that share a common property line with an undeveloped property zoned for non-residential uses must construct an eight (8) foot solid fence or freestanding wall along the common property line, unless the location of the required wall is modified by the Planning and Development Department when there is a tract or easement immediately adjacent to the common property line. All other fencing that does not share a common property line with a parcel zoned for non-residential uses must comply with the provisions of Section 703. *7

3. Except as provided in Section 703.A.4 and Section 647.A.2.kk and .ll, the following shall apply to all districts other than residential districts: *7

   a. For lots fronting on a public street, private accessway or private drive, a fence or freestanding wall within or bounding the required front yard shall be limited to a maximum height of 40 inches. For districts subject to the provisions of Section 701.D, no fence or freestanding wall shall exceed 40 inches in height in the yard setback area as required by that section. *7

   b. A fence or freestanding wall within or bounding the required side or rear yard shall be no higher than the height limit for buildings or structures in that district when also in accordance with Section 701.D., provided: *7

      1) For properties developed after May 2, 2008 a minimum eight (8) foot solid fence or freestanding wall must be constructed along all common property lines shared with properties zoned for residential uses, if a fence does not exist at the time of development. A solid fence or freestanding wall may be extended up to twelve (12) feet in height on the non-residentially zoned property, subject to obtaining a use permit. The location of the required wall may be modified by the Planning and Development Department when there is a tract or easement immediately adjacent to the common property line. All other fencing that does not share a common property line with a parcel that is zoned for residential uses must comply with the provisions contained in Section 703. +7

4. The following regulations apply to retaining walls: *7

   a. The height of a retaining wall is determined by the maximum vertical dimension from the top of the footing to the top of the wall. A retaining wall shall be no higher than necessary to retain earth or water. +7

   b. All retaining walls shall be separated by one foot horizontal distance for each one foot vertical height of the wall downslope, with a minimum separation of three (3) feet. The area between retaining walls shall be improved with hardscape or landscaping, including irrigation, as approved by the Planning and Development Department. +7

   c. Individual retaining walls shall be limited to a height of forty (40) inches when located within fifty (50) feet of a subdivision perimeter or the property line of an unplatted parcel, provided that requests to exceed this height may be allowed subject to obtaining approval of a use permit in accordance with the provisions of Section 307. +7

   d. An individual retaining wall shall be limited to a height of forty (40) inches within the front or street side yards, with the total combined vertical height of each individual wall not to exceed fifteen (15) feet. *7

   e. An individual retaining wall may not exceed a height of six (6) feet when located in the interior side or rear yards, with the total combined vertical height of each individual wall not to exceed twenty (20) feet. +7

f. A fence or freestanding wall may be constructed on top of a retaining wall so long as the height of the fence or freestanding wall conforms to the provisions of Section 703.A.1. *7

5. In all zoning districts, when not prohibited by Section 31-13, fences or freestanding walls up to ten feet may be built for the protection of critical infrastructure. +11

a. Razor, concertina, or barbed wire to protect critical infrastructure shall not be used where visible from public streets or adjacent property. +11

B. **Landscaping and Open Areas In Multiple-Family Development.**

1. **Purpose.** Multiple-family dwellings can play a desired role by providing desired forms of housing in appropriately zoned locations. However, because the density of dwellings is greater than alternate forms of housing, there is a relatively greater need to ensure an appropriate residential setting, including both landscape amenities and adequate outdoor open areas. Although it is recognized that many multiple-family projects will wish to provide these in greater amounts, this section establishes minimum standards for these features. These standards also recognize both limitations in water availability as well as legitimate needs to use landscaping for shade, cooling, and visual relief. To these purposes, these standards distinguish between landscaped areas oriented to public street and the exterior of projects from that more internally oriented and for the use of residents. They provide for landscaping at the perimeter and in front yards to include waterless features and drought resistant plant materials. Higher water use landscaping is to be restricted to interior areas devoted to resident use.

2. Landscaping and open space areas shall be provided as follows at the time of initial development and shall be maintained in a living condition on any lot in any district containing a structure with two or more dwelling units.

3. **Landscaping standards.**

a. Adjacent to public street right-of-way the required building setbacks are to be landscaped and maintained except for driveway entrances and sidewalks in the following manner:

(1) One minimum fifteen-gallon drought resistant tree for each five hundred square feet of required setback area, less driveways and sidewalks.

(2) One minimum five-gallon drought resistant shrub for each one hundred square feet of required setback, less driveways and sidewalks.

(3) Ground cover shall be selected from at least two of the following:

(a) Turf or low-growing evergreen vegetation.

(b) Flowering vegetation.

(c) Manmade or natural art or sculpture, rock, decomposed granite or similar material, a maximum of three-inch diameter, when used in conjunction with landform sculpting.

(4) Lighting fixtures for decorative and/or security purposes may be used when in conformance with all outdoor lighting regulations.

b. Interior property lines are to be landscaped and maintained except for driveway entrances or sidewalks in the following manner:

(1) One minimum fifteen-gallon tree for each twenty feet of linear distance; and

(2) One minimum five-gallon shrub for each five feet of linear distance.

(3) The above plant materials are to be planted and maintained in a minimum five-foot-wide landscaped area with at least one ground cover as provided in Section 703.B.3.a(3).

c. In addition, where required side and rear yards are not occupied by swimming pools, structures, parking or driveway they shall be included in the landscaped area. The quantity of shrubs and trees shall be as in Section 703.B.3.a(1) and (2). Ground cover shall consist of turf, low-growing vegetation or flowering vegetation.

d. Each landscaped area shall be provided a water source with an appropriate permanent water distribution system.

e. The placement of landscaping shall respond to providing security for ground floor openings subject to compatibility with existing soil conditions.

4. **Open space area.**

a. Active and passive leisure and outdoor recreation areas are to be provided and maintained in central locations for use by residents of the multi-family development.

(1) The total of such areas shall be a minimum of five percent of the gross site area.

(2) No portion of any area is to be less than two hundred square feet or less than twenty feet in width.

b. Two or more of the following elements are to be provided in these areas:

(1) Swimming pool.

(2) Tot lot.

(3) Barbecue and picnic areas.

(4) Game courts.

(5) Jogging and/or parcours.

(6) Lawn or turf.

Areas devoted to parking lots or driveways, principal or accessory buildings and required setbacks are not to be considered part of the open space area.

5. **Enforcement.** Failure to maintain landscaping and open space areas in accordance with this paragraph shall be a violation of this ordinance.

C. **Temporary Fencing.** +6

1. Temporary fencing as defined in Section 202, shall be permitted only with the issuance of a temporary fence permit, except for those sites for which an approved building permit, civil permit, or temporary event permit is active, from the Planning and Development Department. Such permit shall be prominently displayed and maintained on the fence at all times. +6 *10

a. All temporary fencing must be removed or replaced with permanent fencing within a maximum of one year of installation unless extended pursuant to Section 703.C.2. +10

b. Temporary fencing within or along the perimeter of a golf course must meet the following conditions: +10

(1) Use permit approval per Section 307 required when adjacent to a residential district subject to the following standards: +10

(a) The temporary fence shall only be located in places of public access to the course. +10

(b) Landscaping within 50 feet of the perimeter must be maintained per the Neighborhood Preservation Ordinance (Chapter 39 of Phoenix City Code). +10

(c) A landscape plan must be included with the use permit application that identifies the existing vegetation within 60 feet of the perimeter property line. +10

(d) The Zoning Administrator may grant a use permit for up to one year. The use permit may be renewed a maximum of three times for a total of 36 months. +10

The one-year time limit may be reduced as part of the use permit process. +10

(e) Additional conditions may be stipulated as part of the use permit process. +10

Applicant must identify conditions to justify the additional temporary fence along the perimeter, including: +10

i. Hazardous condition of the land. +10

ii. Hazardous condition of the buildings. +10

iii. Hazardous condition of the golf course features. +10

c. Temporary fencing to mitigate a safety hazard is allowed within five feet of an existing building, structure, bridge, water feature or sand trap. +10

2. Temporary fences shall be removed prior to permit expiration unless the permit is extended to a specified time by the Planning and Development Director or his designee upon recommendation from the Neighborhood Services Director or his designee. Unsuccessful time extension applicants must apply for a permanent fence building permit if fencing over three feet is proposed. Applications for temporary fence permit time extensions must demonstrate one or more of the following conditions: +6

a. Additional time is necessary because of ongoing environmental remediation activities on the site, or +6

b. Existing safety hazards on the site are being addressed but warrant continued fencing of the site, or +

c. The site is being actively developed as demonstrated through recent inspection reports. +6

3. Temporary fencing to a height of eight feet is permitted. Unobstructed sight triangles as defined by Phoenix City Code Section 31-13 must be adhered to on corner lots and at driveways. +6 *10

4. Any request to exceed the eight foot height limitation shall require a use permit pursuant to Section 307.A.7 and the following: +6

   a. The increased height is necessary to enhance public safety, and +6

   b. The increased height will not create a negative impact on adjacent properties. +6

5. In no event shall any barbed wire, razor wire, or other equivalent fence topping be placed on temporary fencing that is visible from rights-of-way or a residential district. If allowed, the topping must be placed a minimum of six feet two inches from the finished grade. +6 *10

D. **Electric Fences, Chain Link Fences, Barbed, Concertina, and Razor Wire.** +9

1. Electric fences are permitted in A-1—Light Industrial and A-2—Heavy Industrial zoning districts subject to the following standards: +9

   a. Electric fences shall not be located within required landscape and street side setbacks. +9

   b. Any electric fences shall not exceed ten feet in height. A request to exceed this height is subject to approval of a use permit pursuant to Section 307. +9

   c. A fence or wall no less than six feet in height that is not electrified shall be constructed parallel to and on the exterior side of the electrified fence. The nonelectrified fence shall be either: +9

      (1) No more than six inches from the electrified fences; or +9

      (2) No less than three feet from the electrified fences. +9

   d. Electric fences shall be a minimum of three feet from all perimeter property lines. When adjacent to residential zoning districts, the electric fence shall be a minimum of 25 feet from the perimeter property line. A request to reduce the required provisions above is subject to approval of a use permit pursuant to Section 307. +9

   e. Warning signs stating "danger, premises is protected with an electrified fence," shall be placed at the top of the electrified fence at intervals not less than 30 feet. Signs shall also be placed on the perimeter fence or wall at intervals of 30 feet. The bottom of the sign shall be located five feet from the ground. The sign shall be a minimum of 36 square inches. +9

2. **Chain link fences, barbed, concertina, and razor wire.** +9

   a. Chain link fences with plastic or metal slats, sheeting and nondecorative corrugated metal shall not be used in multi-family or nonresidential development where visible from public streets or residential zoning districts. +9

   b. Fences made or topped with razor, concertina, or barbed wire shall not be used in residential single-family or multi-family zoning districts. +9

c. Fences made or topped with razor, concertina, or barbed wire shall not be used in non-residential development where visible from public streets or adjacent residential areas. +9

d. Under no circumstance shall any razor, concertina, or barbed wire be placed closer than six feet two inches from the ground. +9

e. Fences topped or made of glass, screws, nails or similar material shall not be permitted. +9

f. This section shall not apply to barbed wire used to contain livestock that complies with Arizona Revised Statutes Chapter 11, Ownership, Control and Regulation of Livestock, Article 8, 3-1426, Standard for a Lawful Fence; provided, that barbed wire fences cannot be used on any parcel of land less than ten acres in size. +9

Date of Addition/Revision/Deletion - Section 703

+1 Addition on 3-19-1997 by Ordinance No. G-3996
*1 Revision on 3-19-1997 by Ordinance No. G-3996
*2 Revision on 6-4-1997 by Ordinance No. G-4014
+3 Addition on 7-2-1997 by Ordinance No. G-4039
*4 Revision on 7-1-1998 by Ordinance No. G-4109
*5 Revision on 9-14-2005 by Ordinance No. G-4739, eff. 10-14-2005
-6 Deletion on 11-30-2005 by Ordinance No. G-4760, eff. 12-30-2005
*6 Revision on 11-30-2005 by Ordinance No. G-4760, eff. 12-30-2005
+6 Addition on 11-30-2005 by Ordinance No. G-4760, eff. 12-30-2005
+7 Addition on 4-2-2008 by Ordinance No. G-5136, eff. 5-2-2008
*7 Revision on 4-2-2008 by Ordinance No. G-5136, eff. 5-2-2008
+8 Addition on 3-2-2011 by Ordinance No. G-5594 eff. 4-1-2011
+9 Addition on 7-3-2011 by Ordinance No. G-5722 eff. 8-2-2012
+10 Addition on 6-4-2014 by Ordinance No. G-5929, eff. 7-4-2014
*10 Revision on 6-4-2014 by Ordinance No. G-5929, eff. 7-4-2014
+11 Addition on 2-15-2017 by Ordinance No. G-6278, eff. 3-15-2017

Section 704. Environmental Performance Standards.

A. **Outdoor lighting.** Outdoor lighting fixtures, in any district, shall be arranged and shielded so that lighting shall not shine or reflect onto adjacent residential property. In cases of interpretations of consistency with this provision, such lighting shall be located, shielded or adjusted in intensity to be in conformance with standards as adopted by City Council and on file with the Planning and Development Department.

Section 705. Signs. *1 –2 +2

A. **Purpose and Scope.**

1. The purpose of the Sign Ordinance is to provide fair, comprehensive, and enforceable regulations that will foster a good visual environment for Phoenix. This section regulates on-premise signs which are visible from public streets or which are visible from one site to another. These regulations balance the need to protect the public safety and welfare, the need for a well-maintained and attractive community, and the need for adequate identification, communication and advertising for land uses. The regulations allow for a variety of sign

types and sizes for a site. The sign standards are intended to allow signs with adequate visibility from streets that abut the site; this ordinance does not guarantee signs which are visible from streets farther away. The standards are also intended to balance the function and aesthetics of signs. The regulations for signs have the following specific objectives:

a. To ensure that signs are designed, constructed, installed, and maintained so that the public safety is protected and traffic safety is maintained;

b. To allow and promote positive conditions for sign communication while at the same time promoting an attractive environment;

c. To reflect and support the desired character and development patterns of the General Plan and the various zoning districts;

d. To allow for adequate, effective, and aesthetic signs in commercial and industrial zones which promote a pleasing visual environment and prevent over concentration of signage; and

e. To ensure that the constitutionally guaranteed right of free speech is protected.

2. In cases in which two or more provisions of this section conflict, the most restrictive provision shall prevail.

3. This section is not intended to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this section, or with private restrictions placed upon property by covenant, deed or other private agreement. Where this section imposes a greater restriction on signs than is imposed or required by such existing provisions of the law, ordinance, contract, or deed, the provisions of this section shall control.

4. The provisions of this section shall not be construed as relieving or limiting in any way the responsibility or liability of any person erecting or owning any sign for personal injury or property damage resulting from the placing of a sign, or resulting from the negligence or willful acts of such person, his or her agents, employees, or workers in the construction, maintenance, repair, or removal of any sign erected in accordance with a permit issued hereunder. Nor shall it be construed as imposing upon the City or its officers or employees any responsibility or liability by reason of the approval of any signs, materials, or devices under the provisions of this ordinance.

5. Sign-related definitions are included in chapter 2 of this ordinance.

6. This section sets forth the standards for the number, size, placement, and physical characteristics of on-premises signs. The regulations set forth herein do not restrict the content of on-premises signs. This section applies to all zoning districts in the City. Other regulations in the City Code may also apply to signs.

7. This section shall not apply to the following signs:

a. Traffic signs and all other signs erected or maintained by a governmental body including, but not limited to, danger signs, railroad crossing signs, and signs of a noncommercial nature required by public laws, ordinances or statutes.

b. Warning signs not over six square feet in area.

c. Advertising in the public right-of-way and on private property adjacent to the public right-of-way when erected under the provisions of section 3-8(b) of the Phoenix City Code, regarding placement of provisional signs, posters, placards, banners, shields, flags, signs, bills, cards, or other decorative or pictorial devices or advertisements on the street.

B. **Sign permits.** This section sets forth requirements for sign permits, types of signs which do not require permits, and signs which are not permitted in the City of Phoenix.

1. **Sign permit general requirements.**

a. **Requirement for permit.** Unless otherwise provided in this section, all signs shall require a sign permit from the Development Services Department before being erected, displayed, relocated or altered. Written approval from the Development Services Department personnel is required before any change, modification, alteration or other deviation from the terms and conditions of the sign permit and before any such change in the use of the sign as originally permitted can be made. The Development Services Department shall maintain a record of all such requests and approvals.

b. **Qualifications to apply for a permit.** The owner, tenant, or lessee of the property on which the sign is located, or his or her authorized agent, a contractor licensed by the State of Arizona, a registered architect or a registered engineer shall be able to file a sign permit application on a form provided by the Development Services Department. The application shall include the signature of the applicant or his or her authorized agent and shall include the legal address of the proposed location of the sign.

c. **Substitutions for original applicant.**

(1) At any time after a sign permit is issued, a new owner, tenant, lessee, architect, engineer or contractor of record may be substituted for the original owner, tenant, lessee, architect, engineer or contractor of record if the new interest is recorded on the original papers by affidavit and the new interest assumes all obligations he or she would have had under the original permit.

(2) The change of interest discussed above shall not imply that any fees paid for the permit shall be returned, even if paid by the person who has been replaced. Additional fees shall be charged for the change of interest. Such fees are listed in appendix A.2 of the City Code and are on file with the Development Services Department.

d. **Documents which must accompany permit application.** All applications for sign permits shall be accompanied by the relevant documents prescribed herein.

(1) **Engineered plans required.** To the extent not previously approved by the City, the following signs shall require engineered plans, and the permit application shall include complete plans and calculations sealed by an engineer or architect registered in the State of Arizona.

(a) Roof, canopy, and marquee signs when the area of the face of one sign or the aggregate area of all signs exceeds twenty-five square feet.

(b) Combination signs exceeding fifty square feet in area.

(c) Projecting signs greater than fifty square feet in area or twelve feet in width. Calculations shall also be furnished on unusual conditions for signs smaller than this.

(d) Ground or pole signs when the area of the face of one sign or the aggregate area of all signs on the sign structure exceeds thirty-five square feet and the structure exceeds six feet in height.

(e) Wall signs in excess of one hundred square feet in area, except:

(i) Wall signs constructed of cut-out letters and insignia attached directly to the building and for which no individual letter exceeds one hundred square feet in area.

(ii) Any signs painted directly upon the wall of a building.

(f) Calculations shall be furnished when requested by the Development Services Department for unusual or unique signs.

(2) **Plans.** All applications for sign permits shall be accompanied by plans indicating the scope and structural detail of the work. Details of connections, guy lines, supports, and footings are required, together with a plot layout showing the location of signs and their relationship to buildings and lots.

(3) **Approval of standards.** A fabricator may submit plans for a sign to the Building Official for approval and file as a standard. Upon approval as a standard, permits may be obtained for such sign without refiling detailed structural plans. Such signs shall be given a standard number by the fabricator and the standard number shall be shown on each permit application.

(4) **Contractor certification.** A certified statement that sign faces, sign cabinets and method of attaching signs to their support structure shall be designed and constructed to conform to the specifications of the Phoenix Construction Code may be accepted in lieu of formal engineering plans and calculations, provided certification is made and sealed by an engineer or architect registered in the State of Arizona.

e. **Revocation of permits for noncompliance with the permit's terms or for being void.**

(1) If the Zoning Administrator or his or her designee finds that:

(a) The work under any sign permit is not in accordance with the terms of the permit;

(b) The sign is in violation of any provision of this ordinance or any other City ordinance; or

(c) There was any false statement or misrepresentation of material fact in the permit application, payment for the permit or plans on which issuance of the permit was based.

The Zoning Administrator or his or her designee shall notify the owner or applicant in writing of the defect and of the time in which the defect must be corrected. If the defect is not timely corrected, the Zoning Administrator or his or her designee shall revoke the permit with a written revocation. No work under the permit, other than correction of the defect, shall continue after the initial notice of the defect is served.

(2) A permit which has been issued in error is void. The Zoning Administrator or his or her designee shall revoke the permit and notify the owner or applicant in writing of the revocation. No work shall be done under the permit after this notice is served.

f. **Revocation of permits for nonuse.** A sign permit shall be null and void if work under the permit is not started within one hundred eighty days of the permit's issuance or if building operations under a sign permit are suspended for a period of sixty days. The Zoning Administrator or his or her designee may extend these time limits if the delays are not caused by willful acts or negligence of the contractor, owner, or applicant. Requests for extension shall be submitted and responded to in writing.

g. **Issuance of permits.**

(1) Development Services Department personnel shall examine applications for sign permits within a reasonable time after filing. They shall issue the permit if it appears from the application and any supporting documents that the requested sign(s) and any existing sign(s) conform to the requirements of this section.

If Development Services personnel find that any requested or existing sign(s) or uses directly related to the application and in the ownership and control of the permit applicant violate any applicable provision of this section or any other City Code or ordinance, they shall not issue the sign permit until the violation is corrected.

(2) A sign permit shall be a license to proceed with the work specified in the permit. It shall not give authority to violate, cancel, alter, or set aside any of the provisions of this section or any other City code, ordinance or regulation. Issuance of a sign permit shall not prevent Development Services personnel from requiring correction of errors in plans or in construction where such errors are in violation of the terms of stipulations of the permit, this section or any other City code, ordinance or regulation.

(3) No additional permits shall be issued for signs appurtenant to any use or establishment having overdue sign regulations charges or unpaid reinspection charges due on the use or establishment.

h. **Applicant action considered withdrawal of application.** If a permit is not obtained within ninety days after the applicant has been notified that plans are approved, the Development Services Department shall consider the application withdrawn and may destroy any plans, specifications, and calculations pertaining to the application.

i. **Sign permit fee.** All applications for sign permits shall have a fee to be established by the City Council, a copy of which is on file with the City Clerk and in the Development Services Department. A schedule of the fee can be found in appendix A.2 to the City Code. Particular provisions regarding the fee are located in section 705.I.

j. **Sign identification tags.** Signs shall display an identification tag which is readily visible from public property or property accessible to the public after the sign is erected. The particular requirements for the tags are:

(1) The Development Services Department shall issue a sign permit tag bearing the permit number for all signs requiring a permit. If the sign permit tag is lost, defaced, or illegible, it shall be replaced by painting the permit number on the face or structure of the sign in numerals at least three-quarters of an inch high.

(2) All signs for which a variance or use permit has been granted shall display a special identification tag to show that the sign has been exempted from complying with one or more of the requirements of this ordinance.

(3) Electric signs shall display an electrical component tag certifying compliance with the City Electrical Code, or an approved tag issued by a testing laboratory approved by the Development Services Department.

k. **Nontransference of permits and identification tags.** Permits, permit numbers and identification tags shall not be transferable; they are valid only for a specific sign at the specifically designated location. If, at any time, a sign or sign structure is altered, removed, or relocated, the existing identification tag(s) shall be removed and application made for new one(s) when necessary.

2. **Signs which do not require a sign permit.** The following signs shall not require a permit or the payment of an annual sign regulation charge. However, they shall conform to the requirements of general applicability, section 705.C and any applicable sections of the Building Code.

a. Signs not visible from public streets or which are not visible from one property to another. Notwithstanding the foregoing, a sign that is visible from a public street shall not require a sign permit if the sole purpose of the sign is to provide on-site directional or locational information.

b. The flag, pennant, or insignia of any nation, state, county, city or other political entity or any church or religious organization. However, the display of more than one flag of this or any other nation, state, county, city or other political entity or any church or religious organization shall not be permitted. This section shall not prohibit the display of individual flags of multiple nations, states, counties, cities or other political entities or churches or religious organizations.

c. Tablets, grave markers, headstones, statuary or remembrances of persons or events that are noncommercial in nature and tablets such as memorials or cornerstones, or the name, date of erection and use of building when built into its walls.

d. Works of fine art when not displayed in conjunction with a commercial enterprise and through which an enterprise may not receive direct commercial gain.

e. Temporary decorations or displays celebrating the occasion of traditionally accepted patriotic or religious holidays.

f. Signs on a truck, bus, car, boat, trailer or other motorized vehicle and equipment provided all the following conditions are adhered to:

(1) Primary purpose of such vehicle or equipment is not the display of signs.

(2) Such signs are magnetic, decals, or painted upon an integral part of the vehicle or equipment as originally designed by the manufacturer, and do not break the silhouette of the vehicle.

(3) Vehicle/equipment is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used in the daily function of the business to which such signs relate.

(4) Vehicles and equipment are not used primarily as static displays, advertising a product or service, nor utilized as storage or shelter. *7

(5) During periods of inactivity exceeding forty-eight hours such vehicle/equipment are not so parked or placed that the signs thereon are displayed to the public. Vehicles and equipment engaged in active construction projects and the on-premise storage of equipment and vehicles offered to the general public for rent or lease shall not be subjected to this condition.

g. Temporary window signs. Specific regulations regarding temporary window signs are located in section 705.D.5.

h. Political signs having an area of thirty-two square feet or less, provided that:

(1) Any person or organization planning to erect political signs relating to a candidate or issue on the ballot of a primary, general, or special election shall first file with the Development Services Department the name, address, and telephone number of a person who shall be responsible for the proper erection and timely removal of the signs; and *4

(2) Political signs shall be removed within ten days after the election to which they refer. Signs erected for a primary election may remain only if they continue to be valid for the next general election. *4

i. Temporary signs for events of a general City-wide civic or public benefit nature as covered by section 3-8 of the Phoenix Municipal Code.

j. Nameplates, street address signs, and combination nameplate and street address signs containing no advertising copy, not exceeding two square feet in area and limited to one per street front per use for residential uses.

k. Street address signs, wall-mounted nameplates and wall-mounted combination nameplate and street address signs containing no advertising copy, not exceeding six square feet in area for commercial and industrial uses.

l. Religious outdoor fund solicitation signs displayed by bona fide religious organizations, limited to one sign of not more than eight square feet in area per street front.

m. Address directory(ies) as required and enforced by the Fire Marshal or his authorized representative in accordance with the Phoenix Fire Code Section 28.42.

n. Changing copy on a legal sign, bulletin board, display encasement, or marquee; or maintenance where no structural changes are made; or the changing of the interchangeable letters on signs designed for them. However, repainting of painted wall signs when more than fifty percent of the copy has been removed shall require that written notice of the proposed repainting be received by the Development Services Department at least three days prior to repainting. Change on any sign when an increase in square footage occurs, shall require a permit. The nonconforming status of a sign shall not be affected by the repainting.

o. Temporary, nonilluminated, real estate signs, not more than six square feet in area, advertising the sale or rental of premises on which the sign is located.

p. Temporary, nonilluminated signs not over sixteen square feet, erected in connection with new construction work when displayed only during the actual construction work. Such signs shall be on the construction site and may identify the architects, engineers, contractors, and other firms involved in the construction and may advertise any product or the character or proposed use of the building.

q. Bulletin boards for charitable or religious organizations and churches which appertain to a legal use and which do not exceed the area allowed for their district or thirty-two square feet, whichever is less.

r. Business names or logos on the face of fuel pumps. Such signs shall not count against permitted sign area on-site.

s. A barber pole, animated or not, which is appurtenant to the barber business and affixed directly to the wall of the exterior of the occupied space. +8

1. Barber poles shall be no taller than thirty-six inches and no wider than ten inches. +8

2. Requests to deviate from these requirements are subject to obtaining a use permit in accordance with the provisions of Section 307. +8

3. **Signs not permitted in Phoenix.** The following signs are not permitted in the City of Phoenix, except as provided elsewhere in this section:

a. Signs which occupy or project into public right-of-way.

(1) No sign shall occupy public property in any manner, nor shall any sign extend across a property line where such property line borders a public or private street, highway, alley, lane, parkway, avenue, road, sidewalk, or other right-of-way, whether such a right-of-way has been dedicated to the public in fee or by easement, and whether or not such right-of-way has been used as right-of-way. However,

wall signs may be allowed to project a maximum of eighteen inches into any such right-of-way provided the bottom of such wall sign is at least eight feet above grade.

(2) Development Services personnel may, without notification, cause to be removed any temporary or portable sign erected upon or projecting into public property.

b. Projecting signs lower than eight feet above grade. No projecting sign shall be erected with the bottom of such sign closer than eight feet to ground grade level. The thickness measured between the principal faces of any projecting sign shall not exceed forty-eight inches when such sign is of solid construction.

c. Signs which pose a traffic hazard. No sign shall be erected, operated, used or maintained which:

(1) Due to its position, shape, color, format, or illumination, obstructs the view of, or may be confused with, an official traffic sign, signal, or device or any other official sign.

(2) Displays lights resembling the flashing lights customarily associated with danger or those used by police, fire, ambulance, and other emergency vehicles.

(3) Uses in a manner which may confuse motor vehicle operators, the words "stop," "warning," "danger," "turn," or similar words implying the existence of danger or the need for stopping or maneuvering.

(4) Creates in any other way an unsafe distraction for motor vehicle operations.

(5) Obstructs the view of motor vehicle operators entering a public roadway from any parking area, service drive, alley, or other thoroughfare.

d. Vehicle-mounted signs. Except as provided elsewhere in this section or specifically exempted by other sections of this Code, signs mounted upon, painted upon, or otherwise erected on trucks, cars, boats, trailers, and other motorized vehicles or equipment shall be regulated as ground signs and signs mounted upon a trailer chassis with or without wheels shall be considered to be portable ground signs, which are prohibited.

e. Signs which interfere with visibility at street intersections or driveways. at all public street intersections, there shall be no sign erected between the heights of three (3) feet and ten (10) feet and no obstruction to vision between those heights other than a single post or column which does not exceed twelve (12) inches in its greatest cross sectional dimension, within the visibility triangle formed by the lot lines on the street side of such lot and a diagonal line joining points on such lot lines at distances from the point of their intersection as set forth in the following table and as shown in the graphic below: *9

TABLE B-1
Size of Unobstructed Sight Triangle at Corner Lots +9

Classification of Intersecting Public Streets*	**Distance Measured Along Each Street (Dimension "X" In Graphic Below)**
Local-Local	33′
Local-Collector	33′
Collector-Collector	33′
Collector-Major	33′
Major-Major	33′
Major-Local	33′ along major street 15′ along local street
Any Public Street—Driveway	33′ along major street 15′ along local street 10′ perpendicular to street

* As defined in the City of Phoenix Minimum Right-Of-Way Standards Map

SIGNS WHICH INTERFERE WITH VISIBILITY AT STREET INTERSECTIONS OR DRIVEWAYS

Signs Which Interfere With Visibility

f. Signs projecting above roofline. Unless otherwise provided, no signs shall be erected upon or project through the roof of any building nor shall any sign attached to a building extend above roofline of that building.

g. Portable ground signs. Portable ground signs, including A-frame signs, are prohibited, unless specifically permitted elsewhere in this ordinance.

h. Signs for home occupations. Signs for home occupations are prohibited.

i. Signs on doors. Only pedestrian signs shall be located on glass doors.

C. **Requirements of general applicability.** All on-premises signs in Phoenix must conform to the following regulations:

1. **Animation.** No sign shall be animated or contain the optical illusion of sign movement, except as may be allowed in the commercial land use designations as defined in Section 705.D.1.a, subject to obtaining a use permit in accordance with the provisions of Section 307. Time and temperature devices shall not be considered as animation. Electronic message displays approved with a use permit in accordance with the provisions of Sections 307 and 705.C.13 shall not be considered as animation. *10

2. **Flags and banners.** Flags, banners, pennants, streamers, or other similar devices are permitted only as follows:

   a. Flags which do not require a sign permit under Section 705.B.2.b (flags of a political entity or religious institution).

   b. One corporate flag per premises in commercial land use designations as defined in Section 705.D.1.a subject to a use permit.

   c. If specifically allowed as part of a special sign district.

3. **Electric signs.** All electric signs shall conform to the Electrical Code of the City of Phoenix.

4. **Construction Code requirements.** All signs shall conform to the requirements of the Phoenix Construction Code.

5. **Combination signs.** The thickness measured between the principal faces of any combination sign shall not exceed sixty inches when such a sign is of solid construction.

6. **Illumination.**

   a. The source of indirect illumination for signs shall be so oriented or shielded that it is not visible from any residential use or public thoroughfare.

   b. Direct illumination by incandescent sources shall not exceed eleven watts per bulb without a dimming device or sunscreen; provided, however, no single bulb shall exceed forty watts.

   c. Illumination shall not be used from 11:00 p.m. until sunrise on directly illuminated signs where the total light sources on any face exceeds one hundred fifty watts.

   d. In no event shall an illuminated sign be located closer than sixty feet to any single-family residential use or undeveloped property with a single-family residential zoning classification (RE-43 through R-2, P.A.D.-1 through 12) unless the sign does not face or is not oriented to the residential property or a use permit is obtained in accordance with the provisions of Section 307.

e. No flashing, blinking or rotating lights, metal halide lights exceeding seventy-five watts, or high or low pressure sodium light bulbs shall be permitted for either permanent or temporary signs. In no case shall mercury vapor light sources be used for direct or internal illumination.

f. All sign illumination shall satisfy the provisions of the Phoenix Dark Sky Ordinance. Section 23-100, Phoenix City Code.

g. Exposed neon and other similar tube type illumination, bare incandescent or fluorescent lights shall be permitted as an integral part of a sign.

7. **Location.**

a. No sign shall be erected so as to prevent ingress to or egress from any door or window, or any other exitway required by the Construction Code of the City of Phoenix, and amendments thereto, or by the Fire Department regulations.

b. No sign shall be attached to a standpipe, gutter, drain, or fire escape, nor shall any sign be erected so as to impair access to a roof.

c. Signs and sign structures shall be located to provide the minimum horizontal and vertical clearance from electrical wires and conductors as required by the National Electric Code Safety Standards.

d. No sign or group of signs exceeding an aggregate area of four square feet shall be erected upon any light standard, pole, etc., unless the structure was designed for that purpose or it can be demonstrated that such standards are structurally strong enough to support the additional load.

8. **Sound.** No sign shall emit any sound which is intended to attract attention beyond the boundaries of the lot on which it is located or which creates a public nuisance.

9. **Including outdoor advertising signs in on-premise sign area calculations.** Any outdoor advertising sign on-site or within two hundred feet of the property advertised shall be included in the allowed ground sign area for that property if the outdoor advertising sign exclusively advertises that property. This provision shall not apply to an outdoor advertising sign which relates to multiple properties or businesses including that property.

10. **Maintenance and repair.** All signs and sign structures shall maintain the following standards of structural repair and visual appearance. All structural and nonstructural components must be positioned and secured in accordance with approved plans for the sign. Any apparently deteriorated, damaged, or weakened components shall be promptly repaired or replaced. All lettering, advertising copy and painted surfaces must be free of chipping, peeling, and fading detectable within three hundred feet of the sign. Components composed of plastic, acrylic, and other artificial compositions must be free of cracks, holes, buckling, or any other condition affecting the strength and stability of the component. Electrical signs must be maintained in working order. Minimum maintenance requirements for electrical signs and electrical systems include but are not limited to: prompt removal and replacement of all defective bulbs, tubes, neon light segments, damaged or deteriorated electrical wiring, and malfunctioning control devices and related circuitry. If Development Services personnel

determine that these standards have not been met, notice shall be given of specific defects and reasonable time for correction. Failure to comply with such notice shall constitute a violation of Section 705, and shall necessitate the total removal of the sign and sign structure.

11. **Provisions regarding commercial and noncommercial signs.**
    a. All signs except signs that contain noncommercial messages shall be appurtenant to a permitted use of the property on which displayed.
    b. Noncommercial signs, except political signs which do not require a sign permit under Section 705.B.2.h, shall conform to the requirements of this section applicable to identification signs.
12. **Rotating signs.** Rotating signs shall be permitted subject to obtaining a use permit in accordance with the provisions of Section 307.
13. **Electronic message displays.** Electronic message displays shall be permitted in the Commercial/ Industrial land use designations and for nonresidential uses in Residential Districts as defined in Section 705.D.1.a, subject to obtaining a use permit in accordance with the provisions of Section 307 and satisfying the following conditions: +10
    a. The sign copy shall change only through an immediate transition of the sign copy or message that does not have the appearance of moving text or images. The sign copy shall not use flashing, intermittent or moving lights or produce the optical illusion of movement. No part of the sign structure or cabinet may move or rotate, except as otherwise permitted by this Section 705. +10
    b. The sign copy shall be displayed for a minimum of eight (8) seconds provided, however, that the Zoning Administrator or the Board of Adjustment shall have the authority to increase the display time only if the sign will be located within one hundred (100) feet in any direction of another electronic message display on either an on-premise or outdoor advertising sign and traffic safety concerns are raised. These increases in display time shall be either (i) in eight (8) second increments to a maximum of thirty-two (32) seconds or (ii) to a longer period if requested and agreed to by the applicant. +10
    c. The sign shall include photocell technology to control and vary the intensity of lighting depending on the amount of ambient light that is present (e.g. daytime, nighttime, cloudy conditions). The intensity of the lighting shall not exceed three hundred (300) nits from dusk until dawn unless the sign is turned off in accordance with the provisions of Section 705.C.13.d as it is located within 150 feet of Single Family Residential zoned property. +10
    d. The sign shall not be illuminated between 11:00 p.m. and sunrise when (1) located within one hundred fifty (150) feet of Single Family Residential zoned property and (2) visible from such development or property. +10
    e. An electronic message display may be used as a wall sign. Notwithstanding the provisions of Section 705.C.11.a and Section 705.D.3 limiting location of a wall sign to the portion/suite of a multi-tenant building in which the use being identified is

located, an electronic message display wall sign may identify any use in the multi-tenant building. This provision applies only for uses that are not also identified on a ground sign with an electronic message display that is used to identify uses at the multi-tenant building. +10

f. Except as provided herein, the sign shall conform to the size and placement standards established in Section 705.D. +10

g. The signs may be located only as follows: +10

1) On property adjacent to a freeway, major arterial, arterial or collector street, as designated by the City of Phoenix Street Classification Map, and +10

2) Spaced a minimum of one hundred (100) feet from flashing warning signs, including but not limited to flashing warning signs at school crosswalks, train crossings and fire stations. +10

h. The maximum height of an electronic message display located on a ground sign within fifty (50) feet of a traffic signal that alternately directs roadway traffic to stop and to proceed shall be eight (8) feet. The maximum height of the electronic message display may increase one (1) foot for every twelve (12) feet in additional setback from the subject traffic signal to the maximum height permitted by the standards of Section 705.D for a ground sign in the applicable zoning district. Notwithstanding these limitations, the maximum height of the ground sign containing the electronic message display shall be limited only by the standards established for a ground sign in the applicable zoning district in Section 705.D. The distance between the ground sign and the traffic signal shall be measured between the closest points on the subject ground sign and the traffic signal pole, as demonstrated on a site plan or survey submitted with the sign permit application. +10

i. In addition to their on-premise advertising and identification purposes, the signs may be used for warning signs, as defined in Section 202 of the Zoning Ordinance. +10

D. **Requirements for specific types of signs.** This section includes specific standards for ground signs, wall signs, directional signs, window signs, marquees/canopies/awnings, pedestrian signs, construction/real estate signs, subdivision sale signs, and temporary signs. All signs approved following the effective date of this ordinance shall be subject to the following requirements:

1. **Ground and wall signs—General standards.** Ground and wall signs shall be permitted as described below. Table D-1 sets forth general standards for ground and wall signs. Sections 705.D.2 and 705.D.3 set forth more specific standards for these signs.

a. **Definition of land use.** The land use designations used in table D-1 are defined as follows:

(1) Single-family land use includes activities in the following zoning districts which meet the Zoning Ordinance definition of residential use: S-1; S-2; RE-43; RE-35; RE-24; R1-18; R1-14; R1-10; R1-8; R1-6; R-2; and P.A.D.-1 through 11.

(2) Multiple-family land use includes activities in the following zoning districts which meet the Zoning Ordinance definition of residential use: R-3; R-3A; R-4; R-4A; R-5; and P.A.D.-12 through 15.

(3) Nonresidential activity in a residential area includes any activity in the R-O district or the districts listed in Sections 705.D.1.a.1 and 2 above which does not meet the Zoning Ordinance definition of residential use.

(4) Commercial land use includes all activities in the C-O, C-1, C-2, C-3, PSC, RSC, Commerce Park, A-1, A-2, Resort, P-1, and P-2 zoning districts.

b. **Definition of street classification.** The street classification designations used in table D-1 refer to street classes from the City's street classification map and General Plan, as follows:

(1) The freeway designation includes the freeway/expressway street classes;

(2) The high volume street designation includes the major arterial, arterial and collector street classes;

(3) The low volume street designation includes the minor collector and local street classes.

TABLE D-1. IDENTIFICATION SIGNS

	Wall Signs		*Ground and Combination Signs*			
Land Use	*Height (feet)*	*Area (square feet)*	*Number of Signs*	*Height (feet)*	*Area (square feet)*	*Spacing (feet)*
Single-family residential	15	2	1[2]	5(8)[3]	16	300 ft. between entrance
Multifamily residential	15	1 sq. ft./each 4 lin. ft. (minimum 24; maximum 120)	1 per driveway	5(8)	16(32)	150
Nonresidential activity in residential district	15	1 sq. ft./each 4 lin. ft. (minimum 24; maximum 120)	1 per driveway	5(8)	16(32)	150
Commercial Industrial	25 ft. or no closer to roofline than one-half the vertical dimension of sign[7]	1 per lin. ft. per elevation[7] (minimum 50) (maximum 500)	Primary sign[4] 1 permitted per 300 ft. of street frontage (minimum 1)	Freeway[5] 35(48)	Freeway[5] 200	100 ft. minimum
			Secondary sign[4] 1 permitted per 150 ft. of street frontage (less signage permitted above)	High volume street[6] 16(20)	High volume street[6] 110(150)	
				Low volume street 12(15)	Low volume street 80(110)	
				High volume street[6] 12(15)	High volume street[6] 80(110)	
				Low volume street 8(10)	Low volume street 60(80)	

[1] Numerals in parentheses ( ) represent height and area possible through design review. Special regulations for ground signs on corner parcels are set forth in Section 705.D.2.d.

[2] Two subdivision identification signs permitted at each entrance to a subdivision. For a multi-family residential project, each driveway per street frontage shall be permitted one double-faced identification sign or two single faced identification signs placed one on each side of one entry driveway. *9

[3] Only subdivision identification signs shall be able to use design review to achieve a height of eight feet.

[4] One sign on a multiple-use parcel shall include center identification, i.e. the name of the center.

[5] Freeway signs shall only be located on a property with freeway frontage and must be within three hundred feet of, and oriented to, a freeway, expressway or parkway as identified on the City's street classification map.

[6] A sign on a high volume street shall be limited to sign standards permitted for a sign on a low volume street if the sign is located on a public street on which residential development or undeveloped residentially zoned property has frontage within one hundred fifty feet of the sign.

[7] Wall signs over fifty-six feet in height require comprehensive sign plan approval, shall be limited to two identification signs per building, and shall be subject to the special regulations set forth in Section 705.13.31. Requests to exceed two signs per building up to a maximum of four signs may be considered in accordance with Section 506.83, and based on one or more of the following criteria:

1. That additional signage is necessary to provide building identification for those members of the public accessing the site from arterials or freeways;

2. That illumination from the signs will be restricted to no greater than one footcandle as measured at the property line, if greater illumination could otherwise have a negative impact on nearby residential properties;

3. That the location and/or grouping of other buildings limits or restricts the visibility of the signs;

4. That the buildings be located on the Central Avenue Corridor (Third Avenue to Third Street, and Fillmore Avenue to Camelback Road), or within, abutting or adjoining a designated village core. *3 *5

[8] Spacing of ground signs for multi-family and non-residential uses in a residential district may be reduced to 100 feet from ground signs on an adjacent commercially zoned property. +6

Date of Addition/Revision/Deletion - Table D-1
*3 Revision on 12-8-1993 by Ordinance No. G-3712
*5 Revision on 8-28-1996 by Ordinance No. G-3951
+9 Addition on 6-2-2004 by Ordinance No. G-4611, eff. 7-2-2004
*9 Revision on 6-2-2004 by Ordinance No. G-4611, eff. 7-2-2004

2. **Ground signs—Specific standards.**

a. **Frontage requirement—Multiple-use parcel.** This section sets forth the number and type of signs permitted on a multiple-use parcel. If such a parcel has more than one street front, the signage for each street shall be calculated separately depending on the length of each frontage. If such a parcel contains a corner site which uses section 705.D.2.d to determine its signage, the frontage of that corner parcel shall not be included in the calculation of the street frontage for signs described in this section.

(1) **Primary identification sign.** A multiple-use parcel may display one primary identification sign for the first three hundred feet, or portion thereof, of frontage and one additional primary identification sign for each additional full three hundred feet of frontage.

(2) **Secondary identification sign.** A multiple-use parcel may display one secondary identification sign for each one hundred fifty feet of frontage. The number of permitted secondary identification signs shall be reduced by the number of primary identification signs on the same street frontage of the multiple-use parcel.

b. **Frontage requirement—Single-use parcel.** This section sets forth the number and type of signs permitted on a single-use parcel. If such a parcel has more than one street front, the signage for each street shall be calculated separately depending on the length of each frontage.

(1) **Parcel with one hundred feet or less of frontage.** A single-use parcel with one hundred feet or less of frontage may display one secondary identification sign.

(2) **Parcel with between one hundred and three hundred feet of frontage.** A single-use parcel with between one hundred and three hundred feet of frontage may display one primary identification sign.

(3) **Parcel with more than three hundred feet of frontage.** A single-use parcel with more than three hundred feet of frontage may display the same number and sizes of signs as a multiple-use parcel with the same frontage.

c. **Height limitation.** No ground sign shall be higher than the limit set forth in table D-1.

d. **Special regulations for corner parcels.**

(1) **Parcel with less than one hundred feet of frontage on either street.** A corner parcel with less than one hundred feet of frontage on either street may display:

(a) One ground sign which shall not exceed twenty feet in height and one hundred fifty square feet in area; or

(b) One ground sign on each street front which shall not exceed five feet in height as of right, eight feet in height through design review and thirty-two square feet in area.

(2) **Parcel with more than one hundred but less than three hundred feet of frontage on both streets.** A corner parcel with more than one hundred feet of frontage on both streets may display:

(a) One ground sign at the corner which does not exceed twenty feet in height and one hundred fifty feet square feet in area; or

(b) One ground sign on each street front which shall not exceed fifteen feet in height and one hundred ten square feet in area on a low volume street or eighteen feet in height and one hundred thirty square feet in area on a high volume street.

(3) All signs for corner parcels must comply with the visibility triangle restrictions located in Section 705.B.3.e.

(4) **Parcel at intersection of a street and a freeway.** A corner parcel with less than three hundred feet of frontage at the intersection of a freeway and a street may display one freeway sign along the freeway frontage and may display one ground sign along the street frontage complying with the requirements of table D-1 for that street classification.

e. **Special regulations for time and temperature ground signs.** Clocks and time and temperature devices which do not exceed an area of thirty-two square feet shall not be included in the calculation of the size of a ground sign.

f. **Location of ground signs.** Ground signs shall be located in the front yard, or side yard of a corner lot adjacent to a street. Ground signs may be located at the property line or two feet from the back side or a curb or sidewalk, whichever is greater.

g. **Separation from building.** No freestanding ground sign which exceeds eight feet in height may be located closer to a building or structure than one times the width of the sign at its widest point. Signs located closer to the building must be attached to the building or structure as a wall or projecting sign unless approved through Design Review. The following graphic illustrates this section:

SEPARATION FROM BUILDING

Separation From Building

h. **Information displayed.** No ground sign shall contain more than ten items of information. The following material shall not be considered when calculating items of information:

(1) Information on a retail gasoline outlet ground sign which: shows affiliation with a motor club; indicates acceptance of designated credit cards; or fuel price and grade information;

(2) Information on a theater showing names and, if applicable, ratings of current showings or performances; and

(3) Addresses required by Section 705.D.2.j.

i. **Sign and structure size limitations.** The maximum size of a ground sign is listed in table D-1.

j. **Address requirement for ground signs.** All ground signs, other than ground signs on corner parcels, shall display the address of the lot or parcel on which the sign is erected. The address numerals shall be a minimum of six inches high but shall not exceed six square feet in area. The address shall neither be included in the calculation of the area of the ground sign nor be counted as an item of information.

k. **Reader panels.** A ground sign may be a reader panel.

3. **Wall signs—Specific standards.**

a. **Height of wall signs.** No wall sign shall be displayed higher than the maximum set forth in table D-1.

b. **Establishment of wall sign area.** The permitted wall sign area shall be determined with the area formulae set forth in table D-1 and Section 705.D.3.i. The formulae base area for each use in a building on the linear frontage of the building or suite in which the use

being signed is located. Wall sign area from one building elevation shall not be exceeded, except as provided in Section 705.D.3.d.2 regarding the minimum wall sign or as approved through a comprehensive sign plan. *3

c. **Number of signs.** There is no limit on the number of wall signs that can be established on a facade, provided that the permitted wall sign area for a use or building is not exceeded.

d. **Permitted size of sign.**

(1) **Maximum.** The maximum size of a permitted wall sign is set forth in table D-1.

(2) **Minimum.** Every property or use with frontage shall be entitled to a wall sign the size of which is set forth as minimum size in table D-1.

e. **Special regulations for time and temperature wall signs.** Clocks and time and temperature devices which do not exceed an area of thirty-two square feet shall not be included in the calculation of the size of a wall sign.

f. **Reader panels.** A wall sign may be a reader panel.

g. **Signs erected above the roofline.** Design review shall be required for any wall sign that exceeds the height of the roofline or is placed on the slope of a peaked roof to ensure integration of the sign into the architecture of the building. No sign shall be permitted to break the silhouette of the building on which it is located. *9

h. **Signs erected on attached walls.** A wall sign erected against a bearing or nonbearing wall connected to a building structure within building setback lines of the premises shall be permitted through design review to ensure integration of the wall and sign with the building. The area of such wall signs shall be deducted from the area permitted on the building wall to which the bearing or nonbearing wall is connected.

i. **Signs erected over fifty-six feet in height.** +3

(1) **Area.** The area of a wall sign erected over fifty-six feet in height shall not exceed one percent of the area of the elevation to which it is attached. This area shall not

be increased through a comprehensive sign plan and shall not be counted against the wall signage which may be placed on the building below fifty-six feet. This provision is illustrated in the graphic below:

Signs Erected Over 56 Feet

(2) **Placement on wall.** A wall sign erected over fifty-six feet in height shall be placed in the top ten percent of the wall to which it is attached and shall not exceed eighty percent of the width of the building face to which it is attached. A wall sign shall be located no closer to the side edge of a building than one-half the width of the largest letter or element of the sign.

(3) **Illumination.** A wall sign erected over fifty-six feet in height shall be either internally illuminated or backlit. Such a sign shall include neither flashing lights nor changing messages.

(4) Wall signs over fifty-six feet in height require comprehensive sign plan approval, and shall be limited to either identification of the building or one occupant per building (not different tenants on different facades of the building), two identification signs per building, and shall be subject to the special regulations set forth in Section 705.D.3.i. Requests to exceed two signs per building up to a maximum of four signs may be considered in accordance with Section 506.B.3 and based on one or more of the following criteria:

(a) That additional signage is necessary to provide building identification for those members of the public accessing the site from arterials or freeways;

(b) That illumination from the signs will be restricted to no greater than one footcandle as measured at the property line, if greater illumination could otherwise have a negative impact on nearby residential properties;

(c) That the location and/or grouping of other buildings limits or restricts the visibility of the signs;

(d) That the buildings be located on the Central Avenue Corridor (Third Avenue to Third Street, and Fillmore Avenue to Camelback Road), or within, abutting or adjoining a designated village core. +5

j. **Painted wall signs.** Signs that are painted directly on to walls shall require design review approval. +9

4. **Directional signs.**

   a. **Number of directional signs.** There shall be no more than two directional signs per driveway entrance to a lot, parcel or multiple-use lot or parcel. Only one of these signs may include business identification. There shall be no limit on the number of directional signs interior to a site which do not include business identification.

   b. **Size of and amount of information on directional signs.** No directional sign shall be greater than six square feet in area and have a height greater than three feet above grade. Information placed on the signs other than business name or logo, type of use, or directional arrows and/or informational copy shall only be included upon the approval of a comprehensive sign plan as provided in Section 705.E.2.b.3. No more than twenty-five percent of the area of a directional sign may be devoted to business identification; such area shall not be assessed as business identification sign area.

5. **Window signs.** A use may display window signs so long as the aggregate area of such signs does not exceed thirty percent of each window area located on the ground floor of the building. For computation of area, window panels separated by muntins or mullions shall be considered as one continuous windowpane. Window signs shall not be assessed as wall signs. Window signs may not be located on glass doors, as regulated in Section 705.B.3.i.

6. **Marquees, canopies and awnings.**

   a. **Restrictions for marquee signs.** Signs on marquees shall be considered wall signs and shall be subject to the requirements established for wall signs.

   b. **Restrictions for canopies and awnings.**

      (1) Signs on canopies and awnings shall be considered wall signs and shall be subject to the requirements established for wall signs. However, lettering which does not exceed seven inches in height which is displayed on the edge of a canopy or awning hanging perpendicular to the ground shall not be counted against the allowable signable area of a wall frontage.

      (2) No portion of any canopy or awning shall be less than eight feet above the level of the sidewalk or other surface over which it projects.

      (3) Awning signs may be illuminated indirectly or internally.

7. **Pedestrian signs.**

   a. Pedestrian signs shall not be counted as part of wall or window signable area.

   b. The height of pedestrian sign lettering or symbols shall not exceed four inches.

8. **Construction and property sale, lease or rental signs.** Construction and property sale, lease or rental signs are permitted subject to the requirements listed in table D-2.

TABLE D-2

Land Use	*Maximum Area*	*Maximum Height from Grade*	*Number*
Construction signs:			
Residential	32 sq. ft.	12 ft.	1/street front
Nonresidential activity in residential district, commercial	100 sq. ft.	12 ft.	1/street front
Property sale, lease, or rental signs:			
Residential	6 sq. ft. if less than 10 acres; 16 sq. ft. if more than 10 acres	12 ft.	1/@ 300 ft. of street front
Nonresidential activity in residential district, commercial	32 sq. ft. if less than 10 acres; 100 sq. ft. if more than 10 acres	12 ft.	1/@ 300 ft. of street front

9. **Subdivision sale and model home signs.** Subdivision sale signs, open house directional signs, off-site subdivision directional signs, and model home signs are permitted in the RE-43, RE-35, RE-24, R1-18, R1-14, R1-10, R1-8, R1-6, R-2, R-3, R-3A, R-4, R-4A, R-5, P.A.D.-1 through 15, R-O and C-O zoning districts subject to the following restrictions:

   a. **Subdivision sale signs.**

      (1) The signs shall be located within the subdivision to which they refer.

      (2) The area of such signs shall be limited to two square feet for each lot upon which a dwelling shall be built to a maximum of six hundred square feet. A minimum sign of ninety-six square feet shall be allowed for any subdivision. No single sign, including embellishments, shall exceed three hundred square feet.

      (3) Such signs for condominiums, cooperatives, community apartments, townhouses, or similar developments in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon shall not exceed a total area of fifty square feet for the first fifty or fewer dwelling units plus one square foot for each dwelling unit over fifty up to a maximum of one hundred fifty square feet. There shall be no more than one such sign per street frontage; such signs shall not exceed twelve feet in height.

      (4) Staff-mounted flags not exceeding four by six feet per flag may be used during the period of sale. There shall be allowed one flag per lot to a maximum of twenty-five flags. No flag shall be closer than twenty feet to another flag. No flag shall exceed twenty-five feet in height.

   b. **Model home signs.** Each model home lot or dwelling approved by the Site Planning Division of the Development Services Department may have fifteen square feet of signage. No permit is required for any nonilluminated ground sign under three feet in height or any nonilluminated wall sign under eight feet in height. Two flags as permitted in Section 705.D.9.a(4) may be located on each of the model home lots.

   c. **Open house signs.**

      (1) Six real estate directional signs, which may be portable, may be located on property other than that to which the signs refer to direct people to a real estate

(5) If such a sign is double-faced, the faces shall be no further than six inches apart.

(6) Such signs shall be set back ten feet from the public right-of-way.

E. **Flexibility provisions.** This section sets forth a variety of procedures which provide flexibility for the Sign Code. The procedures include the use of design review to receive additional height and area for signs, the comprehensive sign plan, and the community sign district.

1. **Design review to achieve extra height and area.** As indicated in Table D-1, the design review process is available to increase the area and height of ground signs. The design review guidelines used for this process are set forth in Section 507 Tab A under "project signage." If an applicant satisfies guidelines 4.1.1, 4.1.2 and 4.1.3, the sign may use the extra height and area set forth in Table D-1. A copy of the design review procedures used for this process is on file with the Sign Regulation Section of the Development Services Department. *9

2. **Comprehensive sign plans.** The comprehensive sign plan use permit is intended to encourage a flexible procedure to allow signage which is not in strict compliance with the provisions of the district regulations under this Sign Ordinance, but which is appropriate to the character of the development, provides adequate identification and information, provides a good visual environment, promotes traffic safety and is regulated to the extent necessary to be consistent with the purpose and intent of this Sign Ordinance as specified in Section 705.A.

   a. The Zoning Administrator or Board of Adjustment may issue use permits for comprehensive sign plans for commercial or industrial uses, industrial centers, hospitals, PCDs, and uses permitted in Section 647.A.1.i, or where mandated by a stipulation to a zoning approval. The use permit, or any modification thereto, may contain such conditions, requirements or standards that may be stipulated by the Zoning Administrator or Board of Adjustment to assure that signs covered by the use permit will not be detrimental to persons or property in the vicinity, or to the public welfare in general.

   b. Comprehensive sign plans approved under this section shall be evaluated based upon the following criteria:

      (1) **Placement.** *5

      All signs shall be placed where they are sufficiently visible and readable for their function. Factors to be considered shall include the purpose of the sign, its location relative to traffic movement and access points, site features, structures, and sign orientation relative to viewing distances and viewing angles. In commercial centers in which some tenants are in locations having little or no street visibility, in order to provide identification, wall signs may be placed on walls of the building in which such tenants are located, even though not on a wall of the space occupied by those tenants.

      (2) **Quantity.** The number of signs that may be approved within any development shall be no greater than that required to provide project identification and entry

signs, internal circulation and directional information to destinations and development sub-areas, and business identification. Factors to be considered shall include the size of the development, the number of development sub-areas, and the division or integration of sign functions.

(3) **Size.** All signs shall be no larger than necessary for visibility and readability. Factors to be considered in determining appropriate size shall include topography, volume of traffic, speed of traffic, visibility range, proximity to adjacent uses, amount of sign copy, placement of display (location and height), lettering style and the presence of distractive influences. In no event shall a plan contain a ground or wall sign which exceeds by more than fifty percent any maximum height standard or by twenty-five percent any maximum area standard allowed on the site through the design review process. There shall be no prescribed limit on the percentage by which a comprehensive sign plan may allow a directional sign to exceed the area or height restrictions permitted on the site.

(4) **Materials.** Sign materials shall be compatible with architectural and/or natural features of the project. This may be accomplished through similarity of materials for sign structures and faces, the use of complementary colors, similarity of architectural style, or the use of a consistent lettering style or copy.

(5) **Illumination.** Illumination shall be in conformance with Section 705.C.6 of this ordinance.

(6) **Context.** +5

The design of all signs should respect the context of the surrounding area and the character established by existing signage. Items to be considered include, but are not limited to, lettering style, sign placement, and architectural style.

c. Requests for use permits under this section shall be accompanied by an application including, but not limited to:

(1) The applicant's name and address;

(2) A legal description of the property;

(3) Existing zoning on the property;

(4) A site plan, depicting the proposed plan of development;

(5) A description and/or illustration of proposed sign locations;

(6) Standards for size, quantities, materials, and illumination; and

(7) A narrative description of the common theme for signage within the development, how it relates to architectural and/or landscaping elements of the development, and how the comprehensive sign plan relates to each of the criteria set forth in Section 705.E.

d. **Comprehensive sign plan amendments.**

(1) **Minor amendments.** Applications for minor amendments to comprehensive sign plans shall be reviewed by the Zoning Administrator. The Zoning Administrator may approve the changes without further public hearing, so long as the changes will meet each of the following:

(a) The signs meet all other standards or requirements set forth in this section;

(b) The signs conform to the information included with the original comprehensive sign plan application to satisfy the requirements of Sections 705.E.2.c.6 and 705.E.2.c.7; and

(c) The changes will not increase the number of ground signs, except directional and menu signs, in the comprehensive sign plan.

(2) **Other amendments.** Except as provided in this section, applications for amendments to comprehensive sign plans shall be processed in the same way as an original application.

e. No use permit authorized under this section may vary from the provisions of Sections 705.B.3.b, 705.B.3.c, 705.B.3.e, 705.B.3.f, 705.C.7, 705.C.8, or 705.D.5.b.

f. Signs for uses permitted in Section 647.A.1.i are allowed as follows:

(1) The provisions of Section 705.D regarding signage for commercial land uses, shall be used as the "underlying zoning district" standards for purposes of this section.

(2) Up to two identification signs may exceed the size allowed under the provisions of Sections 705.E.2.b.3 under the following conditions:

(a) The site devoted to the uses meets the area standards of Section 647.A.1.i or is located in the downtown as identified in Council Resolution No. 15143 approved March 13, 1979;

(b) The use permit may increase the size of the signs up to two hundred fifty square feet upon a finding of the Zoning Administrator that:

(i) Any additional size is necessary for visibility for traffic control;

(ii) Any additional size is consistent with the character of development and zoning of nearby properties from which the signs are visible; and

(iii) Any additional size meets any other restrictions deemed appropriate by the Zoning Administrator.

(3) The signs permitted by Section 705.E.2.f may each contain up to one hundred square feet of animated message panel. The use permit shall specify the frequency of change in the message and any animation of the panel, and other restrictions deemed appropriate by the Zoning Administrator.

(4) One sign, in addition to those permitted by Section 705.E.2.f, that exceeds the size allowed by Section 705.E.2.b.3 may be painted on, or otherwise applied directly to, the roofs of buildings associated with the uses under the following conditions:

(a) The sign shall not be visible from the ground;

(b) The signs shall not be larger than one thousand square feet or ten percent of the roof surface on which they are applied, whichever is larger; and

(c) The signs shall identify the facility only by name or logo.

(5) Wall signs for the uses may be located so the top of the sign is no closer to the roofline than one-half the vertical dimension of the sign. Height, location and illumination shall be as specified in the use permit.

g. Comprehensive sign plans for hospitals may include ground signs no higher than the limit set in Section 705.D for commercial land use designations. *9

h. Wall signs over fifty-six feet in height, approved in accordance with the provisions of this section shall be further subject to the provisions of Section 506.B.3 when more than two wall signs not to exceed a maximum of four wall signs over fifty-six feet in height are provided on a building. +5

3. **Community sign district.** The community sign district use permit procedure is intended to create a flexible incentive procedure to upgrade and update signage, particularly nonconforming signs, in business areas that lack compatibility between existing signs and the surrounding environment, consistent with the purpose of the comprehensive sign plan.

a. The Zoning Administrator or Board of Adjustment may issue a use permit for community sign districts in business areas with multiple parcels under separate ownership, such as along arterial streets with strip commercial development. The use permit, or any modifications thereto, may contain such conditions, requirements or standards that may be stipulated by the Zoning Administrator or Board of Adjustment to assure that signs covered by the use permit will not be detrimental to persons or property in the vicinity, or to the public welfare in general. *6

b. Community sign districts approved under this section shall be evaluated based upon the criteria stated in Section 705.E.2. The Zoning Administrator and/or Board of Adjustment should also consider the extent to which properties in the application are under multiple ownership or control, and the extent to which flexibility is necessary to create an incentive to move toward sign conformity, in its evaluation.

c. A community sign district may be initiated by a petition of all the owners of property in the area included in the proposed district. The application for a community sign district shall include the following:

(1) The name and address of each property owner in the district;

(2) Legal descriptions for all property within the district;

(3) A site plan, showing existing and proposed development within the district;

(4) Existing zoning on property in the district;

(5) A description and/or illustration of proposed sign locations;

(6) Standards for size, quantities, materials and illumination of signs; and

open house. Each sign shall not exceed an area of four square feet, shall be erected only when a person is on duty at the open house, and shall not be erected without the consent of the property owner on whose property it is erected.

(2) Banners and pennants may be used during a real estate open house provided that such signs are erected only when a person is on duty at the open house.

d. **Off-site subdivision directional signs.** Two directional signs may be erected on undeveloped property within one mile of a subdivision or development. Copy on such signs shall be limited to: 1) the corporate or subdivision name, logo, and sale slogan; 2) types of homes offered for sale (single-family, town homes, condos, etc.); 3) developer name; and 4) travel directions. Such signs shall be removed within three years after erection or ten days after all lots or dwelling units in the subdivision which were offered for sale have been sold, whichever first occurs. A common sign structure for the placement of directional information for multiple subdivisions may be permitted subject to obtaining a use permit in accordance with the provisions of section 307 so long as no subdivision receives more than thirty-two square feet of the sign and the sign does not exceed three hundred square feet in size and eighteen feet in height.

e. **Removal of subdivision sale signs, flags, model home signs, and off-site subdivision directional signs.** Subdivision sale signs, flags, model home signs, and off-site subdivision directional signs shall be removed within three years or upon expiration of a use permit for the model homes. In any case, flags shall be removed upon discontinuance of sale of homes within the subdivision for a period in excess of one hundred eighty days or ten days after all lots upon which dwelling units have been offered have been sold.

10. **Temporary signs.** The Zoning Administrator or his or her designee may issue a permit for temporary signs for: temporary events, including grand openings; business identification prior to placement of permanent signage; places of worship; and business identification during periods of construction in adjacent rights-of-way. Such signage is subject to the following general requirements for temporary signs and the listed standards for specific types of temporary signs.

a. **General requirements for temporary signs.**

(1) Signs permitted by section 705.D.10.c may include banners and balloons but shall not include portable "A" frame signs, pennants, streamers or other similar devices.

(2) Temporary signs shall comply with all applicable codes and ordinances.

(3) No temporary signs shall encroach into the public right-of-way or the traffic visibility zone at corners or driveways.

(4) Balloons shall be subject to the following safety standards:

(a) Balloons shall be securely fastened.

(b) Balloons shall be set back from the property line at least one foot for each foot of the height of the balloon, including the tethering cord.

(c) Balloons shall not project above the roofline.

(5) Banners shall be subject to the following safety standards:

(a) Banners shall be attached to a solid structure in a secure manner.

(b) Banners shall have a minimum clearance of eight feet above grade when placed above an area open for the common or general use of the public.

(c) Banners shall be vented to ensure they will withstand wind pressure from any direction applied to the projected exposed area.

(d) Banners shall not project above the roofline.

b. **Temporary event signs.** Signs for temporary events permitted under section 708 of this ordinance are permitted as follows:

(1) Such signs shall be erected no more than two days prior to the event and shall be removed no more than one day after the event.

(2) Such signs are limited to no more than four events at one site in a calendar year.

c. **Grand openings/temporary business identification while awaiting permanent signage.** Signs for grand openings or temporary business identification while awaiting permanent signage are permitted as follows:

(1) Temporary business identification is limited to one sign per street front.

(2) Such signs shall be erected for a period not to exceed fourteen days.

(3) Permits for grand openings shall be issued only if a valid building permit for construction or alteration of the building or suite for that location has been issued, or a valid application for a certificate of occupancy has been made, if required, for the address in question.

d. **Temporary business identification during periods of right-of-way construction.** Signs for temporary business identification during periods of right-of-way construction are permitted as follows:

(1) Such signs are permitted only during periods of construction in adjacent rights-of-way; the signs must be removed immediately upon restoration of traffic flow on the affected rights-of-way.

(2) The lot or parcel on which the business is located must be immediately adjacent to the right-of-way construction zone.

(3) Such signs are limited to one per street front.

(4) Each sign is limited to sixteen square feet in area and can be no more than five feet in height.

e. **Temporary signs for places of worship.** Temporary signs for places of worship are permitted as follows:

(1) Such signs shall be erected only on the future building site of a place of worship.

(2) Such signs shall be limited to thirty-two square feet in area.

(3) Such signs shall be limited to a height of eight feet.

(4) Such signs are limited to one per street front.

(5) If such a sign is double-faced, the faces shall be no further than six inches apart.

(6) Such signs shall be set back ten feet from the public right-of-way.

E. **Flexibility Provisions.** This section sets forth a variety of procedures which provide flexibility for the Sign Code. The procedures include the use of design review to receive additional height and area for signs, the comprehensive sign plan, and the community sign district.

1. **Design review to achieve extra height and area.** As indicated in Table D-1, the design review process is available to increase the area and height of ground signs. The design review guidelines used for this process are set forth in Section 507 Tab A under "project signage." If an applicant satisfies guidelines 4.1.1, 4.1.2 and 4.1.3, the sign may use the extra height and area set forth in Table D-1. A copy of the design review procedures used for this process is on file with the Sign Regulation Section of the Planning and Development Department. *9

2. **Comprehensive sign plans.** The comprehensive sign plan use permit is intended to encourage a flexible procedure to allow signage which is not in strict compliance with the provisions of the district regulations under this Sign Ordinance, but which is appropriate to the character of the development, provides adequate identification and information, provides a good visual environment, promotes traffic safety and is regulated to the extent necessary to be consistent with the purpose and intent of this Sign Ordinance as specified in Section 705.A.

   a. The Zoning Administrator or Board of Adjustment may issue use permits for comprehensive sign plans for commercial or industrial uses, industrial centers, hospitals, PCDs, multiple-family developments with a residential convenience market, and uses permitted in Section 647.A.1.i, or where mandated by a stipulation to a zoning approval. The use permit, or any modification thereto, may contain such conditions, requirements or standards that may be stipulated by the Zoning Administrator or Board of Adjustment to assure that signs covered by the use permit will not be detrimental to persons or property in the vicinity, or to the public welfare in general. *11

   b. Comprehensive sign plans approved under this section shall be evaluated based upon the following criteria:

      (1) **Placement.** *5

      All signs shall be placed where they are sufficiently visible and readable for their function. Factors to be considered shall include the purpose of the sign, its location relative to traffic movement and access points, site features, structures, and sign orientation relative to viewing distances and viewing angles. In commercial centers in which some tenants are in locations having little or no street visibility, in order to provide identification, wall signs may be placed on walls of the building in which such tenants are located, even though not on a wall of the space occupied by those tenants.

      (2) **Quantity.** The number of signs that may be approved within any development shall be no greater than that required to provide project identification and entry

signs, internal circulation and directional information to destinations and development sub-areas, and business identification. Factors to be considered shall include the size of the development, the number of development sub-areas, and the division or integration of sign functions.

(3) **Size.** All signs shall be no larger than necessary for visibility and readability. Factors to be considered in determining appropriate size shall include topography, volume of traffic, speed of traffic, visibility range, proximity to adjacent uses, amount of sign copy, placement of display (location and height), lettering style and the presence of distractive influences. In no event shall a plan contain a ground or wall sign which exceeds by more than fifty percent any maximum height standard or by twenty-five percent any maximum area standard allowed on the site through the design review process. There shall be no prescribed limit on the percentage by which a comprehensive sign plan may allow a directional sign to exceed the area or height restrictions permitted on the site.

(4) **Materials.** Sign materials shall be compatible with architectural and/or natural features of the project. This may be accomplished through similarity of materials for sign structures and faces, the use of complementary colors, similarity of architectural style, or the use of a consistent lettering style or copy.

(5) **Illumination.** Illumination shall be in conformance with Section 705.C.6 of this ordinance.

(6) **Context.** +5

The design of all signs should respect the context of the surrounding area and the character established by existing signage. Items to be considered include, but are not limited to, lettering style, sign placement, and architectural style.

c. Requests for use permits under this section shall be accompanied by an application including, but not limited to:

(1) The applicant's name and address;

(2) A legal description of the property;

(3) Existing zoning on the property;

(4) A site plan, depicting the proposed plan of development;

(5) A description and/or illustration of proposed sign locations;

(6) Standards for size, quantities, materials, and illumination; and

(7) A narrative description of the common theme for signage within the development, how it relates to architectural and/or landscaping elements of the development, and how the comprehensive sign plan relates to each of the criteria set forth in Section 705.E.

(b) The signs conform to the information included with the original comprehensive sign plan application to satisfy the requirements of sections 705.E.2.c.6 and 705.E.2.c.7; and

(c) The changes will not increase the number of ground signs, except directional and menu signs, in the comprehensive sign plan.

(2) **Other amendments.** Except as provided in this section, applications for amendments to comprehensive sign plans shall be processed in the same way as an original application.

e. No use permit authorized under this section may vary from the provisions of sections 705.B.3.b, 705.B.3.c, 705.B.3.e, 705.B.3.f, 705.C.7, 705.C.8, or 705.D.5.b.

f. Signs for uses permitted in section 647.A.1.i are allowed as follows:

(1) The provisions of section 705.D regarding signage for commercial land uses, shall be used as the "underlying zoning district" standards for purposes of this section.

(2) Up to two identification signs may exceed the size allowed under the provisions of sections 705.E.2.b.3 under the following conditions:

(a) The site devoted to the uses meets the area standards of section 647.A.1.i or is located in the downtown as identified in Council Resolution No. 15143 approved March 13, 1979;

(b) The use permit may increase the size of the signs up to two ~~hundred~~ fifty square feet upon a finding of the Zoning Administrator that:

(i) Any additional size is necessary for visibility for traffic control;

(ii) Any additional size is consistent with the character of development and zoning of nearby properties from which the signs are visible; and

(iii) Any additional size meets any other restrictions deemed appropriate by the Zoning Administrator.

(3) The signs permitted by section 705.E.2.f may each contain up to one hundred square feet of animated message panel. The use permit shall specify the frequency of change in the message and any animation of the panel, and other restrictions deemed appropriate by the Zoning Administrator.

(4) One sign, in addition to those permitted by section 705.E.2.f, that exceeds the size allowed by section 705.E.2.b.3 may be painted on, or otherwise applied directly to, the roofs of buildings associated with the uses under the following conditions:

(a) The sign shall not be visible from the ground;

(b) The signs shall not be larger than one thousand square feet or ten percent of the roof surface on which they are applied, whichever is larger; and

(c) The signs shall identify the facility only by name or logo.

(5) Wall signs for the uses may be located so the top of the sign is no closer to the roofline than one-half the vertical dimension of the sign. Height, location and illumination shall be as specified in the use permit.

g. Comprehensive sign plans for hospitals may include:

(1) Wall signs on major hospital buildings which are not closer to the roofline than one-half the vertical dimension of the tallest single element of the sign; this standard shall not be varied under any provision of this section. The intensity of illumination and impacts on surrounding residential districts of such wall signs shall be evaluated in addition to the other criteria listed in section 705.E.2.b.

(2) Ground signs in the R-5 district which have height limited by the provisions of section 705.D. No provision of this section shall allow ground signs higher than the limit set in section 705.D for commercial land use designations.

h. Wall signs over fifty-six feet in height, approved in accordance with the provisions of this section shall be further subject to the provisions of section 506.B.3 when more than two wall signs not to exceed a maximum of four wall signs over fifty-six feet in height are provided on a building. +5

3. **Community sign district.** The community sign district use permit procedure is intended to create a flexible incentive procedure to upgrade and update signage, particularly nonconforming signs, in business areas that lack compatibility between existing signs and the surrounding environment, consistent with the purpose of the comprehensive sign plan.

a. The Zoning Administrator or Board of Adjustment may issue a use permit for community sign districts in business areas with multiple parcels under separate ownership, such as along arterial streets with strip commercial development. The use permit, or any modifications thereto, may contain such conditions, requirements or standards that may be stipulated by the Zoning Administrator or Board of Adjustment to assure that signs covered by the use permit will not be detrimental to persons or property in the vicinity, or to the public welfare in general. *6

b. Community sign districts approved under this section shall be evaluated based upon the criteria stated in section 705.E.2. The Zoning Administrator and/or Board of Adjustment should also consider the extent to which properties in the application are under multiple ownership or control, and the extent to which flexibility is necessary to create an incentive to move toward sign conformity, in its evaluation.

c. A community sign district may be initiated by a petition of all the owners of property in the area included in the proposed district. The application for a community sign district shall include the following:

(1) The name and address of each property owner in the district;

(2) Legal descriptions for all property within the district;

(3) A site plan, showing existing and proposed development within the district;

(4) Existing zoning on property in the district;

(5) A description and/or illustration of proposed sign locations;

(6) Standards for size, quantities, materials and illumination of signs; and

(7) A narrative description of the theme for signage within the district, how it relates to architectural and/or landscaping elements within the district, and how the community sign district relates to the criteria and considerations set forth in subsection 2 [b].

d. Minor modifications to a community sign district may be administratively approved by the Zoning Administrator, or his or her designated representative, subject to such conditions as are necessary in his or her opinion to carry out the intent of the original approval. Major modifications to a use permit approved under this section shall require the applicant to follow the procedure utilized in obtaining the original use permit.

e. No use permit authorized under this section may vary from the provisions of sections 705.B.3.b, 705.B.3.c, 705.B.3.e, 705.B.3.f, 705.C.7, 705.C.8, or 705.D.5.b.

F. **Special area sign regulations.** This section includes sign regulations which apply only to specified properties or areas of the City.

1. **Downtown Redevelopment Area sign district.** The provisions of this Downtown Redevelopment Area sign district apply to all properties in the Downtown Redevelopment Area, as defined in City Council Resolution No. 15143. The purpose of this district is to provide unique signage in the Downtown Redevelopment Area. Sign regulations for the underlying zoning districts shall apply to signage not addressed in this sign district.

a. **Sale, lease or rental signs.** Signs indicating sale, lease or rental in conjunction with a proposed development may be erected subject to the following:

(1) Securing a permit under section 705.B and in conformance with all other provisions of this section.

(2) Obtaining a letter of authorization from the Community and Economic Development Director. Factors which will be reviewed during consideration of the letter shall include: compatibility of the size of the sign in relation to the existing development in the area; conformance of the proposed uses with general redevelopment goals; and reasonable expectation of development of the subject property.

The letter authorization shall be revoked by the Director upon a finding by him that the applicant or his or her successors no longer have a beneficial interest in the property. The sign or signs shall be removed within two weeks of the date of revocation of the letter of authorization.

(3) **Sign standards.**

(a) Within the district area, no such sign shall exceed one hundred square feet in area; the area may be further restricted by the letter of authorization.

(b) No such sign shall be more than fourteen feet high; this height may be further restricted by the letter of authorization.

(c) A minimum of thirty percent of each such sign shall contain copy identifying the subject as being part of a redevelopment area as furnished by Community and Economic Development Department Director.

(d) There shall be no more than one such sign for each street front for any property.

(4) Upon issuance of a building permit, a construction project sign may also be erected on the property in accordance with the provisions of section 705.D.8. No other temporary signs shall be erected.

b. **Banners, balloons, flags, guidons.** Banners, balloons, flags, guidons and other similar advertising devices otherwise prohibited by this ordinance shall be permitted subject to obtaining a use permit in accordance with the provisions of section 307 and subject to the following findings:

(1) The signs are erected in conjunction with special promotional events of a civic or commercial nature;

(2) The signs are appropriate in scale, composition and manner of display with surrounding development; and

(3) The length and frequency of such displays are compatible with the goals and objectives of the downtown redevelopment program.

When two or more adjoining establishments are to participate equally in the event, a single request for a use permit may be filed.

c. **Permanent business identification signs.** Signs painted on awnings or attached to legal or nonconforming marquees, entrance portals or canopies which project over the public right-of-way shall be permitted subject to obtaining a use permit in accordance with the provisions of section 307 and satisfying the following standards:

(1) Such signs or the structures to which they are attached may project over a public sidewalk, walkway or pedestrian court so long as they do not project closer than three feet to a vehicular way or parking area, except when affixed to and identifying the entrance to off-street parking, loading and/or unloading facilities under which the vehicle must travel.

(2) The source of illumination for such signs shall be erected, operated, used and maintained so as not to cause a traffic hazard as described in section 705.B.3.c.

(3) Sign copy is limited to the name and/or logo of the establishment or building, identification of and direction to off-street parking facilities, or directions to functional areas within a building or development.

(4) Copy on awnings shall be limited to the vertical lead edge of the awning. Awnings shall not be backlit.

G. **Nonconforming signs, abandoned signs, and signs for nonconforming uses.** This section sets forth the rules which apply to nonconforming signs, discontinued signs, and signs for nonconforming uses.

1. **Signs for a legal nonconforming use.** After the effective date of this ordinance, new or additional signs for a nonconforming use shall be permitted in accordance with permitted signage for the zoning district in which the nonconforming use is located.

2. **Signs rendered nonconforming.**

   a. **General rule.** Except as provided in this section, a nonconforming sign, as defined in chapter 2, may continue in the manner and to the extent that it existed at the time of the ordinance adoption, amendment or annexation which rendered the sign nonconforming. This section shall not prohibit reasonable repairs and alterations to nonconforming signs.

   b. **Exceptions.** The following provisions set forth the only exceptions to the regulations regarding nonconforming signs:

      (1) **Signs approved by variance or comprehensive plan.** A sign approved by variance or comprehensive sign plan before the effective date of this ordinance (August 6, 1993) shall not be considered nonconforming and shall not be subject to the regulations set forth in this section.

      (2) **Signs nonconforming due to spacing/separation standard.** Nothing in this section shall require a sign which is nonconforming solely due to not satisfying a separation standard (e.g. spacing between ground signs, separation between ground signs and buildings, spacing of signs from residential areas) to eliminate that nonconformity if meeting that standard on the site is not possible. This section shall not be construed to exempt such signs from the provisions requiring reduction of height and area nonconformities.

3. **Alteration or removal of nonconforming signs.** A nonconforming sign structure shall not be reerected, relocated or replaced unless it is brought into compliance with the requirements of this ordinance as provided below.

   a. **Signs moved due to governmental action.** Notwithstanding any other provision of this chapter, legal nonconforming signs that are located on a parcel of property which is severed from a larger parcel of property and acquired by a public entity for public use by condemnation, purchase or dedication may be relocated on the remaining parcel without extinguishing the legal nonconforming status of that sign provided that the nonconforming sign:

      (1) Is not increased in area or height to exceed the limits of the district in which it is located;

      (2) Remains structurally unchanged except for reasonable repairs or alterations;

      (3) Is placed in the most similar position possible on the remaining property that it occupied prior to the relocation; and

      (4) Is relocated in a manner so as to comply with all applicable safety requirements.

      After relocation pursuant to this subsection, the legal nonconforming sign shall be subject to all provisions of this section in its new location.

   b. **Structural change to nonconforming sign.** If the structure of a nonconforming sign is changed, the height and area of the sign shall not be increased to exceed the height and area limits of the site on which it is located. If the sign exceeds the site's height and/or area limitations, the excess height and/or area shall be reduced a minimum of fifty

percent. Two such reductions shall be permitted; after the third structural change, the sign shall conform to current standards. Nothing in this section shall require a nonconforming sign to be reduced to a height or area less than that allowed on the site.

c. **Reduction of nonconformity when design review required for project.** If a nonconforming sign is located on a parcel which is experiencing development for which design review, as specified in section 507, is required, the height and area of the sign shall not be increased to exceed the height and area limitations of the site. If the sign exceeds the site's height and/or area limitations, the excess height and/or area shall be reduced a minimum of fifty percent. Two reductions triggered by design review shall be permitted; after the third reduction, the sign shall conform to current standards. Nothing in this section shall require a nonconforming sign to be reduced to a height or area less than that allowed on the site.

Design review required by one of the following types of development shall not cause reduction in a sign's nonconforming height and/or area:

(1) An addition of less than two thousand square feet when the addition is less than fifty percent of the size of the usable space of the site which is the subject of design review. A series of additions which total more than fifty percent of the usable space of the site shall require reduction of nonconformities. Usable space shall not include areas such as restrooms and storage rooms.

(2) An addition of more than two thousand square feet when the addition is less than ten percent of the size of the usable space of the site which is the subject of design review. A series of additions which total more than ten percent of the usable space of the site shall require reduction of nonconformities. Usable space shall not include areas such as restrooms and storage rooms.

(3) A modification required by federal, State or local regulations or programs.

d. **Damaged or deteriorated nonconforming signs.** Any nonconforming sign shall be removed or rebuilt in full conformity to the terms of this ordinance if it is damaged or allowed to deteriorate to such an extent that the cost of repair or restoration is fifty percent or more of the cost of replacement of such sign.

4. **Obsolete and abandoned signs.** Obsolete sign copy and abandoned sign structures shall be removed by the owner of the property, his agent, or the person having the beneficial use of the building or structure upon which such sign or sign structure is erected within thirty days after written notification from the Development Services Director or his representative. Obsolete sign copy shall be removed by covering the sign face, replacing the sign face with a blank sign face, or replacing the obsolete sign copy with sign copy that is not obsolete. Failure to comply with such notice within the time specified in such notice shall be considered a violation of the terms of this section.

H. **Fees and charges.** This section sets forth the types of fees and charges required for display of a sign and obtaining a sign permit. The amount of such fees shall be established by the City Council. A copy of the schedule of the fees is on file with the City Clerk and in the Planning Department. A schedule of the fees is located in appendix A, Zoning Fee Schedule, of this ordinance.

2. **Permit and reinspection fees.** Applications for sign permits and reinspections require a fee, as discussed below.

   a. **Requirement.** Before issuing a permit, the Planning and Development Director, or his representative, shall collect the fees prescribed by the ordinance unless a bond has been posted as provided in Section 705.H.2.d. Such fees shall be paid in lawful money of the United States, or by collectable draft or check. Should such draft or check be uncollectible within a reasonable time, the permit shall be null and void.

   b. **Fee for reconsideration of withdrawn applications.** Renewed action on withdrawn plans shall require a new plan check fee.

   c. **Investigation fees for commencing work without first obtaining a permit.**

      (1) Whenever work for which a permit is required by this section has been started without obtaining the permit, a special investigation shall be made before a permit is issued for the work. Working beyond the authorized scope of a sign permit constitutes work without a permit, is a violation of this section, is grounds for the Planning and Development Department to stop all work on the sign until appropriate permits are obtained, and subjects all such unpermitted work to assessment of the investigation fees set forth herein.

      (2) An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this section with a minimum and maximum fee as set forth in appendix A.2 of the City Code. The payment of an investigation fee shall not exempt any person from compliance with all other provisions of this section nor from any penalty prescribed by law.

   d. **Bond in lieu of cash payment.** Any person, firm, or corporation doing business as a sign contractor may elect to pay permit and inspection fees on a charge account basis provided he has first filed with the Planning and Development Department a bond in the sum of one thousand dollars for the benefit of the City of Phoenix. The bond shall be executed by said person, firm, or corporation and by a surety company maintaining an agency in the City of Phoenix. In lieu thereof, the bond may be in writing on a form to be provided by the Planning and Development Department and accompanied by cash deposit of one thousand dollars. All bonds shall stipulate that the person, firm, or corporation named therein shall pay within forty-five days of the issuance of any permit, all fees accrued under this section. Said bond shall not be transferable.

      Charges accrued during each month shall be promptly remitted to the City by the fifteenth of the following month or as often during the month as the accrued charges equal to the value of the bond, and failure to do so shall be sufficient cause to refuse any further permits and to refuse to inspect or have inspected any work done by or for such person, firm, or corporation.

Date of Addition/Revision/Deletion - Section 705

*1 Revision on 10-7-1992 by Ordinance No. G-3572

–2 Deletion on 7-7-1993 by Ordinance No. G-3676

+2 Addition on 7-7-1993 by Ordinance No. G-3676
+3 Addition on 12-8-1993 by Ordinance No. G-3712
*3 Revision on 12-8-1993 by Ordinance No. G-3712
*4 Revision on 6-21-1995 by Ordinance No. G-3868
+5 Revision on 8-28-1996 by Ordinance No. G-3951
*5 Revision on 8-28-1996 by Ordinance No. G-3951
*6 Revision on 7-1-1998 by Ordinance No. G-4109
*7 Revision on 10-4-2000 by Ordinance No. G-4298 (eff. 2-1-2001)
+8 Addition on 4-17-2002 by Ordinance No. G-4436, eff. 6-21-2002
+9 Addition on 6-2-2004 by Ordinance No. G-4611, eff. 7-2-2004
*9 Revision on 6-2-2004 by Ordinance No. G-4611, eff. 7-2-2004
+10 Addition on 7-7-2010 by Ordinance No. G-5534, eff. 8-6-2010
*10 Revision on 7-7-2010 by Ordinance No. G-5534, eff. 8-6-2010
*11 Revision on 1-19-2011 by Ordinance No. G-5482, eff. 2-18-2011

Section 705.2. Off-Premise Signs. +1

A. **Location Restrictions.**

1. Off-premise structures shall be located only in A-1 or A-2 districts and shall be located only on arterial streets as designated on the Street Classification Map or located within 300 feet of the right-of-way and oriented to the following permitted freeways:
   a. Interstate 17;
   b. Interstate 10;
   c. Inner SR (LOOP) 202;
   d. SR 143;
   e. The Western SR (LOOP) 101 to Camelback Road;
   f. Off-premise signs are a prohibited use on all other existing and future freeways within the City limits and shall not be reoriented to obtain freeway visibility.
2. Off-premise structures may also be located in a Planned Unit Development (PUD) when oriented and within 300 feet of a freeway as identified in Section 705.2.A.1. Off-premise advertising structures located in a PUD must comply with all standards in Section 705.2 and the PUD must have a minimum of 20 acres.
3. No off-premise structure shall be erected within the following locations:
   a. In or within 2,000 feet of the boundaries of the Phoenix or South Mountain preserves.
   b. In any historic preservation district.
   c. Within any scenic corridor zoning overlay or drive adopted by the City of Phoenix.
   d. Any arterial street where the sign face is oriented to a freeway not specified in Section 705.2.A.1.
4. Any off-premise structure erected within the following locations shall require a use permit:
   a. Within 500 feet of the boundary of any historic preservation district.
   b. In or within 250 feet of a special planning district or neighborhood conservation district.
   c. In addition to the provisions of Section 307, findings of approval shall include:
      (1) Compatibility with existing, special planning district plans, neighborhood conservation district plans or historic preservation district plans;
      (2) Relation to public open areas and parks;
      (3) Relation to significant public views or vistas;
      (4) Impact to adjacent residential uses.
5. With the exception of residential uses within a planned unit development (PUD) no part of any off-premise structure may be located closer than 500 feet from a residential district and residential use. A vacant residentially zoned lot shall be treated as a residential use. This set-

back may be reduced subject to obtaining a use permit pursuant to Section 307 and a demonstration that there are visual or physical barriers that mitigate the impacts of the proposed off-premise advertising structure to the residential use.

B. **Setbacks/Spacing/Height/Area.**

1. With the exception of freeway signs which require no setback, all off-premise structures shall maintain a setback of a minimum of 25 feet from all property lines adjacent to public right(s)-of-way.

2. Spacing standards for off-premise structures shall be 1,000 feet from one structure to another. Measurement shall be from the vertical edge of the sign face closest to the sign face of the structure to which is being measured.

3. The maximum square footage of permitted off-premise signs is as shown in the table below:

	Sign Face (Square Feet)	*Embellishments*	*Total Maximum Area (Square Feet)*
Poster	378 sq. ft.	20%	450 sq. ft.
Bulletin	672 sq. ft.	20%	785 sq. ft.

4. Heights for off-premise structures shall be as follows:

   a. Maximum heights for off-premise structures shall be 48 feet in height.

   b. Freeway signs may be increased up to 70 feet in height subject to meeting the standards of Section 307 for use permits in addition to the following:

      (1) The additional height is necessary because of an elevated freeway, overpass, building or other physical obstruction that impedes sign face visibility;

      (2) The additional height is the minimum height necessary to ensure sign face visibility.

C. **Special Requirements for Off-Premise Signs.**

1. Sign permits for off-premise structures shall conform to the general requirements for sign permits as established by Section 705.B except as provided herein and in Section 705.2.G.

   a. If the application is for an off-premise sign and if the applicant is not the property owner, written authorization from the property owner to erect the proposed sign or a sworn statement that the applicant has written authorization from the property owner to erect the proposed sign, or a copy of an easement which is recorded with the County Recorder showing that the sign owner owns the easement under the sign, shall be attached to the application. Where there exist conflicting claims concerning authorization from the property owner, no permit shall be issued until the conflict is resolved by the applicants. When conflicting claims arise after the issuance of a permit but before work is commenced, the permit shall be suspended until the conflict is resolved by the parties.

2. There shall be no more than a total of two support columns for any off-premise sign.

3. Access ladders to maintenance platforms shall be constructed or maintained in such a position as not to project beyond a visual envelope established by structural elements or projections of the sign face and trim to the ground as viewed from a plane parallel to the face of the sign.
4. Other than support columns, maintenance walkways, embellishments, ends, cross bracing, and tops or bottoms of parallel or V-shaped signs, no back braces, torque arms, stringers, panel attachments or similar structural elements or accessories shall be exposed. If not covered by a sign face, screening of such elements shall be colored similarly to the remaining portions of the signs.
5. A third face may be used to screen a V-shape sign so long as it conforms to the remaining provisions of this ordinance and so long as that face is oriented to an arterial street when used for advertising. The area of said face shall not be counted toward the maximum allowed area so long as each end is not farther than five feet from its adjacent face.
6. For the purpose of rotation of sign faces, an off-premise structure may be left exposed for a period of not more than 60 days.
7. Embellishments may extend not more than five and one-half feet above or below the horizontal edges and three feet beyond any vertical edge of the sign structure face area.
8. Off-premise signs shall not be erected upon the roof of any building, nor shall any sign be partially or totally supported by the roof or roof structure of any building.
9. No part of any sign structure, except the sign copy, shall be painted in an enamel or gloss paint, or a color with a reflectivity of more than 20 percent, or with a metallic color. In addition, hues of red, orange, yellow, or purple shall not be used.
10. Copy can be changed and non-structural maintenance can be done on a legal sign, bulletin board, off-premise sign, display encasement, or marquee. This also allows for copy changes utilizing interchangeable letters on signs designed for that purpose. Walls painted with sign copy shall require written notice of the proposed repainting be received by the Planning and Development Department at least three days prior to repainting the wall sign when more than 50 percent of the copy will be removed. Change on any sign when an increase in square footage occurs shall require a permit. The nonconforming status of a sign shall not be affected by the repainting.
11. When an off-premise sign is located within a PUD, a redevelopment area, a village primary core, and adjacent to a permitted freeway, the following standards shall apply: +2
    a. The sign shall not exceed 48 feet in height and no single face shall exceed 672 square feet with 20 percent embellishments. +2
    b. A use permit is required for off-premise signs that exceed 48 feet per Section 705.2.B.4.b. One sign within the PUD will be allowed a maximum height of 70 feet without a use permit provided the location is approved by the Public Transit Director. +2
    c. Spacing between signs shall be a minimum of 1,000 feet on the same side of a freeway. Signs at a height of 50 feet or less may be placed closer together, but no closer than 500 feet between signs on the same side of a freeway. +2

d. These off-premise signs shall be allowed to display on-premise copy and off-premise copy. On-premise sign structure shall not display off-premise sign copy. +2

D. **Landscape.**

1. Landscape.

a. Landscape shall be provided with the erection of an off-premise sign on any lot not occupied by permanent structures, outdoor uses or parking.

b. Landscape shall equal 48 square feet for each lineal foot of sign face to a maximum of 75 percent of the area of the lot. Where landscape is not available to be maintained due to a lack of water, an alternative location may be used; alternately a decorative pole cover would satisfy the requirement.

c. The landscape shall be placed where there is the most community benefit and shall consist of one tree, five shrubs and ground cover of living plant materials for each 300 square feet of required landscape area, a plan for which shall be submitted in conjunction with the application for a permit in accordance with Section 705.D. Landscaped area shall be provided with a permanent watering system and all plant materials shall be maintained in a living condition.

E. **Illumination/Digital Standards.**

1. Off-premise signs may be internally illuminated, indirectly illuminated, or directly illuminated.

2. Intermittent or flashing illumination or animation may be permitted subject to a use permit. Automatic panel changes (trivision) are permitted.

3. Electronic message displays are permitted subject to obtaining a use permit in accordance with the provisions of Section 307 and satisfying the following conditions:

a. The sign copy image shall be static with no animation and with no flashing, blinking, or moving lights;

b. In the transition between copy changes, there shall be no sense of movement from one image to the next;

c. Network time shall be made available on the digital sign faces to the City of Phoenix for emergency messaging—messages to override all copy for one hour, then display for eight seconds in every minute as long as needed;

d. In the event of an electronic malfunction the sign shall be shut off until repairs have been made to restore the electronic messaging system;

e. The sign copy changes shall not occur more frequently than every eight seconds, unless otherwise specified by the Zoning Administrator;

f. Dimmer on sign shall be set in the evening hours (from sunset to 11:00 p.m.) not to exceed 300 nits for signs that are 14 feet by 48 feet and 342 nits for signs that are ten feet

by 30 feet to ensure compliance with current ordinance standard for illumination, unless otherwise specified by the Zoning Administrator;

g. From 11:00 p.m. until sunrise all sign illumination shall be extinguished and sign shall be equipped with an automatic device to assure compliance. The only exception to this stipulation will be for amber alerts and other governmental emergencies, unless otherwise specified by the Zoning Administrator.

4. On any lot contiguous to a residential zoning district and residential use (RE-43 through R-2 and P.A.D.-1 through P.A.D.-12) or separated only by a street or alley, no such illuminated sign structure may be placed in such manner that any portion of the face of the sign is visible. A vacant lot shall be treated as a residential use.

5. Lighting for off-premise structures shall be shielded in accordance with Section 23-100 of the Municipal Code unless the structure: 1) exceeds 301 square feet per sign face; 2) consists of panels which are designed to be removed from the top of the sign board; and 3) is equipped with an automatic device which shuts off the fixture between 11:00 p.m. and sunrise. For such

signs, the lighting may consist of no more than four bottom-mounted individual fixtures (or lamps) which produce a maximum of 40,000 lumens per fixture, and where no more than 1,117 lumens per fixture spill or are cast beyond the sign face.

a. Off-premise structures may use fluorescent fixtures. These fixtures must be mounted at the top of the sign structure and must be partially shielded so that the candlepower per 1,000 lamp lumens does not numerically exceed 25 (two and one-half percent) at an angle of 90 degrees above nadir (horizontal), and 100 (ten percent) at a vertical angle of 80 degrees above nadir. This applies to any lateral angle around the luminaire.

F. **Special Requirements for Groundsheet Signs.** Groundsheet signs are permitted in the A-1 and A-2 Zoning Districts located within the boundaries of 35th Avenue and the eastern City limits along Van Buren Street on the north; from Van Buren Street to Interstate 10 (I-10) along the eastern City limits; along the centerline of I-10 and Interstate 17 (Maricopa Freeway) from the eastern City limits to 19th Avenue; from 19th Avenue south to Broadway Road; along Broadway Road on the south between 19th and 35th Avenues; and along 35th Avenue between Broadway Road and Van Buren Street, subject to the following restrictions:

1. There shall be a minimum property size of four undeveloped acres.
2. There shall be a maximum sign area of six acres.
3. Signs shall not be located within 2,000 feet of another sign.
4. Signs shall be screened to eliminate legibility from adjacent roadways, freeways, or adjacent properties.
5. Screening shall be provided on all sides of the property on which the sign is located as follows:
   a. Fences: A six-foot-high solid fence shall be built in compliance with the applicable provisions of Sections 507 Tab A and 703 and consistent with all setback requirements;
   b. Landscaping: Shall be in conformance with the standards for the underlying zoning district and Sections 507 Tab A and 703, as approved by the Planning and Development Department.
6. The illumination of signs is prohibited.
7. The sign and associated structures shall be constructed as follows:
   a. The materials used must be non-reflective; and
   b. The materials used must be flame retardant and environmentally safe, as approved by the Planning and Development Department; and
   c. The materials used must be permeable so as to allow rainwater to pass through the sign and associated structures to allow drainage per grading and drainage plans approved by the Fire and Planning and Development Departments; and
   d. To be securely fastened to the ground or support structure, subject to plans approved by the Planning and Development Department; and

e. The height of three feet above natural grade shall not be exceeded, as approved by the Planning and Development Department; and

f. No more than one advertisement, logo or message is permitted per sign.

8. Prior to issuance of the sign permit, the Zoning Administrator or his or her designee shall review the permit to ensure compliance with the requirements of Section 705.2.C.1 through 7*.

9. In addition to appropriate sign permits, all necessary structural plan approvals and permits must be obtained prior to the installation of the sign or any associated structures.

G. **Nonconforming Off-Premise Signs.**

1. It shall be unlawful to hereafter erect, construct, alter, maintain, or use any sign in violation of any provisions contained herein, except as provided in this section.

2. No nonconforming off-premise sign shall be moved, altered, re-erected, relocated or replaced unless brought into compliance with screening and projecting ladder requirements of Section 705.2.A.3 and 4**, except as provided in this section. The area of the sign may not be increased.

3. Notwithstanding any other provision of this chapter and ordinance, a legal nonconforming sign that is located on a parcel of property which is severed from a larger parcel of property and acquired by a public entity for public use by condemnation, purchase, or dedication may be relocated on the property that was not acquired without extinguishing the legal nonconforming status of that sign; provided, that the nonconforming sign:

   a. Is not increased in area or height;

   b. Remains structurally unchanged except for reasonable repairs or alterations;

   c. Is placed in the most similar position possible on the remaining property that it occupied prior to the relocation;

   d. Is relocated in a manner so as to comply with all applicable safety requirements. After relocation pursuant to this subsection, the legal nonconforming sign shall be subject to all provisions of this section in its new location.

4. A reduction in the number of nonconforming boards will promote a better visual environment in the City. A nonconforming board located on a City street or on a permitted freeway can be rebuilt to a digital subject to the use permit standards in Section 307, in addition to meeting two of the following:

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*Please note there was a scrivener's error in the adoption of Ordinance G-5669. The above reference should be to "Section 705.2.F.1 through 7" not "Section 705.2.C.1 through 7". This will be corrected in a future update.

**Please note there was a scrivener's error in the adoption of Ordinance G-5669. The above reference should be to "Section 705.2.C.3 and 4" not "Section 705.2.A.3 and 4". This will be corrected in a future update.

a. Removal of 1,200 square feet of existing nonconforming off-premise signs within the City limits for each digital face requested;

b. If the parcel has no landscaping along the street frontage, a minimum five-foot landscape strip consisting of one two-inch caliper tree for every 30 feet on center along with five shrubs and ground cover for every tree shall be provided along the street frontage, including a permanent water supply. If landscape is impractical then this requirement may be satisfied by installing a decorative pole cover;

c. Reductions in size or height or changes in configuration, angle or construction which will bring the structure into greater compatibility with the size and scale of nearby buildings, or other changes approved by the Zoning Administrator which promote a better visual environment in the area.

5. A nonconforming off-premise sign not requesting a digital may be rebuilt subject to the use permit standards in Section 307, in addition to the following:

a. Reduction in size or height or change in configuration, angle or construction which brings the structure into greater compatibility with the size of adjacent buildings within the context area;

b. Improvement in placement, addition of landscaping, or improvements to lighting.

Date of Addition/Revision/Deletion - Section 705.2

+1 Addition on 12-7-2011 by Ordinance No. G-5669, eff. 1-6-2012

+2 Addition on 6-1-2016 by Ordinance No. G-6178, eff. 7-1-2016

Section 706. Accessory Uses and Structures.

A. No detached accessory structures or swimming pools are permitted within the required front yard(s) of any residential district.

B. All detached accessory structures in the side and rear yard, not used for sleeping or living purposes, are to maintain a minimum setback of three feet from property lines. Swimming pools are to maintain a minimum setback of three feet from exterior property lines. *3

C. All accessory structures located within the required side yard are not to exceed eight feet in height. *2

D. On any corner lot contiguous to a key lot, detached structures with a height which exceeds eight feet must be set back from the street side a distance equal to the required front yard setback of the adjoining key lot.

E. On any other corner lot no detached accessory building over eight feet high shall be closer to the side street property line than a distance of ten feet.

F. Detached accessory structures may be constructed on the property line where the rear lot line is adjacent to a fully dedicated alley.

G. No detached accessory structure located within the required rear yard of a residentially zoned property shall exceed a height of one story or fifteen feet except as approved by a use permit in accordance with the provisions of Section 307. +1

Accessory Uses and Structures

Date of Addition/Revision/Deletion - Section 706

+1 Addition on 6-30-1993 by Ordinance No. G-3664
*2 Revision on 7-1-1998 by Ordinance No. G-4109
*3 Revision on 4-20-2016 by Ordinance No. G-6150, eff. 5-20-2016

Section 707. Urban Design Presumptions.

(Reserved.)

Section 708. Temporary uses.

A. **Purpose.** The purpose of the temporary uses section is to regulate limited duration uses not otherwise allowed in the applicable zoning districts. *3 *5

The Planning and Development Director may issue an administrative temporary use permit upon written request and submission of an application. Any approval is contingent upon this section, city policy, and written stipulations contained on the permit. +5

A temporary use permit allows for a temporary use that does not meet the requirements of an administrative temporary use permit. An application per Section 307 shall be filed to request approval of a temporary use permit. +5

B. **General Regulations.** These provisions apply to both administrative temporary use permits and temporary use permits. Temporary uses shall mean either a land use or a structure on the parcel. *5

1. Temporary uses shall be accessory to the primary use on the lot, and may be either indoors or outdoors. The Planning and Development Director may waive this requirement based upon the following criteria: +5
   a. There exists a substantial need for it to be considered a primary use for a limited period of time, +5
   b. Necessary to enjoy reasonable and substantial property rights, +5
   c. Will not create an adverse impact on other properties or persons within the vicinity. +5
2. The Planning and Development Director may revoke a temporary use permit if any conditions or stipulations are not met. +5
3. Temporary uses or structures shall not be permitted within a Planned Unit Development (PUD) zoning district unless otherwise authorized in the PUD. This provision does not apply to PUDs with an adopted ordinance prior to August 6, 2011, the effective date of Ordinance No. G-5644. +5

C. **Administrative Temporary Use Permit.** An administrative temporary use permit (ATUP) is subject to the following: +5

1. An administrative temporary use permit is required for the following uses or analogous uses: +5
   a. Community or other special events on commercial properties. +5
   b. Interim surface parking or temporary event parking. +5
   c. Promotional events for commercial retail or service businesses. +5
   d. Temporary residential dwelling units or residential accessory structures during construction. +5
   e. Temporary employment offices during construction. +5
   f. Portable searchlights. +5

g. Promotional vehicle sales for sites with a minimum of 20 contiguous acres in size and conducted by an existing licensed auto dealership. +5

h. Temporary generators. +5

i. Temporary construction yards or staging areas. +5

j. Farmers markets on C-1, C-2, C-3, A-1, or A-2 zoned properties, provided no food or beverages are dispensed from a vehicle. +8

2. Applicants shall submit the following: +5

a. Application form. +5

b. Address or location of property. +5

c. Notarized letter of authorization from the property owner of record or a person who has been granted written authorization by the owner to act on his behalf giving permission to have the specified use on the property. If a notarized letter from the property owner is not provided then a notarized letter from the person who has been granted written authorization by the property owner to act on his behalf shall be provided at the time of application. The agent must be approved to authorize and locate a container on the parcel. A permit may be revoked if fraudulent materials are submitted as part of the application process. +6

d. Letter of authorization from the property owner giving permission to hold the event on specified days and times. +5 *6

e. Site plan showing the location of event on subject property. +5 *6

f. Submittal fee in accordance with Appendix A of the Zoning Ordinance. +5 *6

3. The Planning and Development Director shall review applications and may grant approval based upon the following criteria: +5

a. The use shall not cause a significant increase in odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions. +5

b. The use shall comply with all other codes and ordinances. +5

c. The use shall not reduce the number of parking spaces below the number required by the Zoning Ordinance for the existing uses. +5

d. Dates, times, duration, and other requirements shall be in accordance with the following, or as otherwise may be limited by the Planning and Development Director and listed on the permit. +5

(1) The approval of the following shall not exceed a length of five consecutive days with a maximum of five events per calendar year and a maximum of two events per month: +5

(a) Community or other special events on commercial properties. +5

(b) Promotional vehicle sales for sites with a minimum of 20 contiguous acres in size conducted by an existing licensed auto dealership. +5

(c) Temporary event parking. +5

(2) The approval of the following shall not exceed a length of five consecutive days with a maximum of 12 events per calendar year and a maximum of two events per month: +5

(a) Promotional events for commercial retail or service businesses. +5

(b) Portable searchlights. +5

(3) The following uses may be approved for up to one year: +5

(a) Temporary residential dwelling units or residential accessory structures during construction. +5

(b) Temporary employment offices during construction. +5

(c) Temporary generators. +5

(d) Temporary construction yards or staging areas. +5

(e) Interim surface parking. +5

(f) Farmers markets on C-1, C-2, C-3, A-1, or A-2 zoned properties, provided no food or beverages are dispensed from a vehicle. +8

e. The use shall not emit direct light that is greater than one foot candle at the property line or broadcast sound beyond the boundaries of the property on which the use is conducted unless approved by the Planning and Development Director. +5

f. An administrative temporary use permit for a parcel may be denied when the property owner has been issued a notice of violation that was related to previous temporary uses within the last two years. +5

4. Uses that require an administrative temporary use permit may not be altered or expanded unless approved by the Planning and Development Director. +5

D. **Temporary Use Permits.** Other than a mobile vendor use or mobile vending unit, a temporary use permit shall be obtained pursuant to Section 307 as follows: +2 *5

1. The Zoning Administrator may grant a temporary use permit for up to 36 months. A time extension of no more than six months may be granted only through an additional use permit hearing. +2 *5

2. The following will apply to sites with approved use permits prior to August 6, 2011, the effective date of Ordinance No. G-5644: If the temporary use is recurring and occurs less than 50 days during the calendar year, then a use permit must be obtained for each of the first two years. In the third and consecutive, subsequent years, no use permit approval shall be required to continue the temporary use permitted by the use permit upon complying with the following: (a) payment of the application fee set forth in the City Code; and (b) upon a finding by the

Zoning Administrator that the temporary use has not been detrimental to persons residing or working in the vicinity, to adjacent property or to the neighborhood. +2 *5

E. A nonresidential use in a residential district may have a temporary use upon a finding by the Zoning Administrator that the temporary use meets the following criteria: +2 *5

1. The subject parcel must have its primary driveway on an arterial street. Ingress and egress to the site during the time period the temporary use is functioning is restricted to arterial street driveways. +2 *5
2. The subject parcel shall have no zoning violations on record for the previous 12 months. +2 *5
3. The use or structure shall comply with all other applicable codes and ordinances. +2 *5
4. The approval shall not exceed a length of three consecutive days (excluding installation and removal) with a maximum of four events per calendar year. +2 *5
5. The use or structure shall be set back a minimum of 50 feet from the lot line of any adjacent residential use. +2 *5
6. The number of parking spaces shall not be reduced below the number of spaces required by the Zoning Ordinance or below ten percent of the spaces provided, whichever is greater. +2 *5
7. The use shall not be conducted between the hours of 10:00 p.m. and 8:00 a.m. +2 *5
8. No direct light or sound associated with such use or structure shall be visible or broadcast beyond the boundaries of the lot. +2 *5
9. A third party, commercial use that is unrelated to the primary use of the subject parcel may not sell retail merchandise indoors or out-of-doors, unless the third party is a nonprofit organization. +2 *5
10. A fee has been paid in an amount equal to the minor promotional event fee set forth in the zoning fee schedule of this code. +2 *5

F. Reserved. -5

G. A searchlight may be located within a C-1, C-2, C-3, A-1, A-2, Commerce Park, PSC, or RSC district so long as it is not placed within one hundred fifty feet of an occupied residence. +1

H. A searchlight display may consist of two searchlights. Additional lights may be authorized with a use permit. +1

I. A searchlight display may be located on a property for twelve days in any calendar year. Additional days may be authorized with a use permit. +1

1. A searchlight display may be located on a shopping center containing seventy-five acres or more or at the Veterans Memorial Coliseum so long as said light is not placed within three hundred feet of an occupied residence, notwithstanding the provisions of subsection G. +1
2. Notwithstanding the other provisions of this section, a searchlight may be displayed at a grand opening within one hundred fifty feet of an occupied residence and shall not be displayed for more than three days in any calendar year. +1

J. A form, furnished by the Planning and Development Department, shall be submitted to the Planning and Development Department for each searchlight display. If not submitted prior to the occurrence, it shall be postmarked no later than the date of the display. +1

K. No searchlight shall be operated between the hours of 11:00 p.m. and dawn. +1

L. **Charitable Drop Box Container Permit.** A charitable drop box container permit is subject to the following: +6

1. An annual permit is required for the following uses or analogous uses: +6

   a. Charitable drop box containers. +6

      (1) Containers are permitted in C-0, C-1, C-2, C-3, and Commerce Park Zoning Districts. Containers are also permitted on residentially zoned properties with public assembly uses. +6

      (2) Must be a container constructed of painted metal, rubber, wood, or plastic, and shall be maintained in a safe and non-blighted condition. The owner or operator of a container shall remove any material left in and around the container within 24 hours of receiving written notification from the property owner, or City of Phoenix. If more than 25 percent of a container is damaged or vandalized, it must be removed within five business days of written notification. If there is a public health, safety or welfare concern pursuant to Chapter 27 of the City Code, the container must then be removed within 24 hours of written notification. +6

      (3) The container shall be no more than six cubic yards in capacity and must have a locking lid or a latch that meets the requirements of Chapter 27 of the City Code. There shall be no more than two containers on any one property or center, whichever is most restrictive. A property may contain one 12-cubic-yard container in lieu of two six-cubic-yard containers. The Planning and Development Director may approve more than two containers on properties that are greater than 10 acres in size if the additional containers are located on a different street frontage and spaced a minimum of 500 feet from the other containers. +6

      (4) The container shall be clearly marked to identify the specific items and materials requested to be left for donations, the name, telephone number and email address of the owner or operator of the container that may be used for contact at any time. A notice shall also be on the container that items shall not be left outside of the container and a statement that no hazardous materials may be placed inside the containers pursuant to Chapter 27 of the City Code. The container shall also list the name of the non-profit entity that shares the donated item profits. +6

      (5) Containers shall not be permitted in a location that impacts required parking vehicular circulation, loading zones, or landscaping. +6

      (6) Each container may be permitted for up to one year. Each container permit may be renewed on an annual basis pursuant to compliance with Section 708.C.3. +6

(7) The City may consider prior permit revocations due to fraudulent application information when granting new charitable drop box permits. +6

(8) A property owner shall control the permit not the permitee. As such, the owner or authorized agent may rescind their authorization for the container at any time and the permit shall be revoked. +6

(9) Permits are not required when the container is in compliance pursuant to Section 608.E.1. +6

M. **Interim Vacant Land Uses.** Interim vacant land uses are permitted as follows: +7

1. For properties abutting an arterial street with light rail except within the Downtown Code District, an administrative temporary use permit (ATUP) is required, subject to the following: +7

   a. All structures and site layout shall comply with all applicable design standards in accordance with Section 507 Tab A and must specifically address landscaping and accessible route improvements. +7

   b. The City may revoke the administrative temporary use permit if the application contains material misinformation or misrepresentation. The City may also revoke the administrative temporary use permit if the site is not maintained in compliance with applicable requirements in the City codes and ordinances. +7

   c. The initial administrative temporary use permit may be permitted for up to one year. The permit may be renewed on an annual basis thereafter. +7

2. For properties located outside the areas described in Section 708.M.1 but within the infill development district as adopted in the General Plan, a temporary use permit is required, subject to the following: +7

   a. Applicant must include a site plan with the use permit application that shows the proposed improvements to the vacant land. The site plan must comply with all applicable design standards of Section 507 Tab A of the Zoning Ordinance. +7

   b. The Zoning Administrator may grant a temporary use permit for up to 36 months. Extensions of the use permit may be extended for three-year increments. +7

3. For sites abutting single-family zoned properties and properties within a historic preservation overlay: +7

   a. Primary building setbacks for the abutting single-family district apply. +7

   b. Lot coverage and building height for structures exceeding six feet in height should not exceed 50 percent of the requirements of the abutting single-family district. +7

   c. Any signage must comply with Section 705. +7

4. Any retail sales must occur within an occupiable space as defined in the Building Code. +7

5. Surface parking is permitted as an accessory use. The number of spaces provided shall not exceed three spaces per 10,000 square feet of lot area. +7

Date of Addition/Revision/Deletion - Section 708

+1 Addition on 6-3-1992 by Ordinance No. G-3530
+2 Addition on 1-20-1999 by Ordinance No. G-4155
*2 Revision on 1-20-1999 by Ordinance No. G-4155
*3 Revision on 10-4-2000 by Ordinance No. G-4298 (effective 2-1-2001)
*4 Revision on 4-17-2002 by Ordinance No. G-4426, eff. 5-17-2002
+5 Addition on 7-6-2011 by Ordinance No. G-5644, eff. 8-5-2011
-5 Deletion on 7-6-2011 by Ordinance No. G-5644, eff. 8-5-2011
*5 Revision on 7-6-2011 by Ordinance No. G-5644, eff. 8-5-2011
+6 Addition on 10-2-2013 by Ordinance No. G-5846, eff. 1-1-2014
*6 Revision on 10-2-2013 by Ordinance No. G-5846, eff. 1-1-2014
+7 Addition on 6-1-2016 by Ordinance No. G-6175, eff. 7-1-2016
+8 Addition on 6-1-2016 by Ordinance No. G-6177, eff. 7-1-2016

Section 709. Home Occupations.

(Reserved.)

Section 710. Hillside Development.

A. **Purpose.** It is the purpose of this Section to establish regulations which recognize that development of land in hilly or mountainous areas involves special considerations and unique situations which result from the slope of the land. These special considerations and unique situations include but are not limited to increased hazards to development from rock falls, storm water runoff, geologic hazards, increased limitations on vehicular travel, and increased difficulties in providing public services. In addition, steeply sloped lands introduce design limitations to roadways, cuts and fills, and building sites. In general, the more steeply the land slopes, the greater potential hazard and development limitation. Additionally, since hilly or mountainous areas within the city offer a desirable setting, visible to the entire city, they are an unique natural asset. It is intended through these regulations to preserve the visual integrity and character of hillside areas, while allowing reasonable development which is both safe and functional.

Additional hillside development standards are included in Section 32-32 of the Subdivision Ordinance. +3

B. **Applicability.**

1. In all zoning districts, wherever the natural terrain of any lot or parcel or any portion therefore has a slope of ten percent (10%) or greater, that lot or parcel or that portion of the lot or parcel shall be considered to be in a hillside development area. The hillside development area shall commence at the midpoint of the one hundred (100) foot horizontal dimensions used to determine the slope as illustrated by Figure 1, attached hereto and by this reference made a part hereof.

2. Development of land in any zoning district within a hillside development area shall also be regulated by the provisions of Section 32-32 of the Phoenix City Code, whether subdivided or not, and shall be subject to the following special conditions: *2

3. Slope analysis/density study. +3

   a. A slope analysis/density study must be prepared for all land determined to contain slopes greater than ten percent (10%) in accordance with the following criteria: +3

      (1) Prior to or concurrent with the submittal of a rezoning application. +3

      (2) Prior to or concurrent with the submittal of a preliminary plat, preliminary site plan submittal or property division if a rezoning action is not required. +3

      (3) Prior to or concurrent with the submittal of a grading and drainage plan or application for building permit if a rezoning, plat, site plan, or property division is not required. +3

C. **Standards.** +3

1. **Hillside development area density.** Special density requirements for single-family and multi-family residential development in the hillside development area in any zoning district shall be as follows: *3

   a. The maximum number of lots, or dwelling units into which hillside development area land shall be the sum of the number of lots or dwelling units allowed by the zoning district or the sum of the number of lots or dwelling units allowed in each category of land as shown by the following table whichever is the lesser number: *3

Category *Slope of Land*	*Maximum Number of Lots or Dwelling Units Per Gross Acre or as Allowed by Zoning District, Whichever is Less *3*
10% to 14.9%	1.80
15% to 19.9%	1.10
20% to 24.9%	0.70
25% to 29.9%	0.50
30% to 34.9%	0.30
35% and over	0.20

   There shall be no more lots or dwelling units created than permitted by the slope category, except that lots or dwelling units not placed in a slope category may be placed in a lower slope category so long as the total number of lots or dwelling units in the hillside development area shall not exceed the sum of the lots or dwelling units permitted in each slope category. *3

2. **Hillside development area standards.** Special yard, height, area, and coverage requirements for developments in the hillside areas in any zoning district shall be as follows: -3 +3

TABLE 1

HILLSIDE DEVELOPMENT AREA STANDARDS +3				
DEVELOPMENT OPTION	*a. Single-family Residential (Conventional, Standard and Average Lot Options)*	*b. Single-family Residential (Planned Residential Development Option, and Planned Area Development)*	*c. Multi-Family Residential*	*d. Any Non-Residential Zoning District*
MINIMUM LOT AREA	18,000 square feet* *Lot areas of more than eighteen thousand (18,000) square feet may be required in order to provide a suitable building site meeting the grading standards of Section 32-32 of the Phoenix City Code. In no case shall residential lots contain an area less than the minimum area required by the zoning district in which such lots are located.	As required by zoning district	as required by zoning district	As required by zoning district
MINIMUM LOT DIMENSIONS				
• **WIDTH** • **DEPTH**	120* 120'* *Unless in conformance with Section 32-32(M) of the City Code	As required by zoning district	As required by zoning district	As required by zoning district
REQUIRED SETBACKS				
• **FRONT YARD**	As required by zoning district	As required by zoning district	Minimum 30'*	As required by zoning district or minimum 30'*
• **REAR YARD**	As required by zoning district	As required by zoning district	Minimum 30'*	Minimum 30'*
• **SIDE YARDS**	As required by zoning district or ten (10) feet, whichever is greater	As required by zoning district or ten (10) feet, whichever is greater	Minimum 15'* *Building heights greater than fifteen (15) feet: required yard plus one (1) additional foot for each foot of building height exceeding 15' measured from exterior boundaries	Minimum 15'*, whichever is greater *Building heights greater than fifteen (15) feet: required yard plus one (1) additional foot for each foot of building height exceeding 15' measured from exterior boundaries
MAXIMUM COVERAGE UNDER ROOF	The main building and all accessory buildings shall not occupy more than twenty-five percent (25%) of the hillside portion of the lot or parcel	The main building and all accessory buildings shall not occupy more than twenty-five percent (25%) of the hillside portion of the lot or parcel	The main building and all accessory buildings shall not occupy more than twenty-five percent (25%) of the hillside portion of the lot or parcel	The main building and all accessory buildings shall not occupy more than twenty-five percent (25%) of the hillside portion of the lot or parcel or as required by zoning district, whichever is less

HILLSIDE DEVELOPMENT AREA STANDARDS +3				
DEVELOPMENT OPTION	*a. Single-family Residential (Conventional, Standard and Average Lot Options)*	*b. Single-family Residential (Planned Residential Development Option, and Planned Area Development)*	*c. Multi-Family Residential*	*d. Any Non-Residential Zoning District*
MAXIMUM BUILDING HEIGHT	No building shall exceed a height of two (2) stories, not to exceed thirty (30) feet above the natural grade of the lot or parcel at any section through the structure	No building shall exceed a height of two (2) stories, not to exceed thirty (30) feet above the natural grade of the lot or parcel at any section through the structure	No building shall exceed a height of two (2) stories, not to exceed thirty (30) feet above the natural grade of the lot or parcel at any section through the structure	No building shall exceed a height of two (2) stories, not to exceed thirty (30) feet above the natural grade of the lot or parcel at any section through the structure

3. **Slope analysis/category determination.** +3

a. Hillside slope analysis and slope category determination may be conducted by either a manual analysis or computer generated analysis in accordance with the following criteria: +3

(1) **Manual slope analysis.** To calculate the number of acres in each slope category: +3

(a) Determine those locations where slopes of ten percent (10%), fifteen percent (15%), twenty percent (20%), twenty-five percent (25%), thirty percent (30%), and thirty-five (35%) begin by application of one hundred (100) foot straight lines. *3

(b) Connect the midpoints of each series of one hundred (100) foot lines of the same slope category to establish the limits of that slope category. *3

(c) Measure the areas resulting between each series of straight lines to determine the areas in each slope category. *3

(d) Figure 2, attached hereto and by this reference made a part hereof, illustrates the method used in calculating the slope categories.*3

(e) The topographic map shall be at a scale of one hundred (100) feet or less to the inch and shall contain labeled contours at two (2) foot intervals but may contain contours at five (5) foot intervals for grades of more than fifteen percent (15%). *3

(f) Application for slope category determination shall be made to the Development Services Department. If the application meets the criteria of this Section, the City shall accept an applicant's slope category analysis. If the analysis is not acceptable, the applicant may accept either a slope category analysis by staff, or he may add any number of additional one hundred (100) foot lines to the staff analysis for a more precise determination of the slope category lines. *3

(2) **Computer generated slope analysis.** +3

(a) Utilize digital topographic information with contours shown at a maximum of two (2) foot intervals for areas with less than twenty percent (20%) slope.

areas containing slopes of more than twenty percent (20%) may utilize digital topographic information with contours shown at five (5) foot intervals. contours must be labeled. +3

(b) Utilizing a slope generating software application, slope categories shall be determined utilizing the slope categories established under Section 710C.1.a. +3

(c) Computer generated slope analysis shall be prepared utilizing the following modeling parameters: +3

1) Maximum two (2) foot slope contour intervals for slopes less than twenty percent (20%). +3

2) Maximum five (5) foot slope contour intervals for slopes more than twenty percent (20%). +3

3) The slope analysis shall utilize the above noted slope contour intervals through the modeling basis of grid evaluation to determine slope facets or contours. +3

4) The analysis shall utilize a fifty (50) foot grid system. +3

(d) All data generated through the use of a computer generated slope analysis shall be presented in both chart and graphical formats. The presentation of all graphical slope information shall be presented in a clear and easily understandable format as approved by the Development Services Department. +3

(e) The applicant shall manually draw the slope category lines. +3

(f) The final map shall be plotted at 1"=100' (or as approved by staff) and submitted to the Development Services Department for review. If the Development Services Department finds the analysis acceptable, the final slope determination map shall be approved. +3

4. **Gradable area.** The area occupied and enclosed by fences or walls located within a hillside development shall be considered graded area and shall be shown on the grading and drainage plan as required by Section 32-32 of the City Code. +2

D. **Density Waivers.** Neither the Zoning Administrator nor the Board of Adjustment shall have jurisdiction over the density requirements of this section. The Zoning Hearing Officer and Planning Commission may recommend and City Council may grant in accordance with Section 506.B.4. a., b. and c., waivers to the density provisions where such waivers would be in furtherance of the purposes of this section and where there exist unusual conditions relating to the property such as drainage or flood hazards, peculiarity of the size or shape of the site, or geology, and where approval of the waivers would promote the general welfare of the neighborhood. *3

E. **Variances.** Variances affecting the above regulations other than density shall be regulated by Section 307 of this ordinance. *3

F. **Enforcement.** Maintaining premises in violation of hillside regulations after annexation or the effective date of hillside ordinance (9/12/72) provision shall be grounds to prohibit the issuance of additional building permits until violations are corrected. +3

HILLSIDE DEVELOPMENT

Notes:

1.) Straight 100' lines are to be about 75 feet apart except where irregular topography requires closer spacing to enable determination of slope line.

2.) Straight 100' lines are to be most nearly perpendicular to contour lines.

3.) Hillside computations shall not include isolated topographic features, such as hills, pits, or washes, where the feature is less than 100 feet wide.

SLOPE CALCULATION

Hillside Development

Date of Addition/Revision/Deletion - Section 710

*1 Revision on 7-1-1992 by Ordinance No. G-3553
+2 Addition on 12-15-1993 by Ordinance No. G-3711
*2 Revision on 12-15-1993 by Ordinance No. G-3711
+3 Addition on 11-12-2003 by Ordinance No. G-4553, eff. 12-12-2003
*3 Revision on 11-12-2003 by Ordinance No. G-4553, eff. 12-12-2003
-3 Deletion on 11-12-2003 by Ordinance No. G-4553, eff. 12-12-2003

Section 711. Planned Development.

(Reserved.)

Section 712. Mobile Home Parks.

(Reserved.)

Section 713. Resource Extraction.

(Reserved.)

Section 714. Future Width Lines.

A. Future width lines are here established and shall apply to those streets designated and shown on the street classification map. The future width lines shall be established so that one-half of the distance shown on the street classification map shall be on each side of the centerline of the original right-of-way. *1

B. From and after the establishment of any future width line as provided herein, all yards required by this ordinance shall be measured from said future width line in lieu of the front or side line of the lot as otherwise required, and where no yard is required under the terms of this ordinance, no buildings shall be erected or moved nearer to the front or side line of any lot than said future width line.

Date of Addition/Revision/Deletion - Section 714

*1 Revision on 7-1-1898 by Ordinance No. G-4109

Section 715. Satellite Earth Stations And Wireless Communication Facilities.

A. **Satellite Earth Stations.** A satellite earth station is a class of microwave antenna having a dimension of more than 1.5 meters that is designed for reception of satellite broadcast television and radio signals. The size, placement and configuration of satellite earth stations require specific standards to ensure their visual and aesthetic compatibility within or adjacent to residential zoning districts.

1. **Residential use.** The following standards apply to the use of satellite earth stations on residentially zoned property:

   a. A satellite earth station shall not be located in a front yard or required side yard.

   b. A satellite earth station shall be used for private, noncommercial purposes, which shall include installations for the residents of a multifamily project.

   c. A satellite earth station shall not exceed a height of twelve (12) feet above natural grade. The height may be increased up to eighteen (18) feet above natural grade upon securing a use permit, in compliance with the provisions of Chapter 3, as long as the need for increased height is based on an inability to receive signals at the otherwise prescribed locations and height. Conditions of the use permit may include, but are not limited to, landscaping and screening to assure compatibility with surrounding property.

   d. A satellite earth station shall be screened from adjacent properties, public streets or private accessways by a solid structure or landscaping.

   e. A satellite earth station of a diameter of one and one-half meters or less may be located anywhere on a residentially zoned lot except in front of the primary structure. It may not be placed higher than forty-five feet above natural grade.

2. **Commercial use.** The following standards apply to the accessory use of satellite earth stations on properties zoned for non-residential uses:

   a. No satellite earth station shall be located in front of the primary structure or the required side yard setback.

   b. A satellite earth station and any microwave antennae, commercial radio or television relay facility, tower or broadcast antennae shall not exceed a height of one hundred (100) feet as measured above the natural grade at the base of the communication facility or fifteen (15) feet above the height of a building if roof mounted.

   c. Ground mounted satellite earth stations shall be setback a minimum of one hundred (100) feet from an arterial street, as identified on the street classification map. Roof mounted satellite earth stations are allowed on primary structures in compliance with the required building setback and Section 715.A.2.d. below.

   d. A satellite earth station shall be setback a minimum of three hundred (300) feet from a property line that abuts land zoned RE-43, RE-35, RE-24, R1-18, R1-14, R1-10, R1-8, R1-6, R-2, R-3, S-1 or PAD-1 through PAD-13 or used for single family residential dwellings.

e. The satellite earth station shall be screened from adjacent property by solid structures or landscaping.

B. **Wireless Communication Facilities.** The intent of the following development standards is to improve the design and placement of new Wireless Communication Facilities (WCF) in order to reduce the impact on the visual and aesthetic character of the community. The standards are designed to: Encourage the use of concealment technology; minimize the construction of new towers through the promotion of co-location on existing WCF, buildings or other structures; ensure continuous maintenance of WCF and enforce the timely removal of any unused or outdated facilities; and regulate the use of temporary WCF. A WCF may be Concealed, Disguised or Visible. As described below, each type of WCF has specific development standards, approval processes, and design guidelines based upon whether they are new structures or being co-located.

1. **Concealed Wireless Communication Facilities.** Concealed WCF used by a governmental agency for public safety purposes are permitted in all zoning districts and are not regulated by these provisions of the Zoning Ordinance. Other Concealed WCF are permitted in all zoning districts, subject to the following standards:

a. *Bulk requirements.* The standards governing the building height, lot coverage, building and perimeter setbacks are regulated by the underlying zoning district (see exceptions for residentially zoned properties below). When there is more than one underlying zoning district, the more restrictive regulations shall apply. Concealed WCF are permitted on residentially zoned properties as follows:

(1) *Public/quasi-public spaces*—Concealed WCF are permitted on residentially zoned property that are designated or used for public or quasi-public spaces such as, but not limited to, schools, churches, golf courses, parks or government facilities, subject to obtaining a use permit pursuant to the provisions contained in Chapter 3 and the standards contained in Section 715.B.10. of the Zoning Ordinance.

(2) *Open space residential tracts*—Concealed WCF are permitted in tracts within residential subdivisions that are zoned or platted for open space or retention areas, subject to obtaining a use permit pursuant to the provisions contained in Chapter 3 and the standards contained in Section 715.B.10. of the Zoning Ordinance.

b. *Design guidelines.* A site plan must be approved by the Development Services Department demonstrating that the proposed WCF meets the definition of "Concealed", as specified in Section 202. Site plans for Concealed WCF must demonstrate the following in order to be approved:

(1) The antenna is fully enclosed, screened or obscured so that it is not visible at all or, if visible, it is not recognizable as a WCF to a casual observer; and

(2) The antenna does not extend more than twelve (12) inches from the building or structure to which it is attached; and

(3) The underlying zoning district must allow the structure being utilized to support the antenna and the support structure; and

(4) The Concealed WCF and its support structure shall comply with the setback requirements of the underlying zoning district or, if located in a sign, by the standards contained in Sections 705 or 705.2 of the Zoning Ordinance; and

(5) The support equipment is located entirely within an equipment enclosure that is architecturally compatible with the surrounding area, completely screened from view, and built in compliance with the standards outlined in Section 715.B.4. of the Zoning Ordinance; and

(6) A WCF concealed as a flagpole shall be required to fly a flag in compliance with the accepted protocol for the type of flag flown. The flag and pole shall be visible from the building entrances used by the public. The diameter of the pole structure must not exceed twenty-four (24) inches; and

(7) The installation of a Concealed WCF should be done in a manner that minimizes the removal of mature vegetation or the disturbance of natural desert vegetation.

2. **Disguised Wireless Communication Facilities.** Disguised WCF used by a governmental agency for public safety purposes are permitted in all zoning districts and are not regulated by these provisions of the Zoning Ordinance. Other Disguised WCF are permitted in all zoning districts, subject to the following standards:

a. *Bulk requirements.* The standards governing lot coverage and perimeter setbacks are regulated by the underlying zoning district. When there is more than one underlying zoning district, the more restrictive regulations shall apply. In addition, Disguised WCF must comply with the following:

(1) *Maximum height*—Sixty-five (65) feet in height from natural grade to the highest point of the pole or support structure for all Disguised WCF except for monocactus, which shall be limited to forty-five (45) feet in height to the top of the structure.

(2) *Required setbacks*—The following minimum setbacks are required for Disguised WCF:

(a) From another property zoned for residential purposes:

(i) *Disguised WCF*—Except as described below, a minimum of one hundred fifty (150) feet setback is required from another property zoned for residential purposes. For purposes of this standard, land uses that are permitted in residential zoning districts, including those that are designated for public spaces such as, but not limited to, schools, churches, golf courses, parks or government facilities shall be considered "residential purposes".

The setback may be reduced to fifty (50) feet from a property that is zoned for residential purposes subject to obtaining a use permit pursuant to the provisions contained in Chapter 3 and the standards contained in Section 715.B.10. of the Zoning Ordinance.

(ii) *WCF co-locating on public utilities*—Except as described below, a minimum of one hundred fifty (150) feet setback is required from

another property zoned or used for residential purposes. The setback from a property that is zoned for residential purposes may be reduced to a lesser distance or eliminated subject to obtaining a use permit pursuant to the provisions contained in Chapter 3 and the standards contained in Section 715.B.10. of the Zoning Ordinance.

(b) *From an adjoining property that is zoned for commercial or industrial purposes:* No setback required except for any required perimeter landscape setback standards.

(c) *Streets:* A minimum setback of twenty-five (25) feet from all public and private rights-of-way or accessways, unless being located on a previously existing public utility pole or if a greater setback is required by the underlying zoning.

(d) *Support structures or signs:* The setbacks for any structure that is supporting a Disguised WCF must comply with the setback requirements of the underlying zoning district or the standards contained in Sections 705 or 705.2 of the Zoning Ordinance if located on a sign.

(3) *Restrictions on development in residential zoning districts*—Disguised WCF are permitted on residentially zoned properties subject to compliance with the above noted bulk requirements and as follows:

(a) *Public/quasi-public spaces*—Disguised WCF are permitted on residentially zoned property that are designated for public or quasi-public spaces such as, but not limited to, schools, churches, golf courses, parks or government facilities subject to obtaining a use permit pursuant to the provisions contained in Chapter 3 and the standards contained in Section 715.B.10. of the Zoning Ordinance.

(b) *Open space residential tracts*—Disguised WCF are permitted in tracts within residential subdivisions that are zoned or platted for open space or retention areas, subject to obtaining a use permit pursuant to the provisions contained in Chapter 3 and the standards contained in Section 715.B.10. of the Zoning Ordinance.

b. *Design guidelines.* A site plan must be approved by the Development Services Department demonstrating that the proposed WCF meets the definition of "Disguised", as specified in Section 202. The following minimum specifications shall apply to these types of Disguised WCF:

(1) *Monopalms:* A Monopalm must meet the following design guidelines:

(a) All Monopalms must be anatomically correct and contain a minimum of 55 palm fronds.

(b) The antenna array shall not extend more than thirty (30) inches from the structure to which it is attached.

(c) The entire length of the antenna must be disguised by the palm fronds.

(d) The pole structure must be built of steel or fiberglass and clad with faux bark. The faux bark shall start at the base of the pole and continue to the height of the first palm frond attachment. The balance of the pole structure and the attachments must be painted to blend with the palm fronds.

(e) The diameter of the pole structure must not exceed twenty-six (26) inches at its widest point.

(f) All cables must be concealed within the pole structure.

(g) Microwave dishes shall be limited to one (1) square foot in size and must be concealed within the trimmed leaf cluster (often referred to as the "pineapple") of the Monopalm or within the palm fronds.

(h) The trimmed leaf cluster shall be mounted directly below the palm fronds and shall be painted to blend with the pole structure.

(i) No more than two (2) microwave dishes are permitted on each Monopalm.

(j) No climbing pegs are permitted on the pole structure.

(k) The installation of a Monopalm should be done in a manner that minimizes the removal of mature vegetation.

(2) *Monocactus:* A Monocactus must meet the following design guidelines:

(a) The structure must be built of steel or fiberglass and clad with faux finish that starts at the base of the pole and continues to the top of the structure.

(b) The diameter of the pole structure must not exceed thirty (30) inches at its widest point.

(c) All antenna and cables must be concealed within the pole structure.

(d) The number and size of any "arms" must be sized to be proportional to the height of the Monocactus.

(e) No microwave dishes are permitted.

(f) No climbing pegs are permitted on the pole structure.

(g) The installation of a Monocactus should be done in a manner that minimizes the removal of mature vegetation or the disturbance of natural desert vegetation. To ensure compliance, the following shall be done:

(i) If required by the Development Services Department, a plant inventory of the Monocactus and equipment enclosure or shelter site (if no enclosure used) and a re-vegetation/salvage plan shall be submitted and approved at the time of site plan review; and

(ii) Any trenching or site disturbance shall be re-vegetated to match the existing or natural vegetation, and

(iii) No protected plant species shall be disturbed during construction unless re-vegetated as part of an approved salvage plan.

(3) *Monopine or Broadleaf tree:* A Monopine or Broadleaf tree must meet the following design guidelines:

(a) The pole structure must be built of steel or fiberglass and clad with faux bark. The faux bark shall start at the base of the pole and continue to the height of the first branch attachment. The balance of the pole structure and the attachments must be painted to blend with the branches.

(b) The diameter of the pole structure must not exceed thirty-six (36) inches at the base and shall taper to no greater than twenty-eight (28) inches at the top of the pole structure.

(c) All cables must be concealed within the pole structure.

(d) The branches must:

(i) Be constructed to a density of 2.5 branches for each one vertical foot of pole, and

(ii) Start attachment at no greater than fifteen (15) feet above finished grade and continue to the top of the pole, and

(iii) Be a minimum of eight (8) feet long around the circumference of the lower level and shall taper appropriately as the branches progress upwards.

(e) The entire length of all antenna and their attaching apparatus shall be disguised by the branches and the antenna array shall not extend more than thirty (30) inches from the structure to which it is attached.

(f) Microwave dishes shall be limited to one (1) square foot in size and must be painted the same shade of green as the branches. The attaching apparatus must also be painted the same shade of green as the branches.

(g) No more than four (4) microwave dishes are permitted on each Monopine or Broadleaf tree.

(h) No climbing pegs are permitted on the pole structure.

(i) The installation of a Monopine or Broadleaf tree should be done in a manner that minimizes the removal of mature vegetation.

(4) *Ball field light poles:* WCF may be added to legally existing or proposed Ball field light poles in compliance with the following design guidelines:

(a) The maximum allowable width of an antenna array is four (4) feet.

(b) The antenna array shall not extend more than thirty (30) inches from the structure to which it is attached.

(c) The maximum allowable length of each antenna is ten (10) feet.

(d) The diameter of the pole structure must not exceed thirty-six (36) inches.

(e) The addition of a WCF to a Ball field light must not increase the height of the light structure by more than ten (10) feet.

(f) All cables must be concealed within the pole structure.

(g) Microwave dishes shall be limited to two (2) square feet in size.

(h) No more than two (2) microwave dishes are permitted on each Ball field light pole.

(i) All microwave dishes, antennas, and attaching apparatus must be painted to match the Ball field light pole.

(j) The installation of Ball field light poles should be done in a manner that minimizes the removal of mature vegetation.

(5) *Water towers/tanks:* WCF incorporated into Water towers or Water tanks must meet the following design guidelines:

(a) The maximum allowable width of an antenna array is four (4) feet.

(b) The antenna shall not extend more than eighteen (18) inches from the structure to which it is attached.

(c) The maximum allowable length of each antenna array is ten (10) feet.

(d) The addition of a WCF must not increase the height of the Water tower/tank structure.

(e) All cables must be concealed within the support structure or fully enclosed within a cable shroud.

(f) Microwave dishes shall be limited to two (2) square feet in size.

(g) No more than two (2) microwave dishes are permitted on each Water tower or Water tank.

(h) All microwave dishes, antennas, cable shrouds and attaching apparatus must be painted to match the Water tower or Water tank.

(i) The installation of a Water tower or Water tank should be done in a manner that minimizes the removal of mature vegetation.

(6) *Existing public utility poles:* It is encouraged that WCF be added to existing public utility poles, subject to the following design guidelines:

(a) Twelve kilovolt (12 kv) utility poles:

(i) The antenna shall not extend more than twelve (12) inches from the structure to which it is attached.

(ii) The maximum allowable length of all antenna added to a 12 kv utility pole is ten (10) feet.

(iii) The addition of a WCF to an existing public utility pole must not increase the height of the public utility pole by more than ten (10) feet.

(iv) All cables must be concealed within the public utility pole or a cable shroud.

(v) Microwave dishes shall be limited to two (2) square feet in size.

(vi) No more than two (2) microwave dishes are permitted on each public utility pole.

(vii) All microwave dishes, antennas, cable shrouds and attaching apparatus must be painted to match the public utility pole.

(b) Sixty-nine kilovolts (69 kv) or larger utility poles or lattice-type tower structures:

(i) The maximum allowable width of an antenna array is four (4) feet.

(ii) The antenna array shall not extend more than thirty (30) inches from the structure to which it is attached.

(iii) The maximum allowable length of each antenna is ten (10) feet.

(iv) The addition of a WCF to an existing public utility pole must not increase the height of the public utility pole by more than ten (10) feet.

(v) All cables must be concealed within the public utility pole or a cable shroud.

(vi) Microwave dishes shall be limited to two (2) square feet in size.

(vii) No more than two (2) microwave dishes are permitted on each public utility pole.

(viii) All microwave dishes, antennas, cable shrouds and attaching apparatus must be painted to match the public utility pole.

3. **Visible Wireless Communication Facilities.** Visible WCF used by a governmental agency for public safety purposes are permitted in all zoning districts and are not regulated by these provisions of the Zoning Ordinance. All other Visible WCF are permitted only in the Commercial and Industrial Zoning Districts and must comply with the following standards:

a. *Bulk requirements.* The standards governing lot coverage and perimeter setbacks are regulated by the underlying zoning district. When there is more than one underlying zoning district, the more restrictive regulations shall apply. In addition, Visible WCF must comply with the following:

(1) *Maximum height*—Eighty-five (85) feet from natural grade to the highest point of pole or fifteen (15) feet higher than the height of the top of the building to which it is mounted (see also side mounted antenna height limitations in Section 715.B.3.b. below).

(2) *Required setbacks*—The following setbacks are required:

(a) *From another property zoned for residential purposes:* A minimum of three hundred (300) feet setback is required. For purposes of this standard, land uses that are permitted in those residential zoning districts, including those that are designated for public spaces such as, but not limited to, schools, churches, golf courses, parks or government facilities shall be considered "residential purposes".

(b) *From an adjoining property that is zoned for commercial or industrial purposes:* No setback required except for any required perimeter landscape setback standards.

(c) *Streets:* A minimum setback of seventy-five (75) feet from all public and private rights-of-way or accessways, unless a greater setback is required by the underlying zoning.

(d) *Hillside:* No Visible WCF shall be installed on a property in or within five hundred (500) feet of a Hillside Development Area as defined in Section 710 of the Zoning Ordinance.

b. *Design guidelines.* A site plan must be approved by the Development Services Department demonstrating that the proposed Visible WCF meets the following minimum specifications:

(1) The maximum allowable width of an antenna array is four (4) feet.

(2) The antenna array shall not extend more than thirty (30) inches from the structure to which it is attached.

(3) The maximum allowable length of each antenna array is ten (10) feet.

(4) The diameter of the pole structure must not exceed forty (40) inches.

(5) All antenna cables must be concealed within the pole structure or a cable shroud.

(6) Microwave dishes shall be limited to two (2) square feet in size and must be painted the same color as the Visible WCF.

(7) No more than two (2) microwave dishes are permitted on each Visible WCF pole.

(8) All microwave dishes, antennas, cable shrouds and attaching apparatus must be painted to match the Visible WCF.

(9) Antennae mounted on the side of a building shall be permitted subject to the following provisions:

(a) The antenna must not extend above the existing profile of the building or project more than twelve (12) inches from the building face.

(b) The antenna shall be integrated into the building design in a manner that respects the architectural style and coloring of the structure, considers the context and placement of the antenna on the structure, and minimizes its visual impact.

(c) Requests to exceed the established building profile shall be subject to securing a use permit in accordance with the provisions of Chapter 3 when demonstrated that the architectural element to which the antennae are attached is integrated with and in proportion to the building design.

(10) The installation of a Visible WCF should be done in a manner that minimizes the removal of mature vegetation or the disturbance of natural desert vegetation. To ensure compliance, the following shall be done:

(a) If required by the Development Services Department, a plant inventory of the WCF and equipment enclosure or shelter site (if no enclosure used) and a re-vegetation/salvage plan shall be submitted and approved at the time of site plan review; and

(b) Any trenching or site disturbance shall be re-vegetated to match the existing or natural vegetation, and

(c) No protected plant species shall be disturbed during construction unless re-vegetated as part of an approved salvage plan.

4. **Equipment enclosures, support equipment and structures.** WCF include different types and sizes of support equipment and accessory structures needed to accommodate each antenna. No site plan for a WCF shall be approved unless the following standards can be met:

a. *Not permitted*—An equipment enclosure and all support equipment must not be located within the required perimeter landscape setback(s) of a development.

b. *Equipment enclosure*—The following standards apply to equipment enclosures:

(1) Maximum area shall not exceed six hundred (600) square feet.

(2) Shall be screened primarily by an eight (8) foot decorative solid block or masonry perimeter wall. Less than 5% of each wall facade may be constructed of alternative materials, including see through materials, as approved by the Development Services Department when deemed to be appropriate for security purposes.

(3) All entry gates visible from public streets or accessways shall be constructed of sight-obscuring material approved by the Development Services Department.

c. *Equipment shelter*—The following standards apply to equipment shelters:

(1) Maximum area shall not exceed three hundred and sixty (360) square feet.

(2) Maximum height permitted is twelve (12) feet, to be measured from finished grade or roof-top elevation of a supporting structure. Below grade shelters are permitted.

(3) No perimeter screening is required for equipment shelters not serving antennae attached to public utility poles if all equipment and wiring is fully enclosed within the shelter.

(4) Equipment shelters serving antennae attached to public utility poles must be enclosed within the perimeter walls of a utility substation.

(5) An equipment shelter shall not be located closer to an abutting street than the principal building on the lot or parcel.

d. *Ground-mounted cabinets*—Ground-mounted cabinets shall comply with the following:

(1) Maximum area shall not exceed three hundred (300) square feet for a single wireless communication provider or six hundred (600) square feet for multiple wireless communication providers.

(2) Maximum height permitted is eight (8) feet, to be measured from finished grade elevation.

(3) Ground-mounted cabinets that are visible from a public street or accessway must be located within an equipment enclosure, equipment shelter or enclosed building.

(4) Ground-mounted cabinets are not permitted to be constructed within the front yard setback of a residential zoning district.

e. *Other screening allowances*—If the support equipment is screened from view from a public street or accessway, alley, or adjacent property by a permanent perimeter or interior wall, fence or structure that is permanent, no separate wall is needed around the equipment enclosure.

f. *Illumination*—Equipment enclosures or shelters shall not be externally illuminated unless required by Federal regulations.

g. *Noise level*—The average noise level of the support equipment, measured at any property line that is zoned or used for residential purposes, must not exceed fifty-five db (1 dn) when measured on an "a weighted" sound level meter and according to the procedures of the Environmental Protection Agency.

5. **Co-location.** The co-location of WCF on a site or structure is encouraged. Before building permits can be issued for co-location, the following must be submitted to or approved by the Development Services Department:

a. Written authorization from the owner of the structure for the telecommunication service provider to attach additional antennas, and

b. The site plan approved for the original WCF must be amended to reflect any additional antennae, change in support structure or expanded area for support equipment before the issuance of permits.

When a change to the original WCF or a co-location on an existing WCF results in the structure no longer being able to comply with either the Concealed or Disguised designation, the entire WCF must meet the development standards for the more intensive use.

The Zoning Administrator shall make a determination as to whether a facility under review, including proposed co-locations, would result in a change in its designation in the event of a dispute. An appeal of the determination made by the Zoning Administrator can be filed for consideration by the Board of Adjustment pursuant to the provisions contained in Chapter 3 of the Zoning Ordinance.

6. **Standards for the use of "Cell On Wheels" (COWS) apparatus.** There are instances in which portable self-contained cell sites, called COWS, are needed on a temporary or emergency basis. The following minimum standards shall apply to the use of COWS:

a. A temporary use permit shall be approved by the Zoning Administrator or his designee for the use of COWS in any zoning district.

b. COWS shall be located no closer than fifty (50) feet from the property line of a property that is zoned or used for residential purposes.

c. COWS are permitted on tandem axel utility trailers with a maximum width of ten (10) feet and length of twenty-four (24) feet.

d. *Permitted power sources.*

(1) A whisper quiet generator or other utility source shall be used that emits an average noise level, measured at any property line that is zoned or used for residential

purposes, that does not exceed fifty-five dB (l dn) when measured on an "a weighted" sound level meter, according to the procedures of the Environmental Protection Agency, unless otherwise approved by the Zoning Administrator.

(2) Use of on-site utility services must be approved by the Development Services Department.

e. No space or spaces needed to meet the required parking standards for a development site, as outlined in Section 702 of the Zoning Ordinance, shall be taken by the placement of COWS.

f. *Special events*—A temporary use permit issued for the use of COWS for a special event shall comply with the standards contained in Section 715.B.6.(a) through (e) above and the following:

(1) The approval shall not exceed a length of fifteen (15) consecutive days (excluding installation and removal).

(2) There shall be no more than four temporary use permits for Cell On Wheels per carrier issued per event per calendar year.

(3) No primary use needs to be existing on a site in order for a temporary use permit to be issued for COWS serving a special event.

g. *WCF installation/repairs*—A temporary use permit issued for the use of COWS during the installation of a new WCF or while repairs are being done on an existing WCF shall comply with the standards contained in Section 715.B.6.(a) through (e) above and with the following:

(1) The approval shall not exceed a length of sixty (60) consecutive days (excluding installation and removal).

(2) There shall be no more than one temporary use permit issued for the use of COWS for other than special events per site each calendar year.

(3) A one-time extension of the original temporary use permit of up to sixty (60) consecutive days (excluding installation and removal) may be approved by the Zoning Administrator or his designee upon a showing that the proposed installation or repairs are actively progressing.

7. **Plan review.** A plan must be approved or amended by the Development Services Department to reflect any additional antennae, microwave dishes, or attaching apparatus or a change in support structure or expanded area for support equipment. A site plan amendment is not needed to make changes to equipment that is fully enclosed within an equipment shelter that was included on a previous site plan approval. No site plan for a new or amended WCF shall be approved unless the support equipment is located entirely within an equipment enclosure or equipment shelter that is architecturally compatible with the surrounding area.

8. **Standards for replacement of existing Wireless Communication Facilities.** Replacement of all or parts of a legally existing WCF (Concealed, Disguised, or Visible) shall be permitted as a matter of right when the new WCF is in compliance with the previous zoning or use permit approval or the above listed standards. For purposes of this provision *"existing"* shall

mean that the pole or structure was taken down not more than ninety (90) days prior to the issuance of permits for the replacement monopole or new antennae. To minimize ground disturbance, antennae structures would be considered replacements if they are located within a ten (10) foot radius of the original antennae structure. A new antennae structure being built beyond the ten (10) foot radius from an existing WCF would be permitted only upon obtaining all of the necessary approvals described in Section 715.

9. **Discontinuation of use.** The use of any part of a WCF, including but not limited to a communication monopole, antennae, or support equipment, that has been discontinued for a period of ninety (90) calendar days shall be removed from the site unless a use permit is secured in accordance with the provisions of Chapter 3 of the Zoning Ordinance.

10. **Use permit approval standards.** Requests for use permits, when needed, shall be reviewed in accordance with the provisions of Chapter 3 of the Zoning Ordinance. Consideration shall also be given to each of the following:

    a. The consistency of the request with the context of the surrounding area;

    b. The design of a Disguised WCF must be compatible with the architectural character and natural features of the site or development;

    c. The placement of the WCF on the lot or parcel and its potential effect on expanding existing or developing future land uses;

    d. The measures taken to reduce the visual impact, bulk or clutter on the surrounding area;

    e. The cumulative effect that existing WCF in the vicinity of the site may have on the request;

    f. Consistency with the design standards contained in Section 715; and

    g. The following information shall be submitted upon application for a use permit for a WCF:

        (1) A site plan identifying the proposed location and height of the WCF;

        (2) Elevations of the proposed WCF including details on the monopole or structure and attached antennae and equipment, accessory buildings, ground-mounted cabinets and equipment, and screening structures or materials;

        (3) A statement on the capacity of the proposed WCF to allow collocation with other wireless communication providers; and

        (4) The location and height of all WCF located within a one-half (½) mile radius of the site.

11. **Required parking.** None. If an existing parking space for another use is used by one or more Wireless Communication Providers for maintaining an on-site WCF, it is considered a dual use parking space.

12. **Site access.** Vehicular or pedestrian access that is used exclusively for the periodic maintenance of a WCF does not need to be improved with asphalt or concrete paving or improved to meet the dust-proof alternative standards contained in the Zoning Ordinance.

Date of Addition/Revision/Deletion - Section 715
Addition on 3-4-2009 by Ordinance No. G-5329, eff. 4-3-2009

Section 716. Sustainability.

Sustainable development is a pattern of resource use that aims to meet the human needs of today while preserving the environment so that these needs can be met in the future. This Section includes sustainable development regulations of general applicability.

A. **Recycling Containers**—If recycling containers are located on non single-family residential developments, the following standards shall apply:

1. In developments existing prior to December 4, 2009, recycling containers may project into the required perimeter landscaped setback. However, it cannot be located in landscaping adjacent to a public street. recycling containers placed in the landscape setback must maintain a minimum setback of 5 feet from the property line.
2. In developments on sites less than two acres, recycling containers may project into the required perimeter landscaped setback. However, it cannot be located in landscaping adjacent to a public street. Recycling containers placed in the landscape setback must maintain a minimum setback of 5 feet from the property line.

B. **Reserved.**

C. **Reserved.**

Date of Addition/Revision/Deletion - Section 716
Addition on 11-4-2009 by Ordinance No. G-5447, eff. 12-4-2009

Chapter 8

HISTORIC PRESERVATION*

Section 801. Title.
Section 802. Purpose.
Section 803. Definitions.
Section 804. Historic Preservation Commission.
Section 805. Historic Preservation Officer.
Section 806. Temporary restraint of demolition.
Section 807. Procedure to establish Historic Preservation District.
Section 808. Landmark designation.
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Section 811. Effect of HP zoning designation.
Section 812. Review process on application for certificate of no effect, or certificate of appropriateness.
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Section 815. Phoenix Historic Property Register.
Section 816. Enforcement; violations; penalties.

***Editor's note**—Ord. No. G-5599, (TA-4-11), § 1, adopted March 23, 2011, effective April 22, 2011, amended portions of the Zoning Ordinance of the City of Phoenix, Arizona, to reflect the consolidation of the Planning Department with the Development Services Department and change all references to the department name to Planning and Development Department.

Section 801. Title.

This chapter shall be known as the "Historic Preservation Ordinance of the City of Phoenix."

Section 802. Purpose.

A. It is hereby declared as a matter of public policy that the protection, enhancement and preservation of properties and areas of historical, cultural, archaeological and aesthetic significance are in the interests of the health, prosperity and welfare of the people of the City of Phoenix. It is further intended to recognize past needless losses of historic properties which had substantial value to the historical and cultural heritage of the citizens of Phoenix, and to take reasonable measures to prevent similar losses in the future. Therefore, this ordinance is intended to provide for the establishment of Historic Preservation Districts in order to:

1. Effect and accomplish the protection, enhancement and preservation of improvements and landscape features of landmarks, districts and archaeological resources which represent distinctive elements of the City's cultural, educational, social, economic, political, architectural and archaeological history.
2. Safeguard the City's historic, aesthetic and cultural heritage, as embodied and reflected in such districts.
3. Foster civic pride in the accomplishments of the past.
4. Protect and enhance the City's attraction to visitors and the support and stimulus to the economy thereby provided.
5. Promote the use of Historic Preservation Districts and properties for the education, pleasure and welfare of the people of the City of Phoenix.

B. It is further declared that the purposes of this ordinance are:

1. With respect to an historic property and the properties in Historic Preservation Districts:
   a. To retain and enhance those properties which contribute to the character of the Historic Preservation District and to encourage their adaptation for current use.
   b. To assure that alterations of existing structures are compatible with the character of the Historic Preservation District.
   c. To assure new construction and subdivision of lots in an Historic Preservation District are compatible with the character of this Historic Preservation District.
   d. To recognize the value of Historic Preservation Districts and the contributions which they make to the cultural, educational and historical values of the City, and to encourage the maintenance and preservation of Historic Preservation Districts for future generations by appropriate changes to historic properties.
   e. To retain and enhance historic properties in the City of Phoenix and to encourage their adaptation for current use.
   f. To encourage the restoration of historic properties.

2. With respect to archaeological resources:
   a. To encourage identification of the location of both pre-historic and historic archaeological resources.
   b. To assist with the preservation of these resources, within developments where appropriate, and with recovery of the resources where applicable.
   c. To encourage recognition of the fact that archaeological resources found on public land are the property of all citizens, and are not private property. Archaeological resources found on City-owned lands are the property of the City.

C. The adoption of this ordinance is declared to be in the public interest and is for a public purpose.

Section 803. Definitions.

Alter: Any architectural, mechanical or structural change to an historic property which requires a permit under the Construction Code of the City.

Archaeological resources: Any material remains of past human life, activities or habitation which are of historic or pre-historic significance. Such material includes, but is not limited to pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, graves, skeletal remains, personal items and clothing, household or business refuse, printed matter, manufactured items, or any piece of any of the foregoing items.

Area: Two or more parcels of land, sites, houses, buildings or structures which may include streets and alleys.

Association: The direct link between an important historic event or person and a historic property. +2

Building Official: The person or his designee authorized to grant permits for construction, alterations and demolitions pursuant to the Phoenix Construction Code and to make interpretations thereof.

Certificate of Appropriateness: An official form of the City stating that proposed work on historic property is compatible with the historic character of the property and, therefore: 1) may be completed as specified in the Certificate; and 2) any building permits or other Construction Code permits needed to do with work specified in the Certificate may be issued by the City's Development Services Department; and 3) any other permits required by other City ordinances, such as Grading and Drainage may be issued. *2

Certificate of no effect: An official form of the City stating that proposed work on historic property will have no detrimental effect on the historic character of the property and therefore may proceed as specified in the certificate without obtaining further authorization under this ordinance, and authorizing the issuance of any permits required by the City Construction Code for said proposed work.

City at large: All land within the corporate limits of the City.

City Council: The Mayor and City Council of the City of Phoenix, Arizona.

Construction Code: The Construction Code of the City which regulates construction in the City and requires building permits, electrical permits, plumbing permits and other permits to do work regulated by the Construction Code.

Demolish: Any act or process which requires a permit under Construction Code of the City and which destroys in part or in whole a house, building or other structure within an Historic Preservation District other than solely interior elements or demolition that does not alter exterior features or demolition that is not visible from outside the house, building or other structure. +1

Demolition approval: Authorization for removal of all or part of a structure which is located within an Historic Preservation District or an area under applications for historic preservation designation.

Design: The combination of elements that create the form, plan, space, structure and style of a property. +2

Development: Any modification, alteration, remodeling, new construction or excavation which requires a permit under the Construction Code of the City, or which affects the historical character of an historic property.

Feeling: A property's expression of the aesthetic or historic sense of a particular period of time. +2

HP: Historic preservation.

HP Commission: The Historic Preservation Commission of the City of Phoenix Commission.

HP district: Historic Preservation District of the Phoenix Zoning Ordinance.

Historic Preservation Commission: The Commission created by this ordinance.

Historic Preservation District: A zoning district in the form of an overlay zone, in which property retains the uses of and is subject to the regulations of the underlying zone, but which property is also subject to the provisions of the Historic Preservation Ordinance.

Historic Preservation Officer (of the City of Phoenix): The City official who administers this ordinance and maintains the Phoenix Historic Property Register.

Historic property: One or more parcels of land, sites, houses, buildings, structures, objects, or areas which have been zoned HP. *2

Integrity: The ability of a property to convey its significance. +2

Landmark: A structure or site which contains an outstanding or unique example of an architectural style, which contains or is associated with a major historic event or activity, which contains important, intact archaeological resources, which is a site or structure of unique visual quality and identification, or which is a site of general historic or cultural recognition by the community. A landmark shall also meet all criteria for designation as an HP district.

Location: The place where the historic property was constructed or the place where the historic event occurred. +2

Materials: The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property. +2

Minor work: Any change, modifying, restoring, rehabilitating, renovating, surfacing, or resurfacing of the features of historic property which does not materially change the historic characteristics of the property.

Move: Any relocation of a structure on its site or to another site.

Owner: The owner as shown on the records of the Property Records Section of the Phoenix City Clerk's office on the date of the filing of an application.

Phoenix Historic Property Register: The list of contributing resources, including sites, structures, buildings, districts and objects within Historic Preservation Districts in the City of Phoenix as compiled and kept by the Historic Preservation Officer of the City of Phoenix.

Planning Commission: The Planning Commission of the City of Phoenix, Arizona.

Record owner: Same as "owner."

Remodel: Same as "alter."

Removal: Same as "move". *2

Replacement/reuse plan: A plan for redevelopment of a site within an HP district indicating a proposed development which shall be in accordance with existing zoning, adopted specific plans, and HP design guidelines. Such plans shall consist of a plot plan illustrating building locations, parking, walls and landscaping. They shall also include general elevation drawings of structures including roofs, doors and windows and other openings.

Setting: The physical environment of a historic property. +2

Workmanship: The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory. +2

Date of Addition/Revision/Deletion - Section 803
*1 Revision on 4-15-1992 by Ordinance No. G-3513
+2 Addition on 5-5-2004 by Ordinance No. G-4603, eff. 6-4-2004
*2 Revision on 5-5-2004 by Ordinance No. G-4603, eff. 6-4-2004

Section 804. Historic Preservation Commission.

A. **Creation of Commission; Members; Terms; Vacancies.** The Historic Preservation Commission is hereby created, to consist of nine members who are residents of the City at large, to be appointed by the City Council within sixty days of the adoption of this ordinance. The members shall serve for terms of three years, except that the members of the first Commission shall serve as designated by the City Council for the following terms: three members for one year, three members for two years; and three members for three years. Any vacancy shall be filled by the City Council

within a reasonable time after the vacancy occurs, for the unexpired term. Members shall serve until their successors are appointed. The members of the Commission shall serve without compensation.

B. **Qualifications of Members.** Members of the HP Commission shall be persons who have demonstrated special interest, knowledge or experience in historic preservation. At least one member shall be selected from each of the following: registered architect, real estate professional, archaeologist, historian.

C. **Chairman, Vice-Chairman, Secretary, Rules.** The HP Commission shall elect its chairman and vice-chairman who shall have the power to administer oaths and take testimony. The Historic Preservation Officer or his designee shall serve as secretary to the HP Commission. The HP Commission shall adopt rules of procedure for the conduct of its business.

D. **Member's Failure To Attend Meetings, Successor.** If a member of the HP Commission fails to attend three consecutive regular meetings of the HP Commission, or fails to attend fifty percent or more of the regular meetings of the HP Commission during a calendar year, unless excused by the Chairman, the City Council may declare such member's seat vacant and appoint a new member to serve the balance of the unexpired term.

E. **Powers and Duties.** The HP Commission shall work with City Council on matters of historic preservation; take the initiative in bringing people together on historic preservation issues; review proposed alterations to historic properties, historic districts and archaeological resources through the certificate of appropriateness process; and develop, maintain and from time to time amend, a plan for historic preservation in the City. The Commission shall establish and maintain a Phoenix Historic Property Register, survey historic properties including archaeological resources, recommend to the City Council designations for Historic Preservation Districts, and establish guidelines for evaluation of historic properties, districts including archaeological resources, provide public information and education on preservation, coordinate resources and provide technical assistance, develop criteria and review procedure, promote revitalization of the City through preservation and make recommendations to the City Council and citizens of the City regarding historic preservation. The HP Commission may also confer with other City, County, regional, State and national historic preservation boards and commissions. The HP Commission shall work with and assist departments of the City in matters affecting historic preservation. The HP Commission shall initiate plans for the restoration or rehabilitation of City-owned buildings, and shall advocate and recommend plans for the restoration or rehabilitation of privately owned buildings and the preservation of archaeological resources. The HP Commission shall discourage, and work with City departments to prevent, unwanted demolition of historic buildings and structures, and the destruction of archaeological resources.

F. **Conflict of Interest.** Conflict of interest of HP Commission members is controlled by the Arizona Revised Statutes and judicial decisions on conflict of interest.

Section 805. Historic Preservation Officer.

A. The position of Historic Preservation Officer is hereby created in the City Manager's Office to work under the direction of the City Manager. The Historic Preservation Officer shall: *1

1. Perform administrative acts required by the Historic Preservation Ordinance, including giving notice, researching background material, preparing reports and recommendations, receiving and processing appeals, attending meetings of the HP Commission, and rendering such assistance to the HP Commission as is required.

2. Work with and assist departments of the City in matters affecting historic preservation.

3. In conjunction with policy as established by the Historic Preservation Commission, shall establish and maintain a program of incentives. The incentives shall be used to encourage owners of historic properties to obtain HP designation and to assist owners of designated property in recognition, restoration and maintenance of their historic, architectural or archaeological resources.

4. Issue certificates of determination of potential eligibility for Historic Preservation District designation. Upon receipt of an application for a certificate, the Historic Preservation Officer shall evaluate the property based on the criteria set forth in Sections 807.D., E. and 808 to determine whether the property could qualify for designation as a HP District or could qualify for inclusion in a HP District. A determination made by the Historic Preservation Officer pursuant to this section shall be advisory only and shall not limit future consideration of HP designation in accordance with the provisions of this chapter. Certificates shall be issued within thirty days of receipt of applications.

5. Perform such other acts as are required by this ordinance or by the HP Commission.

B. Duties of the Historic Preservation Officer may be delegated as necessary. +1

Date of Addition/Revision/Deletion - Section 805
+1 Addition on 5-5-2004 by Ordinance No. G-4603, eff. 6-4-2004
*1 Revision on 5-5-2004 by Ordinance No. G-4603, eff. 6-4-2004

Section 806. Temporary Restraint of Demolition.

A process is established for the review of proposed demolitions of structures which are located in areas where an application for HP designation is under consideration.

A. It is the purpose of this ordinance to preserve structures of historic or architectural significance, but it is recognized that all areas of significance cannot be identified, analyzed, and designated at one time. However, it is important to protect properties with potentially qualifying buildings from inappropriate demolitions until review and hearings can be completed for possible HP designation.

B. The following procedures are established to ensure a review of all proposed demolitions of structures within areas under application for HP designation.

C. No demolition permit shall be issued by the Building Official within the designated areas unless a demolition approval is issued by the HP Officer, the HP Commission, or the City Council.

D. These procedures shall apply to any building that is located within an area of an application for an HP District between such time as the application is initiated or filed and the time the action is taken on the application by the City Council.

E. **Procedures for review of applications for a demolition permit:**

1. The Building Official shall refer all applicants for demolition permits within these areas to the HP Officer. Upon receipt of the application, the hp officer shall issue a demolition approval if: *2
   a. It is determined that the building contains no historic or architectural significance and is not an essential contribution to other historic features in the area. *2
2. Standards of review by the HP Officer shall include:
   a. The architectural or historical value or significance of the structure or feature and its relationship or contribution to other historic value of the property.
   b. The relationship of the exterior architectural features or landscape features to the remainder of the structure, site or property.
   c. The relation of historic or architectural features found on the site to other such features within the surrounding area.
   d. Any other factors, including aesthetic, which may be relevant to the historical or architectural aspects of the property.
3. If a demolition approval is not issued then the application shall be set for a public hearing and decision according to the following procedures:
   a. The HP Officer shall review the application and shall conduct a public hearing within twenty days of receiving the application. Notice of the application shall be posted on the property at least ten days before the date set for the public hearing. The HP Officer shall review the application in light of the standards set forth in Section 806.E.5. below and the evidence presented at the hearing, and shall either grant or deny the application. *2
   b. Any person aggrieved by the HP Officer's decision may, within five days of the action, appeal to the HP Commission. If appealed, the matter shall be set on the next available agenda of the Commission. Notice of the hearing shall be mailed to the applicant at least fourteen days prior to the hearing and shall be posted on the property at least ten days prior to the hearing. *2
   c. The Commission's decision shall be final unless appealed by either the applicant or any aggrieved person within five days of the action. If appealed, the matter shall be set for a public hearing before the City Council at their next available meeting. The hearing shall be noticed and the property posted in accordance with Section 806.E.3.b.
   d. In the event the initial hearing on an appeal to the HP Commission is not held within sixty days of the date the appeal was filed, the application shall be deemed approved. *2
4. In the event a demolition approval is denied, no permit for demolition shall be issued for one year from the date of the HP Officer's initial hearing on the subject property unless a subsequent demolition approval has been requested and granted or until adoption of HP zoning for the property.
   a. If HP zoning has not been placed on the property at the time of expiration of the one year, the HP Officer shall grant a demolition approval for the subject property.

b. At the time of adoption of HP zoning, the temporary restraint of demolition and any stays of demolition in effect shall expire. Demolition approvals at that time shall be regulated by Section 813. Requests for demolition approvals shall be filed in accordance with the procedures of that Section.

5. Standards for granting demolition permit. A demolition permit shall only be granted if the applicant demonstrates:

   a. That the building is of minimal historic significance because of its location, condition, modifications or other factors, and its demolition shall be inconsequential to historic preservation needs of the area; or

   b. If the building is determined to have historic or architectural significance, that the denial of the demolition permit will result in an economic hardship to the property owner. Such hardship shall be determined in accordance with Section 814.

6. An application for a demolition permit shall be exempt from these demolition review requirements if the City Manager or designee notifies the HP Officer in writing that the building has been ordered to be demolished in whole or in part by the City Manager or designee, or by the City of Phoenix Rehabilitation Appeals Board to protect the public health, safety and welfare.

7. The provisions of this section apply to all areas of the city under application for HP designation on the effective date of this ordinance and to all areas of the city for which applications for HP designation are initiated after the effective date of this ordinance.

8. A demolition approval may be conditioned on stipulations which provide for rights of access to the property for the purposes of documentation or for agreed upon removal of artifacts.

Date of Addition/Revision/Deletion - Section 806
*1 Revision on 11-5-1997 by Ordinance No. G-4056
*2 Revision on 5-5-2004 by Ordinance No. G-4603, eff. 6-4-2004

Section 807. Procedure to Establish Historic Preservation District.

A. Applications to establish Historic Preservation Districts shall be filed as provided by Section 506 of the Phoenix Zoning Ordinance.

B. The Planning Department shall transmit the application to the Historic Preservation Officer of the City of Phoenix who shall compile and transmit to the HP Commission a complete report on the property in the application, including the location, condition, age, historical features and other relevant information, together with a recommendation to grant or to deny the application and the reasons for the recommendation.

C. The HP Commission shall set a date for public hearing on the application. Notice of the hearing shall be mailed to the property owner and to the applicant at least thirty days prior to the hearing. The notice shall clearly state the implications of HP zoning to the property owner. Notice

of the hearing shall be posted at least fifteen days prior to the hearing, on or near the property in one or more locations so that the notice is visible to persons living or working in the neighborhood and to persons passing through the neighborhood. *1

D. **Evaluation Criteria.** The HP Commission shall evaluate each parcel of property and each parcel of property within an area that is included in the application for a demonstrated quality of significance in local, regional, state or national history, architecture, archaeology, engineering or culture according to the following criteria:

1. **Significance.** *1
   a. Associated with the events that have made significant contribution to the broad patterns of our history; and/or
   b. Associated with the lives of persons significant in our past; and/or
   c. Embody the distinctive characteristics of a type, period or method of construction or that represent the work of a master or that possess high artistic values or that represent a significant and distinguishable entity whose components may lack individual distinction; and/or
   d. Have yielded or may be likely to yield information important in the understanding of our pre-history or history of the City of Phoenix.
2. **Age.** *1
   a. Are at least fifty years old; or
   b. Have achieved significance within the past fifty years if the property is of exceptional importance. *1
3. **Integrity.** Retain sufficient integrity of location, design, setting, materials, workmanship, feeling and association to convey their significance. +1

E. The HP Commission shall, when applying the evaluation criteria in Section 807.D. above, draw the boundaries of an historic district as carefully as possible to ensure that: *1

1. The district contains documented historic, architectural, archaeological or natural resources; and *1
2. The district boundaries coincide with documented historic boundaries such as early roadways, canals, subdivision plats or property lines; and
3. Other district boundaries coincide with logical physical or manmade features and reflect recognized neighborhood or area boundaries; and
4. Other, non-historic resources or vacant land is included where necessary to create appropriate boundaries to assist in meeting the criteria in Section 807.D.1 through 3. *1

F. Following the hearing, the HP Commission shall transmit to the Planning Commission the HP Commission's decision, report and recommendations.

G. Upon receipt of the decision, report and recommendations of the HP Commission, the Planning Commission shall schedule a hearing on the application in the same manner and with the same notice requirements as are specified in Section 506 of the Phoenix Zoning Ordinance for public hearings on other zoning applications by the Planning Commission. Notice of hearings shall be sent to each real property owner, as shown on the last assessment of the property, of the area to be designated HP and all property owners, as shown on the last assessment of the property, within six hundred feet of the property to be designated HP.

H. The Planning Commission shall conduct a public hearing at which the property owner, parties in interest and citizens shall have an opportunity to be heard. After such public hearing, the Planning Commission shall make a report and recommendation to City Council.

I. The City Council may set a public hearing on the application, or may adopt the Planning Commission's recommendations without holding another public hearing unless:

1. The property owner, member of the public, or a City Council member, within seven calendar days after the Planning Commission announces its recommendations; either:
   a. Objects in writing to adoption of the recommendation without a City Council hearing; or
   b. Requests in writing that a public hearing be held; or
2. The Planning Commission has recommended approval of the application and a written protest causing a three-fourths vote of City Council under Section 506 of the Zoning Ordinance has been filed.

J. In the event that a public hearing before the City Council is to be held, the date, time and place of such hearing and the nature of the application shall be published at least once in a newspaper of general circulation in the City of Phoenix at least fifteen days before the hearing, and notice of hearing shall be sent first class mail to each real property owner, as shown on the last assessment of the property, of the area to be designated HP and all property owners, as shown on the last assessment of the property, within six hundred feet of the property to be designated HP. The date, time and place of such hearing and application shall be posted within the area included in the application so as to give at least fifteen days notice of such Council hearing. In the case of a continuance, at least seven days posting is required but no publication is required. *1

K. If a public hearing is held by City Council, then City Council may do one of the following:

1. Adopt the recommendation of the Planning Commission;
2. Modify the decision of the Planning Commission and adopt it as modified; or
3. Deny the application; or
4. Remand the application to the Planning Commission or HP Commission for further proceedings.

L. Designation of property by City Council as historic preservation shall be followed by City Council adoption of a supplemental zoning map adding the suffix "HP" to the zoning classification of the property.

M. The HP Commission may elect to first transmit its decision, report and recommendations to the Zoning Hearing Officer.

1. In the event the HP Commission elects to first transmit its decision, report and recommendations to the Zoning Hearing Officer, the proceedings, including any hearings by the Planning Commission and City Council, shall be governed by the provisions of Section 506 of the Zoning Ordinance.
2. Notices of hearings held pursuant to this Section shall be sent first class mail to each real property owner, as shown on the last assessment of the property, of the area to be designated HP and all property owners, as shown on the last assessment of the property, within six hundred feet of the property to be designated HP. *1

N. Before any of the required hearings before the Planning Commission and/or the City Council, any member of the public may express any issues or concerns they may have regarding an HP zoning application at meetings of the Village Planning Committee governing the area in which the application is being made, if the application is on the agenda of such committee. The proceedings of the Village Planning Committee, including meeting notice and posting requirements, shall be governed by the provisions of Section 506 of the Zoning Ordinance. +1

Date of Addition/Revision/Deletion - Section 807
+1 Addition on 5-5-2004 by Ordinance No. G-4603, eff. 6-4-2004
*1 Revision on 5-5-2004 by Ordinance No. G-4603, eff. 6-4-2004

Section 808. Landmark Designation.

A classification of historic preservation zoning, landmark, is created to recognize that there are some historic properties that possess historic or architectural significance, integrity, distinctive visual character and quality that is a level of exceptional significance among historic properties. Designation by this category gives public recognition of the importance of these properties.

A. Landmark designation can occur for a property already within an HP district or in conjunction with designation as an HP district.

B. Review and hearing procedures for designation as a landmark shall be as set forth in Section 807; and

C. At the time of recommendation for landmark designation, the HP Commission shall adopt a set of findings documenting the uniqueness and significance of the subject building or site.

Section 809. Procedure to Remove HP Zoning Designation.

The procedure to remove the HP zoning district designation from property shall be the same procedure specified by this ordinance to establish Historic Preservation District zoning.

Section 810. Permitted Uses; Suffix "HP," "HP-L."

Any uses permitted by the existing zones over which Historic Preservation District zoning is superimposed shall be permitted. The property will be designated by its underlying zoning

classification and any other overlay zone, plus the suffix "HP." Property designated by the HP suffix is subject to the Historic Preservation provisions of this ordinance, as well as being subject to those provisions of the Zoning Ordinance which are applicable to property in the underlying classification.

A. Landmark designation shall be indicated by the suffix "HP-L" for the property affected by such designation.

Section 811. Effect of HP Zoning Designation.

A. From and after the adoption by City Council of an application designating property with the Historic Preservation HP suffix, any removal or demolition of structures, or construction, alteration or remodeling of structures, or signs, or any landscaping on such property or development of archaeological sites are subject to the provisions of this ordinance. *2

B. The owners of HP property shall maintain and preserve buildings, structures and sites at such a level that they are not a safety hazard to the occupants or to the public.

C. The HP Commission shall adopt design guidelines which shall apply to the exterior features of structures in all HP districts. The guidelines are intended to offer assistance to property owners when building or modifying structures in the district, as well as to establish a set of standards to be used in reviewing proposals for certificates of appropriateness. The guidelines shall be a set of principles that give direction on how the parts and details of a building's scheme or plan should be assembled involving the following categories of work in historic districts or on historic structures:

1. Rehabilitation of historic structures.

2. Additions or alterations to historic structures.

3. New construction on vacant land located in historic districts or adjacent to historic structures.

D. Design guidelines may contain provisions which modify the standards for signs contained in Section 705 of the Zoning Ordinance. Such modifications may not change the safety or permit provisions of that chapter, but may specify size, height, placement, numbers, materials and lighting of signs. Further, these guidelines may specify the location of off-street parking or loading spaces as contained in Section 702 of the Zoning Ordinance. If any of these provisions are to be contained in design guidelines, the guidelines shall be approved according to the procedures contained in Section 807.

E. No building, permanent sign, or other structure within an HP District may be erected, demolished, moved, restored, rehabilitated, reconstructed, altered or changed in exterior appearance until plans for such activities have been submitted to and approved by the Historic Preservation Officer, HP Commission or City Council, and a Certificate of No Effect, a Certificate of Appropriateness, or a Demolition Approval is issued. Failure to comply with a stipulation, guideline or plan made a part of any of these approvals shall constitute a violation of this ordinance. An approved plan shall be binding upon the applicant and their successors and assignees. No building permit shall be issued for any building or structure not in accord with the plan except that temporary

facilities shall be permitted in conjunction with construction. No structure or other element specified on the plan shall be eliminated, or altered and provided in another manner, unless an amendment is approved in conjunction with the procedures for original approval. *2

F. Nothing in this ordinance shall be construed to prevent ordinary maintenance or repair of any structure in the HP District, which does not alter or modify the historic character of the structure. Demolition of a structure without obtaining a demolition approval shall constitute a violation of this ordinance.

Date of Addition/Revision/Deletion - Section 811
*1 Revision on 6-19-1996 by Ordinance No. G-3938
*2 Revision on 5-5-2004 by Ordinance No. G-4603, eff. 6-4-2004

Section 812. Review Process On Application For Certificate of No Effect, or Certificate of Appropriateness.

A. When a building permit or other permit is sought from the City to alter, remodel, move, build or otherwise develop or landscape property or archaeological sites in the HP District, issuance of the permit shall be deferred until after a Certificate of No Effect or a Certificate of Appropriateness is obtained from the Historic Preservation Officer, or the HP Commission.

B. In the event work requiring a Certificate of Appropriateness is being performed without such a Certificate, the Historic Preservation Officer shall contact the person performing the work and ask that all work cease. If work continues, the Historic Preservation Officer shall ask that a Stop Work Order be issued by the Building Official. In the event work is being performed that is not in accordance with a Certificate of Appropriateness issued by the HP Commission, the Historic Preservation Officer shall ask that a Stop Work Order be issued by the Building Official. The City may seek an injunction to enforce a Stop Work Order.

C. The Building Official shall refer applicants for building permits located within an HP District to the HP Officer. The HP Officer shall hold a pre-application meeting with the applicant to review the request and determine whether a certificate of no effect or certificate of appropriateness is required. *2

1. The HP Officer shall issue a Certificate of No Effect if:

    a. It is determined the proposed work is minor and clearly within adopted design guidelines, and

    b. If modifications to the proposed work are requested by the HP Officer, they are agreed to by the applicant, and

    c. In any case, the proposed work will not diminish, eliminate, or adversely affect the historic character of the subject property or its affect on the district.

2. If a Certificate of No Effect is not issued, a Certificate of Appropriateness shall be required.

3. The review and decision on certificates of appropriateness shall be conducted in the following manner:

   a. The HP Officer shall review the application and shall conduct a public hearing within twenty days of the filing of an application for a certificate of appropriateness. Notice of application shall be posted on the property at least ten days before the date set for the public hearing. The HP Officer shall review the application in light of the standards set forth in Section 812.D. below and the evidence presented at the hearing, and shall either grant or deny the application, or grant it with stipulations. *2

   b. Any person aggrieved by the HP Officer's decision may, within five days of the action, appeal to the HP Commission. If appealed, the matter shall be set on the next available agenda of the Commission. Notice of the hearing shall be mailed to the applicant at least fourteen days prior to the hearing and shall be posted on the property at least ten days prior to the hearing. *2

   c. The HP Commission may uphold, reverse, or modify the decision of the HP Officer. The Commission's decision shall be final unless appealed by either the applicant or any aggrieved person within five days of the action. If appealed, the matter shall be set for a public hearing before the City Council at their next available meeting. The hearing shall be noticed and the property posted in accordance with Section 812.C.3.b. *2

   d. In the event the initial hearing on an appeal to the HP Commission is not held within sixty days of the date the appeal was filed, the application shall be deemed approved. *2

D. **Standards for Consideration of a Certificate of Appropriateness:**

1. The proposed work will be compatible with the relevant historic, cultural, educational or architectural qualities characteristic of the structure, site or district and shall include but not be limited to elements of size, scale, massing, proportions, orientation, surface textures and patterns, details and embellishments and the relation of these elements to one another.

2. Conformance with the guidelines approved by the HP Commission.

E. Any person aggrieved by a decision of City Council on a Certificate of No Effect or a Certificate of Appropriateness may file a special action in Superior Court in accordance with the law, to have the court review that decision.

F. No change shall be made in the approved plans of a project after issuance of a Certificate of No Effect or a Certificate of Appropriateness without resubmittal to the Historic Preservation Officer and approval of the change in the same manner as provided above.

G. All certificates approved in accordance with this section expire one year from the date of issuance unless work is started within that time. *2

Date of Addition/Revision/Deletion - Section 812

*1 Revision on 6-19-1996 by Ordinance No. G-3938

*2 Revision on 5-5-2004 by Ordinance No. G-4603, eff. 6-4-2004

Section 813. Demolition or Moving of Structures.

It is the intent of this ordinance to preserve the historic and architectural resources within HP Districts. However, it is recognized that there can be circumstances beyond the control of the owner, or situations involving public health, safety, and welfare which may result in the necessary demolition of a structure within an HP District. These situations include a building which constitutes a danger to the public health, safety and welfare, or which involves a resource whose loss does not diminish or adversely affect the integrity of the district, or which imposes an economic hardship on its owners.

A. No permit shall be issued by the Building Official to move or demolish all or any part of a house, building, or other structure in an Historic Preservation District without a demolition approval authorized by the HP Officer, HP Commission or City Council. *3

B. Requests for demolition approval shall be considered in the following manner:

1. The Building Official shall refer applicants for demolition permits to the HP Officer. *3

2. Within three days of receiving the application, the HP Officer shall make a determination if a demolition approval can be issued. Criteria used to make this determination shall be: *3

   a. The structure is of no historic or architectural value or significance and does not contribute to the historic value of the property, and

   b. Loss of the structure would not adversely affect the integrity of the HP District or the historic, architectural or aesthetic relationship to adjacent properties and its demolition shall be inconsequential to historic preservation needs of the area.

3. If a demolition approval cannot be granted, the applicant for the demolition permit may request a public hearing. If filed, such application shall contain a completed request for Certification of Economic Hardship.

4. Upon receipt of a request for demolition approval hearing, the HP Officer shall review the application and conduct a public hearing within twenty days. Notice of the application shall be posted on the property at least ten days before the date set for the public hearing. The HP Officer shall review the application in light of Section 814 and Sections 813.B.2.a. and b. above, and the evidence presented at the hearing, and shall either grant or deny the demolition approval. *3

5. Any person aggrieved by the HP Officer's decision may, within five days of the action, appeal to the HP Commission. If appealed, the matter shall be set on the next available agenda of the Commission. Notice of the hearing shall be mailed to the applicant at least fourteen days prior to the hearing and shall be posted on the property at least ten days prior to the hearing. *3

6. The Commission's decision shall be final unless appealed by either the applicant or any aggrieved person within five days of the action. If appealed, the matter shall be set for a public hearing before the City Council at their next available meeting. The hearing shall be noticed and the property posted in accordance with Section 813.B.5.

7. In the event the initial hearing on an appeal to the HP Commission is not held within sixty days of the date the appeal was filed, the application shall be deemed approved. *3

8. The City Manager or designee shall give written notice to the HP Officer that a building located in an HP District is the subject of a proposed demolition pursuant to a legal hearing process. The City Manager or designee shall provide such notice at the same time that notice of a hearing on the demolition is given to the owner and any lienholders of the building. Upon receipt of such notice, the HP Officer shall give notice to any person who has requested to be notified of such pending demolition hearings. The HP Officer shall also place an item on each agenda of the HP Commission to discuss any demolition notices in an HP District. The notice provisions of this Section shall not apply if the City Manager or designee is entitled as a matter of law to order that a building be demolished in whole or in part without notice and hearing because the condition of the building is so dangerous, and harm to the public is so imminent that time will not permit a notice and hearing process. The City Manager or designee shall also give notice to the HP Officer in writing that a demolition order has been issued for the building by the City Manager or designee or by the City of Phoenix Rehabilitation Appeals Board because the building constitutes a danger to the public health, safety and welfare.

9. An application for a demolition permit shall be exempt from the demolition review requirements of Sections 813.A. and B. if the City Manager or designee notifies the HP Officer in writing as required in Section 813.B.8.

C. If a demolition approval is not granted, then no demolition permit shall be issued for a period of one year from the date on which the request for demolition approval was denied by the Historic Preservation Officer, unless a subsequent demolition approval has been requested and granted pursuant to Section 813.B.2. of this ordinance.

1. Upon denial of a demolition approval, the HP Officer shall contact the property owner to determine what available assistance might be feasible to place the property into productive use.

2. If a feasible rehabilitation plan or use is not found for the property, the HP Officer shall investigate methods of private or public acquisition of the property.

D. For properties designated landmarks, the restraint of demolition shall be three years. Review upon request by the owner may be made after two years. Procedures shall be as follows: two years after denial of a demolition approval, if no feasible use or ownership is found for the structure, the owner may request of the HP Commission a waiver of all or a part of the balance of the restraint of demolition. Factors to be considered by the Commission shall include:

1. Efforts made by the property owner to make necessary repairs, to find an appropriate user, or to find a purchaser for the property, and

2. Efforts made by the HP Officer to locate available assistance and make that known to the owner as well as the use which was made by the owner of that assistance.

E. If a demolition approval is:

1. Granted on any basis other than that of economic hardship; or
2. Denied, and the restraint of demolition under Sections 813.C. or 813.D. above has expired,

Then the Building Official shall not issue a demolition permit until a redevelopment or reuse plan for the property has been filed with the HP Officer. The plan may be filed at any time following denial of the demolition request and shall be in compliance with existing zoning, the General Plan and any adopted Specific Plan, and the HP design guidelines applicable to the property. Vacant or non-use shall not be responsive to this requirement. Upon notification from the HP Officer that an approved reuse or redevelopment plan has been filed, the Building Official may issue a demolition permit at any time within one year from the date of the expiration of the demolition restraint or the grant of approval for demolition by the HP Officer. If the applicant fails to obtain a demolition permit within the one-year period authorized above, the HP Officer may grant an extension of up to six months due to unforeseeable conditions preventing or inhibiting demolition. If demolition is not completed within the one year period, or any extension thereof, the Building Official shall not issue a demolition permit until the applicant has made a new application for demolition approval as provided in Section 813.B.

a. The filing of a reuse or redevelopment plan shall not be required when demolition of the building in whole or in part will occur pursuant to an order of the City Manager or designee or the City Rehabilitation Appeals Board to protect the public health, safety and welfare.

b. The requirement for filing a redevelopment or reuse plan shall be waived by the HP Officer if, following demolition, no historic feature will remain in the HP district and upon a finding that such requirement is unnecessary to assure compatibility with other HP designated properties in the vicinity.

c. The HP Officer shall make a decision on a request for a waiver within three days of receipt of the request. The applicant or an aggrieved person may appeal the decision of the HP Officer within five days of the action. Upon receipt of an appeal, it shall be placed on the next available agenda of the HP Commission who shall conduct a public hearing. Notice of the hearing shall be mailed to the applicant at least fourteen days prior to the hearing and shall be posted on the property at least ten days prior to the hearing. At the hearing, the Commission shall either grant or deny the request. The Commission's decision shall be final unless appealed by the applicant or an aggrieved person within five days of the action. If appealed, the matter shall be set for a public hearing before the City Council on its next available agenda. Notice of the hearing shall be mailed to the applicant at least fourteen days prior to the hearing and shall be posted on the property at least ten

days prior to the hearing. If a waiver is approved, the Commission shall, upon demolition or removal of the structure, initiate an application to remove the HP designation from the property. *3

F. Any new development on the property shall be in conformance with the plan submitted in conjunction with the demolition approval. Any changes from the plan shall require a Certificate of Appropriateness.

G. A demolition approval may be conditioned on stipulations which provide for rights of access to the property for the purposes of documentation or for agreed upon removal of artifacts.

Date of Addition/Revision/Deletion - Section 813
*1 Revision on 4-15-1992 by Ordinance No. G-3513
*2 Revision on 11-5-1997 by Ordinance No. G-4056
+2 Addition on 11-5-1997 by Ordinance No. G-4056
*3 Revision on 5-5-2004 by Ordinance No. G-4603, eff. 6-4-2004

Section 814. Economic Hardship.

Separate standards for obtaining certification of economic hardship are established for investment or income-producing and non-income-producing properties. Nonincome properties shall consist of owner occupied single-family dwellings and non-income-producing institutional properties.

A. The basis to establish economic hardship for an income-producing property shall be that a reasonable rate of return cannot be obtained from a property that retains its historic features or structures in either its present condition or if its features or structures are rehabilitated. +1

B. Economic hardship in regard to a non-income-producing property shall be found when the property owner demonstrates that the property has no beneficial use as a single-family dwelling or for an institutional use in its present condition or if rehabilitated.

C. Demonstration of an economic hardship shall not be based on or include any of the following circumstances:

1. Willful or negligent acts by the owner.
2. Purchase of the property for substantially more than market value.
3. Failure to perform normal maintenance and repairs.
4. Failure to diligently solicit and retain tenants.
5. Failure to provide normal tenant improvements.

Date of Addition/Revision/Deletion - Section 814
*1 Revision on 4-15-1992 by Ordinance No. G-3513

Section 815. Phoenix Historic Property Register.

A. The Phoenix Historic Property Register is hereby established for the purpose of recording the historic sites, structures, buildings, objects and areas which exist in the City of Phoenix.

B. The register shall consist of historic sites, structures, buildings, objects and areas and which are zoned "Historic Preservation District" by the City Council [which] shall forthwith be listed on the Phoenix Historic Property Register by the Historic Preservation Officer.

Section 816. Enforcement; Violations; Penalties.

Any violation of the provisions of this chapter is a violation of the Zoning Ordinance and is subject to enforcement and penalties prescribed by Section 1004 of the Zoning Ordinance.

Chapter 9

NONCONFORMITIES*

Section 901. Purpose and Scope.
Section 902. Expansion of Nonconforming Use.
Section 903. Abandonment of Nonconforming Use.
Section 904. Change of Use.
Section 905. Repair or Reconstruction of Nonconforming Use and Use or Structure That Does Not Conform to Existing Development Standards.
Section 906. Enlargement or Expansion of Use or Structure That Does Not Conform to Existing Development Standards.
Section 907. Moving of Use or Structure That Does Not Conform to Existing Development Standards.

***Editor's note**—Ord. No. G-5599, (TA-4-11), § 1, adopted March 23, 2011, effective April 22, 2011, amended portions of the Zoning Ordinance of the City of Phoenix, Arizona, to reflect the consolidation of the Planning Department with the Development Services Department and change all references to the department name to Planning and Development Department.

Section 901. Purpose and scope. +1

The purpose of these regulations is to regulate and limit the development and continued existence of uses, structures and parcels of land established prior to the effective date of these regulations. Legally established nonconformities may continue, but the provisions of these regulations are designed to curtail substantial investment in nonconformities and to bring about their eventual improvement or elimination in order to preserve the integrity of these regulations, promote adopted plans and policies, and enhance the character of the City. Any nonconforming use, structure, or parcel of land that lawfully existed as of the effective date of these regulations and that remains nonconforming, and any use, structure or parcel of land that has become nonconforming as a result of the adoption of these regulations or any subsequent amendment to these regulations or as a result of annexation into the City, may be continued or maintained only in accordance with the terms of this chapter.

Date of Addition/Revision/Deletion - Section 901
+1 Deletion and addition on 4-3-1991 by Ordinance No. G-3409

Section 902. Expansion of nonconforming use. +1

A nonconforming use shall not be expanded or extended beyond the floor area or lot area that it occupied on the effective date of these regulations, the effective date of any amendment to these regulations, or the effective date of annexation into the City rendering such use nonconforming, except that: *2

A. A structure housing a nonconforming single-family residential use may be expanded up to fifty percent beyond the floor area or lot area that it occupied on the date it was rendered nonconforming, subject to obtaining a use permit in accordance with the procedures and standards of section 307; and +2

B. An accessory structure for a nonconforming single-family residential use may be expanded up to fifty percent beyond the floor area or lot area that it occupied on the date it was rendered nonconforming, subject to obtaining a use permit in accordance with the procedures and standards of section 307. +2

No provision in this chapter shall be construed to permit expanding or extending a nonconforming use beyond the confines of the lot or parcel of land upon which it was located on the date the use became nonconforming or to permit any expansion of a nonresidential or multiple-family residential nonconforming use. *2

Date of Addition/Revision/Deletion - Section 902
+1 Addition on 4-3-1991 by Ordinance No. G-3409
+2 Addition on 6-2-1999 by Ordinance No. G-4187
*2 Revision on 6-2-1999 by Ordinance No. G-4187

Section 903. Abandonment of nonconforming use. +1

A. If a nonconforming use is not used for a period of one hundred eighty consecutive days after the date it is rendered nonconforming, then that use shall not be renewed or reestablished and any subsequent use of the parcel of land or structure shall conform to the regulations of the zoning district in which it is located. *2

B. A property owner whose nonconforming use has not been used for a period of one hundred eighty consecutive days may request an administrative determination from the Zoning Administrator whether the nonuse of the property was due to some conduct within the control of and attributable to the property owner or a previous property owner. A determination that the nonuse was not due to some conduct within the control of and attributable to the property owner or a previous property owner shall mean that the nonconforming use may be renewed or reestablished. In addition to intentional acts, conduct in the control of and attributable to the property owner may include negligent or inadvertent acts and/or engagement in civil or criminal misconduct that the property owner knows or should know could lead to involuntary closure. +2

The Zoning Administrator's determination may be appealed to the Board of Adjustment in accordance with the provisions of section 502. +2

Date of Addition/Revision/Deletion - Section 903
+1 Addition on 4-3-1991 by Ordinance No. G-3409
+2 Addition on 6-2-1999 by Ordinance No. G-4187
*2 Revision on 6-2-1999 by Ordinance No. G-4187

Section 904. Change of use. +1

A. A nonconforming use may be changed to a use permitted as of right or a use permitted with a use permit or special permit in the zoning district in which the property is located, upon securing the necessary permit. +2

B. If the boundary of the lot containing the nonconforming use is less than three hundred feet from the boundary of a residentially zoned property, including undeveloped or residentially developed R-5 property, the nonconforming use may only extend its hours to include any time between 10:00 p.m. and 7:00 a.m. through issuance of a use permit in accordance with the procedures and standards of section 307. +2

Date of Addition/Revision/Deletion - Section 904
+1 Addition on 4-3-1991 by Ordinance No. G-3409
+2 Addition on 6-2-1999 by Ordinance No. G-4187

Section 905. Repair or reconstruction of nonconforming use and use or structure that does not conform to existing development standards. +1

A. Reasonable repairs and alterations may be made to a use or structure that does not conform to existing development standards; this section shall not affect the right to make repairs or alterations to a nonconforming use that conforms to existing development standards.

B. If either (i) a nonconforming use or (ii) a use or structure that does not conform to existing development standards is damaged by a fire, flood, windstorm, or similar abnormal and identifiable event, and the cost of restoring the use or structure to its condition immediately prior to the event does not exceed fifty percent of the cost of reconstructing the entire use or structure, then the use or structure may be restored to its original nonconforming condition, provided that a building permit is secured, reconstruction is started within one year from the date of the damage, and such reconstruction is diligently pursued to completion. The cost of reconstruction shall be determined by three competent appraisers in cases where the cost is unclear to the Development Services Department. *2

C. If either (i) a nonconforming use or (ii) a use or structure that does not conform to existing development standards is destroyed or damaged by a fire, flood, windstorm, or similar abnormal and identifiable event, and the cost of restoring the use or structure to its condition immediately prior to the event exceeds fifty percent of the cost of reconstructing the entire use or structure, then use permit approval is required prior to reconstruction, in accordance with the procedures and standards of section 307. The cost of reconstruction shall be determined by three competent appraisers in cases where the cost is unclear to the Development Services Department.

Date of Addition/Revision/Deletion - Section 905
+1 Addition on 4-3-1991 by Ordinance No. G-3409
*2 Revision on 6-2-1999 by Ordinance No. G-4187

Section 906. Enlargement or expansion of use or structure that does not conform to existing development standards. +1

A. A use or structure that does not conform to existing development standards may be enlarged, expanded or made to further deviate from the standards of this ordinance as provided in this section.

B. Enlargement or expansion of a use or structure that does not conform to existing development standards is permissible without first obtaining a removal of nonconforming status as provided in section 906.C or a use permit as provided in section 906.D, provided that:

1. The use is conforming; and

2. The enlargement or expansion itself conforms to the requirements of these regulations or does not increase the nonconformity.

C. Enlargement or expansion of a use or structure that does not conform to existing development standards is permissible when the enlargement or expansion does not conform to the requirements of these regulations or increases the nonconformity upon approval of an application for removing the nonconforming status by the Zoning Administrator in conformity with the following provisions:

1. The application for removing the nonconforming status shall be reviewed in accordance with the same procedures and standards set forth in section 307 for use permits and the standards

of this section. In reviewing an application, the Zoning Administrator shall consider whether the use or structure that does not conform to existing development standards can be improved by one or more of the following actions:

a. A landscaped buffer could be provided between the use or structure that does not conform to existing development standards and any abutting parcel of land in order to provide appropriate buffering effect for potentially adverse impacts of the use or structure on abutting properties.

b. Off-street parking areas located on the parcel of land could be improved with interior landscaping so as to minimize potentially adverse impacts of the use or structure on abutting properties.

c. Nonconforming signs, outdoor lighting, off-street parking areas, and other nonconforming accessory structures located on the parcel of land could be removed or brought into conformity with the applicable requirements of these regulations.

d. Any enlargement or expansion of the use or structure that does not conform to existing development standards could be limited to no greater than fifty percent of the floor area or lot area that it occupied on the effective date of these regulations or any amendment to these regulations that rendered the development standard nonconforming, whichever is later.

2. Upon approval of the application for removing the nonconforming status by the Zoning Administrator, the use or structure that does not conform to existing development standards shall no longer be treated as nonconforming and shall be allowed to continue as lawfully existing in accordance with the approval. This status as lawfully existing shall only apply to development standards for which the removal of nonconforming status is issued and shall not apply to any other development standard that may be located on the parcel of land.

3. Violation of this section shall be deemed a violation of the Zoning Ordinance and shall be subject to enforcement of the ordinance.

D. Enlargement or expansion of a use or structure that does not conform to existing development standard(s) is also permissible when the enlargement or expansion does not conform to the requirements of these regulations or increases the nonconformity upon approval of an application for a use permit in accordance with the procedures and provisions of section 307. Such enlargement or expansion shall be no more than fifty percent beyond the floor area or lot area that it occupied on the date the development standard was rendered nonconforming. Such approval shall not remove the nonconforming status.

Date of Addition/Revision/Deletion - Section 906
+1 Addition on 4-3-1991 by Ordinance No. G-3409

Section 907. Moving of use or structure that does not conform to existing development standards. +1

A use or structure that does not conform to existing development standards shall not be moved in whole or in part to any other location unless every portion of such use or structure and the use

thereof is made to conform with all requirements for the zoning district to which such use or structure is moved. The moving of the use or structure that does not conform to existing development standards also shall comply with the requirements of applicable City regulations.

Date of Addition/Revision/Deletion - Section 907
+1 Addition on 4-3-1991 by Ordinance No. G-3409

Chapter 10

ENFORCEMENT

Section 1001. Enforcement authority.
Section 1002. Interference with enforcement personnel.
Section 1003. Police to assist in enforcement activities.
Section 1004. Penalties.
Section 1005. Nonconforming use as affirmative defense.

Chapter 10

ENFORCEMENT

Section 1001. Enforcement authority.
Section 1002. Interference with enforcement personnel.
Section 1003. Police to assist in enforcement activities.
Section 1004. Penalties.
Section 1005. Nonconforming use as affirmative defense.

Section 1001. Enforcement authority. +1

This ordinance shall be enforced by the Zoning Administrator of the City of Phoenix or the Zoning Administrator's authorized representative who shall have authority to enter any building, structure or premises or any part thereof, at any and all reasonable times in accordance with legal requirements governing administrative inspections of private property, for the purpose of performing the Zoning Administrator's official duty.

Date of Addition/Revision/Deletion - Section 1001
+1 Deletion and addition on 4-3-1991 by Ordinance No. G-3410

Section 1002. Interference with enforcement personnel. +1

It shall be unlawful for any person to willfully interfere with, hinder, or obstruct enforcement personnel in the discharge of their duties.

Date of Addition/Revision/Deletion - Section 1002
+1 Deletion and addition on 4-3-1991 by Ordinance No. G-3410

Section 1003. Police to assist in enforcement activities. +1

It shall be the duty of the Police Department to assist in the enforcement of the ordinance.

Date of Addition/Revision/Deletion - Section 1003
+1 Addition on 4-3-1991 by Ordinance No. G-3410

Section 1004. Penalties. +1 *2

A. For purposes of this chapter, a *responsible party* shall be defined as an occupant, lessor, lessee, manager, licensee, or other person having control over or use of a structure or parcel of land. *3

B. The remedies herein are cumulative and the City may proceed under one or more such remedies. *3

C. (1) Any owner or responsible party who causes, permits, facilitates, or aids or abets any violation of any provision of this Zoning Ordinance or who fails to perform any act or duty required by the Zoning Ordinance is guilty of a Class 1 misdemeanor, subject to the provisions of Subsections D.(1) and D.(2), provided, however, that the City Attorney may authorize the filing of certain cases or classes of cases as civil violations subject to the provisions of Subsections E.(1) and E.(2). *3

D. (1) Any person convicted of a violation of the Zoning Ordinance shall be sentenced to a fine of not less than one hundred dollars. Any person who is convicted of a second violation of the Ordinance committed within thirty-six months of a prior violation of the Ordinance shall be subject to a fine of not less than two hundred fifty dollars. Any person who is convicted of a third or subsequent violation of the Ordinance committed within thirty-six months of a prior violation of the Ordinance shall be subject to a fine of not less than five hundred dollars. *3

(2) The thirty-six-month period provision of Subsection D.(1) of this section shall be calculated by the dates the violations were committed. The owner or responsible party shall receive the

enhanced fine upon a conviction of any violation of the Zoning Ordinance which was committed within thirty-six months of the commission of another violation for which the owner or responsible party was found responsible or convicted, irrespective of the order in which the violations occurred or whether the prior violation was civil or criminal. *3

E. (1) Any owner or responsible party who causes, permits, facilitates, or aids or abets any violation of any provision of the Zoning Ordinance or who fails to perform any act or duty required by the Ordinance is subject to a civil sanction of not less than one hundred dollars or more than two thousand five hundred dollars. Any owner or responsible party who commits a second violation of the Ordinance within thirty-six months of the commission of a prior violation of the Ordinance shall be subject to a civil sanction of not less than two hundred fifty dollars. Any owner or responsible party who commits a third violation of the Ordinance within thirty-six months of the commission of a violation of the Ordinance shall be subject to a civil sanction of not less than five hundred dollars. *3

(2) The thirty-six-month period provision of Subsection E.(1) of this section shall be calculated by the dates the violations were committed. The owner or responsible party shall receive the enhanced civil sanction upon a finding of responsibility for any violation of the Zoning Ordinance which was committed within thirty-six months of the commission of another violation for which the owner or responsible party was convicted or found responsible, irrespective of the order in which the violations occurred or whether the prior violation was civil or criminal. *3

F. Each day a violation of any provision of the Zoning Ordinance or a failure to perform any act or duty required by the Ordinance exists may constitute a separate offense. *3

Date of Addition/Revision/Deletion - Section 1004
+1 Addition on 4-3-1991 by Ordinance No. G-3410
*2 Revision on 4-14-1999 by Ordinance No. G-4170
*3 Revision on 6-1-2005 by Ordinance No. G-4703, eff. 7-1-2005

Section 1005. Nonconforming use as affirmative defense. +1

In any proceeding to enforce the Zoning Ordinance, the existence of a nonconforming use shall constitute an affirmative defense which must be pleaded and proved by the person asserting such defense.

Date of Addition/Revision/Deletion - Section 1005
+1 Addition on 4-3-1991 by Ordinance No. G-3410

Chapter 11

SEVERABILITY

Section 1101. Severability.
Section 1102. Repealer, saving clause.

Section 1101. Severability.

If any provision of this ordinance is held invalid, such invalidity shall not effect other provisions which can be given effect without the invalid provision, and to this end the provisions of this ordinance are declared to be severable.

Section 1102. Repealer, saving clause.

Appendix A, the "Zoning Ordinance of the City of Phoenix, Arizona," Ordinance G-449, and all amendments thereto, is hereby repealed. All rights or remedies of the City of Phoenix are expressly saved as to any and all violations of such repealed ordinance, and all amendments thereto. As to all violations that have accrued at the time of the effective date of this ordinance, courts of competent jurisdiction shall have all the powers that existed prior to the effective date of this ordinance. All existing violations of appendix A, the "Zoning Ordinance of the City of Phoenix, Arizona," Ordinance No. G-449, and all amendments thereto, which may otherwise become nonconforming uses under this ordinance, shall not become legal nonconforming uses, but shall be considered as violations of this ordinance in the same manner that they were violations of appendix A, the "Zoning Ordinance of the City of Phoenix, Arizona," Ordinance No. G-449, and all amendments thereto.

Chapter 12

DOWNTOWN CODE

Section 1201. Code Administration.
Section 1202. Regulating Maps.
Section 1203. Reserved. -1
Section 1204. Land Use Matrix.
Section 1205. Frontage Types.
Section 1206. Parking and Loading Standards and Guidelines.
Section 1207. General Standards and Guidelines.
Section 1208. Biomed.
Section 1209. Business Core.
Section 1210. Central Park.
Section 1211. Commercial Corridors.
Section 1212. Downtown Gateway.
Section 1213. East Evergreen.
Section 1214. Evans Churchill East.
Section 1215. Evans Churchill West.
Section 1216. McDowell Corridor.
Section 1217. Roosevelt East.
Section 1218. Roosevelt North.
Section 1219. Roosevelt South.
Section 1220. Townsend Park.
Section 1221. Van Buren.
Section 1222. Warehouse.
Section 1223. Sustainability Bonus.
Section 1224. Design Alternatives.

Section 1201. Code Administration.

A. **Purpose And Intent.** The purpose of the Code is to implement the vision, goals and policies of the Downtown Phoenix Plan and provide the physical environment necessary to create a pedestrian-oriented, dynamic urban center with an authentic sense of place. The intent of the Downtown Code is to address design that impacts the public realm by establishing standards and guidelines that will allow projects to develop over time in a scale and character consistent with the Downtown Phoenix Plan.

B. **Applicability.** The Downtown Code applies to all land uses, subdivisions, and development within the boundary specifically identified in Section 1202.B and generally bounded by McDowell Road on the north, 7th Street on the east, Buckeye Road on the south, and 7th Avenue on the west. This boundary shall be hereafter known as Downtown. If a conflict occurs between requirements of the Downtown Code and the remainder of the City of Phoenix Zoning Ordinance, the requirements of the Downtown Code shall prevail.

C. **Approval Requirements.** Each structure and land use shall be established, constructed, reconstructed, enlarged, altered, moved or replaced in compliance with the following requirements:

1. The land use or function must be allowed by the Use Matrix in the Character Area where the site is located.
2. Development review approval must be obtained in accordance with Section 507 of the Phoenix Zoning Ordinance demonstrating compliance with the development standards and guidelines of the Downtown Code with the exception that building additions of more than 500 square feet shall be required to meet the shading requirements in Section 1207.D. Development standards are requirements and development guidelines are equivalent to design presumptions.
3. Existing structures and land uses established legally at the time of adoption of this Code shall be subject to the provisions of Chapter 9, Nonconformities, of the Phoenix Zoning Ordinance. *1
4. Properties with Historic Preservation (HP) zoning are subject to the provisions of Chapter 8, Historic Preservation, of the Phoenix Zoning Ordinance in addition to the provisions of Chapter 12, Downtown Code. In the event of a conflict between the provisions of Chapter 8 and Chapter 12, the provisions of Chapter 8 shall prevail. *1

Date of Addition/Revision/Deletion - Section 1201

Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010

*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

Section 1202. Regulating Maps.

A. This section includes the Regulating Maps for development within Downtown. These maps define the following:

1. **Character Areas.**
2. **Maximum Building Height.**
   a. The height shown is allowed by right and does not include any applicable bonuses.
   b. Any approved height bonuses shall not exceed the Airport Height Zoning.
3. **Maximum Density.** This density is allowed by right and does not include any applicable bonuses.
4. **Pedestrian and Side Streets.** *1
5. **Buffer Alleys.** *1
6. **Arts, Culture and Small Business Area.** *1

B. This map designates the Character Area boundaries for Downtown. *1 *3

C. The height for any property in the Downtown Area shall not exceed the following unless a height bonus is allowed by the Character Area and approved by Planning and Development Department staff, or an appeal is approved by the Design Review Committee (DRC). In no event can the height exceed the airport height limit: *1 *2 *3

D. The density for any parcel in the Downtown Area shall not exceed the following unless a density bonus is allowed by the Character Area and approved by the Planning and Development Department staff or an appeal is approved by the Design Review Committee (DRC) pursuant to Section 1223 requirements: *1 *2 *3

E. This map designates the streets in the Downtown Area that are Pedestrian and Side Streets as referenced on the streetscape matrix for each Character Area and Section 1205.G. The map also designates enhanced corner locations as referenced in Section 1207.M: *1 *3

F. This map designates Buffer Alleys for which abutting properties must conform to the standards and guidelines outlined in Sections 1207.O and P: *1 *3

G. This map designates the Arts, Culture, Small Business Area that must conform with the standards and guidelines outlined in Section 1207.W: *1 *3

Date of Addition/Revision/Deletion - Section 1202

Addition on 12-2-2009 by Ordinance No. G-5453, eff. 1-10-2010
*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*2 Revision on 3-1-2017 by Ordinance No. G-6286, eff. 4-1-2017
*3 Revision on 3-1-2017 by Ordinance No. G-6287, eff. 4-1-2017

***Editor's note**—Ordinance No. G-5785, adopted March 20, 2013, effective March 20, 2013, removed two parcels from the Downtown Code boundary area. The maps in Section 1202 were amended during Supplement No. 26 to reflect these changes.

Section 1204. Land Use Matrix.

A. **Applicability:** The land use matrix shall replace all existing allowed land uses in the Downtown.

B. **Use Regulations.** The regulations governing the uses of land and structures shall be set forth in the Land Use Matrix, Section 1204.D, and land use conditions in Section 1204.C. Any use not specifically listed in the Use Matrix shall not be permitted. All uses listed will be permitted (p), permitted with conditions (pc), permitted with the approval of a special permit (sp), permitted with the approval of a use permit (up) or not permitted (np). *1 *2

C. The following shall apply to uses that are permitted with conditions (pc) as indicated with a number that corresponds with the Land Use Matrix in Section 1204.D: *2

Screening:

1. Outdoor uses or activities must be screened by a minimum 6-foot-high solid fence or masonry wall.
2. Outdoor uses or activities must be screened by a minimum 8-foot-high solid fence or masonry wall.

Maximum Height:

3. No outdoor uses shall exceed a height of 10 feet.

Spacing:

4. No use shall be located within 1,320 feet of the same type of use as measured from the exterior walls of the building or portion thereof in which the use is conducted.

Separation:

5. The use shall not be located within 50 feet of a Buffer Alley identified on the map in Section 1202.F as measured from the exterior walls of a building or portion thereof in which the use is conducted to the right-of-way line of the Buffer Alley. *2
6. The use shall not be located within 25 feet of a Buffer Alley identified on the map in Section 1202.F as measured from the portion of the property on which the use is conducted to the right-of-way line of the Buffer Alley. *2

Environmental Quality:

7. Noise, odor, dust, gas, heat, smoke, glare or vibration shall not be emitted at any time by the use that exceeds the general or ambient level by uses immediately off-site as compared at the parcel boundary.
8. No amplified music or loudspeakers may be used outside.
9. No amplified music or loudspeakers may be used outside after 8:00 p.m. on Sundays and after 10:00 p.m. on Fridays and Saturdays, unless a use permit is obtained. +1 *2
10. The noise level, measured at any point on the received property, shall not exceed 55 dBa unless a use permit is obtained. An occurrence where the sound level increases up to 60 dBa

for five continuous seconds or less shall not be deemed a violation of this section as long as there are no more than five occurrences within an hour-long interval. *1 *2

Maximum Size:

11. The use shall not exceed 650 square feet of building area. *1
12. The use shall not exceed 2,500 square feet of building area. *1
13. The use shall not exceed 5,000 square feet of building area per tenant, unless a use permit is obtained. *1 *2
14. The use shall not exceed 10,000 square feet of building area, unless a use permit is obtained. *1 *2
15. The use shall not exceed 25,000 square feet of lot area. *1
16. The use shall not exceed 25% of the total under roof area, unless a use permit is obtained to enlarge to a maximum of 50% of the total under roof area. *1
17. The use shall not include more than 10 display vehicles. *1
18. The use shall not exceed 10% of the net floor area of the primary use. *1

Maximum Persons:

19. The use may not be conducted for more than 5 persons. *1
20. The use may not be conducted for more than 10 persons. *1
21. The use may not be conducted for more than 12 persons. *1
22. The use may not employ more than 1 nonresident person. *1

Hours of Operation:

23. The use is limited to Fridays, Saturdays and Sundays only. +1
24. The use may not be conducted between the hours of 10 p.m. and 6 a.m. *1
25. The use may not be conducted between the hours of 12 a.m. and 10 a.m. from Sunday through Thursday, and between 2 a.m. and 10 a.m. from Friday through Saturday. *1
26. The use may only be conducted between the hours of 10 a.m. and 12 midnight on Fridays and Saturdays and between 10 a.m. and 10 p.m. on Sundays, unless a use permit is obtained to extend the hours. +1

Location:

27. The use may only occur on a site that is adjoining an arterial street. *1
28. Drive-through windows shall not face right-of-way and drive-through queuing must be screened from the view from the right-of-way unless approval is obtained from the Design Review Committee. +2
29. Used/second hand merchandise cannot be received or processed at a site in the Downtown Code Area for sale at another site. No outdoor sales or displays allowed. +2

30. Outdoor crafting of art subject to the following: +2
    a. Must be associated with an enclosed business when the subject parcel abuts an arterial or collector street. +2
    b. Storage of materials associated with the crafting area shall not exceed eight feet in height and shall be limited to the rear or side yard. +2
    c. Storage area shall be fully screened with a solid wall or landscaping. +2
    d. Storage of materials associated with the crafting area exceeding eight feet in height shall be subject to obtaining a use permit in accordance with the provisions of the Zoning Administrator section of the Zoning Ordinance. +2
31. Outdoor entertainment, subject to the following: +2
    a. Outdoor event or performances are open to the public. +2
    b. The outdoor event or performance must be presented by an existing business on the property. +2
    c. The business' regularly stocked items may be displayed outdoors and be available for purchase during the event or performance. Payment for all items shall occur indoors. No other items may be displayed for sale outdoors during the event or performance. +2
32. The facility shall be licensed by the State as a producer, domestic microbrewery or domestic farm winery. +2
33. Drug, alcohol, other substance abuse or mental health rehabilitation programs shall not be allowed as part of the shelter services. +2

D. **Land Use Matrix.** *2

LAND USE CATEGORIES	CHARACTER AREAS															
	ACTIVE USE	*BioMed*	*BC*	*Central Park*	*Commercial Corridor*	*Dntn Gateway*	*East Evergreen*	*Evans Churchill East*	*Evans Churchill West*	*McDowell Corridor*	*Roosevelt East*	*Roosevelt North*	*Roosevelt South*	*Townsend Park*	*Van Buren*	*Warehouse*
Residential Uses																
Assisted Living Home		pc4	pc4	pc4,20	pc4,20	pc4	pc4	pc4	pc4	pc4,20	pc4,20	pc4,20	pc4,20	pc4,20	pc4	pc4
Dwelling, Multi-Family		p	p	p	p	p	p	p	p	p	p	p	p	p	p	p
Dwelling, Single-Family, detached		np	np	p	p	np	p	p	p	p	p	p	p	p	p	np
Dwelling, Single-Family and Duplex, attached		np	np	p	p	np	p	p	p	p	p	p	p	p	p	np
Group Home		pc4	pc4	pc4,20	pc4,20	pc4	pc4	pc4	pc4	pc4,20	pc4,20	pc4,20	pc4,20	pc4,20	p,4	pc4
Live-Work	x	p	p	pc16, 22	p	p	p	p	p	p	p	np	p	p	p	p
Assembly Uses																
Assembly, General	x	p	p	np	p	p	up	p	p	p	up	np	np	p	p	p
Day Care, Nursery School	x	p	p	pc20, 22	p	p	pc20, 22	p	p	p	p	pc20, 22	pc20, 22	p	p	p
Religious Assembly	x	p	p	p	p	p	p	p	p	p	p	p	p	p	p	p
School	x	p	p	p	p	p	p	p	p	p	p	p	p	p	p	p
School, Commercial	x	p	p	np	p	p	p	p	p	p	up	np	up	p	p	p
General Retail Sales and Related Service Uses																
Artist Studio/Gallery	x	p	p	pc7,10, 24	p	p*	pc7,10, 24	p*	p*	p	pc7,10, 24*	np	pc7,10, 24*	p	p	p
Bakery	x	p	p	np	p	p	up	p	p	p	p	np	up	p	p	p
Bar	x	up	p	np	up	up	up	up	up	up	up	np	up	up	up	p
ACCESSORY ONLY TO BAR/LOUNGE/NIGHT CLUB																
- Outdoor Liquor Service	x	up	up	np	up	up	up	up	up	up	up	np	up	up	up	up
Brew Pub, Domestic Microbrewery, Domestic Farm Winery	x	up32	p32	np	up32	up32	up32	up32	up32	up32	up32	np	up32	up32	up32	p32
Commercial Recreation	x	p	p	np	p	p	np	p	p	p	p	np	np	p	p	p
Dance Hall	x	np	up	np	np	np	np	np	np	np	np	np	np	np	up	up
Farmers Market	x	up	up	np	up	up	up	up	up	up	up	np	up	up	up	up
Garden Center, Plant Nursery	x	np	np	np	p	p	p	p	p	p	p	np	p	p	p	p

LAND USE CATEGORIES	CHARACTER AREAS															
	ACTIVE USE	*BioMed*	*BC*	*Central Park*	*Commercial Corridor*	*Dntn Gateway*	*East Evergreen*	*Evans Churchill East*	*Evans Churchill West*	*McDowell Corridor*	*Roosevelt East*	*Roosevelt North*	*Roosevelt South*	*Townsend Park*	*Van Buren*	*Warehouse*
Liquor, Retail Sales	x	up	up	np	up	up	np	up	up	up	up	np	np	up	up	up
Lodging																
- Bed and Breakfast	x	p	p	up	p	p	p	p	p	p	p	np	p	p	p	p
- Hotel	x	p	p	np	p	p	p	p	p	p	p	np	up	p	p	p
Pawn Shop	x	up	np	np	up	up	np	up	up	up	up	np	np	up	up	up
Pet Care Facility	x	up	up	np	up	up	up	up	up	up	up	np	np	up	up	up
Pet Day Care Facility	x	up	np	np	p	p	np	p	p	p	up	np	np	p	p	p
Pet Grooming	x	up	np	np	p	p	np	p	p	p	up	np	np	p	p	p
Restaurant	x	p	p	np	p*	p*	pc12	p*	p*	p	p*	np	pc5*	p	p	p
ACCESSORY ONLY TO RESTAURANT/BREW PUB																
- Outdoor Liquor Service	x	up	p	np	up	up	up	up	up	up	up	np	up	up	up	p
- Outdoor Cooking	x	up	pc7,23	np	up	up	np	up	up	up	up	np	np	up	up	up
- Outdoor Dining	x	p	p	np	pc6*	p*	np	p*	p*	p	p*	np	pc5*	p	pc5	p
- Patron Dancing	x	p	p	np	p	p	np	p	p	p	p	np	np	p	p	p
Retail Sales	x	p	p	np	pc15	p	pc12	pc14	pc15	pc15	pc14	np	pc14	pc13	p	p
Second Hand/Used Merchandise Sales	x	p29	p29	np	pc15, 29	p29	pc12, 29	pc14, 29	pc15, 29	pc15, 29	pc14, 29	np	pc14, 29	pc13, 29	p29	p29
Health and Support Services																
Clinic, Medical or Dental	x	p	p	np	p	p	p	p	p	p	up	np	up	p	p	p
Hospital	x	p	p	np	p	p	up	p	p	p	p	np	up	p	p	p
Laboratory, Medical, Dental or Clinical		p	p	np	up	p	up	p	p	up	up	np	up	up	up	up
Laboratory, Research		p	p	np	up	up	up	up	up	up	up	np	up	up	up	p
Medical or Dental Office	x	p	p	np	p	p	p	p	p	p	p	np	p	p	p	p
Nursing Home or Assisted Living Center	x	p	p	sp	p	p	p	p	p	p	p	sp	up	p	p	p
Veterinary Office	x	p	p	np	p	p	p	p	p	p	p	np	up	p	p	p
Industrial and Manufacturing Uses																
Building Materials		np	np	np	np	np	np	np	np	np	np	np	np	np	up	p
Contractor's Yards		np	up	np	np	np	np	np	np	np	np	np	np	np	up	up

LAND USE CATEGORIES	CHARACTER AREAS															
	ACTIVE USE	*BioMed*	*BC*	*Central Park*	*Commercial Corridor*	*Dntn Gateway*	*East Evergreen*	*Evans Churchill East*	*Evans Churchill West*	*McDowell Corridor*	*Roosevelt East*	*Roosevelt North*	*Roosevelt South*	*Townsend Park*	*Van Buren*	*Warehouse*
Manufacturing and Assembly																
- Manufacturing - Artisan		np	np	np	p	np	np	np	np	np	np	np	np	np	p	p
- Manufacturing - Light		np	np	np	p	np	np	np	np	np	np	np	np	np	p	p
- Manufacturing - General		np	np	np	np	np	np	np	np	np	np	np	np	np	np	p
- Manufacturing - Heavy		np	np	np	np	np	np	np	np	np	np	np	np	np	np	np
Office and Professional Uses																
Financial institutions	x	p	p	np	p	p	up	p	p	p	p	np	up	p	p	p
General Office	x	p	p	np	p	p	p	p	p	p	p	np	up	p	p	p
Professional Office	x	p	p	np	p	p	p	p	p	p	p	pc27	p	p	p	p
Services																
Appliance Repair	x	pc7, 10, 24	np	np	pc7, 10,24	pc7, 10, 24	np	pc7,10, 24	pc7, 10, 24	pc7, 10, 24	pc7, 10, 24	np	np	pc7, 10, 24	p	p
Business Services	x	p	p	np	p	p	np	p	p	p	p	np	np	p	p	p
Personal Services	x	p	p	np	p	p	np	p	p	p	p	np	p	p	p	p
Tattoo/Body-Piercing Studio	x	p	p	np	p	p	np	np	p	p	sp	np	np	np	p	p
Storage and Wholesaling Uses																
Self Service Storage Facility		sp	np	np	p	sp	np	np	sp	sp	sp	np	np	np	p	p
Storage/Warehousing (indoor)		np	np	np	sp	np	np	np	np	np	np	np	np	np	sp	sp
Wholesale Sales		np	np	np	up	np	np	np	np	np	np	np	np	np	up	up
Transportation Uses																
- Motor Vehicle Rentals	x	up	pc17	np	up	pc17	np	sp	sp	sp	sp	np	np	sp	up	up
- Motor Vehicle Sales (new) and Leasing	x	sp	pc17	np	pc17	pc17	np	sp	sp	sp	sp	np	np	sp	pc17	pc17
- Motor Vehicle Service Station, Fuel Sales	x	np	sp	np	up27	np	np	np	np	up27	np	np	np	np	sp	np
- Motor Vehicle Service and Repair, Minor	x	np	np	np	np	np	np	np	np	np	np	np	np	np	sp	np
- Motor Vehicle Washing		np	np	np	np	np	np	np	np	np	np	np	np	np	np	np
- Bus Terminal		np	sp	np	np	np	np	np	np	np	np	np	np	np	np	sp
Accessory Uses and Facilities																
Accessory Dwelling Unit		np	np	p	p	np	p	p	p	p	p	p	p	p	p	np

LAND USE CATEGORIES	CHARACTER AREAS															
	ACTIVE USE	*BioMed*	*BC*	*Central Park*	*Commercial Corridor*	*Dntn Gateway*	*East Evergreen*	*Evans Churchill East*	*Evans Churchill West*	*McDowell Corridor*	*Roosevelt East*	*Roosevelt North*	*Roosevelt South*	*Townsend Park*	*Van Buren*	*Warehouse*
Accessory Structure		np	np	p	p	np	p	p	p	p	p	p	p	p	p	np
Dependent Care Facility		up	p	up	p	p	pc21	p	p	p	p	up	pc21	p	p	p
Drive-Through		np	np	np	pc27, 28	np	np	np	np	pc27, 28	np	np	np	np	np	np
Helistop/Heliport		sp	sp	np	sp	sp	np	np	sp	sp	sp	np	np	np	sp	sp
Home Occupation		p	p	pc22	p*	p*	pc22*	p*	p*	p*	p*	pc22	p*	p	p	p
Outdoor Crafting of Art		up	up	up	p*30	up*	up	p*30	p*30	p30	p*30	up	np*	up	up	p30
Outdoor Display/Sales	x	up	up	np	p	up	up	up	up	up	up	np	up	up	p	p
Outdoor Storage		np	np	np	p	np	np	np	np	np	np	np	np	np	p	p
Outdoor Entertainment	x	up	pc7, 23, 31	np	up*	pc9,23, 26*,31	up	pc9,23, 26*,31	pc9,23, 26*,31	up	up*	np	up*	up	pc7, 23,31	pc7, 23,31
Pocket Shelter (accessory to Religious Assembly only)		pc20,33	pc20,33	pc20, 33	pc20, 33	pc20, 33	pc20, 33	pc20, 33	pc20, 33	pc20, 33	pc20,33	pc20,33	pc20, 33	pc20, 33	pc20, 33	pc20, 33
Storage		np	np	np	p	np	np	np	np	np	np	np	np	np	p	p
Local Food Production																
Community Garden		up	up	up	up	up	up	up	up	up	up	np	up	up	up	up
Home Produce Stand	x	np	np	up	np	np	up	np	np	np	np	np	up	np	np	up
Interim Uses																
Interim Vacant Land Uses		p	p	p	p	p	p	p	p	p	p	up	p	up	p	p
Environmental Remediation		up	up	up	up	up	up	up	up	up	up	up	up	up	up	up
Surface parking		up	up	np	np	up	np	up	up	np	up	np	np	np	up	up
Civic Event		p	p	np	np	np	np	np	np	np	np	np	np	np	np	p

LAND USE KEY: p=permitted use, pc=permitted with conditions (see numbered footnote for conditions), up=use permit, sp=special permit, np=not permitted

* = For properties within the Arts, Culture, Small Business Overlay District (ACOD), per Map 1202.G., the more permissive standard between the ACOD and the Downtown Land Use Matrix shall apply. For properties not within the ACOD, per Map 1202.G, the standards within the Downtown Land Use Matrix shall apply.

Note: Alcohol sales and service on properties within an entertainment district designated by the City Council pursuant to Section 4-207, Arizona Revised Statutes, must also comply with Section 307(A)(17) of the Zoning Ordinance. +3

Date of Addition/Revision/Deletion - Section 1204

+1 Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
*1 Revision on 11-3-2010 by Ordinance No. G-5562, eff. 12-3-2010
+2 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*2 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
+3 Addition on 1-20-2016 by Ordinance No. G-6116, eff. 2-19-2016

Section 1205. Frontage Types.

A. **Intent:** The Frontage Types regulate the area between the property line and the front facade of a building. Building frontages require that building entrances and seating areas face toward the street in order to meet the intent of activating the public realm.

B. **Active Front Yard.**

1. **Definition.** An Active Front Yard is the area between the property line and main facade of the building with a permanent hardscaped or landscaped area that can accommodate seating. *1
2. **Single-family residential units.** No vehicle parking or maneuvering shall be permitted within the Active Front Yard with the exception of a driveway no greater than 16 feet in width to provide access to the rear of the property. *1
3. A permanent hardscaped or landscaped area shall be provided in accordance with the following standards: *1
   a. *Minimum depth:* Six feet.
   b. *Minimum width:* 50 percent of the building facade.
   c. *Maximum height:* Five feet above adjacent grade. *1
   d. *Placement:* Adjacent to the front facade of the building at the primary entry. *1
   e. *Materials:* Hardscape shall consist of concrete slab, pavers, open grid pavers, wood decking (if elevated) or equivalent alternative. *1
4. **Fences.** Maximum height 40 inches.

   For properties located within an Historic Preservation (HP) Overlay District, fences or free-standing walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three feet, and are conditioned upon obtaining a Certificate of Appropriateness or No Effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three feet beyond the front corner(s) of the primary structure.
5. A minimum of one primary entrance shall be provided along each frontage that directly connects to the street, unless a corner entrance is provided.
6. The area between the property line and main facade of the building which is not improved with permanent hardscape shall be landscaped in accordance with Section 1207.E, Landscaping Standards.

C. **Dooryard.**

1. **Definition.** A Dooryard incorporates a courtyard or patio at street level for each unit that is surrounded by a fence to provide privacy and to differentiate from the adjacent public sidewalk. *1
2. A permanent hardscape area shall be provided in accordance with the following standards:
   a. *Minimum depth:* 8 feet.

b. *Minimum area:* 64 square feet.

c. *Placement:* adjacent to the front facade of the building at the building/unit entry.

d. *Materials:* hardscape shall consist of concrete slab, pavers, open grid pavers or equivalent alternative.

e. *Spatial definition:* Either a solid masonry wall a minimum of 30-inches and a maximum of 36-inches in height, or elevation of the hardscaped area a minimum of 30-inches and a maximum of 36-inches from adjacent grade. Open view fencing may be provided in addition to the wall or elevated area up to a maximum height of 72-inches from adjacent grade.

f. *Pedestrian access:* An opening in the masonry wall or stairs to the elevated area of a minimum 36-inches and maximum 48-inches in width.

3. **Fences.** Maximum height six feet.

For properties located within an Historic Preservation (HP) Overlay District, fences or free-standing walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three feet, and are conditioned upon obtaining a Certificate of Appropriateness or No Effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three feet beyond the front corner(s) of the primary structure.

a. This shall be measured from the ground and not the elevated door yard.

b. Fences placed at grade shall be a minimum 50 percent view fencing above 40 inches in height measured from finished grade. *1

4. The area between the property line and main facade of the building which is not improved with permanent hardscape shall be landscaped in accordance with Section 1207.E, Landscaping Standards.

5. A minimum of one primary entrance shall be provided along each frontage that directly connects to the street, unless a corner entrance is provided.

6. Primary entrances must lead into an occupiable space. +1

D. **Stoop/Door Well.**

1. **Definition.** A Stoop/Door Well is a type of facade that provides an entryway that is elevated (Stoop) or depressed (Door Well) to provide differentiation from the adjacent public sidewalk. *1

2. A landing area shall be provided in accordance with the following standards:

a. *Minimum dimension:* 6 feet.

b. *Minimum area:* 36 square feet.

c. *Placement:* adjacent to the front facade of the building at the building/unit entry.

d. *Materials:* concrete, stone, metal or equivalent alternative.

e. *Spatial definition:* Elevated a minimum of 24-inches and a maximum of 60-inches, or depressed a minimum of 24-inches and a maximum of 60-inches from adjacent grade.

f. *Pedestrian access:* Stairs a minimum 36-inches and maximum 48-inches in width.

3. **Fences.** Maximum height 40 inches.

For properties located within an Historic Preservation (HP) Overlay District, fences or free-standing walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three feet, and are conditioned upon obtaining a Certificate of Appropriateness or No Effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three feet beyond the front corner(s) of the primary structure.

4. The area between the property line and main facade of the building which is not improved with permanent hardscape shall be landscaped in accordance with Section 1207.F, Landscape Standards. *1

5. A minimum of one primary building entry shall be provided per street frontage.

6. Each ground floor residential unit adjacent to a street shall provide a primary entrance on the street side that directly connects to the street, unless a corner entrance is provided.

7. Primary entrances must lead into an occupiable space. +1

E. **Storefront Standards.**

1. **Definition:** A Storefront means the area between the property line and main facade of the building when the building is located within 10 feet of the property line and which includes a ground floor elevation with a high percentage of transparent windows to create visual interest from the adjacent public sidewalk. A Storefront is traditionally used for retail frontage and typically includes a cantilevered canopy or awning.

2. The ground floor building elevation shall be designed in accordance with the following standards:

a. *Minimum glazing:* 75% of the area measured between 3 and 8 feet above grade for the entire width of the front facade.

b. *Materials:* Glazing shall allow a minimum of 75% of the visible light (as specified by the manufacturer) to be visible on either side of the window.

c. *Spatial definition:* Up to 50% of the front facade may be recessed up to 12 feet from the property line to enhance building entries or allow for outdoor dining.

3. **Fences:** maximum 40 inches.

a. Fences shall be a minimum 50% view fencing.

4. A cantilevered canopy, fixed awning or retractable awning shall be provided in accordance with the following standards:

   a. *Placement:* Minimum 8 feet from curb. No projection or encroachment into public right-of-way is permitted unless a revocable permit is obtained from the Street Transportation Department.

   b. *Minimum depth:* 5 feet.

   c. *Minimum length:* 75% of front facade.

   d. *Minimum clear height:* 10 feet.

5. A minimum of one primary building entry shall be provided per street frontage.

6. Each ground floor commercial suite adjacent to a street shall provide a primary entrance on the street side that directly connects to the street, unless a corner entrance is provided.

F. **Gallery/Arcade Standards.**

1. **Definition.** A Gallery/Arcade means the area between the property line and main facade of the building that includes a ground floor elevation with a high percentage of transparent glazing to create visual interest from the adjacent public sidewalk and permanent structural shading which either projects from the front facade (Gallery) or is recessed under the front facade (Arcade). *1

2. The ground floor building elevation shall be designed in accordance with the following standards:

   a. *Minimum glazing:* 75% of the area measured between 3 and 8 feet above grade for the entire width of the front facade.

   b. *Materials:* glazing shall allow a minimum of 75% of the visible light (as specified by the manufacturer) to be visible on either side of the window.

3. **Fences:** Maximum 40 inches.

   a. Fences shall be a minimum 50% view fencing.

4. A permanent shade structure shall be provided in accordance with the following standards:

   a. *Placement*. The gallery/arcade shall extend to the edge of the Streetscape Zone and cover the entire sidewalk. No projection or encroachment into the public right-of-way is permitted unless a revocable permit is obtained from the Street Transportation Department. *1

   b. *Minimum depth:* 10 feet.

   c. *Minimum length:* 100% of front facade.

   d. *Minimum spacing between supports:* 10 feet.

   e. *Minimum clear height at exterior opening:* 10 feet. No maximum limit on interior clear height.

5. A minimum of one primary building entry shall be provided per street frontage.

6. Each ground floor commercial suite adjacent to a street shall provide a primary entrance on the street side that directly connects to the street, unless a corner entrance is provided.

G. **Side Street Standards.**

1. **Definition.** A Side Street Frontage is only for use along streets identified as Side Streets (Map 1202.E). This frontage type is used typically where alleys, driveways, loading and other vehicular activities occur along the street. Walkability, connectivity and safety are still critical functions along this frontage to enhance the Pedestrian Streets. These standards are a minimum and can be enhanced to promote greater walkability and access. *1

2. The ground floor building elevation shall be designed in accordance with the following standards:

   a. A minimum 50 percent of the ground floor building facade shall include two or more of the following treatments:

      (1) Green screen.

      (2) Artwork (mural, mosaic, custom masonry, sculpture, relief, etc.).

      (3) Small active use space (50-square-foot minimum newspaper stand, coffee cart, kiosk, etc., not vending machines or outdoor merchandise display). *1

      (4) Outdoor dining patio, physically delineated by a low wall, fence or planters.

      (5) Distinctive architectural lighting design.

      (6) Shade structure.

      (7) Changes to building plane, indentations, textures, or accent materials.

      (8) Permanent seating (benches, perches, ledges, etc.)

      (9) Windows that provide a minimum 75% of the visible light (as specified by the manufacturer) to be visible on either side of the window.

   b. Up to 50% of the building facade may be recessed up to 12 feet from the property line to apply or utilize the ground floor building facade screening options.

3. **Fences:** Maximum height 8 feet.

   a. Fences shall be a minimum 50% open view fencing.

4. A minimum of one building entry shall be provided per street frontage. This entry can be a service entry.

5. Downward pedestrian lighting shall be installed along or attached to the facade every 25 feet at a height no greater than 15 feet.

Date of Addition/Revision/Deletion - Section 1205

Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
+1 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

Section 1206. Parking and Loading Standards and Guidelines.

A. **Applicability.** The following standards shall apply to all property within the Downtown Area unless modified by the Character Area.

B. **Parking Standards.**

1. Parking shall be provided in accordance with the following standards with the exception that no parking is required for nonresidential uses in the Business Core and Warehouse Character Areas.
   a. *Residential units.*
      (1) *Minimum:* 1 space per dwelling unit.
      (2) *Maximum:* 2 spaces per dwelling unit.
   b. *Nonresidential uses.*
      (1) *Minimum:* 1 space per 1,000 square feet of building square footage.
      (2) *Maximum:* 4 spaces per 1,000 square feet of building square footage.
      (3) No parking required in Business Core and Warehouse Character Areas. +1
2. No parking shall be allowed between the front of the building and sidewalk.
3. **Surface parking setbacks.**
   a. *Front street setback from property line:* 30 feet or behind building. *1
   b. *Side street landscape setback from property line:* Ten feet. *1
   c. *Side yard setback:* Zero feet.
   d. *Rear setback:* Zero feet.

C. **Loading Standards.** On-site loading bays shall be a minimum of ten feet in width and 30 feet in length and be used for the standing, loading and unloading of vehicles. *1

1. On-site loading shall be required for all development greater than 40,000 square feet in accordance with the following schedule:
   a. Commercial uses.
      (1) *40,000 to 160,000 square feet:* 1 bay.
      (2) *160,001 to 320,000 square feet:* 2 bays.
      (3) *320,001 to 400,000 square feet:* 3 bays.
      (4) For every additional 180,000 square feet above 400,000 square feet, one additional loading bay shall be required. *1
   b. *Residential uses.*
      (1) *160,000 square feet or greater:* One bay.

2. On-street loading shall be allowed adjacent to the site if adequate right-of-way exists at the time of application and there is sufficient room for fire access, public circulation, and access to utilities. +1

D. **Driveway Standards.** Driveway width: maximum 24 feet.

E. **Parking and Loading Guidelines.**

1. **Parking and loading placement.**

Off-street parking and loading should be provided in accordance with the following standards: *1

Parking and loading should only be allowed in the shaded area as shown in the diagram below, unless subterranean.

Key code for surface parking diagram: (1) front setback from street right-of-way: 30 feet or behind building (whichever is less restrictive), (2) side landscape setback from street right-of-way: ten feet, (3) interior side yard setback: zero feet, and (4) rear setback: zero feet. +1

2. **Parking and loading access.**

a. Pedestrian Streets should not have parking or loading access if an alley or Side Street access is available. *1

b. *Driveways.*

(1) The number of and width of driveways should be minimized.

(2) Driveways and drive aisles should not be wider than the minimum required by the City.

(3) Driveways should not be located on Pedestrian Streets. If no alternative access is available, shared access should be pursued with compatible properties and a crosswalk of equal width to the sidewalk should be demarcated to contrast with the driveway. *1

Exceptions may be allowed for properties with HP designation at the discretion of the Historic Preservation Officer where the predominant pattern is driveways leading from the street to parking in the rear.

Access may be from one of the Pedestrian Streets for projects with multiple Pedestrian Streets and no Side Street. +1

(4) Street frontages with parking and service entrances from a Pedestrian Street identified on Map 1202.E should receive special design treatment to increase pedestrian safety, comfort, and should include the following: *1

(a) Access should be limited to one way in driveways that enter from the street and exit into the alley. *1

(b) Specialty paving or bollards should be provided where the driveway crosses the sidewalk.

(c) Garage openings should be enhanced with specialty lighting, artwork, or materials to identify to the pedestrian the possible presence of automobiles.

(5) Site vehicular access should be provided according to the following table: *1

Conditions	*Primary Access*	*Secondary Access*
Compatible Alley and Compatible Side(s)	Alley	Side
Compatible Alley and Front Street	Alley Only	None
Compatible Side and Front Street	Side Only	None
2+ Compatible Side Streets and Front Street	Side	Side
Front Street Only	Shared Access or Refer to Section 1206.E.2.b.3	None

(6) Passenger loading and unloading should be located along Side Streets. +1

(7) Passenger loading and unloading should be allowed from a Pedestrian Street only if a Side Street drop off is not present. *1

3. **Subterranean parking guideline.** Subterranean parking may extend to a height of five feet above finished grade; provided, that the garage perimeter wall either aligns with the face of the building, or becomes part of a stoop or dooryard frontage.

Date of Addition/Revision/Deletion - Section 1206

Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
+1 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

Section 1207. General Standards and Guidelines.

A. **Applicability.** The following shall apply to all property within the Downtown Code Area. If a conflict between the Character Area and these standards and guidelines occurs, the Character Area shall take precedent. Any deviation from these standards or guidelines shall be approved per Section 1224. *2

B. Planning and Development Department staff have the authority to modify the measurement identified in each Character Area Streetscape Matrix up to 25 percent for the streetscape width and sidewalk width to accommodate existing conditions or a design solution consistent with a pedestrian environment. +2

C. **Height Transition Standards.** *2

For all new development adjacent to lots of a lower height zone, a stepback shall be provided to compensate for disproportionate height disparities. *2

This additional stepback provides for building separation and circulation of air and light in a dense urban fabric.

1. The stepback shall be a minimum ten feet in width for the length of the building that is adjacent to the lower height zone and shall be measured from the required side or rear yard setback line. *2
2. When new development is adjacent to multiple lots of differing height zones lower than its own, then the stepback shall mirror the adjacent height zones. *2
3. A stepback shall not be required in the following circumstances unless modified by Character Area standards: *2 *3
   a. There is a height difference of 20 feet or less between a proposed building and the adjacent height zone. *2
   b. A building is adjacent to a height zone of 65 feet or greater. *2
   c. A street or alley (not designated on Map 1202.F) separates different height zones. *2
   d. The proposed new development is located ten or more feet beyond the required setback line. +2

D. **Height Transition Guidelines.** The proposed building should respect the scale of those buildings located on adjacent properties and, where desirable, serve as an orderly transition to a different scale. Building heights with a vastly different scale than those on adjacent parcels should have a transition in scale to reduce and mitigate potential impacts. *2

E. **Shade Standards.** All buildings over 5,000 square feet shall provide the following: *2

1. A minimum of 75 percent of public sidewalks shall be shaded. *2
2. A minimum of 50 percent of all accessible public and private open space areas shall be shaded, of which 50 percent of the shade shall be provided by trees or trellised vines. *2
3. Shade calculations shall be based on the summer solstice at 12:00 p.m. *2

4. Shade cast from a building shall count towards shade calculations. *2

F. **Landscape Standards.** Unless there is a conflict with an existing or proposed public utility easement landscaping treatment shall be used for the entire site exclusive of building(s) and structural shade provided in accordance with the following: *2

1. Thirty percent tree canopy coverage at maturity.
   a. *Minimum caliper:* Two inches.
      (1) At installation a minimum 20 percent of all trees shall have a minimum caliper of three inches. *2
   b. A minimum two-foot six-inch radius shall be clear of hardscape around the base of the tree.
2. 50% living vegetation ground coverage.
3. Permanent automatic irrigation system.

G. **Landscape and Hardscape Guidelines.** *2

1. A gradual transition of landscaping material should be provide where different oasis and arid landscape themes are proposed among adjacent uses. *1
2. Any proposed landscape treatment should be compatible with and relate to an established distinctive character in the surrounding area. *1
3. Alternative paving materials such as permeable pavers, porous concrete or similar materials should be used for on-site hardscaping to reduce urban heat island effect, and to allow natural drainage and filtration. *1 *2

H. **Tree Species Guidelines.** The following should be used in accordance with the guidelines established below for the location, type, and care for all trees within Downtown. Any deviation from these guidelines shall be submitted for approval by the Planning and Development Department Landscape Architect or designee, and for properties with HP designation, the Historic Preservation Officer. Tree locations in conflict with overhead power lines may use alternative tree species that are on the approved utility plant list. *2

TREE MATRIX KEY

Growth Rate:
(S) Slow
(SM) Slow-Moderate
(MF) Moderate-Fast
(M) Moderate
(F) Fast

Tree Form:
(IR) Irregular, Open
(R) Rounded Crown
(S) Shrub-like
(U) Upright, Open
(UP) Umbrella
(V) Vase Shaped
(P) Palm

Note: Species marked with an asterisk (*) are acceptable under power lines.

Recommended Tree Species Matrix										
Species	*Locations*					*Growth*			*Tree Form*	*Notes and Special features*
Common Name *Botanical Name*	Park	Street	Courtyard Plaza	Campus	Linear Park	Height	Spacing	Rate		
Blue Palo Verde *Parkinsonia Florida*	X		X	X		25'	20'	F	V	Seasonal litter, small thorns, vivid spring color
Bonita Ash *Fraxinus Velutina "Bonita"*	X			X		35'	25'	F	UM	Large Deciduous, High water user (moderate following establishment)
California Fan Palm *Washingtonia Filijera*	X			X		45'+	15'	F	P	Distinctive; needs seasonal (annual) maintenance for fronds and seeds; hybridizes readily with W. robusta
Cascalote *Caesalpinia Caclaco*	X	X	X	X		15'	6'	M	U	Low litter, medium thorns
*Chaste Tree *Vitex Agnuscastus*	X	X	X	X	X	20'	20'	S	S	OK as long as in turf due to peppercorn seeds, seasonal purple flowers
Evergreen Elm *Ulmus Parvifolia*	X	X	X	X	X	40'-60'	30'	M	UM	Good shade tree, but suffers in reflected heat; should only be planted in turf. Deciduous

Recommended Tree Species Matrix										
Species	*Locations*					*Growth*			*Tree Form*	*Notes and Special features*
Chinese Pistachio *Pistacia Chinensis*	X	X		X	X	40'	25'	M	R	A large deciduous tree with a broad, spreading growth. Leaves have 10—16 leaflets. Fall coloring arrives in beautiful shades of red, orange and yellow. Young trees are often gawky, but become shapely with age. Other varieties-e.g. 'Red Push'
*Chitalpa *Chitalpa Tashkentesis*	X		X	X	X	20'—30'	20'	M	R	Small tree: orchid-like, fragrant flowers, deciduous
Date Palm *Phoenix Dactylifera*			X	X	X	50'—60'	25'	S	P	Often used in formal groupings around large buildings and important boulevards. A source of edible dates. Has a 30 foot canopy and grayish/green leaves on a slender trunk. Stately and distinctive; needs maintenance to remove dates and fronds seasonally.
Desert Museum Palo Verde *Parkinsonia Praecox 'Desert Museum'*	X	X	X	X	X	30'	25'	F	V	Yellow flowering tree with green bark. Needs help getting roots established; not in turf; no thorns. Lush desert image. Soft wood, prone to breakage
*Desert Willow *Chilopsis Linearis*	X	X	X	X	X	25'	20'	F	V	Varieties: AZT Amethyst, AZT Bi-color, Lucretia, Hamilton, Warren Jones'; fragrant flowers all summer, deciduous
Ebony Varieties *Ebenopsis ssp.*	X		X	X	X	30'	20'	S	V	Dark green foliage with cream puffballs flowers in late spring. Good, but slow growing; prone to sunburn/borer damage
Fan-tex Ash *Fraxinus Velutina 'Fantex'*	X		X	X		50'	30'	MF	IR	Large deciduous, high water user, (moderate following establishment); seedless; see notes for native
Heritage Live Oak *Quercus Virginiana*	X	X		X	X	40'	30'	S	IR	Very slow growing: dark green foliage.

Recommended Tree Species Matrix										
Species	*Locations*					*Growth*			*Tree Form*	*Notes and Special features*
Indian Rosewood *Daibergia Sissoo*	X	X	X	X	X	40'	25'	F	U	Fast growing, good shade tree, prune for structure.
Ironwood *Olney Tesota and Variety AZT*	X		X	X		25'	25'	S	R	Not in turf: slow growing picturesque desert evergreen tree; AZT variety is faster; thorny grey-green foliage with lavender flowers in early summer.
Mescal Bean, Texas Mountain Laurel *Sophora Secundiflora and Varieties*	X	X	X	X	X	10'	10'	SM	V	Very slow growing: small tree: nice wisteria-like blooms in spring; evergreen, seasonal pest problems, large seed pods.
Mexican Redbud *Canadensis Varieties Mexicana*	X		X	X	X	25'	25'	M	S	Small, deciduous. Consider C. Canadensis (not hybrid), Nice, but slow grower; looks beautiful when it blooms.
Native Ash (Arizona Ash) *Fraxinus Velatina*	X		X	X	X	50'	30'	MF	R	Large deciduous shade tree; fall color; more irregular than other varieties; connected to City's cultural heritage. High water user (moderate following establishment)
Orchid Tree *Bauhinia Mexicana*			X		X	18'	20'	SM	S	Small tree with very showy white flowers lasting from June to late September. Cold sensitive.
Orchid Tree, *Bauhinia Lunarioldes*			X			10'	10'	SM	S	Small tree, grown from seed, salt intolerant and nice flowers. Consider B, variegate, prune for tree form.
Palo Brea *Parkinsonia Praecox*	X	X		X	X	25'	25'	F	V	Not in turf; green thorny bark with yellow flowers in late spring to early summer. Open canopy. Sonoran praecox variety.
Thornless Hybrid Mesquite *Prosopis Hybrid*	X	X	X	X	X	30'	20'	F	V	Thornless variety, large umbrella-shaped canopy semi-evergreen.

Recommended Tree Species Matrix										
Species	*Locations*					*Growth*			*Tree Form*	*Notes and Special features*
Silk Floss Tree *Chorisia Speciosa*				X	X	30'	25'	M	U	Large tree, distinctive flowers, thorns on trunk.
Swan Hill Olive *Olea Europaea 'Swan Hill'*	X	X	X	X	X	30'	25'	(S) M	IR	Good all-around, nice structure/form grey-green foliage with black seeds.
Sweet Acacia *Acacia Smallii*			X	X	X	20'	20'	M	V	Thorny, but fragrant spring bloom; needs regular maintenance to remove sucker growth. Lots of volunteers.
Texas Redbud *Cercis Canadensis Varieties Texensis*	X	X	X	X	X	15'	15'	M	IR	Spring flowers, deciduous
Willow Pittosporum *Pittosporum Philiyraeoldes*					X	20'	15'	S	U	Narrow, yellow flowers spring and summer. Wonderful form.
Tenaza *Pithecellobium Pallens*	X		X	X	X	25'	15'	M	S	Slow growing evergreen tree with cream puffball flowers that repeat all summer long.
Desert Fern *Lysiloma Microphyll A Varuety "Thornberi"*	X	X	X	X	X	15'	20'	M	IR	Smaller semi-evergreen tree with feathery foliage, cream puffball flowers in early summer and large seed pods.

*1—Table amended by Ord. No. G-5562, § 13, adopted 11-3-2010, eff. 12-3-2010.
*2—Table amended by Ord. No. G-5777, adopted 1-16-2013, eff. 2-15-2013.

I. **Streetscape Standards—Sidewalk and Streetscape Zone.** *2

1. **Sidewalk.** *2

a. The minimum sidewalk width shall be clear of obstacles except for tree grates and public amenities (refer to Section 1207.J.4). *2

b. Where existing sidewalks are narrower than the minimum width specified in the respective Character Area streetscape standards table, the additional width shall only be required when new development or redevelopment includes 40 percent or more of a block face. *2

2. **Streetscape Zone.** *2

a. Street trees shall be required in the Streetscape Zone on every street to the extent that there is a conflict with a public utility easement; public amenities in accordance with Section 1207.J.4 shall be provided if street trees are not planted or existing. *2

(1) Only trees recommended on the Tree Species Matrix for use in the "street" should be used unless approved by the Planning and Development Landscape Architect or designee. *2

(2) *Minimum caliper:* three inches. *2

b. Streets without on-street parking shall be planted with a continuous landscaping strip for the entire width of the Streetscape Zone as follows: *2

(1) Trees shall be planted in the center of the Streetscape Zone between curb and back of sidewalk. *2

(2) Live vegetation ground coverage shall be a minimum 75 percent excluding hardscape for pedestrian amenities. *2

(3) The live vegetation coverage can be reduced to 50 percent if the Streetscape Zone is used for bioswales. *2

(4) If unable to plant trees due to public utility conflict, or public utility easement, public amenities shall be provided in the area (refer to Section 1207.J.4). +2

c. Streets with on-street parking shall be planted with trees 20 feet on center or equivalent groupings. This standard shall not apply to Roosevelt North, Roosevelt South and East Evergreen. *2

(1) Trees shall be planted in the center of the Streetscape Zone between curb and back of sidewalk. *2

(2) *Treewell size:* Minimum five feet by five feet or a two-foot six-inch radius from the base of the tree. *2

A minimum two inches of decomposed granite, nitrogen stabilized mulch or similar material shall be installed atop the soil and below the tree grates. *2

d. The streetscape location may be shifted away from the curb as long as the sidewalk is set back a minimum of five feet from the curb and the total width is provided. Referenced in the Streetscape Matrix for each Character Area in Chapter 12. +2

J. **Streetscape Guidelines.** *2

1. Alternative paving materials should be used on private property to reduce urban heat island effect, and to allow natural drainage and filtration. *2

   a. Permeable paving, porous concrete or similar material should be installed adjacent to treewells. The design should ensure adequate watering and root growth. +2

   b. Alternative materials such as brick pavers, permeable concrete pavers, granite and flagstone should be encouraged on walkways. +2

2. **Utility location.** No utility lines or boxes should be placed below street trees in the Streetscape Zone unless approved by the Planning and Development Department Landscape Architect. *2

3. **Drainage.** Building downspouts should not drain onto the sidewalk.

4. If street trees are not planted or existing within the Streetscape Zone, architecturally or artistically integrated public amenities should be provided. Amenities may include but not be limited to the following: +2

   a. Seating (benches/chairs). +2

   b. Structural shade elements (may be cantilevered). +2

   c. Public art elements. +2

   d. Community information/news event board/kiosk. +2

   e. Area wayfinding signage. +2

   f. Designer light fixtures. +2

Planning and Development Department staff have authority to accept alternative solutions for these guidelines. +2

K. **Street and Alley Abandonment Guidelines.** *2

1. **Street(s).** Where streets are being abandoned, a pedestrian easement should be preserved to maintain a continuous walkable street.

2. Street abandonments should only be considered for an entire block so that they do not result in staggered right-of-way on a block face. +2

3. **Alley(s).** Should be used for service, loading and other associated vehicular access points that are not consistent with creating a walkable pedestrian environment. *2

4. Alley abandonments should only be approved when they result in fewer driveways along Pedestrian Streets while promoting a pedestrian friendly block pattern. *2

L. **Pedestrian Street Guidelines (See Map 1202.E).** *2

1. All pedestrian plazas should be located adjacent to or visible from the sidewalk of a Pedestrian Street. *2
2. An enhanced level of pedestrian amenities such as benches, lights, signage, street trees, and shade structures should be provided. +2
3. Blank walls without doors and windows should not occupy over 70 percent of the ground floor frontage. +2
4. Sidewalk lighting should be limited to a maximum height of 20 feet. *2

M. **Enhanced Corner Guidelines.** The uses that generate the highest pedestrian traffic should be located on enhanced corners and provide the following: +2

1. A primary entrance that faces both streets and serves the greatest number of occupants. *2
2. Additional building articulation that emphasizes the corner and promotes activity. *2
3. Active uses identified on the Land Use Matrix (Section 1204.D) should occupy the ground floor level. +2

N. **Parking Garage Design Guidelines.** *2

1. Parking garages or liner buildings that screen parking should have a minimum of 50 percent of the ground floor area facing the street right-of-way, excluding driveways, consist of building area that contains active uses per the Land Use Matrix (Section 1204.D). *2
2. Any portion of the parking garage visible from the public right-of-way or an off-site building should be screened with material and design consistent with the primary building. *2
3. Lighting within the parking structures should provide safety and security and be integrated into the architectural character both in terms of illumination and fixtures.
4. Rooftop lighting should be set back a minimum of 25 feet from the perimeter of the rooftop parking structure and shall be a maximum of 12 feet in height.
5. There should be a convenient, clear, safe and efficient internal circulation system within the parking structure for both pedestrian and vehicular traffic including appropriate signage and placement of pedestrian circulation cores (elevators and stairs).
6. Appropriate visibility triangles and pedestrian crossings at exits and entrances should be provided in all parking structures.
7. Parking structures should not be adjacent to streets but should be adjacent to alleys or be internal to the site.

O. **Buffer Alley Standards.** *2

1. The following standards shall apply to properties adjacent to alleys identified on Map 1202.F in addition to any other requirements of the Downtown Code. New development adjacent to Buffer Alleys must mitigate impacts. *2

2. **General requirements.**

   a. A minimum 15-foot building setback measured from the alley right-of-way shall be provided for non-single-family projects above 30 feet in height adjacent to a Buffer Alley. *2

   b. A five-foot landscaping strip shall be required adjacent to a Buffer Alley for non-single-family buildings and shall contain the following: *2

      A minimum 40-inch-high wall that is consistent with the material, design and character of the primary building, or a landscaping berm or green wall shall be constructed. *2

3. **Mechanical equipment and ventilation.**

   a. New non-roof-mounted mechanical equipment and vents shall not be located within a required setback from the Buffer Alley. *2

      (1) The minimum distance can be reduced by 50 percent if the equipment and vents are fully screened. *2

   b. New roof-mounted equipment, antennas and satellite dishes shall be located a minimum 15 feet from the property line adjacent to the Buffer Alley with the exception of solar panels and/or solar water heaters. *2

4. **Service area.**

   a. When loading areas are within 30 feet from the Buffer Alley, loading, pickup and deliveries shall be prohibited between 9:00 p.m. and 6:00 a.m. and posted with signage. *2

   b. All trash/recycling containers and other odor generating facilities shall be fully screened with a wall or structure, covered and accessed with a latching door.

P. **Buffer Alley Guidelines.** *2

1. **Service areas.**

   a. Any trash/recycling container higher than six feet should be treated with a green screen on the side visible from the street or Buffer Alley. *2

   b. Containers should be rolled out only for trash collection and returned to the screening facility during normal use.

2. **Lighting.**

   a. Lighting should be minimized or turned off when the building is not in use.

   b. Security lighting should be activated by motion detectors rather than remaining on throughout the night.

   c. Lighting that emits white or near white light should be avoided and replaced with softer light that is compatible with the adjacent uses.

   d. Illuminative gases and fiber optics should not be placed on structures that are adjacent to a Buffer Alley. *2

3. **Residential privacy.**

   a. Windows, rooftop patios and balconies that are visible from adjacent existing single-family homes should incorporate design treatments such as orientation, location or various screening devices to protect the privacy of the neighboring homes. *2

   b. Rooftop patios should be oriented away from the Buffer Alley and fully screened to prevent visual access, noise, and light from being directed towards the Buffer Alley. *2

   c. Outdoor dining should be prohibited adjacent to or oriented towards a Buffer Alley. *2

      (1) If an outdoor dining area is visible from Buffer Alley it should be fully screened at a height of six feet with vegetation and a wall that is consistent with the design and character of the primary building. *2

Q. **Bicycle Parking and Amenity Standards.** *2

1. Commercial nonretail uses over 5,000 square feet shall provide a minimum of one bicycle space per 40 vehicle parking spaces provided up to a required maximum of 25 bicycle spaces. *2

   If no vehicle parking is provided, then a minimum of two spaces are required. Two spaces shall be provided for every 25,000 square feet of building square footage. *2

2. Commercial nonretail uses over 100,000 square feet in building area shall provide a minimum of two shower stalls and ten lockers that are accessible to the building's occupants. *2

3. Multifamily residential development shall provide common bicycle parking at 0.25 spaces for each residential unit, with a maximum of 50 spaces. +2

R. **General Building Form Guidelines.** *2

1. **Building placement.**

   a. Where the street setbacks of existing buildings on either side have differing setbacks from the street, the new development should resolve the difference through the design and location of the facade.

   b. Building additions and alterations should not eliminate an existing developed pedestrian path or public area.

   c. The proposed building orientation should respect climate conditions by minimizing heat gain and considering the impact of shade on adjacent areas.

   d. Awnings, cornices, roof overhangs and eaves may project into any required setback. +2

2. **Building design.**

   a. Natural surveillance should be maximized in project design to encourage easy observation of people and property near entryways, pathways, public spaces and parking lots.

   b. The building facade should be designed to provide a sense of human scale at the ground level by providing a clear architectural distinction between ground floor levels and all additional levels.

c. All sides of a building should exhibit design continuity and contain multiple exterior accent materials that exhibit quality and durability.

d. Side and rear building facades should have a level of trim and finish compatible with the front facade, particularly if they are visible from the street.

e. Monotonous building elevations should be avoided, building accents should be expressed through differing materials or architectural detailing rather than applied finishes such as paint, graphics, or forms of plastic or metal panels.

f. Architecture and applied treatments that express corporate identity should be de-emphasized. The building should be a unique structure that compliments and blends with the surrounding context. *2

g. Architectural details such as exterior finish materials, architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting should contribute to creating a coherent architectural concept.

h. Wall surface materials, if the building mass and pattern of windows and doors is complex, simple wall surfaces are preferable (e.g. stucco); if the building volume and pattern of wall openings are simple, additional texture and articulation should be employed (e.g. bricks or blocks, rusticated stucco, ornamental reliefs). In both cases, pilasters, columns, and cornices should be used to add visual interest and pedestrian scale.

i. Building walls above 90 feet should utilize light colored, smooth textured, low mass or thin, highly dense materials.

j. Overhangs and canopies should be integrated in the building design.

k. A designated space for recycle containers should be provided for all new development. Location and size shall be determined by the Solid Waste Division of the Public Works Department. *2

l. *Roofs*. Green roofs may be counted toward open space (useable or passive) requirements. Occupiable green roofs should comply with open space landscaping and shade standards and be accessible to all building occupants. *2

(1) Roof should have the following Solar Reflective Index (SRI) for 75% of the roof surface:

(A) 78 SRI for low-sloped that have a slope less than 2:12.

(B) 29 SRI for steeped sloped roofs that have slopes greater than 2:12.

(C) A green roof that covers 75% of the roof area may be used in lieu of an SRI roof.

3. **Pedestrian access and circulation.**

a. Buildings, primary entrances, crosswalks and pathways should be sited, oriented and designed to minimize walking distances to public sidewalks.

b. Primary entrances adjacent to streets should connect directly to public sidewalks.

c. Sites with multiple buildings should provide a pedestrian network connecting each building together and to public sidewalks, common areas and adjacent sites when compatible.

4. **Residential privacy.**

a. Windows and balconies that face each other a should receive special design treatment to increase privacy for residential uses.

b. Windows and balconies that face each other should receive special design treatment to increase privacy for residential uses by providing one of the following:

(1) Louvers;

(2) Privacy screens;

(3) Windows that start a minimum of six feet above respective finished floor; *2

(4) Frosted or tinted window treatments.

(5) Windows facing into interior side yards should be kept to a minimum to ensure privacy.

S. **Window Guidelines.** *2

1. Windows placed above 30 feet in height should be designed to reduce summer solar heat gain and reflectivity. *2

2. Windows shall have a Solar Heat Gain Coefficient (SHGC) of .40 or lower.

a. *East SLF:* 0.8 or louvers.

b. *Southeast SLF:* 1.4.

c. *South SLF:* 3.6.

d. *Southwest SLF:* 1.4.

e. *West SLF:* 0.8 or louvers.

T. **Lighting Guidelines.** *2

1. Lighting should be shielded with cut off fixtures and deflectors to direct the light downward and limit on-site lighting levels to a maximum of one foot candle at the property line. *2

2. Lighting fixtures should be consistent with and complement the design and character of the primary building. *2

3. Uniform pedestrian scale lighting should be used for all on-site lighting at building entrance and exits, and in public assembly and parking areas. *2

4. Large "flood" type lights should be avoided. *2

U. **General Screening Standards.** *2

1. All rooftop equipment and satellite dishes must be screened to the height of the highest equipment or integrated into the building design with the exception of solar panels and/or solar water heaters.

2. Ground floor vents shall be oriented away from pedestrian plazas and Pedestrian Streets. *2
3. All equipment shall be located, designed and have incorporated building materials to reduce the noise and operational impacts on residents, public space and adjacent properties with one of the following: *2
   a. *Structural screening/parapet*—The material, design and character shall be consistent with the primary building.
   b. *Vegetation*—A minimum 75% of the equipment shall be screened upon installation of the vegetation.
   c. *Mechanical penthouse*—The material, design and character shall be consistent with the primary building.

V. **General Screening Guidelines.** *2

1. All new or relocated electric lines 12 KV and smaller, communications and cable television and all on premise wiring should be placed underground in all developments where visible from streets or adjoining properties.
2. Service areas should be located away from public view.
3. All equipment, antennas and satellite dishes should not be located along the Pedestrian Street facing facade. *2
4. All loading docks, trash and recycling containers, transformers, backflow preventers and other mechanical or electrical equipment should not be located along the Pedestrian Street and should not be visible from public view. *2
5. All service area screening should be a minimum height of 6 feet with any combination of the following standards:
   a. *Wall or structure*—The material, design and character should be consistent with the primary building.
   b. *Vegetation*—A minimum 75% of the service area should be screened upon installation of the vegetation.

W. **Arts, Culture, Small Business Area.** +2

1. **Intent.** The Arts, Culture and Small Business Overlay is intended to allow greater flexibility in land uses and standards that will contribute to the vitality of the Downtown Area and will enhance community events. +2
2. **Applicability.** The area indicated on the Arts, Culture, Small Business Area Map in Section 1202.G has the following standards and guidelines. In the event of a conflict with other Zoning Ordinance provisions, the more permissive shall apply. +2

3. **Outdoor public events and performances.** Outdoor events or performances that are open to the public and that feature visual art, music, dance, theater, performance art, science, design or cultural heritage are permitted, subject to the following: +2

   a. The outdoor event or performance must be staffed by an employee of an existing business on the property and must comply with all applicable codes and ordinances. +2

   b. The business' items that are available for purchase during normal business hours may be displayed outdoors and be available for purchase during the event or performance. Payment for all items shall occur indoors. No other items may be displayed for sale outdoors during the event or performance. +2

   c. Outdoor events or performances are limited to Fridays, Saturdays and Sundays only. +2

   d. Friday and Saturday events or performances shall be limited to the hours between 10:00 a.m. and 12:00 a.m. No amplified music or loudspeakers may be used outside after 10:00 p.m. +2

   e. Sunday outdoor events or performances shall be limited to the hours between 10:00 a.m. and 10:00 p.m. No amplified music or loudspeakers may be used after 8:00 p.m. +2

   f. Hours and days of outdoor events or performances may be extended subject to obtaining a use permit in accordance with the standards and procedures of the Zoning Administrator section of the Zoning Ordinance. +2

   g. Outdoor events or performances in the Downtown Code boundaries shall be a minimum of 300 feet from any adjacent Character Area that is not included in the Arts, Culture, and Small Business Area depicted on the map in Section 1202.G and from any single-family zoning district outside of the Downtown Code Area. +2

4. **Accessory uses.** +2

   a. Home occupations are permitted subject to the following: +2

      (1) Employees are permitted, subject to obtaining a use permit in accordance with the provisions of the Zoning Administrator section of the Zoning Ordinance. +2

      (2) No more than 50 percent of the dwelling unit may be used for any home occupation. +2

   b. The following accessory uses are permitted: +2

      (1) Outdoor dining as accessory to a restaurant is permitted subject to the following: +2

         (A) The outdoor dining area shall be a minimum of 30 feet from the boundary of an adjacent Character Area not included in the Arts, Culture, and Small Business Area depicted on Map 1202.G and from any single-family zoning district outside of the Downtown Code Area. +2

         (B) The outdoor dining area and accessory public space shall be clearly delineated by a minimum three-foot-high continuous fence, wall or planter. +2

(C) The outdoor dining area shall not be more than 25 percent of the primary building's ground level gross floor area. The outdoor dining area may exceed 25 percent to a maximum of 50 percent subject to obtaining a use permit. +2

(D) Hours of operation for outdoor dining area shall not extend beyond restaurant hours of operation. +2

(E) The outdoor dining area shall not restrict or impede accessible access to the building or the parking area. +2

(2) Outdoor crafting of art associated with the business inside the building when the subject parcel abuts an arterial or collector street is permitted and subject to the following: +2

(A) Storage of materials associated with the crafting area shall not exceed eight feet in height and be limited to the rear and side yard. +2

(B) Storage area shall be fully screened with a solid wall or landscaping. +2

(C) Storage of materials associated with the crafting area exceeding eight feet in height shall be subject to obtaining a use permit. +2

5. **Signs.** +2

a. A-frame signs are permitted on private property, subject to the following: +2

(1) No off-site advertising is permitted. +2

(2) A maximum of one A-frame sign is permitted per 25 feet of street frontage. +2

(3) A maximum of six square feet of signage per side of the A-frame sign is permitted. +2

(4) There shall be a maximum height of three feet from natural grade. +2

(5) All signs shall be removed daily at the close of business or event. +2

b. Shingle signs are permitted subject to the following: +2

(1) A maximum of one sign is permitted for each business per facade if access to business is available from that facade. +2

(2) A minimum clearance of eight feet from finished grade to the bottom of the sign shall be provided. +2

(3) A maximum of five square feet in area shall be permitted per side. +2

(4) No backlit or cabinet signs are permitted. +2

c. Wall and window signs are permitted for structures existing as of May 2, 2008, as follows: +2

(1) *Wall signs*. +2

(A) The maximum square footage permitted per Section 705.D may be increased by 25 percent. +2

(B) The maximum square footage permitted may be increased by an additional ten percent if graphics comprise a minimum of ten percent of the overall square footage of the sign. +2

(2) *Window signs*. +2

(A) The total area of such signs shall not exceed 40 percent of each window area located on the ground floor of the building. +2

d. Freestanding detached monument signage should be integrated with the building architecture. +2

6. **Parking, yard and area requirements for nonresidential uses or mixed use containing nonresidential uses.** +2

a. For parking, yard and area requirements for structures existing as of May 1, 2008: +2

(1) Regardless of change of use or occupancy no additional parking or landscaping shall be required. +2

(2) Structures may be increased a total of either 500 gross square feet or 25 percent of the existing structure, whichever is greater, without requiring additional parking or landscaping. +2

(3) Building additions may exceed the lot coverage of the underlying zoning district by 25 percent, excluding those with Historic Preservation Overlays. +2

(4) Interior setbacks may be reduced by a maximum of 25 percent of that required by the underlying zoning district, excluding those with Historic Preservation Overlays. +2

b. Outdoor dining that does not exceed 25 percent of the primary building's ground level gross floor area shall not require any additional parking. The outdoor dining area may exceed 25 percent to a maximum of 50 percent subject to obtaining a use permit. +2

c. Subject to approval by the Planning and Development Department, vehicles are permitted to maneuver in the alley when paving, adequate maneuvering space and visibility are addressed. When vehicular access to the site is provided from an alley, no landscape setback is required adjacent to the alley. +2

X. **Lot Coverage.** Lot coverage by right or obtained by sustainability bonus points may be up to 100 percent in the following Character Areas: Downtown Gateway, Evans Churchill East, Evans Churchill West, Roosevelt East, Townsend Park, Van Buren, and Warehouse. +2

1. Design Review Committee has the authority to approve reductions in the required side and rear building setbacks to accommodate entitled lot coverage. +2

2. Required front building setbacks do not need to be met when there is a conflict with the lot coverage allowances. +2

Y. **Signage.** Freestanding detached monument signage should be integrated with the building architecture. +2

Z. **Historic Preservation Standards.** Structures with historic preservation designation are considered to be conforming and may be maintained, restored and/or rebuilt at each structure's historic setbacks and height subject to the provisions of Chapter 8, Historic Preservation. +4

Date of Addition/Revision/Deletion - Section 1207

Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
*1 Revision on 11-3-2010 by Ordinance No. G-5562, eff. 12-3-2010
+2 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*2 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*3 Revision on 3-1-2017 by Ordinance No. G-6286, eff. 4-1-2017
+4 Addition on 3-1-2017 by Ordinance No. G-6287, eff. 4-1-2017

Section 1208. Biomed.

A. **Intent.** The Biomed Character Area which is home to the biomedical campus should be a lively urban district with medical workers, researchers, and students. Restaurants and shops on Garfield Street, Roosevelt Row, and Arizona Center are all located within a short walk and development should be designed to reinforce pedestrian convenience to these areas through a consistent pattern of shaded sidewalks. Small plazas and courtyards are encouraged to be located along streets, typically near building entrances, providing gathering places and "cool pockets" on hot days. Landscaped courtyards interior to the campus should serve as mid-block pedestrian connections. Views of the landscaped courtyards should be visible from the street, enriching the street environment.

B. **Development Standards.**

1. **Maximum height.**
   - a. *Main building:* Governed by the height map, Section 1202.C.
     - (1) *Height bonus:* None.
2. **Maximum density.**
   - a. Governed by the density map, Section 1202.D.
     - (1) *Bonus:* Maximum 50% increase in density.
3. **Maximum lot coverage.**
   - a. *Lot coverage:* 100%.
     - (1) *Bonus:* None.
4. **Minimum side and rear setbacks.**
   - a. Primary building.
     - (1) *Side:* 0 feet.
     - (2) *Rear:* 0 feet.
5. **Required parking:** governed by Section 1206
   - a. *Parking bonus:*
     - (1) *Increase:* Maximum 50%.
     - (2) *Decrease:* Maximum 100%.
6. **Fences.**
   - a. *Side yard:* Maximum height 6 feet.
   - b. *Rear yard:* Maximum height 6 feet.
7. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards. +1

C. **Building Form Guidelines.**

1. Above 65 feet, tall buildings should not have massing that is boxy, bulky, and elongated.
2. Upper floors should be served by common entrance lobbies that should be accessed from the Pedestrian Street. *1
3. Large floor plates should be articulated to break down the mass of the building, create "street interest" and enhance skyline character.
4. The reflectivity of windows should be limited to twenty (20) percent.

D. **Open Space Guidelines.**

1. For sites of 50,000 net square feet or larger, minimum open space of at least five percent of the net lot area should be provided.
   a. Open space areas should be a minimum 500 square feet with a minimum dimension of 20 feet.
   b. The open space should connect to or be visible from a Pedestrian Street. *1
   c. *Landscape:*
      (1) The portions of open space not landscaped should be surfaced in textured concrete, bricks, pavers, or similar material.
      (2) *Fences/walls.*
         (A) *Height:* Six feet maximum.
         (B) *Materials:* Wrought iron, brick, decorative masonry. *1

E. **Streetscape Standards.** *1

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
Garfield Street 4th St. to 6th St.	5'	10'	Minimum 50%	ALL	5'	15'
McKinley Street 4th St. to 7th St.	5'	10'	Minimum 50%	ALL	5'	15'
Pierce Street 4th St. to 7th St.	5'	10'	Minimum 50%	ALL	5'	10'
Fillmore Street 5th St. to 7th St.	5'	10'	Minimum 50%	ALL	5'	10'
Van Buren Street 5th St. to 9th St.	0'	5'	Minimum 75%	S, GA	6'	6'
4th Street Garfield St. to Fillmore St.	5'	10'	Minimum 75%	SD, S, GA	6'	8'
5th Street Garfield St. to Fillmore St.	0'	5'	Minimum 75%	S, GA	10'	10'

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
5th Street Fillmore St. to Monroe St.	0'	5'	Minimum 75%	S, GA	10'	10'
6th Street Garfield St. to Fillmore St.	5'	10'	Minimum 75%	SD, S, GA	10'	10'
7th Street McKinley St. to Monroe St.	0'	5'	Minimum 75%	S, GA	5'	10'

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

Date of Addition/Revision/Deletion - Section 1208

Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
+ 1 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

Section 1209. Business Core.

A. **Intent.** The Business Core should function as a strong regional center for employment, entertainment, conventions, tourism, and cultural institutions, drawing visitors from around the country and attracting residents from throughout the region. The greatest development intensity within the region should be located within this Character Area. New development should be innovative and incorporate small public spaces that promote pedestrian movement and comfort. The Business Core should have vibrant pedestrian activity and be served frequently by multiple modes of high quality public transit. *1

B. **Development Standards.**

1. **Maximum height.** (***Note:*** The Business Core has unlimited height up to the airport height zoning limits).
   a. *Main building:* Governed by the height map, Section 1202.C.
      (1) *Height bonus: None.*
2. **Maximum density.**
   a. Governed by the density map, Section 1202.D. (***Note:*** The Business Core has unlimited density).
      (1) *Bonus:* None.
3. **Maximum lot coverage.**
   a. *Lot coverage:* 100%.
      (1) *Bonus:* None.
4. **Minimum side and rear setbacks.**
   a. *Primary building.*
      (1) *Side:* Zero feet.
      (2) *Rear:* Zero feet. *1
5. **Required parking:** Governed by Section 1206. (***Note:*** The Business Core has no parking requirements for nonresidential uses).
   A. *Parking bonus:*
      (1) *Increase:* 100%.
      (2) *Decrease:* 100% only for rental housing.
6. **Fences.**
   a. *Side yard:* Maximum height 8 feet.
   b. *Rear yard:* Maximum height 8 feet.

7. **Base guidelines.**

   a. All buildings over four stories in height should be designed with a base that is differentiated from the remainder of the building in order to relate to the street. The base may be between one and four stories in height, and should be scaled to the immediate context.

   b. The base of a building(s) should be placed parallel, and not at an angle, to the street.

   c. *Building form guidelines.*

      (1) Above 65 feet, tall buildings should not have massing that is boxy, bulky, and elongated.

      (2) Upper floors should be served by common entrance lobbies that shall be accessed from the Front or Pedestrian Street.

      (3) Large floor plates should be articulated to break down the mass of the building, create "street interest" and enhance skyline character.

      (4) Building towers should have a minimum separation of 20 feet.

      (5) The reflectivity of windows should be limited to 20 percent.

      (6) The uppermost floors of high-rise buildings should be articulated to achieve a distinctive skyline profile.

8. **Signage.** +1

   a. Signage in the Business Core Character Area shall be governed by the regulations applicable to signs for commercial land use as established in Section 705. Signs not visible beyond the boundaries of the lot or parcel upon which they are situated or from any public thoroughfare are not regulated as signs. +1

      (1) Signs projecting more than six inches from the front of buildings over the public right-of-way shall be perpendicular to the street (i.e., 90-degree angle), with a maximum of one sign per entrance. All signs that extend into or over the public right-of-way shall be permitted only upon issuance of a revocable permit as administered by the City of Phoenix. Each sign shall: +1

         (A) Identify only one on-site business. +1

         (B) Provide a minimum eight-foot head clearance. Existing signs with a minimum of seven feet six inches clearance may remain. +1

         (C) Project no more than three feet into the public right-of-way. +1

         (D) Be indirectly illuminated from a shielded light source (i.e., not backlit or "cabinet" sign). +1

      (2) Awning signs shall be permitted by right. Awning signs shall have letters no more than ten inches in height. +1

(3) Signs painted on the building surface or letters mounted directly to the building surface shall: +1

(A) Be a maximum of one square foot of signage for each lineal foot of building elevation to a maximum of 100 square feet. +1

(B) Be at least half the vertical height of the letters to a building corner (vertical edge) or to a roofline. +1

b. Signage may be increased by up to 25 percent by submitting a comprehensive sign plan as provided in the Phoenix Sign Code, Section 705.E. +1

c. The foregoing requirements shall not apply to signs exceeding 56 feet in height approved through a comprehensive sign plan and subject to the requirements of Section 705.D.3.i of the Zoning Ordinance. +1

d. Window signs fronting the public right-of-way shall not exceed a total of more than 20 percent of the window panel area. +1

e. Second-story or basement business fronting the public right-of-way may only use a sign in a second-story window or use a wall sign. Awning signs shall not be permitted on second-story windows. +1

f. Corner buildings shall be allowed signage on each street frontage. +1

g. Freestanding or ground signs may be allowed to a maximum of 40 square feet in area if the primary building is set back 15 or more feet from the property line for more than 50 percent of the street frontage. Said sign shall be a maximum of three feet in height. Signs may be up to 20 feet in height and 100 square feet in area if a comprehensive sign plan is approved and if the project covers a full block or more. +1

h. Directional signs for accessory parking will be allowed to a maximum of six square feet per sign per driveway entrance. Said sign shall be a maximum of three feet in height. No more than 25 percent of the area may be devoted to business identification. +1

i. The provisions of Section 705.C.6.d (illuminated sign spacing from residential use) shall not apply within the Business Core Character Area. +1

j. Signs, banners, balloons, flags, guidons, and similar devices may be erected subject to a use permit in conjunction with special promotional events to be held within the Downtown Code of a civic or commercial nature. No more than 25 percent of the area may be devoted to corporate sponsorship identity. Findings of approval of the use permit shall include: +1

(1) The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development. +1

(2) When two or more adjoining establishments are to participate equally in the event, a single request for a use permit may be filed. +1

k. For master planned developments covering one or more downtown blocks (300 feet by 300 feet minimum), signs, banners, and flags may be erected subject to a use permit in

compliance with a comprehensive sign plan. Findings of approval of the use permit shall include: +1

(1) The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development. +1

(2) The signs, banners, and flags are mounted and secured so as not to pose a distraction or hazard to vehicles or pedestrians. +1

(3) The signs and other displays shall include only logos, graphics and project name of the master planned development. +1

l. Wall signs on buildings in a designated historic preservation zoning district exceeding the applicable size regulations may be allowed by the Historic Preservation Commission in accordance with the procedure set forth in Section 812.C.3 and upon the additional finding that the proposed signage replicates the size, shape, and placement of the original wall signage. +1

m. The following signs are prohibited: +1

(1) Signs placed above or on top of any portion of the roof or front parapet. +1

(2) Signs advertising goods or services not provided on the premises. +1

(3) Signs utilizing moving, flashing, or rotating lights or mechanisms, except as provided by a use permit. +1

n. For master planned developments covering contiguous area of at least ten acres, signs, including those signs, banners, and flags otherwise prohibited by Sections 1209.B.8.j and m, may be erected subject to approval of a Master Planned Development Sign Plan and related detailed project sign plans in accordance with the provisions of this section. In recognition of design that contributes to and furthers the goals of the Downtown Phoenix Plan, the City may approve a Master Planned Development Sign Plan to allow larger and taller signs than are otherwise allowed within the Downtown Code District. +1

(1) *Sign types*. In addition to other signs permitted in the Business Core Character Area and those signs, banners, and flags otherwise prohibited by Sections 1209.B.8.j and m, the following sign types shall be permitted in a Master Planned Development Sign Plan: aerial view signs, animated signs, architectural ledge signs, awning signs, electronic message display signs, inflatable signs, kinetic signs, projected image signs, projecting signs, roof signs, supergraphic signs, and wayfinding signs. +1

(2) *Master Planned Development Sign Plan application*. A Master Planned Development Sign Plan application shall include the following elements: +1

(A) Site plans, building elevations, or photographs, and design guidelines for each type of sign to be permitted within the boundaries of the master planned development. These plans and elevations/photographs shall indicate orientation, size, location and method of installation of signs, including delineating on the site plan the locations and orientation of ground-mounted signs and delineat-

ing on the elevations/photographs the area in which building/structure mounted signs will be contained. Design guidelines shall address, at a minimum, architectural compatibility with primary structures within the master planned development. +1

(B) *Context plan*. The context plan shall include an aerial photograph of the master planned development and the surrounding area with notations of the current land use of parcels within the development and within 150 feet of the perimeter of the development. The context plan shall also include photographs taken looking outward from the perimeter of the master planned development at 100-foot intervals for the entire boundary of the development. +1

(C) *Standards*. The standards and restrictions for each sign type shall include, but not be limited to size, height, illumination, and durability of materials. The standards shall also include calculations showing the maximum sign area permitted per building face. In no case shall the standards exceed the following limitations: +1

i. *Ground signs*. Ground signs, which may be multi-faced, shall not exceed 50 feet in height and no single face shall exceed 600 square feet. The overall height of ground signs, including sign embellishments, shall not exceed 67 percent of the height of the closest building. +1

ii. *Building mounted signs*. Aggregate area for building mounted signs shall not exceed 100 percent of the facade to which the signs are attached, including the building roof. Building mounted signs shall not project more than 20 feet above the parapet or from the face of the building. +1

iii. *Illumination*. Signs facing or oriented to an existing residential use or structure that has obtained a certificate of occupancy for residential use and located closer than 60 feet to such residential use or structure shall not be illuminated between midnight and sunrise. +1

iv. *Temporary signs*. Temporary signs shall be allowed at the same sizes and heights as permanent signs. Temporary signs/graphics shall be allowed to cover 100 percent of construction fencing and barricades. +1

(D) *Narrative*. A written narrative shall discuss the purpose and intent of the Master Planned Development Sign Plan and its consistency with the Downtown Phoenix Plan. The narrative shall also address the quantity and durability/anticipated lifespan of the proposed sign materials. +1

(E) *Architectural lighting*. A Master Planned Development Sign Plan may include provisions regarding architectural lighting, that shall be exempt from calculation as sign area. Architectural lighting shall not include text, logos, messages, or images of any kind. Architectural lighting shall not flash, blink, scroll, move or stream. +1

(3) *Approval of a Master Planned Development Sign Plan*. An application for a Master Planned Development Sign Plan shall be submitted to the Planning and Development Director or designee for review and approval. The Planning and Development Director or designee shall approve, approve with conditions or deny such application within 15 working days of receipt of the application. The Planning and Development Director or designee shall approve such application only if the following findings are made: +1

(A) The signs, banners, flags and architectural lighting are mounted and secured so as to not pose a distraction or hazard to vehicles and pedestrians. +1

(B) The signs and architectural lighting are appropriate in scale, composition, and manner of display with surrounding development. +1

(C) The signs and architectural lighting conform to the vision, goals and policies of the Downtown Phoenix Plan. +1

(4) *Detailed project sign plan application*. An application for approval of a detailed project sign plan for a development within the boundaries of an approved Master Planned Development Sign Plan shall include the following documents or graphics: +1

(A) Site plans, building elevations or photo simulations that show the placement of the signs and architectural lighting within the master planned development and on the specific building, structure or site. +1

(B) Graphic rendering of the signs depicting their lettering, illumination, color, shape, area, and height. +1

(C) Details regarding any proposed animation or changeable messages, including duration of each message and intensity of illumination. +1

(D) Proposed hours for illumination of the signs. +1

(E) A written narrative discussing the detailed project sign plan's consistency with the Master Planned Development Sign Plan. +1

(5) *Approval of detailed project sign plans*. An application for a detailed project sign plan shall be submitted to the Planning and Development Director or designee for review for conformance with the standards, restrictions and guidelines of the Master Planned Development Sign Plan. The Planning and Development Director or designee shall approve, approve with conditions, or deny a detailed project sign plan application within 15 working days of receipt of the application. The Planning and Development Director or designee shall approve such application only if the applicant demonstrates the following: +1

(A) The size and location of the signs, banners, flags or architectural lighting are allowed under the standards of the Master Development Sign Plan. +1

(B) The scale, composition and manner of display of the signs, banners, flags or architectural lighting conform to the standards and guidelines of the Master Development Sign Plan. +1

(C) The type and hours of illumination and animation conform to the standards of the Master Development Sign Plan. +1

(D) The durability of the materials proposed for the signs, banners, flags or architectural lighting is appropriate for the intended lifespan of the signs, banners, flags or architectural lighting. +1

(6) *Appeals.* An applicant may appeal the decision of the Planning and Development Director or designee regarding a Master Planned Development Sign Plan within five working days of the decision. Appeals shall be considered by the Zoning Adjustment Hearing Officer through the use permit process in accordance with the provisions of Section 307 on the next available agenda. In addition to the standards of Section 307, the Zoning Adjustment Hearing Officer shall review the decision with the standards for approval established in Section 1209.B.8.n. +1

(7) *Amendment.* Any proposal to exceed the standards and restrictions established in a Master Planned Development Sign Plan shall require amendment through the process required for initial application and approval of a Master Planned Development Sign Plan in Section 1209.B.8.n. +1

(8) *Specific signs.* Requests for approval of specific, individual signs with a master planned development may be included in an application for either a Master Planned Development Sign Plan or a detailed project sign plan. Such signs shall not be installed or erected before issuance of a sign permit from the Planning and Development Department. If a specific, individual sign within the boundary of a Master Planned Development Sign Plan is not included in either the Master Planned Development Sign Plan or a detailed project sign plan, an application for such sign shall be submitted to the Planning and Development Department for review for conformance with the applicable sign plan and shall not be installed or erected before issuance of a sign permit from the Planning and Development Department. +1

o. For master planned developments for sports, entertainment or concert venues with a minimum of 4,000 seats, signs, including those signs, banners, and flags otherwise prohibited by Sections 1209.B.8.j and m, may be erected subject to approval of a Master Planned Development Sign Plan. The City may approve a Master Planned Development Sign Plan to allow signs that are larger and taller than are otherwise allowed within the Business Core Character Area within the Downtown Code District. All signage permitted under this section shall be reviewed and approved in accordance with Section 1209.B.8.o with the following: +2

(1) *Sign types.* In addition to other signs permitted in the Business Core Character Area, the following sign types shall be permitted in a master planned development: aerial view signs, animated signs, architectural ledge signs, awning signs, electronic mes-

sage display signs, inflatable signs, kinetic signs, projected image signs, projecting signs, roof signs, supergraphics signs, and wayfinding signs. +2

(2) *Master Planned Development Sign Plan application.* An application for a Master Planned Development Sign Plan shall be submitted to the Planning and Development Director or designee for review and approval. A Master Planned Development Sign Plan application shall include the following: +2

(A) *Design guidelines.* Site plans, building elevations, or photographs, and design guidelines for each type of sign to be permitted within the boundaries of the master planned development. These plans and elevations/photographs shall indicate orientation, size, location and method of installation of the sign. This shall include delineating on the site plan the locations and orientation of ground-mounted signs and delineating on the elevations/photographs the area in which building/structure mounted signs will be contained. Design guidelines shall address, at a minimum, architectural compatibility with primary structures within the master planned development. +2

(B) *Context plan.* The context plan shall include an aerial photograph of the master planned development and the surrounding area with notations of the current land use of parcels within the development and within 150 feet of the perimeter of the development. The context plan shall also include photographs taken looking outward from the perimeter of the master planned development at 100-foot intervals for the entire boundary of the development. +2

(C) *Standards.* The standards and restrictions for each sign type shall include, but not be limited to size, height, illumination, and durability of materials. The standards shall also include calculations showing the maximum sign area permitted per building face. In no case shall the standards exceed the following limitations: +2

i. *Building mounted signs.* Aggregate area for building mounted signs shall not exceed 25 percent on one elevation facing an arterial street and 10 percent on the other elevations, with the ability to transfer up to five percent from the arterial elevation to one other elevation. Building mounted signs shall not project more than 20 feet above the parapet or from the face of the building. If the sign is placed at an angle to the building elevation, the applicant must specify to which elevation the sign area will be counted. +2

ii. *Supergraphics.* Supergraphics signs not to exceed 300 square feet or five percent of building elevation whichever is less. +2

iii. *Illumination.* Signs facing or oriented to an existing residential use or structure that has obtained a certificate of occupancy for residential use and located closer than 60 feet to such residential use or structure shall not be illuminated between midnight and sunrise. +2

iv. *Temporary signs.* Temporary signs may be allowed at the same sizes and heights as permanent signs. Temporary signs or graphics shall be allowed to cover 100 percent of construction fencing and barricades. +2

(D) *Narrative.* A written narrative shall discuss the purpose and intent of the Master Planned Development Sign Plan and its consistency with the Downtown Phoenix Plan dated December 14, 2004. The narrative shall also address the quantity and durability or anticipated lifespan of the proposed sign materials. +2

(E) *Architectural lighting.* A Master Planned Development Sign Plan may include provisions regarding architectural lighting, that shall be exempt from calculation as sign area. Architectural lighting shall not include text, logos, messages, or images of any kind. Architectural lighting shall not flash, blink, scroll, move, or stream. +2

(3) *Approval of a Master Planned Development Sign Plan.* The Planning and Development Director or designee shall approve, approve with conditions or deny such application. The Planning and Development Director or designee shall approve such application in writing only if the following findings are made: +2

(A) The signs, banners, flags and architectural lighting are mounted, secured, and operated so as to not pose a nuisance. +2

(B) The signs and architectural lighting are appropriate in scale, composition, and manner of display with surrounding development. +2

(C) The signs and architectural lighting are consistent with the vision, goals and policies of the Downtown Phoenix Plan dated December 14, 2004. +2

(4) *Appeals.* An applicant may appeal the decision of the Planning and Development Director or designee regarding the Master Planned Development Sign Plan within five working days of the decision. Appeals shall be considered by the Zoning Adjustment Hearing Officer through the use permit process in accordance with the provisions of Section 307 on the next available agenda. In addition to the standards of Section 307, the Zoning Adjustment Hearing Officer shall review the decision with the standards for approval established in Section 1209.B.8.o. +2

(5) *Amendment.* Any proposal to exceed the standards and restrictions established in a Master Planned Development Sign Plan shall require amendment through the process required for initial application and approval of a Master Planned Development Sign Plan in Section 1209.B.8.o. +2

p. Signage may be increased by up to 25 percent if a comprehensive sign plan is approved as provided in Section 705.E of the Phoenix Zoning Ordinance. +1 *2

C. **Taylor Street Pedestrian Paseo Guidelines.** *1

1. **Easement dedication.**

   a. A 20-foot wide public pedestrian easement (hereafter referred to as "Paseo") should be dedicated in accordance with the approved alignment as follows:

2. **Deviation from approved alignment:**
   a. The Paseo's alignment may be deviated by up to 50 feet either north or south of the approved alignment under the following conditions:
      (1) The deviation should not result in a misalignment of more than 90 feet.

(2) A north or south connector Paseo, designed in accordance with this section, should be provided on site when a deviation results in more than 20 feet of misalignment within the block.

(3) The revised easement location should be dedicated prior to final site plan approval.

3. The optional alignment can be used in place of the approved alignment. For sites with an optional alignment two easements are not required.

4. A minimum of 50% of the ground floor should be active uses.

5. **Paseo design guidelines.**

a. An ADA compliant walkway a minimum of 8 feet in width and clear of obstructions should be provided within the Paseo.

b. The Paseo should be a minimum of 50 percent shaded at plant maturity.

c. The Paseo should be as straight as possible and avoid meanders.

d. Decorative paving (e.g. pavers, permeable pavement, colored and textured concrete) should be provided within the Paseo.

e. Building frontage along the Paseo should be maximized.

f. Ground floor active uses should be oriented to the Paseo.

g. Each ground floor commercial suite adjacent to the Paseo should provide a primary entrance on the Paseo side.

h. Building façades adjacent to the Paseo should be designed with the following elements:

(1) Clear glass windows (allowing at least 75% of visible light as specified by the manufacturer) for a minimum of 60% of the ground floor façade between 3 feet and 8 feet.

(2) A minimum of 1 primary entrance on each Paseo frontage.

i. Parking (surface and structured) and vehicular maneuvering along the Paseo should be minimized.

j. The Paseo should be clearly separated from vehicular maneuvering areas.

k. A minimum 15-foot by 15-foot visibility triangle should be provided at any intersection with the Paseo and vehicular traffic.

l. Parking garage entrances/exits should be oriented to minimize vehicular traffic crossing the Paseo.

m. Paseo segments that cross drive aisles should provide a minimum 20-foot wide crosswalk demarcated to contrast with the drive aisle.

n. Fencing within 50 feet of the edges of the Paseo should not be higher than 40 inches. (Excluding temporary fencing in accordance with [sub]section r)

o. Paseo segments that cross surface parking areas should be designed with the following elements:

(1) A minimum 8-foot wide grade separated walkway.

(2) A minimum of 6-foot wide landscape strips on each side of walkway (or 12 feet on one side).

p. The following lighting treatment should be provided within the Paseo:

(1) 15-foot maximum height of lighting fixtures.

(2) A minimum of 1 foot candle illumination should be maintained throughout the Paseo.

(3) Uniform lighting should be placed along entire Paseo, avoiding bright high glare areas and low visibility dark areas.

(4) Lighting within the Paseo should be illuminated from dusk until dawn.

q. One of the following identifying markers should be provided at each street entrance to the Paseo.

(1) Bollard path light.

(2) Public art.

(3) Decorative directional signage.

(4) Building design elements that emphasize the Paseo entrance.

r. Temporary security gating—In the event that a block's Paseo is not fully developed, temporary removable fencing may be erected at the entrances to the Paseo under the following conditions:

(1) A pedestrian gate is provided that is unlocked during business hours.

(2) A revocable permit is obtained.

(3) The fencing is removed upon completion of the block's Paseo.

D. **Streetscape Standards.** *1

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
Fillmore Street 3rd Ave. to 5th St.	5'	10'	Minimum 50%	ALL	5'	6'
Taylor Street 1st St. to 3rd St.	5'	5'	Minimum 75%	S, GA, SY	8'	6'
Polk Street Central Ave. to 2nd St.	0'	5'	Minimum 75%	S, GA, SY	8'	6'
Van Buren Street 3rd Ave. to 5th St.	0'	5'	Minimum 75%	S, GA	8'	6'
Monroe Street 5th Ave. to 5th St.	0'	5'	Minimum 75%	S, GA	10'	6'
Adams Street 7th Ave. to 7th Ave.	0'	5'	Minimum 75%	ALL	5'	10'

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
Adams Street 7th Ave. to 3rd Ave.	0'	5'	Minimum 75%	S, GA	8'	6'
Adams Street 3rd Ave. to 2nd St.	0'	5'	Minimum 75%	S, GA	10'	6'
Washington Street 8th Ave. to 2nd St.	0'	5'	Minimum 75%	S, GA	10'	6'
Washington Street 2nd St. to 7th St.	0'	5'	Minimum 75%	S, GA	8'	6'
Jefferson Street 8th Ave. to 3rd Ave.	0'	5'	Minimum 75%	S, GA	8'	6'
Jefferson Street 3rd Ave. to 5th St.	0'	5'	Minimum 75%	S, GA	10'	6'
Jefferson Street 5th St. to 7th St.	0'	5'	Minimum 75%	S, GA	8'	6'
Madison Street 8th Ave. to 7th Ave.	0'	5'	Minimum 75%	S, GA	8'	6'
Madison Street 5th Ave. to 1st St.	0'	5'	Minimum 75%	S, GA	8'	6'
Jackson Street 7th Ave. to 5th Ave.	0'	5'	Minimum 75%	S, GA	8'	6'
Jackson Street 4th Ave. to 1st Ave.	0'	5'	Minimum 75%	S, GA	8'	6'
Jackson Street 1st St. to 4th St.	0'	5'	Minimum 75%	S, GA	10'	6'
Buchanan Street 4th St. to 7th St.	5'	10'	Minimum 75%	SD, DY, S, GA	8'	6'
Lincoln Street 4th St. to 7th St.	5'	10'	Minimum 75%	SD, DY, S, GA	8'	6'
8th Avenue Adams St. to Madison St.	5'	10'	Minimum 75%	S, GA, SY	8'	6'
7th Avenue Adams St. to Jefferson St.	5'	10'	Minimum 75%	S, GA	6'	8'
7th Avenue Jefferson St. to Harrison St. alignment	None Required	None Required	None Required	ALL	6'	8'
6th Avenue Adams St. to Washington St.	5'	10'	Minimum 50%	S, GA	8'	6'
5th Avenue Monroe St. to Washington St.	5'	10'	Minimum 75%	SD, DY, S, GA	5'	5'
5th Avenue Jefferson St. to Harrison St. alignment	5'	10'	Minimum 50%	ALL	8' West 5' East	6' West 5' East
4th Avenue Monroe St. to Washington St.	5'	10'	Minimum 50%	ALL	8'	6'
4th Avenue Washington St. to Jackson St.	5'	10'	Minimum 75%	SD, DY, S, GA	10'	6'
3rd Avenue Fillmore St. to Van Buren St.	5'	10'	Minimum 75%	SD, DY, S, GA	8'	6'

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
3rd Avenue Van Buren St. to Washington St.	5'	10'	Minimum 50%	ALL	8'	6'
3rd Avenue Washington St. to Jackson St.	5'	10'	Minimum 75%	S, GA	8'	6'
2nd Avenue Fillmore St. to Monroe St.	5'	10'	Minimum 75%	SD, DY, S, GA	(1)	
2nd Avenue Monroe St. to Adams St.	5'	10'	Minimum 75%	SD, DY, S, GA	10'	6'
1st Avenue Fillmore St. to Madison St.	5'	10'	Minimum 75%	S, GA	8'	6'
1st Avenue Madison St. to Jackson St.	None Required	None Required	None Required	ALL	Per Existing Plans(1)	
Central Avenue Fillmore St. to Madison St.	5'	10'	Minimum 75%	S, GA	10'	6'
1st Street Fillmore St. to Jackson St.	5'	10'	Minimum 75%	S, GA	10'	6'
2nd Street Fillmore St. to Jefferson St.	5'	10'	Minimum 75%	S, GA	10'	6'
3rd Street Fillmore St. to Jackson St.	5'	10'	Minimum 75%	S, GA	10'	6'
4th Street Jefferson St. to Jackson St.	5'	10'	Minimum 75%	S, GA	5'	5'
4th Street Jackson St. to Lincoln St.	5'	10'	Minimum 75%	SD, DY, S, GA	8'	6'
5th Street Fillmore St. to Van Buren St.	5'	10'	Minimum 75%	SD, DY, S, GA	8'	6'
5th Street Van Buren St. to Jefferson St.	5'	10'	Minimum 50%	S, GA, SY	8'	6'
5th Street Buchanan St. to Lincoln St.	5'	10'	Minimum 50%	ALL	8'	6'
6th Street Buchanan St. to Lincoln St.	5'	10'	Minimum 50%	ALL	8'	6'
7th Street Monroe St. to Jefferson St.	5'	10'	Minimum 75%	S, GA	8'	6'
7th Street Jefferson St. to Lincoln St.	None Required	None Required	None Required	ALL	8'	6'

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

(1) Per plans approved by Street Transportation Department.

Date of Addition/Revision/Deletion - Section 1209

Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
+1 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
+2 Addition on 2-5-2014 by Ordinance No. G-5892, eff. 3-7-2014
*2 Revision on 2-5-2014 by Ordinance No. G-5892, eff. 3-7-2014

Section 1210. Central Park.

A. **Intent.** Central Park has a strong historic single-family form and scale that should be preserved as this area redevelops. A seamless integration of new buildings within the existing fabric should be promoted. Mixed uses, home offices and workshops are allowed in the primary structure and in appropriately scaled accessory buildings. Landscaping is residential in character with front yards separating the building from the sidewalk. Sidewalks are shaded by trees in parkway strips. Parking should be on the street and within detached garages behind the primary structure. *1

B. **Development Standards.**

1. **Maximum height.**
   - a. *Main building:* Governed by the height map, Section 1202.C.
     - (1) *Bonus:* None.
   - b. *Accessory structures:* 30 feet.
2. **Maximum density.**
   - a. Governed by the density map, Section 1202.D.
     - (1) *Bonus:* 50%.
3. **Maximum lot coverage.**
   - a. *Lot coverage:* 50%.
     - (1) Lot coverage may be increased to 60% for stand alone accessory dwelling units and garages and storage sheds with vertically integrated accessory dwelling units.
     - (2) *Bonus:* None.
   - b. *Accessory building.*
     - (1) *Maximum footprint:* 10% of net lot area.
4. **Minimum side and rear setbacks.**
   - a. *Primary building.*
     - (1) *Side:* 5 feet.
     - (2) *Rear:* Minimum 40 feet.
   - b. *Accessory buildings.*
     - (1) *Side:* 3 feet.
     - (2) *Rear:* 5 feet.
       - (A) The rear setback can be reduced to 0 feet if a fully dedicated alley is present.

5. **Projections.**

   a. Maximum projection by porches, patios, balconies and porte-cocheres into required building setback.

      (1) *Front street:* 10 feet.

      (2) *Side street:* 5 feet.

   b. Awnings, cornices, roof overhangs, and eaves may project more than three feet into any required setback providing they come no closer than two feet from a property line. *1

6. **Required parking:** governed by Section 1206

   a. *Parking bonus.*

      (1) *Increase:* 50%.

      (2) *Decrease:* 50%.

7. **Fences.**

   a. *Side yard:* maximum height 6 feet.

   b. *Rear yard:* maximum height 6 feet.

   c. *Wall returns or gates:* Should be set behind the front facade to reveal windows and architectural features.

8. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards. +1

C. **Building Form Guidelines.**

1. **Building design.**

   a. Architectural details should contribute to creating a coherent architectural concept that is consistent with the design of the Character Area. (e.g. exterior finish materials, architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting)

   b. Side and rear building facades should have a level of trim and finish similar to the front facade.

   c. Monotonous building elevations should be avoided. Building accents should be expressed through differing materials or architectural detailing rather than applied finishes such as paint, graphics, or forms of plastic or metal panels.

   d. Buildings wider than 50 feet should be designed to appear as a series of buildings no wider than 50 feet each. *1

2. **Fences.**

   a. Fences along the front street should be placed at the property line.

   b. Front street fences should be composed of view fencing.

3. **Maintaining residential privacy.**

   a. Windows and balconies that face each other should receive special design treatment to increase privacy for residential uses.

D. **Frontage Modifications.**

1. **Active front yard.** The permanent hardscape area should be constructed as a traditional covered porch or patio built to the following specifications.

   a. *Depth:* Minimum 8 feet.

   b. *Width:* Minimum 75% of the facade.

   c. *Elevation above grade:* Maximum 2.5 feet.

   d. *Roof type:* Consistent with primary structure.

E. **Streetscape Standards.** *1

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
Tonto Street Alley west of 1st St. to 4th St.	5'	25'	Minimum 50%	AFY, SD, DY, SY	5'	7'
Hadley Street Alley west of 1st St. to 1st St.	5'	25'	Minimum 50%	AFY, SD, DY	5'	7'
Hadley Street 1st St. to 2nd St.	15'	25'	Minimum 50%	AFY, SD, DY	5'	7'
Hadley Street 2nd St. to 4th St.	5'	25'	Minimum 50%	AFY, SD, DY, S	5'	7'
1st Street South of Grant St. to north of Buckeye Rd.	15'	25'	Minimum 50%	AFY, SD, DY, S	5'	7'
2nd Street South of Grant St. to north of Buckeye Rd.	15'	25'	Minimum 50%	AFY, SD, DY	5'	7'
3rd Street South of Grant St. to north of Hadley St.	15'	25'	Minimum 50%	AFY, SD, DY	5'	15'
4th Street South of Grant St. to Hadley St.	15'	25'	Minimum 50%	AFY, SD, DY	5'	None Required*

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types
*Seven-foot front yard landscape required for developments with a net area greater than 20,000 square feet.

Date of Addition/Revision/Deletion - Section 1210
Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
+1 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

Section 1211. Commercial Corridors.

A. **Intent.** The commercial corridors should become attractive gateways into downtown. New wider and shaded sidewalks should provide safety and comfort, making it easier for pedestrians and transit riders to access services in the corridor.

New mixed-use developments are envisioned to line 7th Avenue, with small restaurants, retail and other businesses serving the surrounding neighborhoods. Along Central Avenue a street wall should be established that frames the street to create a gateway entrance into downtown from the south.

B. **Development Standards.**

1. **Maximum height.**
   - a. *Main building:* Governed by the height map, Section 1202.C.
     - (1) *Height bonus:* None.
   - b. *Accessory structures:* 20 feet.
2. **Maximum density.**
   - a. Governed by the density map, Section 1202.D.
     - (1) *Bonus:* None.
3. **Maximum lot coverage.**
   - a. *Lot coverage:* 50 percent.
     - (1) *Bonus:* Maximum 85 percent lot coverage. *1
4. **Minimum side and rear setbacks.**
   - a. Primary building.
     - (1) *Side:* 5 feet.
     - (2) *Rear:* 15 feet.
       - (A) The rear setback can be reduced to 0 feet if a fully dedicated alley is present.
5. **Projections.**
   - a. Maximum projection by porches, patios, balconies and porte-cocheres into required building setback.
     - (1) *Front street:* 10 feet.
     - (2) *Side street:* 5 feet.
   - b. Awnings, cornices, roof overhangs, and eaves may project into any required setback. *1

6. **Required parking.** Governed by Section 1206.
   a. Parking bonus:
      (1) *Increase:* Maximum 50%.
      (2) Decrease: Maximum 50%.
7. **Fences.**
   a. *Side yard:* Maximum height 6 feet.
   b. *Rear yard:* Maximum height 6 feet.
8. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards. +1

C. **Building Form Guidelines.**

Design

1. Architectural details should contribute to creating a coherent architectural concept that is consistent with the design of the Character Area. (e.g. exterior finish materials, architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting).
2. All sides of a building should exhibit design continuity and contain multiple exterior accent materials that exhibit quality and durability.
3. Side and rear building facades should have a level of trim and finish similar to the front facade.
4. Monotonous building elevations should be avoided, building accents should be expressed through differing materials or architectural detailing rather than applied finishes such as paint, graphics, or forms of plastic or metal panels.
5. Buildings wider than 50 feet should be designed to appear as a series of building no wider than 50 feet each. *1
6. **Fences.**
   a. Front street fences should be composed of view fencing.

D. **Streetscape Standards.** *1

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
7th Avenue Corridor						
7th Avenue Alley north of Roosevelt St. to Fillmore St.	0'	5'	Minimum 75%	S, GA	6'	6'

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
Roosevelt Street Alley east of 7th Ave. to alley west of 7th Ave.	5'	10'	Minimum 50%	AFY, SD, DY, S, SY	5'	6' or greater if established
McKinley Street Alley east of 7th Ave. to alley west of 7th Ave.	5'	10'	Minimum 50%	AFY, SD, DY, S, SY	5'	5' west of 7th Ave. 9' east of 7th Ave.
Pierce Street 7th Ave. to alley west of 7th Ave.	5'	10'	Minimum 50%	AFY, SD, DY, S, SY	5'	5'
Fillmore Street Alley east of 7th Ave. to alley west of 7th Ave.	5'	10'	Minimum 50%	AFY, SD, DY, S, SY	5'	7' or greater if established
Central Avenue South Corridor						
Central Avenue Grant St. to Hadley St.	0'	5'	Minimum 75%	S, GA	5'	6'
Central Avenue Hadley St. to Buckeye Rd.	0'	5'	Minimum 75%	S, GA	5'	3'
Grant Street 2nd Ave. to 2nd St.	5'	10'	Minimum 50%	SD, DY, S, SY	5'	10'
Sherman Street 2nd Ave. to 1st Ave. crossover	5'	10'	Minimum 50%	SD, DY, S, SY	5'	6'
Hadley Street 1st Ave. to alley east of Central Ave.	5'	10'	Minimum 50%	SD, DY, S, SY	5'	7'
Tonto Street 1st Ave. to alley east of Central Ave.	5'	10'	Minimum 50%	SD, DY, S, SY	5'	7'
Buckeye Road Alley west of Central Ave. to 3rd St.	0'	5'	Minimum 50%	S, GA	5'	7'
Buckeye Road Alley west of 3rd St. to 4th St.	0'	5'	Minimum 50%	S, GA	7'	None Required*
2nd Avenue Grant St. to Sherman St.	0'	5'	Minimum 50%	ALL	5'	4'
1st Avenue Grant St. to Sherman St.	0'	5'	Minimum 75%	S, GA	5'	14'
1st Avenue Hadley St. to Tonto St.	5'	25'	Minimum 50%	AFY, SD, DY, S	5'	13'
1st Street South of Grant St.	15'	25'	Minimum 50%	AFY, SD, DY, S	5'	7'
1st Street Adjacent to Buckeye Rd.	10'	20'	Minimum 50%	AFY, SD, DY, S	5'	7'
2nd Street South of Grant St.	15'	25'	Minimum 50%	AFY, SD, DY	5'	7'
2nd Street Adjacent to Buckeye Rd.	10'	20'	Minimum 50%	AFY, SD, DY, S	5'	7'
3rd Street Tonto St. to Buckeye Rd.	10'	20'	Minimum 50%	AFY, SD, DY, S	5'	15'

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
4th Street Tonto St. to Buckeye Rd.	10'	20'	Minimum 50%	AFY, SD, DY, S, SY	5'	5'

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

*Seven-foot front yard landscape required for developments with a net area greater than 20,000 square feet.

Date of Addition/Revision/Deletion - Section 1211

Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010

+1 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

Section 1212. Downtown Gateway.

A. **Intent.** The Downtown Gateway should be a high-density, vibrant corridor with a mix of residential and commercial development designed for transit riders. Restaurants with outdoor dining, and commercial and retail uses should be placed along the street to invite pedestrian exploration. Streetscape improvements throughout the area should be encouraged to make light rail accessible and vibrant.

B. **Development Standards.**

1. **Maximum height.**
   - a. *Main building:* governed by the height map, Section 1202.C.
     - (1) *Height bonus:* None.
2. **Maximum density.**
   - a. Governed by the density map, Section 1202.D.
     - (1) *Bonus:* Maximum 50% increase in density.
3. **Maximum lot coverage.**
   - a. *Lot coverage:* 100%.
     - (1) *Bonus:* None.
4. **Minimum side and rear setbacks.**
   - a. *Primary building*.
     - (1) *Side:* 0 feet
     - (2) *Rear:* 0 feet.
5. **Required parking:** Governed by Section 1206.
   - a. *Parking bonus*.
     - (1) *Increase:* Maximum 50%.
     - (2) *Decrease:* Maximum 100%.
6. **Fences.**
   - a. *Side yard:* Maximum height 6 feet.
   - b. *Rear yard:* Maximum height 6 feet.
     - (1) When a fully dedicated alley is present view fencing shall be provided above 40 inches in height.
7. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards. +2

C. **Building Form Guidelines.**

1. Above 65 feet, tall buildings should not have massing that is boxy, bulky, and elongated.
2. Upper floors should be served by common entrance lobbies that should be accessed from the Pedestrian Street. *2
3. Large floor plates should be articulated to break down the mass of the building, create "street interest" and enhance skyline character.
4. Building towers should have a minimum separation of 20 feet.
5. The reflectivity of windows should be limited to 20 percent.
6. The uppermost floors of high-rise buildings should be articulated to achieve a distinctive skyline profile.
7. **Base guidelines.**
   a. All buildings over four stories in height should be designed with a base that is differentiated from the remainder of the building in order to relate to the street. The base may be between one (1) and four (4) stories in height, and should be scaled to the immediate context.
   b. The base of a building(s) should be placed parallel, and not at an angle, to the street.

D. **Streetscape Standards.** *2

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
Coronado Road Central Ave. to Alvarado Rd.	0'	5'	Minimum 75%	SD, DY, S	8'	8'
McDowell Road 1st Ave. to Alvarado Rd.	0'	5'	Minimum 75%	SD, GA	8'	8'
Lynwood Street West of Central Ave. to Central Ave.	0'	5'	Minimum 75%	SD, DY, S	8'	8'
Willetta Street Central Ave. to 1st St.	0'	5'	Minimum 50%	ALL	8'	8'
Culver Street West of Central Ave. to Central Ave.	0'	5'	Minimum 50%	ALL	8'	8'
Roosevelt Street Alley west of 1st Ave. to alley east of Central Ave.	0'	5'	Minimum 75%	SD, DY, S	8'	8'
Portland Street West of Central Ave. to Central Ave.	0'	5'	Minimum 75%	SD, DY, S	8'	8'
Portland Street Central Ave. to alley east of Central Ave.	0'	5'	Minimum 50%	ALL	8'	8'
Garfield Street Central Ave. to alley east of Central Ave.	0'	5'	Minimum 50%	ALL	8'	8'

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
McKinley Street Alley west of 1st Ave. to alley east of Central Ave.	0'	5'	Minimum 50%	ALL	8'	8'
Pierce Street Central Ave. to alley east of Central Ave.	0'	5'	Minimum 50%	ALL	8'	8'
Fillmore Street Alley west of 1st Ave. to alley east of Central Ave.	0'	5'	Minimum 50%	ALL	8'	8'
1st Avenue Alley north of Almeria Rd. to McDowell Rd.	5'	20'	N/A	SD, SY	8'	8'
1st Avenue Roosevelt St. to McKinley St.	0'	5'	Minimum 75%	SD, GA, S *3	8'	8'
1st Avenue McKinley St. to Fillmore St.	0'	5'	Minimum 75%	SD, GA, S *3	8'	8'
Central Avenue Coronado Rd. to Roosevelt St.	0'	5'	Minimum 75%	SD, GA, S *3	8'	8'
Central Avenue Roosevelt St. to Fillmore St.	0'	5'	Minimum 75%	SD, GA, S *3	8'	8'
1st St. McDowell Rd. to Willetta St. (Cancer Survivor Park)	0'	5'	Minimum 75%	SD, DY, S	8'	8'

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

Date of Addition/Revision/Deletion - Section 1212

Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
*1 Revision on 11-3-2010 by Ordinance No. G-5562, eff. 12-3-2010
+2 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*2 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*3 Revision on 1-15-2014 by Ordinance No. G-5880, eff. 2-14-2014

Section 1213. East Evergreen.

A. **Intent.** The East Evergreen Character Area centers on its incorporation of a historic residential district along with residential offices and newer mixed-use/mid-rise developments. New developments should be compatible with the size of existing buildings, providing an alternative to high-rise housing and offices downtown. New mixed-use projects should be integrated with the historic character of the area by preserving the existing planting strips, palm trees, and landscaped yards on sites within or adjacent to the Historic District. Streets and pedestrian corridors should be inviting and conveniently link the neighborhood to services, parks, cultural facilities and public transportation.

B. **Development Standards.**

1. **Maximum height.**
   - a. *Main building:* Governed by the height map, Section 1202.C.
     - (1) *Bonus:* None.
   - b. *Accessory structures:* 30 feet.
2. **Maximum density.**
   - a. Governed by the density map, Section 1202.D.
     - (1) *Bonus:* None.
3. **Maximum lot coverage.**
   - a. *Lot coverage:* 50%.
     - (1) Lot coverage may be increased to 55% for detached accessory dwelling units and garages and storage sheds with vertically integrated accessory dwelling units.
     - (2) *Bonus:* None.
   - b. *Accessory building.*
     - (1) *Maximum footprint:* 15% of net lot area.
4. **Minimum side and rear setbacks.**
   - a. *Primary building.*
     - (1) *Side:* Combined total of 10 feet; minimum 3 feet.
     - (2) *Rear:* Minimum 10 feet.
   - b. *Accessory buildings.*
     - (1) *Side:* 3 feet.
     - (2) *Rear:* 0 feet.

5. **Projections.**

   a. Maximum projection by porches, patios, balconies and porte-cocheres not required building setback.

      (1) *Front street:* 10 feet.

      (2) *Side street:* 5 feet.

   b. Awnings, cornices, roof overhangs, and eaves may project more than three feet into any required setback providing they come no closer than two feet from a property line. *1

6. **Required parking.** Governed by Section 1206

   a. *Parking bonus.*

      (1) *Increase:* None.

      (2) *Decrease:* None.

7. **Fences.**

   a. *Side yard:* Maximum height six feet.

      (1) Side street fences should not extend closer than five feet from the front facade of the building.

   b. *Rear yard:* Maximum height 6 feet.

   c. Wall returns or rates: should set behind the front facade to reveal windows and architectural features.

   d. For properties located within an Historic Preservation (HP) Overlay District, fences or freestanding walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three feet, and are conditioned upon obtaining a Certificate of Appropriateness or No Effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three feet beyond the front corner(s) of the primary structure.

8. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards. +1

C. **Building Form Guidelines.**

1. **Architectural elements.** Accent materials and building design should contribute to creating a coherent architectural concept that is consistent with the design of the Character Area. (e.g. architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting).

2. **Building materials.** Materials from adjacent or nearby buildings should be incorporated to help strengthen the character of east evergreen. (e.g. doors, windows, pilasters, cornices, arches and lintels).

3. Primary buildings should incorporate a minimum 25 percent of brick, brick veneer or decorative masonry on every facade. *1

4. **Fences.**

   a. Fences along the front street should be discouraged.

   b. Pedestrian Street fences shall be composed of view fencing. *1

5. **Roof forms.**

   a. *Preferred types.*

      (1) Gable, clipped gable or jerkin head, gable with parapets.

      (2) Hip.

      (3) Flat with parapets.

6. **Window design.** Window format should be square or rectangular and similar to existing historic buildings. Window openings shall be recessed or articulated, particularly at the ground level.

D. **Frontage Modifications.**

1. **Active front yard.** The permanent hardscape area should be constructed as a traditional covered porch or patio built to the following specifications.

   a. *Depth:* Minimum 8 feet.

   b. *Width:* Minimum 50% of the facade.

   c. *Elevation above grade:* Maximum 2.5 feet.

   d. *Roof type:* Consistent with primary structure.

E. **Streetscape Standards.** *1

Building Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
Lynwood Street West of 7th St. to 4th St.	15'	25'	Minimum 50%	AFY	5'	5' North 4' South
Willetta Street West of 7th St. to east of 3rd St.	15'	25'	Minimum 50%	AFY	5'	14'
5th Street South of McDowell Rd. to I-10 Freeway	5'	15'	Minimum 50%	AFY, DY, SY	5'	14'

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

Date of Addition/Revision/Deletion - Section 1213

Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
+1 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

Section 1214. Evans Churchill East.

A. **Intent.** The primary intent of the Evans Churchill East Character Area is to be a continuously evolving arts-oriented mixed-use community. Home to unique art galleries and trendy restaurants, the existing character consisting of arts-oriented uses coupled with various small businesses should be preserved and additional developments should be consistent with this character. New mixed-use development shares space with old bungalows and historic homes, and new live-work units provide additional commercial spaces to cater to the needs of artists. New pedestrian corridors create connectivity to surrounding destinations, such as the downtown ASU campus to the south and Hance Park to the north, while new open spaces will be added to serve the increasing number of new residents and create opportunities for public gatherings and art display.

B. **Development Standards.**

1. **Maximum height.**
   - a. *Main building:* Governed by the height map, Section 1202.C.
     - (1) *Height bonus:* None.
2. **Maximum density.**
   - a. Governed by the density map, Section 1202.D.
     - (1) *Bonus:* Maximum 50% increase in density
3. **Maximum lot coverage.**
   - a. *Lot coverage:* 50%.
     - (1) *Bonus:* maximum 100% lot coverage.
4. **Minimum side and rear setbacks.**
   - a. *Primary building.*
     - (1) *Side:* Five feet.
     - (2) *Rear:* 15 feet.
       - (A) The rear setback can be reduced to zero feet if a fully dedicated alley is present. +1
5. **Required parking:** Governed by Section 1206
   - a. *Parking bonus.*
     - (1) *Increase:* Maximum 100%.
     - (2) *Decrease:* maximum 100%.
6. **Fences.**
   - a. *Side yard:* Maximum height 6 feet.
   - b. *Rear yard:* maximum height 6 feet.

7. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/industrial Right-of-Way Low Volume Street Standards. +1

C. **Building Form Guidelines.**

1. Standards applicable to building taller than 65 feet in height.

   a. *General standards.*

      (1) Above 65 feet, tall building should not have massing that is boxy, bulky, and elongated.

      (2) Upper floors should be served by common entrance lobbies that should be accessed from the Pedestrian Street. *1

      (3) Large floor plates should be articulated to break down the mass of the building, create "street interest" and enhance sky line character.

      (4) Building towers should have a minimum separation of 20 feet.

      (5) The reflectivity of windows should be limited to 20 percent.

   b. *Base standards.*

      (1) All buildings over four stories in height should be designed with a base that is differentiated from the remainder of the building in order to relate to the street. The base may be between one and four stories in height, and should be scaled to the immediate context.

      (2) The base of a building(s) should be placed parallel, and not at an angle, to the street.

   c. *Top.*

      (1) The uppermost floors of high-rise buildings should be articulated to achieve a distinctive skyline profile.

2. **Architectural elements.** Accent materials and building design should contribute to creating a coherent architectural concept that is consistent with the surrounding design of the area. (e.g. architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting).

3. **Building materials.** Materials from adjacent or nearby buildings should be incorporated to help strengthen the character of the area. (e.g. doors, windows, pilasters, cornices, arches and lintels) They should be articulated and expressed in a manner that is in context with surrounding buildings.

D. **Open space guidelines.**

1. For sites of 50,000 net square feet or larger, minimum open space in the amount of at least five percent of the net lot area should be provided.

   a. Open space should be a minimum 500 square feet with a minimum dimension of 20 feet.

   b. The open space should connect or be visible from a Pedestrian Street. *1

c. *Landscape*.

(1) The portions of open space not landscaped should be surfaced in textured concrete, bricks, pavers, or similar material.

(2) *Fences/walls*.

(A) *Height:* Six feet maximum.

(B) *Materials:* Wrought iron, brick, or decorative masonry. *1

E. **Frontage Modifications.**

1. **Dooryard and stoop/door well.**

a. Facades should exhibit varying building design to appear as multiple units.

b. No more than two consecutive facade designs should use the same color paint or method of articulation.

2. **Storefront.**

a. Facades should exhibit varying building design to appear as multiple units.

3. **Active front yard.** The permanent hardscape area should be constructed as a traditional covered porch or patio built to the following specifications.

a. *Depth:* Minimum 8 feet.

b. *Width:* Minimum 75% of the facade.

c. *Elevation above grade:* Maximum 2.5 feet.

d. *Roof type:* Consistent with primary structure.

F. **Streetscape Standards.** *1

Streetscape Standards Matrix

Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
Moreland Street 3rd St. to 7th St.	10'	20'	Minimum 75%	AFY, SD, DY	5'	15'
Portland Street 3rd St. to 7th St.	10'	20'	Minimum 75%	AFY, SD, DY	5'	15'
Roosevelt Street 3rd St. to 7th St.	5'	15'	Minimum 75%	SD, DY, S	7'	10'
Garfield Street 4th St. to 6th St.	5'	15'	Minimum 50%	ALL	5'	15'
Garfield Street 6th St. to 7th St.	5'	15'	Minimum 50%	ALL	5'	7'
McKinley Street 6th St. to 7th St.	5'	15'	Minimum 50%	ALL	5'	15'
3rd Street North of Moreland St. to Portland St.	5'	15'	Minimum 75%	ALL	5'	12'

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
3rd Street Portland St. to Roosevelt St.	5'	15'	Minimum 75%	ALL	5'	10'
4th Street Roosevelt St. to Garfield St.	5'	15'	Minimum 75%	AFY, SD, DY, S	5'	10'
5th Street Moreland St. to Roosevelt St.	5'	15'	Minimum 75%	AFY, SD, DY, S	5'	15'
5th Street Roosevelt St. to Garfield St.	5'	15'	Minimum 75%	AFY, SD, DY, S	5'	15'
6th Street Roosevelt St. to Garfield St.	5'	15'	Minimum 75%	SD, DY, S, GA	5'	15'
7th Street Moreland St. to McKinley St.	0'	5'	Minimum 75%	SD, DY, S, GA	8'	8'

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

Date of Addition/Revision/Deletion - Section 1214

Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
+1 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

Section 1215. Evans Churchill West.

A. **Intent.** The primary intent of the Evans Churchill West Character Area is to serve as a transition between the mixed-use neighborhoods to the north and east, the Downtown Gateway Corridor to the west, and the Biomed Cluster to the south. Ideally the area should embrace architecturally innovative high-density residential buildings and offer a dynamic mix of commercial and retail uses. It is the home of the downtown public market and will develop into a destination for retail, restaurants and nightlife. Adjacency to major destinations creates the potential for this area to serve as a major pedestrian thoroughfare. New developments should reflect the innovation of the area and incorporate shade structures and landscaping to create comfortable and inviting pedestrian thoroughfares. Outdoor dining and retail shops will enhance the pedestrian experience and encourage exploration and patronage. Buildings oriented to the street with ample sidewalk space allow for pedestrian amenities in addition to the tree-shaded sidewalks in parkway-like strips.

B. **Development Standards.**

1. **Maximum height.**
   - a. *Main building:* Governed by the height map, Section 1202.C.
     - (1) *Height bonus:* A maximum of 100-foot height bonus is permitted if a sustainability bonus is approved by the Design Review Committee for properties located between Fillmore Street and Pierce Street.
2. **Maximum density.**
   - a. Governed by the density map, Section 1202.D.
     - (1) *Bonus:* Maximum 100% increase in density.
3. **Maximum lot coverage.**
   - a. *Lot coverage:* 75%.
     - (1) *Bonus:* Maximum 100% lot coverage.
4. **Minimum side and rear setbacks.**
   - a. *Primary building*.
     - (1) *Side:* 0 feet.
     - (2) *Rear:* 0 feet.
5. **Required parking:** Governed by Section 1206
   - a. *Parking bonus:*
     - (1) *Increase:* Maximum 100%.
     - (2) *Decrease:* Maximum 100%.
6. **Fences.**
   - a. *Side yard:* Maximum height 6 feet.

b. *Rear yard:* maximum height 6 feet.

7. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards. +1

C. **Building Form Guidelines.**

1. Standards applicable to building taller than 65 feet in height.

a. *General standards.*

(1) Above 65 feet, tall building should not have massing that is boxy, bulky, and elongated.

(2) Upper floors should be served by common entrance lobbies that should be accessed from the Pedestrian Street. *1

(3) Large floor plates should be articulated to break down the mass of the building, create "street interest" and enhance sky line character.

(4) Building towers should have a minimum separation of 20 feet.

(5) The reflectivity of windows should be limited to 20 percent.

b. *Base standards.*

(1) All buildings over four stories in height should be designed with a base that is differentiated from the remainder of the building in order to relate to the street. The base may be between one and four stories in height, and should be scaled to the immediate context.

(2) The base of a building(s) should be placed parallel, and not at an angle, to the street.

c. *Top.*

(1) The uppermost floors of high rise buildings should be articulated to achieve a distinctive skyline profile.

2. Architectural elements—Accent materials and building design should contribute to creating a coherent architectural concept that is consistent with the surrounding design character of the area. (e.g. architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting).

D. **Open Space Guidelines.**

1. For sites of 50,000 net square feet or larger, open space in an amount of at least five percent of the net lot area should be provided.

a. Open space should be a minimum 500 square feet with a minimum dimension of 20 feet.

b. The open space should connect or be visible from a Pedestrian Street. *1

c. *Landscape:*

(1) The portions of open space not landscaped should be surfaced in textured concrete, bricks, pavers, or similar material.

d. *Fences/walls.*

(1) *Height:* Six feet maximum.

(2) *Materials:* Wrought iron, brick, or decorative masonry. *1

E. **Frontage Modifications.**

1. **Dooryard and stoop/door well.**

a. Facades should exhibit varying building design to appear as multiple units.

b. No more than two consecutive facade designs should use the same color paint or method of articulation.

2. **Active front yard.** The permanent hardscape area should be constructed as a traditional covered porch or patio built to the following specifications.

a. *Depth:* Minimum 8 feet.

b. *Width:* Minimum 75% of the facade.

c. *Elevation above grade:* Maximum 2.5 feet.

d. *Roof type:* Consistent with primary structure.

F. **Streetscape Standards.** *1

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
Moreland Street 1st St. to 3rd St.	5'	15'	Minimum 50%	SD, DY, S, GA, SY	5'	15'
Portland Street Alley east of Central Ave. to 3rd St.	5'	15'	Minimum 50%	SD, DY, S, GA, SY	5'	15'
Roosevelt Street Alley east of Central Ave. to 4th St.	5'	15'	Minimum 75%	SD, DY, S,	12'	6'
Garfield Street Alley east of Central Ave. to 4th St.	5'	15'	Minimum 50%	SD, DY, S, GA, SY	5'	15'
McKinley Street Alley east of Central Ave. to 4th St.	5'	15'	Minimum 50%	SD, DY, S, GA, SY	5'	15'
Pierce Street Alley east of Central Ave. to 2nd St. and 3rd St. to 4th St.	5'	15'	Minimum 50%	SD, DY, S, GA, SY	5'	10'
Fillmore Street Alley east of Central Ave. to 5th St.	5'	15'	Minimum 50%	DY, S, GA, SY	8'	6'
Fillmore Street 1st St. to 2nd St.	5'	15'	Minimum 50%	DY, S, GA, SY	5'	10'
Fillmore Street 2nd St. to 3rd St.	5'	15'	Minimum 50%	DY, S, GA, SY	5' North 8' South	5' North 7' South
Fillmore Street 3rd St. to 5th St.	5'	15'	Minimum 50%	DY, S, GA, SY	8' North 5' South	7' North 10' South

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
1st Street Moreland St. to Fillmore St.	0'	5'	Minimum 75%	SD, DY, S, GA	(1)	(1)
2nd Street Moreland St. to McKinley St.	0'	5'	Minimum 75%	SD, DY, S, GA	5'	20'
2nd Street McKinley St. to Fillmore St.	0'	5'	Minimum 75%	SD, DY, S, GA	5'	10' East 20' West
3rd Street Moreland St. to Portland St.	5'	15'	Minimum 75%	SD, DY, S, GA	5'	10'
3rd Street Portland St. to alley north of Roosevelt St.	5'	15'	Minimum 75%	SD, DY, S, GA	5'	15' East 5' West
3rd Street Alley north of Roosevelt St. to Roosevelt St.	5'	15'	Minimum 75%	SD, DY, S, GA	5'	5'
3rd Street Roosevelt St. to Fillmore St.	5'	15'	Minimum 75%	SD, DY, S, GA	5'	10'
4th Street Roosevelt St. to Fillmore St.	5'	15'	Minimum 75%	SD, DY, S, GA	5'	10'

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types
(1) Per plans approved by Street Transportation Department.

Date of Addition/Revision/Deletion - Section 1215
Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
+1 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

Section 1216. McDowell Corridor.

A. **Intent.** The McDowell Corridor should create an attractive, pedestrian-oriented mixed-use street as a gateway to the historic neighborhoods and Downtown Phoenix. The mixture of professional offices and retail establishments should become more urban and pedestrian oriented. New structures should be built closer to the street and parking should be located behind buildings.

B. **Development Standards.**

1. **Maximum height.**
   - a. *Main building:* Governed by the height map, Section 1202.C.
     - (1) *Height bonus:* none.
2. **Maximum density.**
   - a. Governed by the density map, Section 1202.D.
     - (1) *Bonus:* None.
3. **Maximum lot coverage.**
   - a. *Lot coverage:* 50 percent.
     - (1) *Bonus:* Maximum 85 percent lot coverage. *2
4. **Minimum side and rear setbacks.**
   - a. *Primary building.*
     - (1) *Side:* Five feet.
     - (2) *Rear:* 15 feet from the property line. *2
5. **Projections.**
   - a. Awnings, cornices, roof overhangs, and eaves may project into any required setback. *2
6. **Required parking:** Governed by Section 1206.
   - a. *Parking bonus:*
     - (1) *Increase:* Maximum 50%.
     - (2) *Decrease:* Maximum 25%.
7. **Fences.**
   - a. *Side yard:* Maximum height six feet.
   - b. *Rear yard:* Maximum height six feet.
   - c. Pedestrian street fences should be composed of view fencing. +2
8. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards. *2

C. **Building Form Guidelines—Architectural Elements.** Accent materials and building design should contribute to creating a coherent architectural concept that is consistent with the surrounding design of the area (e.g., architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting). *2

D. **Streetscape Standards.***1 *2

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
McDowell Road West of 7th Ave. to east of 1st Ave.	0'	5'	Minimum 75%	S, SD	5'	None Required*
McDowell Road 3rd St. to 7th St.	0'	5'	Minimum 75%	S	6'	7'
Lynwood Street East of 7th Ave. (north side only)	15'	20'	Minimum 50%	AFY, SD, DY	5'	10'
Lynwood Street 5th St. to west of 7th St.	15'	20'	Minimum 75%	AFY, SD, DY	5'	10'
7th Avenue Alley north of McDowell to Lynwood St.	0'	5'	Minimum 75%	S	7'	None Required
5th Avenue Alley north of McDowell Rd. to alley south of McDowell Rd.	5'	15'	Minimum 50%	SD, S, SY	5'	11'
3rd Avenue Alley north of McDowell Rd. to alley south of McDowell Rd.	5'	15'	Minimum 75%	SD, S, SY	5'	As Established
3rd Street Alley north of McDowell Rd. to alley south of McDowell Rd.	5'	15'	Minimum 50%	SD, S	6'	North Side None Required 11' South Side
5th Street McDowell Rd. to Lynwood St.	5'	15'	Minimum 50%	SD, S, SY	5'	15'
7th Street Almeria Rd. to Moreland St.	0'	5'	Minimum 75%	S	6'	6'

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types
*Five-foot street side landscape setback required for developments greater than 20,000 square feet net area.

Date of Addition/Revision/Deletion - Section 1216
Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
*1 Revision on 11-3-2010 by Ordinance No. G-5562, eff. 12-3-2010
+2 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*2 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

Section 1217. Roosevelt East.

A. **Intent.** The Roosevelt East Character Area is comprised of a mixture of historic buildings with larger blocks of land with high-rise entitlements. The area will serve as a transition zone from the smaller scale Roosevelt South and Roosevelt North Character Areas to the Downtown Gateway Character Area located to the east along the light rail.

B. **Development Standards.**

1. **Maximum height.**
   - a. *Main building:* Governed by the height map, Section 1202.C.
     - (1) *Height bonus:* Maximum 25% increase.
   - b. *Accessory structures:* 30 feet.
2. **Maximum density.**
   - a. Governed by the density map, Section 1202.D.
     - (1) *Density bonus:* Maximum 100% increase.
3. **Maximum lot coverage.**
   - a. *Lot coverage: 75%.*
     - (1) *Lot coverage bonus:* Maximum 100%.
   - b. *Accessory building.*
     - (1) *Maximum footprint:* 10% of net lot area.
4. **Building placement.**
   - a. Primary building.
     - (1) *Minimum side yard setback:*
       - (A) *Adjacent to a non-HP lot:* 0 feet.
       - (B) *Adjacent to an HP lot:* 10 feet.
     - (2) *Minimum rear yard setback:* 0 feet.
   - b. *Accessory Buildings.*
     - (1) *Minimum side yard setback:* 3 feet.
     - (2) *Minimum rear yard setback:* 0 feet.
5. **Projections.**
   - a. Maximum projection by porches, patios, balconies and porte-cocheres into required building setback.
     - (1) *Front street:* 10.
     - (2) *Side street:* 5 feet.

b. Awnings, cornices, roof overhangs, and eaves may project more than three feet into any required setback providing they come no closer than two feet from a property line. *1

6. **Required parking:** Governed by Section 1206

a. *Parking bonus:*

(1) *Increase:* Maximum 50%.

(2) *Decrease:* Maximum 100%.

7. **Street trees.**

a. Street trees shall be planted with Arizona ash or evergreen elm trees.

b. Palm trees where they have historically existed may be planted. +1

8. **Landscaping ground cover.** +1

a. Turf should be used as ground cover in the Streetscape Zone and in the Active Front Yard of single-family residential properties. +1

9. **Fences.** *1

a. *Side yard:* Maximum height 6 feet.

b. *Rear yard:* Maximum height 6 feet.

c. *Wall returns or gates:* Should set behind the front facade to reveal windows and architectural features.

d. For properties located within an Historic Preservation (HP) Overlay District, fences or freestanding walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three feet, and are conditioned upon obtaining a Certificate of Appropriateness or No Effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three feet beyond the front corner(s) of the primary structure.

10. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards. +1

C. **Building Form Guidelines.**

1. Guidelines applicable to building taller than 65 feet in height. *1

a. *General guidelines.* *1

(1) Buildings taller than 65 feet should not have massing that is boxy, bulky, or elongated. *1

(2) Upper floors should be served by common entrance lobbies that shall be accessed from the Pedestrian Street. *1

(3) Large floor plates should be articulated to break down the mass of the building, create "street interest" and enhance skyline character.

(4) Building towers should have a minimum separation of 20 feet.

(5) The reflectivity of windows should be limited to 20 percent.

b. *Base guidelines*. *1

(1) All buildings over four stories in height should be designed with a base that is differentiated from the remainder of the building in order to relate to the street. The base may be between one (1) and four (4) stories in height, and should be scaled to the immediate context.

(2) The base of a building(s) should be placed parallel, and not at an angle, to the street.

c. *Top*. The uppermost floors of high rise buildings should be articulated to achieve a distinctive skyline profile. *1

2. **Architectural elements.** Accent materials and building design should contribute to creating a coherent architectural concept that is consistent with the design of the Character Area. (e.g. architectural lighting and signage, grilles, railings, down spouts window and entry trim and moldings, shadow patterns and exterior lighting).

3. **Building materials.** Materials from adjacent or nearby buildings should be incorporated to help strengthen the character of Roosevelt East. (e.g. doors, windows, pilasters, cornices, arches and lintels) they should be articulated and expressed in a manner that is in context with existing buildings in Roosevelt East.

4. Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on the ground floor of every facade visible from the exterior. *1

D. **Open Space Guidelines.**

Objective: Functional open space and plazas should provide gathering locations for pedestrians and residents.

1. For sites of 50,000 net square feet or larger, open space in the amount of at least two percent of the net lot area should be provided.

a. Open space should be a minimum 500 square feet with a minimum dimension of 20 feet.

b. The open space should connect or be visible from a Pedestrian Street. *1

c. *Landscape:*

(1) The portions of open space not landscaped should be surfaced in textured concrete, bricks, pavers, or similar material.

d. *Fences/walls*.

(1) *Height:* Six feet maximum.

(2) *Materials:* Wrought iron, brick, or decorative masonry. *1

E. **Streetscape Standards.** *1

Building Standards						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
Portland Street 3rd Ave. to west of Central Ave.	0'	5'	Minimum 75%	SD, S	As Established	As Established
Roosevelt Street 3rd Ave. to 1st Ave.	0'	5'	Minimum 75%	SD, S	As Established	As Established
McKinley Street 3rd Ave. to alley west of 1st Ave.	0'	10'	Minimum 50%	SD, DY, SY	5'	10'
Fillmore Street 3rd Ave. to alley west of 1st Ave.	0'	10'	Minimum 50%	SD, DY, SY	5'	10' North Side 6' South Side
2nd Avenue Portland St. to Roosevelt St.	0'	10'	Minimum 75%	SD, S	6'	10'
2nd Avenue Roosevelt St. to McKinley St.	20'	20'	Minimum 50%	AFY, SD, DY, S	10'(1)	
2nd Avenue McKinley St. to Fillmore St.	10'	20'	Minimum 75%	AFY, SD, S	10'(1)	
3rd Avenue Latham St. to Roosevelt St.	0'	10'	Minimum 50%	SD, DY, S, SY	6'	As Established
3rd Avenue Roosevelt St. to McKinley St.	20'	20'	Minimum 50%	AFY, SD, S	6'	14'
3rd Avenue McKinley St. to Fillmore St.	10'	20'	Minimum 50%	AFY, SD, S	6'	14'

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

(1) Per plans approved by the Street Transportation Department.

Date of Addition/Revision/Deletion - Section 1217

Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010

+1 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

Section 1218. Roosevelt North.

A. **Intent.** Roosevelt North is part of the Roosevelt Historic District and it is comprised of traditional historic single-family homes. Typically the lots have large front yard setbacks with porches, lush landscaping and turf. Properties generally have carriage houses or garages in the backyard that are accessed from the alley or the front yard by a porte-cochere. In Roosevelt North the design and pattern of single-family development is critical to maintaining its strong character and preserving the existing buildings. The large number of historic properties creates a unique character and design that should be preserved. Properties with HP zoning should refer to Chapter 8, Historic Preservation, of the Phoenix Zoning Ordinance for specific requirements associated with historic designation. *1

B. **Development Standards.**

1. **Maximum height.**
   - a. *Main building:* Governed by the height map, Section 1202.C.
     - (1) *Bonus:* None.
   - b. *Accessory structures:* 30 feet.
2. **Maximum density.**
   - a. Governed by the density map, Section 1202.D.
     - (1) *Bonus:* None.
3. **Maximum lot coverage.**
   - a. *Lot coverage:* 40%.
     - (1) Lot coverage may be increased to 55% for detached accessory dwelling units and garages and storage sheds with vertically integrated accessory dwelling units.
     - (2) *Bonus:* None.
   - b. *Accessory buildings.*
     - (1) *Maximum footprint:* 15% of net lot area.
4. **Minimum side and rear setbacks.**
   - a. *Primary building.*
     - (1) *Side:* Combined total of 10 feet; minimum 3 feet.
     - (2) *Rear:* Minimum 10 feet.
   - b. *Accessory buildings.*
     - (1) *Side:* Minimum 3 feet.
     - (2) *Rear:* 0 feet.

5. **Projections.**

   a. Maximum projection by porches, patios, balconies and porte-cocheres into required building setback.

      (1) *Front street:* Ten feet.

      (2) *Side street:* Five feet.

   b. Awnings, cornices, roof overhangs, and eaves may project more than three feet into any required setback providing they come no closer than two feet from a property line. *1

6. **Required parking:** governed by Section 1206

   a. *Parking bonus.*

      (1) *Increase:* None.

      (2) *Decrease:* None.

7. **Fences.**

   a. *Side yard:* Maximum height six feet.

      (1) Side street fences should not extend closer than five feet to the front facade of the building.

   b. *Rear yard:* Maximum height 6 feet.

   c. Wall returns or gates should set behind the front facade to reveal windows and architectural features.

8. **Street trees.**

   a. Street trees shall be planted with Arizona ash or evergreen elm trees.

   b. Palm trees where they have historically existed may be planted. +1

9. **Landscaping ground cover.**

   a. Turf should be used as ground cover in the Streetscape Zone and in the Active Front Yard for residential properties. *1

10. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards. +1

C. **Building Form Guidelines.**

1. **Architectural elements.** Accent materials and building design should contribute to creating a coherent architectural concept that is consistent with the historic character of the Character Area. (e.g. architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting).

2. **Building materials.** Materials from adjacent or nearby buildings should be incorporated to help strengthen the character of Roosevelt North. (e.g. doors, windows, pilasters, cornices,

arches and lintels). They should be articulated and expressed in a manner that is in context with existing historic buildings in Roosevelt North.

3. Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. *1

4. **Fences.**

   a. Fences along the Pedestrian Street should be discouraged. *1

   b. Pedestrian Street fences shall be composed of view fencing. *1

   c. For properties located within an Historic Preservation (HP) Overlay District, fences or freestanding walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three feet, and are conditioned upon obtaining a Certificate of Appropriateness or No Effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three feet beyond the front corner(s) of the primary structure.

5. **Roof forms.**

   a. *Preferred types:*

      (1) Gable, clipped gable or jerkin head, gable with parapets.

      (2) Hip.

      (3) Flat with parapets.

   b. *Prohibited:* Mansard roof types.

6. **Window design.** Window format should be square or rectangular and similar to existing historic buildings. Window openings shall be recessed or articulated, particularly at the ground level.

D. **Frontage Modifications.**

1. **Active front yard.** The permanent hardscape area should be constructed as a traditional covered porch or patio built to the following specifications.

   a. *Depth:* Minimum 8 feet.

   b. *Width:* Minimum 50% of the facade.

   c. *Elevation above grade:* Maximum 2.5 feet.

   d. *Roof type:* Consistent with primary structure.

E. **Streetscape standards.** *1

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
Portland Street 7th Ave. to 3rd Ave.	20'	30'	None	AFY	5'	10'
Latham Street 5th Ave. to 3rd Ave.	20'	30'	None	AFY	5'	7'5"
Culver Street 7th Ave. to 300' west of Central Ave.	20'	30'	None	AFY	5'	10'
Willetta Street 7th Ave. to alley west of Central Ave.	20'	30'	None	AFY	5'	10'
Lynwood Street 7th Ave. to alley west of Central Ave.	20'	30'	None	AFY	5'	10'
7th Avenue Lynwood St. to alley south of Portland St.	20'	30'	None	AFY	6'	None Required
5th Avenue Alley north of Roosevelt St. to alley north of Lynwood St.	10'	25'	None	AFY, SY	5'	10'
3rd Avenue Alley north of Roosevelt St. to Culver St.	10'	25'	None	AFY, SY	5'	10'
3rd Avenue Culver Street to alley north of Lynwood St.	10'	25'	None	AFY, SY	5'	6'

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

Date of Addition/Revision/Deletion - Section 1218

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+1 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

Section 1219. Roosevelt South.

A. **Intent.** Roosevelt South will be the gateway to historic Roosevelt North, and an oasis for pedestrians from adjacent high-rise and high-density areas. While the neighborhood will retain its residential character, it will become a mixed-use neighborhood. Adaptive re-use of older and historic homes will provide distinctive shopping and dining along tree-lined streets creating a highly desirable, walkable neighborhood. *1

B. **Development Standards.**

1. **Maximum height.**
   - a. *Main building:* Governed by the height map, Section 1202.C.
     - (1) *Bonus:* None.
   - b. *Accessory structures:* 30 feet.
2. **Maximum density.**
   - a. Governed by the density map, Section 1202.D.
     - (1) *Bonus:* Maximum 100% increase in density.
3. **Maximum lot coverage.**
   - a. *Lot coverage:* 50%.
     - (1) *Bonus:* Maximum 75% total lot coverage.
   - b. *Accessory building*.
     - (1) *Maximum footprint:* 10% of net lot area.
4. **Minimum side and rear setback.**
   - a. *Primary building*.
     - (1) *Side yard:* Combined total of 10 feet; minimum 3 feet.
       - (A) *Adjacent to an HP lot:* 10 feet.
       - (2) *Rear:* 0 feet.
   - b. *Accessory buildings*.
     - (1) *Side:* Minimum 3 feet.
     - (2) *Rear:* 0 feet.
5. **Projections.**
   - a. Maximum projections by porches and balconies into required building setback.
     - (1) *Front street:* 10 feet.
     - (2) *Side street:* 5 feet.

b. Awnings, cornices, roof overhangs, and eaves may project more than three feet into any required setback providing they come no closer than two feet from a property line. *1

6. **Required parking:** Governed by Section 1206

a. *Parking bonus:*

(1) *Increase:* Maximum 50%.

(2) *Decrease:* Maximum 50%.

7. **Fences.**

a. *Side street:* Maximum height six feet.

(1) Side street fences should not extend closer than five feet to the front facade of the building.

b. *Rear yard:* Maximum height six feet.

(1) Wall returns or gates should set behind the front facade to reveal windows and architectural features.

8. **Street trees.**

a. Street trees shall be planted with Arizona ash or evergreen elm trees.

b. Palm trees where they have historically existed may be planted. +1

9. **Landscaping ground cover.**

a. Turf should be used as ground cover in the Streetscape Zone and in the front yard for residential properties. *1

10. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards. +1

C. **Building Form Guidelines.**

1. **Architectural elements.** Accent materials and building design should contribute to creating a coherent architectural concept that is consistent with the historic character of the area. (e.g. architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting).

a. *Building articulation.* For buildings under 65 feet in height the maximum building length without articulation/modulation is 30 feet.

(1) Articulation shall be achieved through the incorporation of any 2 of the following:

(A) Change in vertical wall plane (1-foot minimum).

(B) Change in horizontal wall plane (1-foot minimum).

(C) Varying roof lines.

(D) Projecting or recessed architectural elements including windows and doors.

2. *Building materials*. Materials from adjacent or nearby buildings should be incorporated to help strengthen the character of Roosevelt South. (e.g. doors, windows, pilasters, cornices, arches and lintels).

3. Primary buildings should incorporate a minimum 25 percent of brick, brick veneer or decorative masonry on every facade. *1

4. **Windows.**

   a. *Preferred:* Vertical or vertical appearance.

   b. *Recessed:* Minimum 4 inches.

   c. *Transparency:* Minimum .64 VTR.

5. **Roof forms.**

   a. *Preferred types:*

      (1) Gable, clipped gable or jerkin head, gable with parapets.

      (2) Hip.

      (3) Flat with parapets.

b. *Prohibited:* Mansard roof types.

6. *Window design*. Window format should be square or rectangular and similar to existing historic buildings. Window openings shall be recessed or articulated, particularly at the ground level.

7. **Fences.**

   a. Fences along a Pedestrian Street should be discouraged. *1

   b. Fences above 40 inches in height along a Pedestrian Street shall be composed of view fencing. *1

   c. For properties located within an Historic Preservation (HP) Overlay District, fences or freestanding walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three (3) feet, and are conditioned upon obtaining a Certificate of Appropriateness or No Effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three (3) feet beyond the front corner(s) of the primary structure.

D. **Frontage Modifications.**

1. **Active front yard.** The permanent hardscape area should be constructed as a traditional covered porch or patio built to the following specifications.

   a. *Depth:* Minimum 8 feet.

   b. *Width:* Minimum 50% of the facade.

   c. *Elevation above grade:* Maximum 2.5 feet

d. *Roof type:* Consistent with primary structure.

E. **Streetscape standards.** *1

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
Roosevelt Street Alley west of 6th Ave. to 3rd Ave.	10'	15'	Minimum 75%	AFY, SD, DY, S	5'	6'
McKinley Street Alley west of 6th Ave. to 3rd Ave.	10'	15'	Minimum 50%	ALL	5'	10'
Fillmore Street Alley west of 6th Ave. to 3rd Ave.	10'	15'	Minimum 50%	ALL	5'	7'5"
6th Avenue Roosevelt St. to Fillmore St.	20'	25'	Minimum 50%	AFY, SD, DY, S	5'	6'
5th Avenue Roosevelt St. to Fillmore St.	20'	25'	Minimum 50%	AFY, SD, DY, S	5'	14'
4th Avenue Roosevelt St. to Fillmore St.	20'	25'	Minimum 50%	AFY, SD, DY, S	5'	15'
3rd Avenue Roosevelt St. to Fillmore St.	20'	25'	Minimum 50%	AFY, SD, DY, S	5'	15'

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

Date of Addition/Revision/Deletion - Section 1219

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+1 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

Section 1220. Townsend Park.

A. **Intent.** The primary intent of the Townsend Park Character Area is to transition between the mixed-use neighborhoods to the east, the McDowell Corridor to the north and the Downtown Gateway to the west. The area's special potential to connect these diverse adjacent areas can be realized through incorporating mixed-use/mid-rise developments that focus on office and cultural facilities. Given the proximity to the City's largest public library and the light rail corridor, a cultural focus in any new development is essential. As with any heavily accessed cultural area, the streetscape should contain inviting and comfortable parkway strips that offer easy links to nearby cultural facilities, parks and public transportation.

B. **Development Standards.**

1. **Maximum height.**
   - a. *Main building:* Governed by the height map, Section 1202.C.
     - (1) *Height bonus:* None.
   - b. *Accessory structures:* 30 feet.
2. **Maximum density.**
   - a. Governed by the density map, Section 1202.D.
     - (1) *Bonus:* Maximum 100% increase in density.
3. **Maximum lot coverage.**
   - a. *Lot coverage:* 75%.
     - (1) *Bonus:* Maximum 100% lot coverage.
   - b. *Accessory building*.
     - (1) *Maximum footprint:* 25% of net lot area.
4. **Minimum side and rear setbacks.**
   - a. *Primary building*.
     - (1) *Side:* 0 feet.
     - (2) *Rear:* 0 feet.
   - b. *Accessory buildings*.
     - (1) *Side:* 3 feet.
     - (2) *Rear:* 5 feet.
       - (A) The rear setback may be reduced to 0 feet if a fully dedicated alley is present.
5. **Required parking:** Governed by Section 1206.
   - a. *Parking bonus*.
     - (1) *Increase:* Maximum 50 percent.

(2) *Decrease:* Maximum 100 percent.

6. **Fences.**

a. *Side yard:* Maximum height six feet.

b. *Rear yard:* Maximum height six feet.

7. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards. +1

C. **Building Form Guidelines.**

1. Guidelines applicable to buildings taller than 65 feet in height. *1

a. *General guidelines*. *1

(1) Buildings above 65 feet should not have massing that is boxy, bulky, or elongated. *1

(2) Large floor plates should be articulated to break down the mass of the building, create "street interest" and enhance skyline character. *1

(3) Building towers should have a minimum separation of 20 feet. *1

(4) The reflectivity of windows should be limited to 20 percent. *1

b. *Base guidelines*. *1

(1) All buildings over four stories in height should be designed with a base that is differentiated from the remainder of the building in order to relate to the street. The base may be between one (1) and four (4) stories in height, and should be scaled to the immediate context.

(2) The base of a building(s) should be placed parallel, and not at an angle, to the street.

c. *Top*.

(1) The uppermost floors of high rise buildings should be articulated to achieve a distinctive skyline profile.

D. **Open Space Guidelines.**

1. For sites of 50,000 net square feet or larger, open space in an amount of at least five percent of the net lot area should be provided.

a. Open space should be a minimum 500 square feet with a minimum dimension of 20 feet.

b. The open space should connect or be visible from a Pedestrian Street. *1

c. *Landscape*.

(1) The portions of open space not landscaped should be surfaced in textured concrete, bricks, pavers, or similar material.

(2) *Fences/walls*.

(A) *Height:* Six feet maximum.

(B) *Materials:* Wrought iron, brick, or decorative masonry. *1

E. **Frontage Modifications.**

1. **Dooryard and stoop/door well.**

   a. Facades should exhibit varying building design to appear as multiple units.

   b. No more than two (2) consecutive facade designs should utilize the same color paint or method of articulation.

2. **Active front yard.** The permanent hardscape area should be constructed as a traditional covered porch or patio built to the following specifications.

   a. *Depth:* Minimum 8 feet.

   b. *Width:* Minimum 75% of the facade.

   c. *Elevation above grade:* Maximum 2.5 feet.

F. **Roof Type:** Consistent with primary structure.

G. **Streetscape Standards.** *1

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
McDowell Road 1st St. to east of 3rd St.	0'	5'	Minimum 75%	S	5'	None Required
Willetta Street 1st St. to 3rd St.	0'	10'	Minimum 50%	ALL	5'	15'
Culver Street 1st St. to 2nd St.	0'	10'	Minimum 50%	ALL	5'	15'
Moreland Street 1st St. to 3rd St.	0'	10'	Minimum 50%	ALL	5'	15'
1st Street McDowell Rd. to Willetta St.	0'	10'	Minimum 75%	S, SD, DY, GA	5' East 7' West	6' East West—None Required*
2nd Street McDowell Rd. to Culver St.	0'	10'	Minimum 75%	S, SD, DY, GA	5'	25'
3rd Street McDowell Rd. to Moreland St.	5'	15'	Minimum 75%	S, SD, DY, GA	5'	15'

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types
*Five-foot street side landscape required for developments with a net area greater than 20,000 square feet.

Date of Addition/Revision/Deletion - Section 1220
Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
+1 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

Section 1221. Van Buren.

A. **Intent.** The intent of the Van Buren Character Area is to establish a dense, vibrant, urban mixed-use area that is a center for commerce and high-rise urban living. This area comprises some of the tallest height entitlements within the City. The close proximity to government buildings and commercial offices makes this an ideal location for future hotels and iconic residential buildings with a strong urban focus. The active streetscape will connect the primarily residential neighborhoods to the north with the amenities and services provided within the Business Core and Van Buren Character Areas.

B. **Development Standards.**

1. **Maximum height.**
   - a. *Main building:* Governed by the height map, Section 1202.C.
     - (1) *Height bonus:* None.
   - b. *Accessory structures:* 30 feet.
2. **Maximum density.**
   - a. Governed by the density map, Section 1202.D.
     - (1) *Bonus:* 50%.
3. **Maximum lot coverage.**
   - a. *Lot coverage:* 55%.
     - (1) *Bonus:* maximum 100%.
   - b. *Accessory building*.
     - (1) *Maximum footprint:* 25% of net lot area.
4. **Minimum side and rear setbacks.**
   - a. *Primary building*.
     - (1) *Side:* Ten feet.
     - (2) *Rear:* Ten feet.

       Rear: Zero feet if adjacent to fully dedicated alley. +1
   - b. *Accessory buildings*.
     - (1) *Side:* 0 feet.
     - (2) *Rear:* 0 feet.
5. **Required parking:** Governed by Section 1206
   - a. *Parking bonus:*
     - (1) *Increase:* Maximum 50%.

(2) *Decrease:* Maximum 100%.

6. **Fences.**

a. *Side yard:* Maximum height 6 feet.

b. *Rear yard:* Maximum height 6 feet.

(1) When a fully dedicated alley is present view fencing shall be provided above 40 inches in height.

7. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards. +1

C. **Building Form Guidelines.**

1. Above 65 feet, tall buildings should not have massing that is boxy, bulky, and elongated.

2. Upper floors should be served by common entrance lobbies that should be accessed from the Pedestrian Street. *1

3. Large floor plates should be articulated to break down the mass of the building, create "street interest" and enhance sky line character.

4. Building towers should have a minimum separation of 20 feet.

5. The reflectivity of windows should be limited to twenty (20) percent.

6. The uppermost floors of high rise buildings should be articulated to achieve a distinctive sky-line profile.

7. **Base guidelines.**

a. All buildings over four stories in height should be designed with a base that is differentiated from the remainder of the building in order to relate to the street. The base may be between one and four stories in height, and should be scaled to the immediate context.

b. The base of a building(s) should be placed parallel, and not at an angle, to the street.

D. **Open Space Guidelines.**

1. For sites of 50,000 net square feet or larger, open space in an amount of at least five percent of the net lot area should be provided, except for properties that are required to develop the Taylor Street Pedestrian Paseo.

a. Open space should be a minimum 500 square feet with a minimum dimension of 20 feet.

b. The open space should connect or be visible from a Pedestrian Street. *1

c. *Landscape:*

(1) The portions of open space not landscaped should be surfaced in textured concrete, bricks, pavers, or similar material.

d. *Fences/walls.*

(1) *Height:* Six feet maximum.

(2) *Materials:* Wrought iron, brick, or decorative masonry. *1

E. **Taylor Street Pedestrian Paseo Standards.**

1. **Easement dedication.**

a. A 20-foot wide public pedestrian easement (hereafter referred to as "Paseo") shall be dedicated in accordance with the approved alignment as follows:

2. **Development standard bonus.**

a. Sites that are required to dedicate and construct the Taylor Street Paseo shall have no maximum lot coverage, maximum density requirements or required minimum open space.

3. **Deviation from approved alignment:**

a. The Paseo's alignment may be deviated by up to 50 feet either north or south of the approved alignment under the following conditions:

(1) The deviation shall not result in a misalignment of more than 90 feet.

(2) A north or south connector Paseo, designed in accordance with this section, shall be provided on site when a deviation results in more than 20 feet of misalignment within the block.

(3) The revised easement location shall be dedicated prior to final site plan approval.

4. A minimum of 50% of the ground floor along the Paseo shall be active uses.

5. The optional alignment can be used in place of the approved alignment. For sites with an optional alignment two easements are not required.

F. **Taylor Street Pedestrian Paseo Guidelines.**

1. An ADA compliant walkway a minimum of 8 feet in width and clear of obstructions should be provided within the Paseo.
2. The Paseo should be a minimum of 50 percent shaded at plant maturity.
3. The Paseo should be as straight as possible and avoid meanders.
4. Decorative paving (e.g. pavers, permeable pavement, colored and textured concrete) should be provided within the Paseo.
5. Building frontage along the Paseo should be maximized.
6. Ground floor active uses should be oriented to the Paseo.
7. Each ground floor commercial suite adjacent to the Paseo should provide a primary entrance on the Paseo side.
8. Building facades adjacent to the Paseo should be designed with the following elements:
   a. Clear glass windows (allowing at least 75 percent of visible light as specified by the manufacturer) for a minimum of 60 percent of the ground floor facade between three feet and eight feet.
   b. A minimum of one primary entrance on each Paseo frontage.
9. Parking (surface and structured) and vehicular maneuvering along the Paseo should be minimized.
10. The Paseo should be clearly separated from vehicular maneuvering areas.
11. A minimum 15-foot by 15-foot visibility triangle should be provided at any intersection with the Paseo and vehicular traffic.
12. Parking garage entrances/exits should be oriented to minimize vehicular traffic crossing the Paseo.
13. Paseo segments that cross drive aisles should provide a minimum 20-foot wide crosswalk demarcated to contrast with the drive aisle.
14. Fencing within 50 feet of the edges of the Paseo should not be higher than 40 inches. (excluding temporary fencing in accordance with subsection 18.).
15. Paseo segments that cross surface parking areas should be designed with the following elements:
    a. A minimum 8-foot wide grade separated walkway.
    b. A minimum of 6-foot wide landscape strips on each side of walkway (or 12 feet on one side).

16. The following lighting treatment should be provided within the Paseo:
    a. 15-foot maximum height of lighting fixtures.
    b. A minimum of 1-foot candle illumination should be maintained throughout the Paseo.
    c. Uniform lighting should be placed along entire Paseo, avoiding bright high glare areas and low visibility dark areas.
    d. Lighting within the Paseo should be illuminated from dusk until dawn.
17. One of the following identifying markers should be provided at each street entrance to the Paseo.
    a. Bollard path light.
    b. Public art.
    c. Decorative directional signage.
    d. Building design elements that emphasize the Paseo entrance.
18. **Temporary security gating.** In the event that a block's Paseo is not fully developed, temporary removable fencing may be erected at the entrances to the Paseo under the following conditions:
    a. A pedestrian gate is provided that is unlocked during business hours.
    b. A revocable permit is obtained.
    c. The fencing is removed upon completion of the block's Paseo.

G. **Streetscape Standards.** *1 *2

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
Fillmore Street Alley west of 7th Ave. to 7th Ave.	0'	5'	Minimum 50%	ALL	5'	7'
Fillmore Street 7th Ave. to 3rd Ave.	0'	5'	Minimum 50%	ALL	5'	10'
Van Buren Street 7th Ave. to 3rd Ave.	0'	5'	Minimum 75%	SF	5'	5'
Woodland Avenue 9th Ave. to alley west of 9th Ave.	12'	20'	Minimum 75%	AFY, SD, DY, S	5'	10'
Monroe Street 7th Ave. to 3rd Ave.	0'	5'	Minimum 75%	SD, DY, S	8'	10'
Adams Street 4th Ave. to 7th Ave.	0'	5'	Minimum 75%	SD, DY, S, GA	5'	10'
Adams Street 7th Ave. to 5th Ave.	0'	5'	Minimum 75%	SD, DY, S, GA	8'	5'
9th Avenue Adams St. to Van Buren St.	0'	5'	Minimum 50%	ALL	5'	20'

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
7th Avenue Adams St. to Fillmore St.	0'	5'	Minimum 75%	SD, DY, S	7'	7'
6th Avenue Adams St. to Van Buren St.	0'	5'	Minimum 75%	ALL	East 5' West 5'	East 5' West 8'
6th Avenue Van Buren St. to Fillmore St.	0'	5'	Minimum 50%	SD, DY, S, GA	East 5' West 5'	East 8' West 5'
5th Avenue Adams St. to Van Buren St.	0'	5'	Minimum 75%	ALL	7'	7'
5th Avenue Van Buren St. to Fillmore St.	0'	5'	Minimum 50%	SD, DY, S, GA	5'	10'
4th Avenue Monroe St. to Van Buren St.	0'	5'	Minimum 75%	ALL	7'	7'
4th Avenue Van Buren St. to Fillmore St.	0'	5'	Minimum 50%	SD, DY, S, GA	5'	15'
3rd Avenue Monroe St. to Van Buren St.	0'	5'	Minimum 75%	ALL	5'	5'
3rd Avenue Van Buren St. to Fillmore St.	0'	5'	Minimum 50%	SD, DY, S, GA	5'	10'
Taylor Street Paseo 7th Ave. to 3rd Ave.	0'	5'	Minimum 65%	SD, S	See Paseo Guidelines	See Paseo Guidelines

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

Date of Addition/Revision/Deletion - Section 1221

Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
+1 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*2 Revision on 3-1-2017 by Ordinance No. G-6287, eff. 4-1-2017

Section 1222. Warehouse.

A. **Intent.** The Warehouse Character Area is a unique urban neighborhood that offers a blend of old railroad charm and modern urban living. The unique old warehouse buildings provide design inspiration for the design of new buildings that complement the existing character. This area has unique sports and entertainment venues, in addition to dining and shopping opportunities that serve the entire region. This area should provide people with the ability to enjoy the character and authenticity of the area while being close to transit and the heart of the City.

B. **Development Standards.**

1. **Maximum height.**

   a. *Main building:* Governed by the height map, Section 1202.C.

      (1) *Bonus:* Maximum 50 percent or 140 feet.

         (A) A 30-year conservation easement to the City of Phoenix for structures with HP or HPL (Historic Preservation Landmark) zoning in the Warehouse Character Area may be used to obtain the maximum height bonus. Only when 90 percent of eligible structures are subject to 30-year conservation easements may the sustainability bonuses of Section 1223 be used to achieve any height increase. *1

2. **Maximum density.**

   a. Governed by the density map, Section 1202.D.

      (1) *Density bonus:* Maximum 100% increase.

3. **Maximum lot coverage.**

   a. *Lot coverage:* 100%.

      (1) Bonus: None.

4. **Minimum side and rear setbacks.**

   a. *Primary building*.

      (1) *Side:* 0 feet.

      (2) *Rear:* 0 feet.

   b. For new developments over 40 feet in height abutting a property in the Central Park Character Area, and not separated by a dedicated alley or street, the following additional requirements shall apply: +2

      (1) *Side:* Minimum 20-foot building setback, including a ten-foot landscape setback. The landscape setback shall be measured from the property line. +2

      (2) *Rear:* Minimum 20-foot building setback, including a ten-foot landscape setback. The landscape setback shall be measured from the property line. +2

(3) The building shall not exceed 40 feet in height when located between 20 and 30 feet of the side or rear property line. +2

(4) A stepback shall be required unless the proposed new development is located ten or more feet beyond the required setback line. A minimum stepback of ten feet in depth for the length/width of the building that is adjacent to the Central Park Character Area is required. The stepback shall be measured from the required side or rear yard setback line. +2

5. **Required parking:** Governed by Section 1206. (***Note:*** The Warehouse Character Area has no minimum parking requirement for nonresidential uses).

   a. *Parking bonus:*

      (1) *Increase:* 100%.

      (2) *Decrease:* 100% only for rental housing.

6. **Fences.**

   a. *Side yard:* Maximum height eight feet. *1

   b. *Rear yard:* Maximum height eight feet. *1

7. **Signage.** +1

   a. Signage in the Warehouse Character Area shall be governed by the regulations applicable to signs in the commercial districts of Section 705 of the Phoenix Zoning Ordinance. +1

(1) Signs projecting from the front of buildings shall be perpendicular to the street (i.e., 90-degree angle), with a maximum of one sign per entrance. All signs that extend into or over the public right-of-way shall require a revocable permit administered by the City of Phoenix prior to issuance of the sign permit. Each sign shall: +1

(A) Identify only one on-site business. +1

(B) Provide a minimum eight-foot clearance. +1

(C) Project no more than three feet into the public right-of-way. +1

(D) Be indirectly illuminated from a shielded light source (i.e., not backlit or cabinet sign). +1

(2) Awning signs shall be permitted by right. Awning signs shall have letters no more than ten inches in height. +1

(3) Signs painted on the building surface or letters mounted directly to the building surface should: +1

(A) Be a maximum of one square foot of signage for each lineal foot of building elevation to a maximum of 100 square feet. May have minimum of 40 square feet. +1

(B) Be at least half the vertical height of the letters to a building corner (vertical edge) or to a roofline. +1

(4) Windows visible from the public right-of-way shall not exceed a maximum of 20 percent of the windowpane area. +1

(5) Second-story businesses may only use a sign in a second-story window, or use a wall sign. Awning signs shall not be permitted on second-story windows. +1

(6) Corner buildings shall be allowed signage on each street frontage. +1

(7) Directional signs for accessory parking will be allowed to a maximum of six square feet per sign per driveway entrance. The maximum height of said directional signs is three feet. No more than 25 percent of the area may be devoted to business identification. +1

(8) The provisions of Section 705.C.6.d shall not apply within the Warehouse Character Area. +1

(9) Signs, banners, balloons, flags, guidons, and similar advertising devices otherwise prohibited by Section 705.C.2.a, b and c may be erected subject to a use permit in conjunction with special promotional events of a civic or commercial nature. No

more than 25 percent of the area may be devoted to corporate sponsorship identification. In addition to the standards enumerated in Section 705.F, findings of approval of the use permit shall include: +1

(A) The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development. +1

(B) When adjoining establishments participate in an event, a single request for a use permit may be filed. +1

(10) Wall signs on buildings designated Historic Preservation (HP) exceeding the applicable size or area regulations may be allowed by the Historic Preservation Commission in accordance with the procedure set forth in Section 812.C.3 and upon the additional finding that the proposed signage replicates the size, shape, and placement of the original wall signage. +1

(11) The following signs are prohibited: +1

(A) Those placed above or on top of any portion of the roof or front parapet or facade. +1

(B) Signs utilizing moving, flashing, or rotating lights or mechanisms, except as provided by a use permit. +1

(C) Freestanding signs or ground signs. +1

b. Signage may be increased by up to 25 percent by submitting a comprehensive sign plan as provided in Section 705.E of the Phoenix Zoning Ordinance. +1

C. **Building Form Guidelines.**

1. **Awnings and canopies.** Awnings and canopies extending over the public sidewalk should be incorporated into the design of new buildings, and should be suspended or cantilevered from the buildings. +1

2. **Parapets.** Simple parapet, cornice lines and projections are more compatible with existing warehouses and will add to the pedestrian character of the district. No more than three changes in plane at the top of the facade parapet should be incorporated into the design of the parapet using rectangular shapes and articulation. +1

3. **Window design.** Window openings should be recessed or articulated, particularly at the ground level. *1

4. **Architectural elements.** Architectural details should contribute to creating a coherent architectural building form concept that is in context with existing historic buildings or consistent with the design of the Character Area (e.g., exterior finish materials, architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting), particularly on the same block face. *1

5. Doors, windows, pilasters, cornices, arches and lintels should be articulated and expressed in a manner that is in context with existing historic buildings in the Character Area, particularly any buildings on the same block face. +1

6. Architecture and applied treatments that express corporate identity should be de-emphasized. Buildings should be unique structures that complement and blend with the surrounding context. *1

7. **Building materials.** *1

   a. New construction from finished grade to 65 feet shall use concrete, brick or other quality exterior-facing materials found on the structures in the Character Area that have been determined to have character value, such as load bearing walls (brick or block) and concrete post-and-beam structural systems. *1

   b. Brick veneer should give the appearance of structural brick. If used, brick tile applications shall use wraparound corner and bullnose pieces to minimize a veneer appearance. *1

   c. Stucco finishes shall be limited to no more than 25 percent of all facades (for new or remodel projects) visible from off site. +1

8. **Guidelines applicable to buildings taller than 65 feet in height.** *1

   a. *General guidelines*. *1

      (1) Buildings should not have massing that is boxy, bulky, or elongated. *1

      (2) Upper floors should be served by common entrance lobbies that shall be accessed from the Pedestrian Street. *1

      (3) Large floor plates should be articulated to break down the mass of the building, create "street interest" and enhance skyline character.

      (4) Building towers should have a minimum separation of 20 feet.

      (5) The reflectivity of windows should be limited to 20 percent.

      (6) The uppermost floors should be articulated to achieve a distinctive skyline profile. +1

D. **Prohibited Elements.**

1. The following materials are prohibited for new construction from finished grade to 65 feet in order to maintain the inherent character of the Warehouse Area, unless approved by the Design Review Committee: *1

   a. Metal or wood siding.

   b. Parabolic arches and other nongeometric forms.

   c. Backlit awnings or panels.

   d. Plastic and acrylic components used in awnings and other accessories.

2. The following architectural elements are prohibited from finished grade to 65 feet:

   a. *Angled building walls*. Walls not parallel or perpendicular to adjacent streets. This does not prohibit the use of angled building components at the street level to provide building articulation.

   b. Steeply pitched roofs (greater than 30 degrees) including mansard roof forms. *1

   c. Curtain-wall facades.

E. **Streetscape Standards.** *1

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
7th Avenue South of the train tracks to Grant St.	None	None	None	ALL	5'	None Required*
7th Avenue Grant St. to Sherman St.	0'	5'	Minimum 75%	S	5'	None Required*
6th Avenue Sherman St. to Grant St.	0'	20'	Minimum 50%	ALL	5'	7'
5th Avenue Alley south of Jackson St. to Madison St.	0'	5'	Minimum 75%	S	5'	7'
4th Avenue Sherman St. to Grant St.	0'	5'	Minimum 50%	ALL	5'	7'
4th Avenue Grant St. to Lincoln St.	0'	5'	Minimum 50%	ALL	5'	14'
4th Avenue Alley south of Jackson St. to Madison St.	0'	5'	Minimum 75%	S	5'	7'
3rd Avenue Grant St. to Jackson St.	0'	5'	Minimum 75%	S	5'	15'
2nd Avenue Grant St. to Lincoln St.	0'	5'	Minimum 50%	ALL	5'	18'
2nd Avenue Buchanan St. to Jackson St.	0'	5'	Minimum 50%	S	5'	5'
1st Avenue Grant St. to Madison St.	0'	5'	Minimum 75%	S	10'	(1)
Central Avenue Grant St. to Madison St.	0'	5'	Minimum 75%	S	8'	(1)
1st Street Grant St. to Buchanan St.	0'	5'	Minimum 50%	ALL	5'	(1)
1st Street Buchanan St. to Madison St.	0'	5'	Minimum 50%	ALL	6'	14'(1)
2nd Street Lincoln St. to alley south of Jackson St.	0'	5'	Minimum 50%	ALL	6'	15'
3rd Street South of Grant St. to Grant St.	0'	5'	Minimum 75%	S	6'	14'

Streetscape Standards Matrix						
Street Section	*Minimum Building Setback*	*Maximum Building Setback*	*Building Frontage*	*Allowed Frontage Types*	*Minimum Sidewalk Width*	*Minimum Streetscape Zone Width*
3rd Street Grant St. south to Railroad Row	0'	5'	Minimum 75%	S	6'	8'
4th Street Grant St. south to Character Area boundary	0'	5'	Minimum 75%	SD, DY, S	5'	None Required(2)
5th Street Grant St. to Lincoln St.	0'	5'	Minimum 50%	ALL	6'	8'
6th Street Lincoln St. to Buchanan St.	0'	5'	Minimum 50%	ALL	8'	5'
7th Street Lincoln St. to south of Grant St.	0'	5'	Minimum 75%	SD, DY, S	6'	8'
Madison Street 5th Ave. to 4th Ave.	0'	5'	Minimum 75%	SD, DY, S	5'	7'
Madison Street 1st Ave. to 1st St.	0'	5'	Minimum 75%	SD, DY, S	5'	7'
Jackson Street 5th Ave. to 1st St.	0'	5'	Minimum 75%	S	8'	As Established with Tree Wells(1)
Buchanan Street 3rd Ave. to 3rd St.	0'	5'	Minimum 75%	SD, DY, S	7'	5'
Lincoln Street 7th Ave. to 7th St.	0'	5'	Minimum 75%	SD, DY, S	7'	5'
Grant Street 6th Ave. to 2nd St. 3rd St. to 7th St.	0'	5'	Minimum 50%	ALL	5'	14'
Grant Street 2nd St. to 3rd St.	0'	5'	Minimum 75%	SD, DY, S	5'	14'
Sherman Street 7th Ave. to 4th Ave.	0'	5'	Minimum 75%	SD, DY, S	8'	6'

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

(1) Per plans approved by Street Transportation Department.

(2) Five-foot front yard landscape required for developments on lots with a net area greater than 20,000 square feet.

Date of Addition/Revision/Deletion - Section 1222

Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
+1 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*1 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
+2 Addition on 3-1-2017 by Ordinance No. G-6286, eff. 4-1-2017

Section 1223. Sustainability Bonus.

A. **Applicability.** The sustainability bonus system is designed to provide projects that exhibit environmentally friendly design and performance elements with additional entitlements. This system shall only be applied to projects that are located in Character Areas that allow such bonuses. *2

B. **Credit Categories.**

1. The bonuses shall apply only when permitted by the Character Area, and may be used in any or multiple credit categories. *1

   a. *Height increase*. The allowed bonus is an increase in height based upon the underlying allowed height.

Total Credits	*Allowed Bonus**
70+	50%
60+	40%
50+	30%
40+	20%
30+	10%
20+	5%

   b. *Density increase*. The allowed bonus is an increase based upon the number of allowed units allowed for a project.

Total Credits	*Allowed Bonus**
70+	100%
60+	80%
50+	60%
40+	40%
30+	25%
20+	10%

   c. *Lot coverage*. The allowed bonus additional lot coverage allowed in addition to the underlying maximum lot coverage.

Total Credits	*Allowed Bonus**
50+	50%
40+	25%
30+	15%
20+	10%
10+	5%

d. *Maximum parking increase*. The allowed bonus is an increase based upon the maximum parking allowed in Section 1206. *2

Total Credits	*Allowed Bonus**
50+	100%
40+	75%
30+	50%
20+	25%
10+	15%
5+	10%

e. *Minimum parking reduction*. The allowed bonus is a decrease based upon the minimum parking allowed in Section 1206

Total Credits	*Allowed Bonus**
25+	100%
20+	75%
15+	50%
10+	25%
5+	10%

C. **Sustainability Matrix.** *2

CREDIT DESCRIPTION AND QUALIFIERS	*OPTIONS*	*POSSIBLE CREDITS*
Provide vertical mixed-use development which shall include a combination of uses within a single structure. The combined square footage of all additional uses, excluding parking, but including uses such as retail, office, and residential, shall total a minimum 50% of the building's footprint (not total square footage).	2 Different Uses 3 Different Uses	5 10
Provide pedestrian amenities such as: lit bollards, waste receptacles (recycling and trash), clocks, way finding, benches, drinking fountains and decorative pedestrian lighting not higher than 15 feet. Provide active living amenities such as recreational structures within project common area (e.g., playground equipment, sports court, swimming pool, gymnasium). Must be in addition to required amenities.	4 Different Types of Amenities 5 Different Types of Amenities 6+ Different Types of Amenities	2 3 4

CREDIT DESCRIPTION AND QUALIFIERS	*OPTIONS*	*POSSIBLE CREDITS*
Shade surface parking spaces using vegetation, low-sloped structural shading with a minimum SRI of 29, or a similar material that achieves additional shading with high reflectivity. Excludes driveways and aisles.	30% of Spaces 40% of Spaces 50%+ of Spaces	6 8 10
Shade provided using solar structures for surface parking lot or other hardscape areas including rooftop parking.	30% of Spaces 40% of Spaces 50%+ of Spaces	12 16 20
Provide permeable paving, structured soil/grass, open grid paving or similar material which allows for water to permeate the surface to promote natural drainage and filtration. The calculation shall include on-site pedestrian walkways, private surface driveways and parking stalls. Shall not include loading areas.	20—40% Hardscape Surface Area 41—60% Hardscape Surface Area 61—80% Hardscape Surface Area 80%+ Hardscape Surface Area	3 4 5 6
Provide a reciprocal parking agreement for required parking to reduce or eliminate on-site parking.	25%+ of Required Parking	8
Uses nonpotable or gray water for required irrigation water.	25%—49% 50%+	3 6
Provide on-site renewable energy for the entire building's electricity from renewable sources, like wind, solar, geothermal, biomass or any similar source that is renewable. Based on the load of the service and the percent of load being provided by a renewable source.	1 Point for Each % of Building Energy Usage Being Provided	
Outperforms the currently adopted energy code standard by the following percentages. Measured by the percent (%) over required energy code standard.	5%—9% 10%—14% 15%+	5 10 15
Has a renewable energy purchasing agreement for the entire building for a minimum 5 years, which runs with the property and applies to the entire building(s). This agreement shall be recorded and submitted with the final site plan. Measured by percent (%) of power purchased to meet the energy demand for the building.	10%—35% 35%+	5 10

CREDIT DESCRIPTION AND QUALIFIERS	*OPTIONS*	*POSSIBLE CREDITS*
Provide additional bicycle amenities which shall be located in common areas of the site, and may include the following:		4
Commercial Use: Locker, shower, and/or tire air-up facilities. Required short- and long-term bicycle parking and other required amenities are excluded.	3 Types of Amenities 4+ Types of Amenities Shower	5 6 10
Residential: Provide bicycle amenities such as secure parking areas, locker, and/or tire air-up facilities for tenants. Number of amenities based on percent of total number of dwelling units.	2 Types of Amenities for 20% of the Dwelling Units	5 Per Each Increment
Exceed the minimum landscaping requirements by providing three-inch caliper or larger size trees. Landscaping must be visible and accessible by the public.	20%+ Above Required Plant Material Minimum 3" Caliper Size Trees	3 5
Preserve all viable large mature trees (over six-inch caliper) in place. Includes trees in the right-of-way along the frontage of the development.	Each Tree	1
Provide a minimum 30-year historic preservation conservation easement for the original footprint of a property zoned HP or HPL within the boundary of the Downtown Code as approved by the Historic Preservation Officer.	—	20
Rehabilitate a structure (including building stabilization) with HP or HPL zoning as approved by the Historic Preservation Officer. Building must be located within the boundary of the Downtown Code.	—	30
Incorporate public art that is a permanent installation that is visually or physically accessible by the general public.	Approved by Arts Commission	5
Provide civic space that is improved open space intended for use by the general public. Civic space is designed to the same standards as private open space in accordance with the Character Area, but differs by being located at the periphery of the site to be visually and physically accessible by the general public and is overlaid with a dedicated public access easement.	5%—8% Net Site Area 9%—12% Net Site Area 13%+ Net Site Area	6 8 10

CREDIT DESCRIPTION AND QUALIFIERS	*OPTIONS*	*POSSIBLE CREDITS*
Provide affordable housing units in the percentage shown with a deed restriction to ensure affordability for a minimum duration commensurate with the project funding agreement, as approved by the Phoenix Housing Department.	10%—24% 25%—49% 50%+	8 12 18
Provide shade for a minimum of 50% of occupiable roof areas.	—	5
Total Credits		**208+**

Date of Addition/Revision/Deletion - Section 1223

Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
*1 Revision on 11-3-2010 by Ordinance No. G-5562, eff. 12-3-2010
+2 Addition on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013
*2 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

Section 1224. Design Alternatives.

The Design Review Committee (DRC) shall oversee and approve design alternatives and sustainability bonus appeals. *1

A. A design alternative is a deviation from the prescribed standards and design guidelines that would result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject Character Area as approved by the DRC.

1. The following may be modified by the DRC up to 25 percent from the prescribed standards: including minimum/maximum setbacks; lot coverage; frontage type standards (but not frontage type); landscaping; and parking. *2
2. Substitute methods of meeting the intent of development guidelines may be also be approved by the DRC.
3. A design alternative shall be reviewed and acted upon by the DRC in accordance with the procedural requirements of Section 507 of the Phoenix Zoning Ordinance.
4. A certificate of approval from the DRC shall be included on the final site plan.

B. **Sustainability Bonus.** This is a deviation from the prescribed development standards that would result in a furtherance of the goals and policies of the Downtown Phoenix Plan. Height, density, lot coverage, minimum parking standards, maximum parking standards and required open space may be increased or decreased based upon earned credits outlined in Section 1223. Substitute methods of meeting the intent of specific credits may also be approved by the DRC with an appeal application. *1

1. Each sustainability bonus application shall include, at a minimum, the following:
   a. A listing of the credits that are being utilized and any support documentation (to be sealed by a licensed professional);
   b. Site plan;
   c. Building elevations;
   d. Context plan;
   e. A narrative statement describing any deviation from the prescribed credit(s) that indicates how the proposed standard is furthering the goals and policies of the Downtown Phoenix Plan and quantifiable improvement in the buildings performance;
   f. Such other information as may be required by the Planning and Development Director or DRC. *1
2. In order to approve a sustainability bonus, the City must make findings as follows: *1
   a. That the project is consistent with the intent stated for the subject Character Area;
   b. That the project is improving the overall performance of the building through generally accepted building and design standards and innovation; and

c. The increased entitlements are consistent with the improved performance of the building.

3. A sustainability bonus shall be reviewed and acted upon by the City in accordance with the procedural requirements of Section 507 of the Phoenix Zoning Ordinance. *1

4. In approving a sustainability bonus, the City may impose any reasonable conditions to ensure that the approval complies with the findings required above. *1

5. A certificate of compliance shall be included on the final site plan. *1

Date of Addition/Revision/Deletion - Section 1224

Addition on 2-17-2010 by Ordinance No. G-5480, eff. 3-19-2010
*1 Revision on 11-3-2010 by Ordinance No. G-5562, eff. 12-3-2010
*2 Revision on 1-16-2013 by Ordinance No. G-5777, eff. 2-15-2013

Chapter 13

WALKABLE URBAN CODE

Section 1301. Code administration. +1
Section 1302. Transect districts. +1
Section 1303. Transect lot standards. +1
Section 1304. General site development standards. +1
Section 1305. Frontage standards. +1
Section 1306. Land Use Matrix. +1
Section 1307. Parking standards. +1
Section 1308. Signage standards. +1
Section 1309. Landscape standards. +1
Section 1310. Open space improvements. +1
Section 1311. Design development considerations. +1
Section 1312. Character Areas. +1
Section 1313. Design and standards alternatives. +1

Section 1301. Code administration. +1

A. **Title.** The regulations within this chapter are known as the "Walkable Urban Code," and referred to in their entirety as "WU Code" or "this chapter" throughout Chapter 13.

B. **Purpose and Intent.** The primary purpose of this chapter is to implement the vision and policies of the Transit Oriented District (TOD) Policy Plans for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano; encourage an appropriate mixture and density of activity around transit stations; to increase transit ridership in general and along the Central Phoenix/East Valley Light Rail Corridor in particular; and to promote multiple modes of transportation. The secondary purpose of the Code is to improve pedestrian safety from crime, to avoid or mitigate nuisances, to promote the public health, to decrease automobile-dependence, and to mitigate the effects of congestion and pollution. These regulations seek to achieve these purposes by providing the following:

1. An increase of population and employment through infill development within transit oriented districts.
2. A walkable, bikeable, and transit supportive development environment.
3. The integration of auto-oriented and industrial uses with a complementary mix of land uses.
4. A high level of connectivity of pedestrian and vehicular routes, which entails small block sizes.
5. Comfortable, safe, and economically productive districts surrounding light rail stations, providing for walking and bicycling between and within the transect districts.
6. The protection of property value.

C. **Applicability.** The Walkable Urban Code may be applied and is limited to land uses, subdivisions, and development within the Reinvent PHX Transit Oriented District Policy Plans for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano. The boundaries of these areas are shown in the District Maps located in the Transit Oriented District Policy Plans for Gateway, Eastlake-Garfield, Solano, Midtown and Uptown.

1. When in conflict, text and numerical metrics in tables shall take precedence over diagrams and illustrations.
2. The Zoning Ordinance of the City of Phoenix applies in its entirety for properties subject to Chapter 13 except as follows:
   a. If a conflict occurs between requirements of the WU Code and the City of Phoenix Zoning Ordinance, the requirements of the WU Code shall prevail.
   b. Properties with Historic Preservation (HP) zoning are subject to the provisions of Chapter 8, Historic Preservation. In the event of a conflict between the provisions of Chapter 8 and Chapter 13, the provisions of Chapter 8 shall prevail.

D. **Approval Requirements.**

1. Development review approval must be obtained in accordance with Section 507 demonstrating compliance with the development standards and guidelines of this Code.

2. Any deviation from the WU Code standards or guidelines shall be approved in accordance with Section 1313.
3. Development plans submitted as Master Plans shall demonstrate compliance with the WU Code and in general conformance with Conceptual Master Plans within the TOD Policy Plan for the development area, as per Section 1304.G.2.
4. Gateway District properties within the TOD Policy Plans that were zoned commercial C-3 and A-1 light industrial districts prior to the time of rezoning to the WU Code are allowed to have general commercial, industrial or manufacturing uses identified in Section 1312.A.
5. Existing structures and land uses established legally at the time of adoption of this Code shall be subject to the provisions of Chapter 9, Nonconformities, if they do not meet the regulations in Chapter 13.
6. Walkable Urban Code building design and shade structures are allowed reduced requirements if the WU Code conflicts with the City of Phoenix adopted Building Code and the design meets the Building Code.
7. **Transect District Building Height.** Allowable building height will be determined through outreach with residential and commercial property owners, and neighborhood associations. Building height analysis will include consideration of existing zoning entitlements and the Transit District Policy Plan (including recommended number of stories).

Date of Addition/Revision/Deletion - Section 1301
+1 Addition on 7-1-2015 by Ordinance No. G-6047, eff. 7-31-2015

Section 1302. Transect districts. +1

A. **The Transect.** The Transect, as a framework, identifies a range of standards that encourage development that supports the levels of diversity, intensity and form that best integrate with surrounding neighborhoods while facilitating urban, pedestrian-supported transit oriented projects.

The WU Code consists of 12 transect districts and a special district option. These transect districts vary by the level and intensity of their physical and social character, providing immersive contexts from less intense to more intense urban development. The following transect districts are created based on each district's intensity of development, coordinating use, height, setback, parking location, streetscape, and other built elements:

1. **T3:2 District.** Low-intensity residential fabric characterized primarily by single-family homes and duplexes in relatively large lots with deep setbacks. Home occupations are permitted.
2. **T4:2 and T4:3 Districts.** Low-intensity urban residential fabric characterized by single-family homes, duplexes, single-family attached and small multifamily developments, averaging 30 feet to 40 feet in height. Home occupations are permitted.
3. **T5:2 and T5:3 Districts.** Low-intensity urban mixed-use fabric characterized by small main street scale commercial areas, adaptive reuse of single-family homes to retail, office uses and

dining establishments, and mixed-use residential developments incorporating a broad mix of frontage types, averaging 30 feet to 48 feet in height.

4. **T5:5, T5:6 and T5:7 Districts.** A medium-high-intensity mixed-use fabric characterized by a broad mix of buildings that integrate retail, offices, live-work and residential units adjacent to the Light Rail Corridor, averaging 56 feet to 100 feet in height.

5. **T6:7, T6:15 and T6:22 Districts.** A high-intensity mixed-use urban fabric characterized by large footprint high rise buildings averaging 100 feet to 250 feet in height adjacent to the Light Rail Corridor. Buildings have the highest intensity of uses, integrating office, commercial and residential uses. Development may incorporate forecourts and open spaces available to the public.

6. **T6:HWR District.** A height waiver, high-intensity fabric characterized by mixed-use buildings with large footprints and/or towers with existing and any new height waiver entitlements beyond T6:22.

7. **Special Districts (SD).** Assigned to sites that, by their intrinsic size, function, configuration, or approved entitlements, cannot conform to or be regulated by the requirements of any transect or combinations of transects, or when existing development is regulated by special plans. Special districts are reserved for functions including but not limited to hospitals, colleges and universities, civic spaces, transportation facilities and airports.

B. **Transect District Boundaries.** Where uncertainty exists as to the boundaries of the transect districts shown on the Zoning Map, the following rules apply:

1. Where a transect district boundary is located within or along a right-of-way, the boundary line is deemed to be along the centerline of the right-of-way.

2. Where a transect district boundary is shown as approximately following lot lines, the boundary line is deemed to coincide with such lot lines.

Date of Addition/Revision/Deletion - Section 1302
+1 Addition on 7-1-2015 by Ordinance No. G-6047, eff. 7-31-2015

Section 1303. Transect lot standards. +1

A. **General Lot Standards.**

1. The single-family attached development option (SFA) is allowed in all transect districts except T3:2 and must meet Sections 608.F.5 and 615, Table B.

2. Development in T4, T5 and T6 shall follow the same setback and stepback standards as the single-family attached development option. If development is adjacent to a single-family zoning district (Sections 611, 613) or historic preservation designated property or district the following additional requirements shall apply:

   a. Minimum ten-foot landscape setback, except for single-family detached dwellings.

   b. Stepback provision shall not exceed maximum 75-foot setback from rear and side property lines for building height before maximum height allowed.

3. The minimum side and rear yard setback requirements in Table 1303.1 shall apply to all structures 48 feet height or greater:

TABLE 1303.1 SETBACK REQUIREMENTS. BUILDINGS OVER 48 FEET.

BUILDING HEIGHT	Rear and side setbacks, if adjacent to the following: R1-10, R1-8, R1-6, and historic preservation properties and districts.
40—80 feet	Minimum 25-foot building setback from property line.
80 feet and above	Minimum 30-foot building setback from property line plus one-foot setback for each two-foot increase in height, up to 75 feet setback.

4. Modifications per Section 1312.
5. **Height Restrictions.** In no event can the height exceed the airport height limit in accordance with FAA height restrictions.
6. **Primary Frontages.** Lot lines abutting a right-of-way are designated as primary frontage line or secondary frontage line as follows:
   a. For lots abutting a right-of-way along a single lot line, the abutting lot line is designated the primary frontage.
   b. For lots abutting rights-of-way along multiple streets right-of way, primary frontage is designated by the Planning and Development Department, all remaining frontages are designated secondary frontages.
   c. For through lots, primary frontage requirements pertain to frontages on both thoroughfares.

B. **Transect Setbacks and Lot Standards.**

TABLE 1303.2 TRANSECT T3

BUILDING LOT STANDARDS

MAIN BUILDING SETBACKS			PARKING SETBACKS		
a	Primary Frontage	20-foot minimum	h	Primary Frontage	30-foot minimum
b	Secondary Frontage	12-foot minimum	i	Secondary Frontage	8-foot minimum
c	Side Lot Line	3-foot and 10-foot minimum	j	Side Lot Line	5-foot minimum
d	Rear Lot Line	20-foot minimum	k	Rear Lot Line	5-foot minimum
ACCESSORY BUILDING SETBACKS			**LOT REQUIREMENTS**		
e	Secondary Frontage	12-foot minimum		Lot Coverage	60% maximum
f	Side Lot Line	5-foot minimum		Primary Building Frontage	50% minimum
g	Rear Lot Line	3-foot minimum		Secondary Building Frontage	n/a

BUILDING FRONTAGE

FRONTAGE TYPES ALLOWED	
Primary Frontage	Porch, patio, stoop or alternative frontages as per Section 1305.B.1.c
Secondary Frontage	Porch, patio, stoop, alternative frontages as per Section 1305.B.1.c or none
Entry Requirements	Building entries are not required along secondary frontages
Minimum Glazing on Residential Building Frontages Facing Street Right-of-Way, as per Section 1305.B.2.	
Ground Floor	20%
Second Floor	20%, 5% East and West
Upper Floors	n/a

TABLE 1303.2 TRANSECT T3 (Continued)

BUILDING HEIGHT		
a	Main Building	30-foot maximum
b	Accessory Buildings	30-foot maximum

TABLE 1303.2 TRANSECT T4

BUILDING LOT STANDARDS

MAIN BUILDING SETBACKS			PARKING SETBACKS		
a	Primary Frontage	20-foot maximum	h	Primary Frontage	30-foot minimum or behind building (whichever is less restrictive)
b	Secondary Frontage	8-foot maximum	i	Secondary Frontage	8-foot minimum, landscaping setback along the entire parking frontage
c	Side Lot Line (1)	0-foot minimum	j	Side Lot Line (2)	0-foot minimum
d	Rear Lot Line (1)	0-foot minimum	k	Rear Lot Line (2)	0-foot minimum
(1) Setbacks requirements as per Section 1303.A.2 when adjacent to single-family residential districts and historic properties or districts.			(2) Requirements per Section 1307.F.2.a when adjacent to single-family residential districts and historic properties or districts.		
ACCESSORY BUILDING SETBACKS			**LOT REQUIREMENTS**		
e	Secondary Frontage	8-foot minimum		Lot Coverage*	70% max.
f	Side Lot Line	0-foot minimum		Primary Building Frontage	60% minimum
g	Rear Lot Line	3-foot minimum		Secondary Building Frontage	n/a

TABLE 1303.2 TRANSECT T4 (Continued)

BUILDING FRONTAGE		
FRONTAGE TYPES ALLOWED		
Primary Frontage	Porch, patio, stoop, forecourt or alternative frontages as per Section 1305.B.1.c	
Secondary Frontage	Porch, patio, stoop, forecourt or alternative frontages as per Section 1305.B.1.c	
Entry Requirements	Building entries are optional along secondary frontages	
Minimum Glazing on Building Frontages Facing Street Right-of-Way, as per Section 1305.B.2.		
Ground Floor	25%	Exceptions identified in Section 1312
Second Floor	25%, 10% East and West	
Upper Floors	n/a	

BUILDING HEIGHT AND STEPBACKS			
BUILDING HEIGHT			**BUILDING STEPBACKS**
a	Main Building	T4:2 30-foot maximum T4:3 40-foot maximum SFA: 48-foot maximum	Required for SFA as per Sections 1303.A.1 and 2
b	Accessory Buildings	T4:2 30-foot maximum T4:3: 40-foot maximum 30-foot maximum when adjacent to single-family residential districts or historic preservation districts or properties	

** Lot coverage maximum may be modified for SFA development option.*

TABLE 1303.2 TRANSECT T5

BUILDING LOT STANDARDS

MAIN BUILDING SETBACKS			PARKING SETBACKS		
a	Primary Frontage	12-foot maximum	h	Primary Frontage	30-foot minimum or behind building
b	Secondary Frontage	10-foot maximum	i	Secondary Frontage	20-foot minimum, 10-foot landscape setback from street right-of-way
c	Side Lot Line (1)	0-foot minimum	j	Side Lot Line (2)	0-foot minimum
d	Rear Lot Line (1)	0-foot minimum	k	Rear Lot Line (2)	0-foot minimum
(1) Setbacks requirements as per Sections 1303.A.2 and 3 when adjacent to single-family residential districts and historic properties or districts.			(2) Requirements per Section 1307.F.2 when adjacent to single-family residential districts and historic properties or districts.		
ACCESSORY BUILDING SETBACKS			**LOT REQUIREMENTS**		
Accessory buildings are subject to the setback standards of main buildings.				Lot Coverage*	80% maximum
				Primary Building Frontage	70% minimum
				Secondary Building Frontage	50% minimum

BUILDING FRONTAGE

FRONTAGE TYPES ALLOWED	
Primary or Light Rail Frontage	All frontages or alternative frontages as per Section 1305.B.1.c
Secondary Frontage	All frontages or alternative frontages as per Section 1305.B.1.c

TABLE 1303.2 TRANSECT T5 (Continued)

Entry Requirements	Common Entry: Minimum one per 50 feet of primary building frontage and one per 80 feet of secondary frontage. Other frontages as per Table 1305.1		
Minimum glazing shall apply to commercial building frontages only, as per Section 1305.B.2. For residential products T4 glazing standards shall apply.			
Ground Floor	75%. Modifications as per Table 1305.1 and Sections 1305.B.2 and 1312.A. Exceptions for Transit Gateway Character Area per Sections 1312 and 1305.B.2.a.(3)		
Second Floor	45%, 25% East and West		
Upper Floors	25%, 15% East and West		
BUILDING HEIGHT AND STEPBACKS			
BUILDING HEIGHT		**BUILDING STEPBACKS**	
T5:2	30-foot maximum		
T5:3	48-foot maximum		
T5:5	56-foot maximum		
T5:6	80-foot maximum		
T5:7	100-foot maximum	At 48-foot of height	Minimum 20-foot stepback adjacent to single-family residential districts or HP district or properties
Parking structures	Cannot exceed building height	Minimum 20-foot stepback adjacent to single-family residential districts or HP district or properties if over 40 feet	

* *a. Lot coverage maximum may be modified for SFA development option.*

b. Lot coverage maximum may vary depending on setback requirements when adjacent to existing single-family residential districts and historic preservation properties or districts.

TABLE 1303.2 TRANSECT T6

BUILDING LOT STANDARDS

MAIN BUILDING SETBACKS			PARKING SETBACKS		
a	Primary or Light Rail Frontage	12-foot maximum	h	Primary Frontage	24-foot minimum or behind building
b	Secondary Frontage	10-foot maximum	i	Secondary Frontage	20-foot minimum
c	Side Lot Line (1)	0-foot minimum	j	Side Lot Line (2)	0-foot minimum
d	Rear Lot Line (1)	0-foot minimum	k	Rear Lot Line (2)	0-foot minimum
(1) Setbacks requirements as per Sections 1303.A.2 and 3 when adjacent to single-family residential districts and historic properties or districts.			(2) Requirements per Section 1307.F.2 when adjacent to single-family residential districts and historic properties or districts.		

ACCESSORY BUILDING SETBACKS	LOT REQUIREMENTS	
Accessory buildings are subject to the setback standards of main buildings.	Lot Coverage*	90% maximum
	Primary Building Frontage	80% minimum
	Secondary Building Frontage	70% minimum

BUILDING FRONTAGE TYPES

FRONTAGE TYPES ALLOWED	
Primary or Light Rail Frontage	Common entry, storefront, arcade, gallery or alternative frontages as per Section 1305.B.1.c
Secondary Frontage	Common entry, storefront, arcade, gallery or alternative frontages as per Section 1305.B.1.c
Entry Requirements	One per 50 feet of primary building frontage and one per 80 feet of secondary frontage

TABLE 1303.2 TRANSECT T6 (Continued)

Minimum glazing shall apply to commercial building frontages only, as per Section 1305.B.2. For residential products T4 glazing standards shall apply.	
Ground Floor	75%. Modifications as per Table 1305.1 and Sections 1305.B.2. Exceptions for Transit Gateway Character Area per Section 1312
Second Floor	45%, 25% East and West
Upper Floors	25%, 15% East and West

* *a. Lot coverage maximum may be modified for SFA development option.*

b. Lot coverage maximum may vary depending on setback requirements when adjacent to existing single-family residential districts and historic preservation properties or districts.

BUILDING HEIGHT AND STEPBACKS				
BUILDING HEIGHT			**BUILDING STEPBACKS**	
	T6:7	100-foot maximum	At 48 feet of height	Minimum 20-foot stepback adjacent to single-family or HP district/ neighborhood
	T6:15	180-foot maximum	At 48 feet of height	Minimum 20-foot stepback adjacent to single-family or HP district/ neighborhood.
	T6:22	250-foot maximum	At 48 feet of height	Minimum 30-foot stepback adjacent to single-family or HP district/ neighborhood.
			At 120 feet of height	Minimum 20-foot stepback adjacent to single-family or HP district/ neighborhood.
	Parking structure	Cannot exceed building height	At 48 feet	Minimum 20-foot stepback if no liner building

TABLE 1303.2 TRANSECT T6 (Continued)

Sites with existing height waiver entitlements shall comply with stipulations and standards of the zoning case that approved the height entitlement prior to adoption of the WU Code. New development plans for existing and new height waiver entitlement properties shall demonstrate conformance to the T6 Transect and in general conformance with Conceptual Master Plans within TOD Policy Plans. Deviation from the WU Code and District Plans shall be approved in accordance with Section 1313.

C. **Special District Transect (SD).** *Applicability.* This subsection includes standards affecting sites with specific plans, or other existing entitlements other than just height. Special District Transect (SD), as per Section 1302.A.7.

1. **Uptown District.**

   a. *Phoenix Indian School Special District.*

      (1) All development within the boundaries of the SD Transect shall conform to the standards of the Phoenix Indian School Specific Plan.

      (2) Any alterations to the existing stipulations and standards may require an amendment to the specific plans or amendment of the applicable zoning case stipulation.

      (3) New development plans shall demonstrate conformance to the WU Code and in general conformance with the Conceptual Master Plan within the Uptown TOD Policy Plan. Deviation from the District Plans shall be approved in accordance with Section 1313.

   b. *Windsor Square Special District.*

      (1) Development within the boundaries of the Windsor Square Neighborhood should conform to the standards of the Windsor Square Neighborhood Conservation Plan.

      (2) Any alterations to the standards may require an amendment to the Windsor Square Neighborhood Conservation Plan.

      (3) New development plans shall demonstrate conformance to the WU Code and in general conformance with the Conceptual Master Plan within the Uptown TOD Policy Plan.

2. **Midtown District.** Reserved.

3. **Solano District.** Reserved.

4. **Eastlake-Garfield District.** Reserved.

5. **Gateway District.** Reserved.

Date of Addition/Revision/Deletion - Section 1303
+1 Addition on 7-1-2015 by Ordinance No. G-6047, eff. 7-31-2015

Section 1304. General site development standards. +1

A. **Block Size.** For all new development, the maximum continuous length of blocks, measured along the centerline of the street, and between intersecting street centerlines, shall not exceed 600 feet unless conditions of Section 1304.G.2 are met.

B. **Building Placement.** Buildings must be set back from lot boundaries as specified in Tables 1303.1 and 1303.2, and according to the following:

1. Frontage setbacks may be expanded or reduced by as much as 20 percent in order to match adjacent frontage setbacks.
2. For corner lots, see Section 31-13 of the City Code.
3. Planning and Development Department staff have the authority to modify the setback measurements identified in each transect district up to 20 percent to accommodate existing conditions or a design solution consistent with a pedestrian environment.
4. Where public utility easements conflict with required setbacks or build to dimensions, the measurement can be taken from the back of the easement.

C. **Building Design.**

1. All sides of a structure should exhibit design continuity and contain multiple exterior accent materials that exhibit quality and durability.
2. Visible side and rear building facades should have a level of trim and finish compatible with the front facade.
3. Monotonous building elevations should be avoided, building accents should be expressed through differing materials or architectural detailing rather than applied finishes such as paint, graphics, or forms of plastic or metal panels.
4. Multiple buildings on the same site should borrow and incorporate (not duplicate) architectural styles, materials, forms, features, colors and compatible elements from the same site. These should include: continuation of distinctive rooflines, covered walkway alignments, consistent detailing of finish, accent features on all visible sides of structures, compatible shapes, material, wall and landscaping treatment.
5. The orientation of buildings, windows and balcony features should not significantly reduce or infringe on the existing privacy of adjacent single-family or multifamily residential districts.

D. **Lighting Requirements.** Lighting standards from Section 507 Tab A.II.A.8 and Section 23-100 of the City Code shall apply.

E. **Canal Banks.** Standards from Section 507 Tab A.II.E.2 shall apply for projects adjacent to the Grand Canal. Building height may be measured from the canal bank grade.

F. **Building and Shade.**

1. A minimum of 75 percent of the sidewalk or pedestrian way should be shaded.
   a. Shade calculations shall be based on the summer solstice at 12:00 p.m.

b. Shade cast from a building may count towards shade calculations.

2. Developments should include shading along their entire right-of-way frontage, excluding driveways, loading, and service berths.

3. Required shade can be accomplished by one or a combination of the following methods:

a. Landscape and shade trees within the front setback, as per Section 1309.B.

b. Structural shade elements, trellises, or covered walkways attached to the primary building. Depth should be a minimum of six feet measured from any point of ground floor facade to the exterior column or vertical plane of the overhang. The maximum head clearance should not exceed 20 feet measured from finish grade.

c. Detached shade structures should be a minimum of six feet in depth and a minimum of 16 feet in height and should incorporate architectural elements and design of the primary structure. Footers should be a minimum six feet from public utilities, measured from the outside of the utility.

d. Structures within six feet of a public utility (water/sewer line) should have a minimum 16-foot clear height and be removable.

e. Any projections into public right-of-way should be permitted only upon issuance of an encroachment permit as administered by the City of Phoenix and, if applicable, approval from affected public utility companies.

4. Private and/or public open space shade requirements per Section 1310.

G. **Large Scale Development Requirements.**

1. Large developments are intended to create and reinforce pedestrian urban environments with a mix of housing, civic, retail and service choices within a compact, walkable, and transit oriented environment, in order to provide greater integration of public and private improvements and infrastructure, and to enable thoroughfare connectivity.

2. Block length exceeding the maximum block length permitted under Section 1304.A, or assemblages over five acres in size, are permitted under the following conditions:

a. Master Development Plans must be provided to the Planning and Development Department.

b. Plans should include a mix of housing and mixed-use types.

c. At least five percent of its aggregated lot area shall be provided as an open space available to the public. Developer shall be responsible for the construction and maintenance of the open space available to the public.

d. The plan shall include improvements to thoroughfares and pedestrian access.

(1) Thoroughfares may include existing alleyways and cross-block access within the development.

(2) Pedestrian ways/paseo for circulation, access and connectivity should be provided at:

(A) Any point along a frontage that is more than 300 feet from a thoroughfare intersection or existing pedestrian way;

(B) Cross-block access when the lot is a through lot;

(C) Lots other than through lots should provide a pedestrian paseo up to the mid-block shared lot line or alley. Where existing pedestrian access exist on adjacent lots, they should be completed.

H. **Pedestrian Accessway Guidelines.** Pedestrian ways, including paseos, should meet the following minimum standards:

1. Pedestrian ways should be open for public access from 7:00 a.m. to 10:00 p.m., or during the public hours of any off-street parking areas to which they provide access, whichever is longer.
2. Pedestrian ways should be a minimum of ten feet in width or a minimum of six feet in width when combined with a thoroughfare, or when provided as improved pedestrian alley access.
3. Pedestrian ways don't have to be straight, but should be entirely visible from one or both of the thoroughfares or private accessways which they connect.
4. All ADA guidelines shall apply.
5. Lighting should be provided to ensure safety and security. The following lighting treatment should be provided within pedestrian ways and paseos:
   a. Fifteen-foot maximum height of lighting fixtures.
   b. A minimum of one foot candle illumination should be maintained throughout the paseo.
   c. Uniform lighting should be placed along entire paseo to avoid bright high glare areas and low visibility dark areas.
6. One of the following elements should be provided at each street entrance to the paseo:
   a. Bollard path light.
   b. Public art.
   c. Decorative directional signage.
   d. Building design elements that emphasize the paseo entrance.
7. Alternative paving materials such as permeable pavers, porous concrete or similar materials should be used for on-site hardscaping to reduce urban heat island effect, and to allow natural drainage and filtration.

I. **Access/Circulation.**

1. All requirements of Section 507 Tab.A.II.A.6.3 shall apply except Section 507 Tab.A.II.A.6.3.1.
2. Private driveways and off-street parking should be accessed from alleys as much as possible.
3. The entrances to alleys should be directed away from the primary frontages of T5 and T6 lots, except where it is unavoidable that they cross such a frontage.

4. Vehicular maneuvering in an alley is allowed if no single-family or historic preservation zoned district or historic neighborhood is adjacent to the alley.

Date of Addition/Revision/Deletion - Section 1304
+1 Addition on 7-1-2015 by Ordinance No. G-6047, eff. 7-31-2015

Section 1305. Frontage standards. +1

A. **Applicability.** Standards and frontage types in this section regulate the area between the property line and the front facade of a building in order to support an urban, pedestrian and transit oriented environment within the boundaries of the WU Code.

LESS URBAN CONDITION	MORE URBAN CONDITION

B. **Frontage Types.**

1. Frontage types are limited to Table 1305.1, with the following exceptions:
   a. Building facades may include multiple frontage types along their length.
   b. Frontage types may be different at primary and secondary frontages.
   c. Planning and Development Department staff may consider a frontage design alternative when the design meets the intent of pedestrian and transit oriented frontages and facades. Appeals beyond staff level may be filed by applicants to the Design Review Committee per Section 1313.
2. **Building Facades.**
   a. Building facades shall be designed to provide a sense of human scale at the ground level by providing a clear architectural distinction between the ground floor and all additional stories.
      (1) All structures, except where residential uses are on the ground floor, should utilize clear windows. A clear window is a window that will allow a minimum of 75 percent of the visible light (as specified by the manufacturer) to be visible on either side of the window.

(2) Ground floor blank walls visible from the public sidewalk should not exceed 20 linear feet without being interrupted by a window, or variation in building treatment or design.

(3) Facade treatments should be provided when the minimum glazing cannot be achieved, or when the blank wall facade exceeds a continuous 20 linear feet. Treatments can be achieved through a combination of artwork, interactive displays, architectural features, landscape and trellises, with a minimum size of 30 square feet per 20 linear feet of blank wall. Shadow boxes are permitted for art houses and cinemas.

(4) Mirrored and reflective glass are prohibited.

(5) Religious assembly building facades are exempt from the minimum glazing requirement.

(6) Grocery store frontages shall provide a minimum of 60 percent glazing along the ground floor of a primary frontage or Light Rail Corridor. Fifty percent minimum glazing required on the ground floor of secondary frontages.

(7) Glazing to be measured between three and eight feet above grade for the entire width of the building facade.

3. **Building Entrances.**

a. All pedestrian entrances should be defined by the use of distinctive materials and architectural elements.

b. The primary building entry should be located within the primary frontage. Interior spaces of each building should be as directly accessible as possible from frontages.

c. Building frontages on arterials should be oriented to the arterial frontage. The preferred arrangement is to front facades directly adjacent to the sidewalk.

4. **Projections in the Right-of-Way** as follows:

a. Where public utility easements, water/sewer lines or irregular lot lines cause conflicts with specific frontage types and frontage setback types, Planning and Development staff may modify numeric setback and landscape requirements up to 20 percent and allow build to dimensions to be taken from the back of the public utility easement.

b. A minimum 16-foot height clearance needed from public water/sewer lines, unless shade is retractable or an encroachment permit is secured as administered by the City of Phoenix.

5. **Projections into Frontage Setbacks.**

a. Underground parking within frontage setbacks is not considered a projection; provided, that the underground structure is not visible from the sidewalk or frontage.

b. Maximum projection by porches, patios, balconies and port-cocheres into the required building setback on T3 and T4, not on arterial or light rail streets:

(1) Primary frontage: ten feet.

(2) Secondary frontage: five feet.

(3) Bay and bow windows may project into the frontage setbacks up to three feet.

c. Shading devices, attached or detached to facades, may project into frontage setbacks as follows:

(1) In T3 and T4, may project into any required setback up to ten feet.

(2) In T5 and T6, shading devices may project into any required setback up to the lot line, but not beyond the lot line unless an encroachment permit is obtained as administered by the City of Phoenix.

6. Corner lots abutting an arterial street and along the Light Rail Corridor should enhance the pedestrian and transit oriented environment through at least one of the following:

a. Distinctive massing, angled or rounded building corners, courtyards and plazas;

b. Architectural features, colors and materials, public art;

c. Public entrances should be defined by the use of distinctive materials and colors, and architectural elements;

d. Primary entrances should be at the corner or facing both streets.

TABLE 1305.1 FRONTAGE TYPES

FRONTAGE: PORCH		
Entry Grade	Maximum of five feet above adjacent grade.	
Requirements	(a) Placement: porch is required at the primary building entry. (b) A primary building entrance per unit is required when fronting a street. (c) Minimum depth: six feet. (d) Minimum width: 50 percent of the facade. (e) Porches and related structures may project into frontage setbacks as per Section 1305.B.5.	
FRONTAGE: STOOP AND DOOR WELL		
Entry Grade	A minimum of 24 inches and a maximum of 60 inches elevation above or below sidewalk grade required. Maximum elevation may be increased if frontage designs incorporate patios and as access to second story.	
Requirements	(a) A stoop with a primary building entrance per unit is required when fronting a street. (b) Minimum area: 24 square feet. (c) Minimum stair width: 36 inches. (d) Stoops and related structures may project into frontage setbacks no more than 30 percent of their depth in T3 and 100 percent in T4 and T5.	

TABLE 1305.1 FRONTAGE TYPES (Continued)

FRONTAGE: PATIO		
Entry Grade	36-inch maximum from sidewalk grade.	
Requirements	(a) Patio is required at the main building entrance and a primary entrance shall be provided along each frontage. (b) Patios may encroach no more than six feet into frontage setbacks. (c) Minimum depth of eight feet. (d) Minimum area: 64 square feet. (e) Patio should be enclosed on each side. Fencing requirements as per Section 1305.C. (f) The area between the property line and main facade of the building which is not improved with permanent hardscape shall be planted with live vegetation ground coverage and shrubs excluding hardscape for pedestrian amenities.	
COMMON ENTRY		
Entry Grade	Up to 60-inch maximum from sidewalk grade.	
Requirements	(a) A single collective entry to a multi-tenant lobby is required at the primary building entrance. (b) If the frontage includes a stoop entrance: Stoop minimum dimension: six feet. Minimum area: 36 square feet. (c) Stoops and related structures may project into frontage setbacks no more than 30 percent of their depth in T3 and 100 percent in T4 and T5. (d) Canopies and awnings are permitted to project into frontage setbacks up to 100 percent of their depth.	

TABLE 1305.1 FRONTAGE TYPES (Continued)

STOREFRONT		
Entry Grade	At sidewalk grade.	
Requirements	(a) Each ground floor storefront should provide a primary entrance that directly connects to the street. (b) Display windows may project into frontage setbacks no more than five feet. (c) Ground floor glazing: Minimum of 75 percent of the storefront area along a primary street ground floor frontage. Minimum of 50 percent on secondary street ground floor frontage.	
Storefront Guidelines	(d) Building entries may be recessed from the facade up to eight feet in depth. (e) Awnings may project into frontage setbacks up to 100 percent of their depth. (f) Awnings may encroach into the public right-of-way, covering the sidewalk, with an appropriate permit. A minimum 16-foot height clearance should be provided from public water/sewer lines.	

TABLE 1305.1 FRONTAGE TYPES (Continued)

GALLERY		
Entry Grade	At sidewalk grade.	
Requirements	(a) A gallery is required along a minimum of 80 percent of the frontage. (b) Minimum depth: ten feet. (c) Minimum height clearance: ten feet. Minimum 16-foot clearance needed from public water/sewer lines. (d) Ground floor glazing: Minimum of 75 percent of the storefront along a primary street ground floor frontage. Minimum of 50 percent on secondary street ground floor frontage.	
Guidelines	(e) Galleries should project into frontage setbacks for their full depth. (f) Each ground floor commercial suite adjacent to a street shall provide a primary entrance on the street side that directly connects to the street, unless a corner entrance is provided.	

TABLE 1305.1 FRONTAGE TYPES (Continued)

ARCADE		
Entry Grade	At sidewalk grade.	
Requirements	(a) An arcade is required along a minimum of 80 percent of the frontage. (b) Minimum depth: ten feet. (c) Minimum height clearance: ten feet. Minimum 16-foot clearance needed from public water/sewer lines. (d) Ground floor glazing: Minimum of 75 percent of the storefront along a primary street ground floor frontage. Minimum of 50 percent on secondary street ground floor frontage.	
Guidelines	(e) Arcades should project into frontage setbacks for their full depth.	
FORECOURT		
Area	(a) Forecourts are allowed to setback from maximum setback standards in T5 and T6. (b) Forecourt areas should be a minimum of 500 square feet with a minimum dimension of 20 feet parallel to the street. (c) A maximum height of 40-inch open view fence permitted at outdoor seating areas and at building setback lines.	
Shading	(a) A minimum of 50 percent of forecourt area shall be shaded, of which 50 percent of the shade should be provided by trees or trellised vines. (b) Shading should be provided for adjacent sidewalk as per Section 1304.F. (c) Tree requirements as per Section 1309, Tables 1309.1 and 2.	

TABLE 1305.1 FRONTAGE TYPES (Continued)

Activation and Glazing	(a) Nonresidential forecourts: must be lined with uses on ground floor frontages facing forecourts. Seventy-five percent minimum glazing requirement for frontages within the forecourt. (b) Glazing at street frontage: minimum of 75 percent of the storefront area along a primary street ground floor frontage and 50 percent on secondary street ground floor frontage.

C. **Fence Standards.**

1. **T3 and T4.**

   a. Primary frontages: 40 inches maximum height.

   b. Secondary frontages: 72 inches maximum height. For SFA development: 48 inches maximum height solid fence. Above 48 inches to 72 inches allowed only as a 70 percent open view fence, unless screening above grade utilities or trash enclosures.

2. **T5 and T6.**

   a. Primary frontages: 40 inches maximum height.

   b. Secondary frontages: 48 inches maximum height solid fence. Above 48 inches to 72 inches allowed only as a 70 percent open view fence, unless screening above grade utilities or trash enclosures.

3. For properties located within a historic preservation (HP) overlay district, fences or freestanding walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three feet, and are conditioned upon obtaining a certificate of appropriateness or no effect in accordance with Section 812. This height limitation extends to a point three feet beyond the front corner(s) of the primary structure.

Date of Addition/Revision/Deletion - Section 1305
+1 Addition on 7-1-2015 by Ordinance No. G-6047, eff. 7-31-2015

Section 1306. Land Use Matrix. +1

A. **Applicability.** The Land Use Matrix in Table 1306.1 shall apply to all land uses within the WU Code boundaries.

B. **Use Regulations.**

1. Any use not specifically listed in the Land Use Matrix shall not be permitted with the exception of the following:

   a. All residential uses south of the Light Rail Corridor in the Gateway and Eastlake-Garfield Character Areas require a use permit.

   b. General commercial (C-3) and industrial uses (A-1). Allowed within the Gateway Transit Character Area as per Section 1312.A.

2. All uses listed will be permitted (P), permitted with conditions (PC), permitted with the approval of a special permit (SP), permitted with the approval of a use permit (UP) or not permitted (NP).
3. When a use permit is required, it shall be obtained in accordance with the standards and procedures of Section 307.
4. Land use conditions shall apply to uses that are specified as PC.

TABLE 1306.1 LAND USE MATRIX

CATEGORY: RESIDENTIAL USES	T3	T4	T5:2	T5:3	T5:5	T5:6	T5:7	T6:7 T6:15	T6:22 T6: HWR
Dwelling, Multifamily	NP	P	P	P	P	P	P	P	P
Dwelling, Single-Family, Detached	P	P	NP	NP	NP	NP	NP	NP	NP
Dwelling, Single-Family and Duplex, Attached	P	P	P	P	P	P	P	P	P
Live-Work	P	P	P	P	P	P	P	P	P
Assisted Living Home									
1—10 residents	NP	P	P	P	P	P	P	P	P
Assisted Living Home									
11+ residents	NP	UP	UP	P	P	P	P	P	P
Dependent Care Facility									
1—6 residents	PC	PC	PC	P	P	P	NP	NP	NP
Dependent Care Facility									
7—12 residents	NP	UP	UP	P	P	P	NP	NP	NP
Group Home	UP	UP	UP	UP	P	P	NP	NP	NP
Group Home for the Handicapped									
5—10 residents (not including staff)	PC	PC	PC	PC	PC	PC	NP	NP	NP
11+ residents	NP	PC	PC	PC	PC	PC	NP	NP	NP

C. **Residential Uses, Land Use Conditions.**

1. **Assisted Living.**
   a. Such home shall be licensed by the State of Arizona.
2. **Dependent Care Facility.**
   a. One to six residents: standards as per Section 608.D.1. Use permit required for seven to 12 residents.

3. **Group Homes for the Handicapped.**

a. No such home is located on a lot with a property line within 1,320 feet, measured in a straight line in any direction, of the lot line of another such group home.

b. Such home is registered with, and administratively approved by, the Zoning Administrator.

c. The subject property must be at least 1,320 feet away from another registered handicapped group home that has six to ten residents.

d. Notwithstanding the foregoing, group homes shall not house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or would result in substantial physical damage to the property of others.

TABLE 1306.1. LAND USE MATRIX

CATEGORY: ASSEMBLY USES	T3	T4	T5:2	T5:3	T5:5	T5:6	T5:7	T6:7 T6:15	T6:22 T6: HWR
Assembly, Entertainment	NP	NP	PC	PC	PC	PC	PC	PC	PC
Assembly, General	NP	NP	PC	PC	PC	PC	PC	PC	PC
Assembly, Places of Worship	PC	PC	PC	PC	PC	PC	PC	PC	PC
Commercial Recreation	NP	NP	P	P	P	P	P	P	P
Day Care, Nursery School	PC	PC	P	P	P	P	P	P	P
Schools, Mentally or Physically Handicapped	NP	UP	UP	UP	UP	UP	UP	UP	UP
School, Public and Private	P	P	P	P	P	P	P	P	P
School, Private	P	P	P	P	P	P	P	P	P
Theater	NP	NP	P	P	P	P	P	P	P

D. **Assembly Uses, Land Use Conditions.**

1. **Assembly, Entertainment.**

a. Outdoor public event or performances that are open to the public require an administrative temporary use permit.

b. The outdoor event or performance must be presented by an existing business on the property.

c. The business's regularly stocked items may be displayed outdoors and be available for purchase during the event or performance. Payment for all items shall occur indoors. No other items may be displayed for sale outdoors during the event or performance.

d. Outdoor entertainment may not start before 7:00 a.m. and must terminate at 11:00 p.m., Monday through Saturday, and 10:00 p.m. on Sunday, except when additional hours are allowed by a use permit.

e. No amplified music or loudspeakers may be used outside after 8:00 p.m. on Monday through Thursday and Sundays, and after 10:00 p.m. on Fridays and Saturdays, unless a use permit is obtained.

2. **Assembly, General.**

a. Any assembly hall or banquet hall of less than 25,000 square feet in gross area shall be permitted only upon securing a use permit.

b. Outdoor uses shall be permitted only upon securing a use permit.

3. **Assembly, Places of Worship.**

a. As per Section 608.E.

4. **Day Care/Nursery School.**

a. Outdoor uses or activities must be screened by a minimum six-foot-high solid decorative fence or wall.

TABLE 1306.1 LAND USE MATRIX

CATEGORY: ANIMAL CARE	T3	T4	T5:2	T5:3	T5:5	T5:6	T5:7	T6:7 T6:15	T6:22 T6: HWR
Pet Care Facility, Indoor Only	NP	NP	P	P	P	P	P	NP	NP
Pet Day Care Facility, Outdoor Accessory Uses As per Section 622.D.126	NP	NP	PC	PC	PC	PC	NP	NP	NP
Laboratory, Research	NP	NP	P	P	P	P	P	P	P
Veterinary Office, Indoor As per Section 622.D.171	NP	NP	PC	PC	PC	PC	PC	PC	PC
Veterinary Office, Outdoor Accessory Uses As per Section 622.D.172	NP	NP	UP	UP	UP	UP	UP	UP	UP

TABLE 1306.1 LAND USE MATRIX

CATEGORY: GENERAL RETAIL	T3	T4	T5:2	T5:3	T5:5	T5:6	T5:7	T6:7 T6:15	T6:22 T6: HWR
General Retail permitted, including all dining and drinking establishments, except with the following conditions:									
General Retail	NP	UP	P	P	P	P	P	P	P
Artist Studio/Gallery	NP	NP	P	P	P	P	P	P	P
Bakery	NP	NP	P	P	P	P	P	P	P
Garden Center, Plant Nursery	NP	NP	NP	P	P	P	P	P	P

TABLE 1306.1 LAND USE MATRIX (Continued)

CATEGORY: GENERAL RETAIL	T3	T4	T5:2	T5:3	T5:5	T5:6	T5:7	T6:7 T6:15	T6:22 T6: HWR
Grocery Stores	NP	PC	PC	PC	PC	PC	PC	PC	PC
Guns, Retail Sales, and/or Repairs As per Section 623.D.82	NP	NP	UP	UP	UP	UP	UP	UP	UP
Liquor, Retail Sales	NP	NP	UP	UP	UP	UP	UP	UP	UP
Second Hand/Used Merchandise Sales	NP	NP	PC	PC	PC	PC	PC	PC	PC
Tobacco Oriented Retailers	NP	NP	PC	PC	PC	PC	PC	PC	PC
Dining and Drinking Establishments: Nothing in this section shall be construed to include an adult use.									
Bars and Cocktail Lounges	NP	NP	UP	UP	PC	PC	PC	PC	PC
Microbrewery/Winery	NP	NP	UP	UP	UP	UP	UP	UP	UP
Restaurants	NP	NP	P	P	P	P	P	P	P

E. General Retail, Land Use Conditions.

1. **Grocery Stores.**

   a. Ground floor building footprint greater than 50,000 square feet requires use permit.

2. **Second Hand or Used Merchandise Sales**, subject to the following conditions:

   a. *Midtown and Uptown Districts.*

      (1) No merchandise shall be received and/or processed for sale at another site;

      (2) Use shall not exceed 2,500 square feet of building area.

   b. *Eastlake-Garfield, Gateway and Solano Districts.*

      (1) Use shall not exceed 5,000 square feet of building area unless a use permit is obtained.

3. **Tobacco, Hookah, and Vape (E-cigarettes) Oriented Retailers**, subject to the following limitations:

   a. Shall not be located within 500 feet of the same type use. This distance shall be measured from the property line of the parcel in which the use is conducted to the nearest property line of the parcel of the same type of use.

   b. Shall not be located within 500 feet of a public, private, community center, or charter school providing primary or secondary education, a park or playground, or a licensed day care facility. This distance shall be measured from the property line of the parcel in which the use is conducted to the nearest property line of the protected use.

4. **Bars and Cocktail Lounges.**

   a. Any bar or cocktail lounge which exceeds 5,000 square feet in gross floor area and is located on a lot or parcel within 300 feet of a single-family residential or historic preservation district shall be permitted only upon securing a use permit. This distance shall be measured from the exterior wall of the building or portion thereof in which the business is conducted or proposed use is to be conducted closest to the residential district zoning line.

   b. The stage or performance area shall be a maximum of 80 square feet unless a use permit is obtained.

5. **Microbrewery.** The facility shall be licensed by the State as a producer, domestic microbrewery or domestic farm winery.

TABLE 1306.1 LAND USE MATRIX

CATEGORY: SERVICES	T3	T4	T5:2	T5:3	T5:5	T5:6	T5:7	T6:7 T6:15	T6:22 T6: HWR
Bed and Breakfast	NP	P	NP	NP	NP	NP	NP	NP	NP
Clinic, Medical or Dental	NP	NP	P	P	P	P	P	P	P
Business Services	NP	NP	P	P	P	P	P	P	P
Financial Institutions	NP	NP	P	P	P	P	P	P	P
Home Occupation As per Section 608.E.3	PC	PC	P	P	P	P	P	P	P
Hospital	NP	NP	NP	UP	P	P	P	P	P
Hotel As per Section 618.D.11	NP	PC	PC	PC	PC	PC	PC	PC	PC
Laboratory, Medical, Dental or Clinical	NP	NP	P	P	P	P	P	P	P
Medical or Dental Office	NP	NP	P	P	P	P	P	P	P
Office, General	NP	NP	P	P	P	P	P	P	P
Office, Professional As per Section 618.D.12 and 13	PC	PC	PC	PC	PC	PC	PC	PC	PC
Personal Services	NP	NP	P	P	P	P	P	P	P
Tattoo/Body-Piercing Studio	NP	NP	P	P	P	P	P	P	P

TABLE 1306.1 LAND USE MATRIX

CATEGORY: LOCAL FOOD PRODUCTION	T3	T4	T5:2	T5:3	T5:5	T5:6	T5:7	T6:7 T6:15	T6:22 T6: HWR
Community Garden As per Section 608.F.3	UP	UP	UP	UP	UP	UP	UP	UP	UP
Farmers Markets As per Section 608.F.4	UP	UP	UP	UP	UP	UP	UP	UP	UP

TABLE 1306.1 LAND USE MATRIX

CATEGORY: AUTOMOTIVE, COMMUNICATIONS AND UTILITIES	T3	T4	T5:2	T5:3	T5:5	T5:6	T5:7	T6:7 T6:15	T6:22 T6: HWR
Motor Vehicle Service Station, Fuel Sales	NP	NP	PC	PC	PC	PC	PC	PC	PC
Motor Vehicle Service and Repair, Minor	NP	NP	PC	PC	PC	PC	PC	PC	PC
Bus Terminal	NP	NP	NP	UP	UP	UP	UP	UP	UP
Wireless Communications As per Section 715.	NP	NP	PC	PC	PC	PC	PC	PC	PC

F. **Automotive, Communications and Utilities, Land Use Conditions.**

1. **Motor Vehicle Service Station, Fuel Sales.**

   a. Shall not be located within 1,320 feet from a light rail station.

   b. Gasoline pumps must not be located between the main building and primary frontages.

2. **Motor Vehicle Service and Repairs, Minor.**

   a. Shall not be located within 1,320 feet from a light rail station.

   b. Vehicle and parts storage must not be visible from street frontages or adjacent to single-family residential or historic preservation district.

   c. Not permitted in the Uptown or Midtown Character Areas.

TABLE 1306.1 LAND USE MATRIX

CATEGORY: ACCESSORY USES	T3	T4	T5:2	T5:3	T5:5	T5:6	T5:7	T6:7 T6:15	T6:22 T6: HWR
Accessory Dwelling Unit	P	P	P	P	P	P	P	P	P
Accessory Dwelling Unit—Guest	P	P	P	P	P	P	P	P	P

TABLE 1306.1 LAND USE MATRIX (Continued)

CATEGORY: ACCESSORY USES	T3	T4	T5:2	T5:3	T5:5	T5:6	T5:7	T6:7 T6:15	T6:22 T6: HWR
Accessory Structure	P	P	P	P	P	P	P	P	P
Compressed Natural Gas (CNG) Retail Sales	NP	NP	UP	UP	UP	UP	UP	UP	UP
Drive-Through	NP	NP	PC	PC	PC	PC	PC	PC	PC
Helistop/Heliport	NP	NP	NP	SP	SP	SP	SP	SP	SP
Home Occupation As per Section 608.E.3	PC	PC	PC	PC	PC	PC	PC	PC	PC
Liquor Service	NP	NP	UP	UP	UP	UP	UP	UP	UP
Massage Therapy	NP	NP	PC	PC	PC	PC	PC	PC	PC
Motor Vehicle and Sales (new) and Leasing	NP	NP	NP	PC	PC	PC	PC	PC	PC
Motor Vehicle Washing	NP	NP	PC	PC	PC	PC	PC	PC	PC
Outdoor Cooking	NP	NP	UP	UP	UP	UP	UP	UP	UP
Outdoor Dining	NP	NP	PC	PC	PC	PC	PC	PC	PC
Outdoor Display/Sales	NP	NP	UP	UP	UP	UP	UP	UP	UP
Outdoor Music and Entertainment	NP	NP	PC	PC	PC	PC	PC	PC	PC
Outdoor Liquor Service	NP	NP	UP	UP	UP	UP	UP	UP	UP
Outdoor Storage Permitted only as per Sections 1312.A and B	NP	NP	NP	PC	PC	PC	NP	NP	NP
Patron Dancing	NP	NP	PC	PC	P	P	P	P	P
Pocket Shelter (accessory to Religious Assembly)	UP	UP	UP	UP	UP	UP	UP	UP	UP

G. **Accessory Uses, Land Use Conditions.**

1. **Massage Therapy.**

   a. Permitted as accessory use to beauty shops and tanning salons when performed by a licensed therapist.

2. **Motor Vehicle Rental, Motor Vehicle Sales (New) and Leasing.**

   a. Allowed as accessory use only.

   b. Outdoor vehicle display and vehicle parking must not be located within street frontages.

   c. No on-site maintenance or washing allowed.

d. Maximum of 15 automobiles on site.

3. **Motor Vehicle Washing.**

a. Shall not be located within 1,320 feet from a light rail station.

b. Vehicular ingress and egress from car washes must be onto internal circulation ways, not directly onto frontages. All outdoor activities, including hand drying and vacuuming, should be located behind the structure and away from the right-of-way.

4. **Drive-Through.**

a. Allowed as an accessory use only.

b. Drive-through and related queuing are not permitted between the principal building and frontages on arterial or light rail streets.

c. Drive-through windows and drive-through queuing must be screened from the view from the right-of-way on all other streets by a 40-inch-high decorative wall or solid evergreen hedge.

5. **Outdoor Dining.**

a. Outdoor recreation uses, outdoor dining, and outdoor alcoholic beverage consumption shall be permitted as accessory uses only upon securing a use permit, if within 500 feet of a single-family residential or historic preservation district zoning line. This distance shall be measured from the exterior wall of the building or portion thereof in which the business is conducted or proposed use is to be conducted closest to the residential district zoning line.

6. **Outdoor Music or Entertainment.**

a. Accessory to restaurants, bars and cocktail lounges, subject to the following conditions:

(1) Shall be permitted only upon securing a use permit, if within 500 feet of a single-family residential or historic preservation district zoning line. This distance shall be measured from the exterior wall of the building or portion thereof in which the business is conducted or proposed use is to be conducted closest to the residential district zoning line.

(2) The stage or performance area shall be a maximum of 200 square feet unless a use permit is obtained.

(3) The noise level, measured at any point on the property, shall not exceed 55 dBa unless a use permit is obtained. An occurrence where the sound level increases up to 60 dBa for five continuous seconds or less shall not be deemed a violation of this section as long as there are no more than five occurrences within an hour-long interval.

(4) Patron dancing shall be permitted upon securing a use permit.

(5) Nothing in this section shall be construed to include an adult use.

TABLE 1306.1 LAND USE MATRIX

CATEGORY: INTERIM USES	T3	T4	T5:2	T5:3	T5:5	T5:6	T5:7	T6:7 T6:15	T6:22 T6: HWR
Interim Vacant Land Uses	PC	PC	PC	PC	PC	PC	PC	PC	PC
Environmental Remediation Facility As per 608.F.2	UP	UP	UP	UP	UP	UP	UP	UP	UP
Surface Parking Lot	NP	NP	NP	UP	UP	UP	UP	UP	UP
Civic Event	NP	NP	P	P	P	P	P	P	P
(P) Permitted (PC) Permitted with Conditions (UP) Use Permit (SP) Special Permit (NP) Not Permitted									

H. **Interim Uses, Land Use Conditions.**

1. **Interim Vacant Lot Activation.**

a. Allowed if the property is adjacent to an arterial street with light rail tracks and light rail transit stations. Design review of structures shall be done through an administrative temporary use permit (ATUP) to ensure compatibility and consistency with Zoning Ordinance design standards.

b. Allowed with use permit if property outside the areas noted above but within the Transit District Policy Plans for Gateway, Eastlake-Garfield, Midtown, Uptown and Solano.

Date of Addition/Revision/Deletion - Section 1306
+1 Addition on 7-1-2015 by Ordinance No. G-6047, eff. 7-31-2015

Section 1307. Parking standards. +1

A. **Applicability.** This section includes parking and loading standards. The following standards shall apply unless modified by the Character Area (Section 1312):

1. Section 702.D is replaced by this section unless noted otherwise.

2. Sections 702.C, E.6, E.7 and E.8 remain applicable unless modified in Section 1307.

3. General commercial (C-3) and light industrial (A-1) loading standards as per Sections 1312.A and B.

B. **Required Vehicular Parking.**

1. Vehicular parking must be provided for each use in accordance with Table 1307.1 and as follows:

a. Minimum required vehicular parking is the sum of parking required for each use within a lot.

b. Accessory dwellings in T3 and T4 require one parking space per unit.

c. Vehicular parking may be limited to a maximum number of spaces by parking districts where established.

d. Other uses not identified on Table 1307.1 shall follow Section 702 standards.

2. Underground parking and service spaces, located below the predevelopment ground level, may occupy up to 100 percent of the lot area.

TABLE 1307.1 MINIMUM REQUIRED VEHICULAR PARKING

USE	MEASURE	T3	T4	T5 1—5 Stories	T5 6—10 Stories	T6
Residential, Single-Family	per unit	2.0		n/a	n/a	n/a
Residential: Single-Family Attached and Multifamily	(1) As per Section 702. Additional 25% reduction when the off-street parking area is located within 1,320 feet from a light rail station when measured in a direct line from the building, and 10% reduction of required parking if the development is greater than 1,320 feet from a light rail station. The minimum required on-site vehicular parking is exclusively for the patrons of the subject parcel.					
Assisted Living and Group Home	per bedroom	1	0.75	0.75		0.5
General Retail Sales	1 space per sf	n/a	n/a	300 sf 375 sf(1)		600 sf 800 sf(1)
Dining and Drinking Establishments	1 space per sf	n/a	n/a	100 sf	300 sf 375 sf(1)	600 sf 800 sf(1)
Lodging	per room	n/a	0.75	0.5		0.5
Office and Professional Uses	1 space per sf	n/a	n/a	300 sf 375 sf(1)		500 sf 625 sf(1)
Affordable Housing	per unit	0.85	0.75	0.5		0.5
Adaptive Reuse	As per Section 702.E.8					
Medical Offices: Doctors, Dentists, Clinics, Centers	1 space per sf	n/a	n/a	240 sf		300 sf
Fitness Center—Accessory to primary use for private residential or tenant use	None required					
Fitness Center, Commercial	Permitted as per Section 702.C					

(1) Additional reduction when the off-street parking area is located within 1,320 feet from a light rail station when measured in a direct line from the building. The minimum required on-site vehicular parking is exclusively for the patrons of the subject parcel.

C. **Vehicular Parking Reductions.**

1. **Special Needs Population.** Additional reductions may be allowed as per Section 702.E.6.

2. **Shared Parking.**

   a. The standard shared parking model developed and administered by the Planning and Development Department shall be used for shared parking reductions.

      (1) Multiple connected lots with a recorded, nonrevocable shared use parking agreement;

      (2) Public or private parking facilities;

      (3) Parking district managed facilities.

   b. A reduction in required parking up to 15 percent may be granted by the Planning and Development Department Traffic Engineer under the following conditions:

      (1) Required parking as per Table 1307.1 and Section 1307.B.

      (2) Properties or businesses approved to share parking must be approved under a combined site plan.

D. **Required Loading and Service Bays.**

1. On-site loading shall be required for all development as follows:

   a. Loading bays are required in the amounts specified in Table 1307.2, calculated as the total area of each use category within a building;

      (1) The areas of retail and office uses within a single building may be combined for use in Table 1307.2.

2. Loading docks and service areas are limited to the following locations:

   a. At secondary frontages within 50 feet of the rear lot line.

   b. Where lots have no secondary frontage and lot width exceeds 120 feet, at primary frontages limited to 30 feet in length.

   c. At rear or side of the building not facing the right-of-way.

   d. Alley access to loading docks and service areas may be allowed if no single-family or historic preservation zoned district or historic neighborhood is adjacent to the alley.

TABLE 1307.2. REQUIRED LOADING AND SERVICE BAYS

Square footage per net site area.

USE	25,000—40,000 SF	40,000—160,000 SF	160,001—320,000 SF	320,001—400,000 SF	> 400,000 SF
Multifamily Residential	0	1	1	1	1
Lodging	0	1/300 rooms	1/300 rooms	1/300 rooms	1/300 rooms
General Retail, Commercial and Office Uses	0	1	2	3	1 per additional 180,000 sf
USE	**25,000—40,000 SF**	**40,000—100,000 SF**	**100,001—160,000 SF**	**160,001—240,000 SF**	**> 240,000 SF**
General Commercial and Industrial Additional requirements per Section 1312	1	2	3	4	1 per additional 80,000 sf

E. **Off-Street Parking Location and Access.**

1. Parking must be set back from frontages according to Table 1303.2, except where parking is located underground.
2. Where vehicular parking is required, parking may be fulfilled in the following locations:
   a. Parking spaces provided within the lot.
   b. Parking spaces provided along a parking lane (on-street) corresponding to lot frontages.
   c. Parking spaces leased or with recorded shared parking agreement from a private or public parking facility.
      (1) A shared parking agreement with the parking facility owner must specify the number of leased/shared spaces.
      (2) A pedestrian entrance to the parking facility must be within 1,320 feet, along a publicly accessible path, from a building entry providing access to the uses the parking spaces will serve.
   d. Parking spaces managed by an established parking district.
3. Vehicular access to off-street parking is restricted as follows:
   a. One access point (curb-cut) is permitted for every 100 feet of frontage except for T3 transect districts or if lot width narrower than 100 feet.
   b. Lots with secondary frontages should not provide access points along the primary frontage. Driveways are allowed on the primary frontage if there is no alley or secondary right-of-way frontage.

c. Lots with alley access should provide a minimum of one vehicular access point from an alley. Refer to Section 1312 under specific Character Areas for modifications.

4. Pedestrian access to off-street parking should be provided from frontages, according to the following:

a. A minimum of one walkway, stair, or elevator access point should be provided between each lot frontage and off-street parking areas at or above sidewalk grade.

b. Pedestrian access walkways should be a minimum of five feet in width in T5 and eight feet in T6. Exceptions identified in Section 1312.

F. **Off-Street Parking Design.**

1. Front setback from street right-of-way: minimum ten feet or Table 1303.2, whichever is greater.

2. Side and rear landscape setback:

a. Adjacent to single-family residential districts and historic preservation properties or districts: minimum ten feet. Trees should be placed 25 feet on center or equivalent group.

b. When adjacent to nonresidential zoning district: zero feet.

3. Surface parking as a primary use is limited to a period of five years, subject to a use permit.

a. At the conclusion of five years, the Zoning Adjustment Hearing Officer may allow an extension of the use permit for up to five additional years.

4. Surface parking lots should provide a minimum landscape screening as follows:

a. A minimum of one two-inch caliper shade tree should be provided for every ten vehicular parking spaces, and 20 feet on center or equivalent grouping within setbacks per Table 1303.2.

b. Vehicles should be screened by a 40-inch-high decorative wall or solid evergreen hedge when adjacent to right-of-way or a minimum six-foot wall if adjacent to single-family residential or historic preservation district.

5. Off-street parking in T3 is not subject to the design requirements of this section.

6. Surface parking lots should be configured to share access point and circulation with adjacent surface parking lots, subject to a shared access agreement.

G. **Parking Garage Design Guidelines.**

1. The parking structure exterior should be finished with architectural embellishments and detailing that will create visual interest for adjoining properties and enhance the public right-of-way.

2. Lighting within the parking structures should provide safety and security.

3. Rooftop lighting should be set back a minimum of 25 feet from the perimeter of the rooftop parking structure and shall be a maximum of 12 feet in height.

4. There should be a convenient, clear, safe and efficient internal circulation system within the parking structure for both pedestrian and vehicular traffic including appropriate signage and placement of pedestrian circulation cores (elevators and stairs).
5. Appropriate visibility triangles and pedestrian crossings at exits and entrances should be provided in all parking structures.
6. Parking structures should not be adjacent to streets but should be adjacent to alleys if not adjacent to single-family residential or historic preservation properties or districts or be internal to the site.

H. **Bicycle Parking.**

1. Bicycle parking required may be placed in the frontage setback and may be allowed in the right-of-way subject to review by the Planning and Development Department Traffic Engineer.
2. Bicycle parking should comply with ADA requirements and not impede on-site pedestrian access. A clearance of at least four feet in width must be provided for pedestrian access.
3. Bike racks and/or storage areas should be located within 50 feet from building entry points.
4. A bicycle rack should be a minimum of 30 inches from a wall or other obstruction. The minimum length for a bicycle parking should be 72 inches.

5. Bike racks and/or storage areas should be located near high traffic areas and visible to the public, but should not impede the function of the pedestrian way.
6. **Bicycle Parking and Amenity Standards.**
   a. All nonresidential uses over 5,000 square feet floor area shall provide one bicycle space per 25 vehicle parking spaces, with a maximum of 25 spaces.

b. Dining and drinking establishments less than 5,000 square feet should provide a minimum of four bicycle spaces in the frontage setback and/or right-of-way if no vehicle parking is provided.

(1) When vehicle parking space is provided, additional one bicycle space for every 25 vehicle parking spaces should be provided.

c. Commercial retail and office uses over 100,000 square feet in building area should provide a minimum of two shower stalls and ten lockers that are accessible to the building's occupants.

(1) Bicycle parking shall be provided at one space per 25 vehicle parking spaces, with a maximum of 50 spaces.

d. Multifamily residential development should provide common bicycle parking at 0.25 spaces for each residential unit, with a maximum of 50 spaces.

Date of Addition/Revision/Deletion - Section 1307
+1 Addition on 7-1-2015 by Ordinance No. G-6047, eff. 7-31-2015

Section 1308. Signage standards. +1

A. **Applicability.**

1. This section establishes the standards for the number, size, placement, and physical characteristics of on-premises signs visible from a public way or adjacent property. These regulations do not restrict the content of on-premises signs nor signs invisible from a public way or adjacent property.

2. **Relationship to Section 705.**

a. Sections 705.A, B, C, E, F, G, and H apply in their entirety;

b. Section 705.D is replaced by this section, with the exception of Sections 705.D.8, 9, and 10.

B. **Prohibited Signs.**

1. Signs with the following features are prohibited:

a. Signs placed above or on top of any portion of the roof or front parapet;

b. Signs utilizing animation or which contain the optical illusion of movement, except as provided by a use permit;

c. Inflatable signs, such as but not limited to balloons, gas inflated signs or similar inflated signs;

d. Portable signs, except for A-frame signs as per Table 1308.1;

e. Commercial flags, banners, streamers, or other similar advertising devices;

f. Signs advertising goods or services not provided on the premises except for noncommercial signs;

g. Yard signs.

C. **Permitted Signs and Sign Restrictions.**

1. Permitted sign types are limited by transect sub-district and the following restrictions according to Table 1308.1:

   a. The number of signs per sign type;

   b. The area of signs;

   c. The height of sign copy.

2. Additional sign restrictions apply per sign type according to Table 1308.2.

3. A permit is required for the installation or modification of all signs as specified in Table 1308.1.

   a. Signs projecting into rights-of-way require an encroachment permit as administered by the City of Phoenix and, if applicable, approval from affected public utility companies.

   b. Signs not requiring a permit must meet all of the requirements of this section.

4. All signs must provide the following clearance except where specified otherwise:

   a. Minimum eight feet over pedestrian ways;

   b. Minimum ten feet over vehicular ways and parking aisles.

5. Illuminated signs are permitted as follows:

   a. All signs may be illuminated by a light source external to the sign;

   b. Internal sign illumination is limited to:

      (1) Window and wall signs at storefront frontages;

      (2) Ground and canopy signs.

D. **Permit Conditions.**

1. Wall signs on buildings in a designated historic preservation zoning district exceeding applicable size regulations may be allowed by the Historic Preservation Commission in accordance with the procedure set forth in Section 812.C.3, and upon the additional finding that the proposed signage replicates the size, shape, and placement of the first permitted wall signage on the building.

TABLE 1308.1 GENERAL SIGN RESTRICTIONS

SIGN TYPE	T3	T4	T5	T6	PERMIT	TIME PERIOD	SIGN NUMBER	MAX. SIGN AREA	MAX. COPY HEIGHT
Awning		•	•	•	R	P	1 sloping plane, plus 1 valence per awning	75% of sloping plane; 75% area of awning valence	16 in. on sloping plane; 8 in. on valence
Canopy			•	•	R	P	1 per canopy	2 sf. per linear foot of storefront	30 in. max.
Corner			•	•	R	P	1 per building	40 sf.	n/a
Directional			•	•	R	P	2 per driveway	6 sf.	n/a
Display Case			•	•	R	P	1 per business	6 sf.	n/a
Ground	•	•	•	•	R	P	1 per frontage	36 sf.	n/a
Kiosk			•	•	R	P	n/a	24 sf.	18 in.
Marquee			•	•	R	P	1 per entry	3 sf. per 1 linear ft. up to 90% of the width of tenant space	n/a
Projecting		•	•	•	R	P	1 per tenant	6 sf.	8 in.
A-Frame		•	•	•	n/a	T	1 per tenant	9 sf.	n/a
Suspended		•	•	•	R	P	1 per entry	6 sf.	n/a
Wall Sign			•	•	R	P	1 per frontage	3 sf. per 1 linear ft. up to 90% of the width of tenant space	18 in.
Wall Mural Sign			•	•	R	P	1 per frontage	see Table 1308.2	n/a
Window		•	•	•	R	P	n/a	25% of glazed area	12 in.

TABLE 1308.1 GENERAL SIGN RESTRICTIONS (Continued)

SIGN TYPE	T3	T4	T5	T6	PERMIT	TIME PERIOD	SIGN NUMBER	MAX. SIGN AREA	MAX. COPY HEIGHT
Window: Neon and LED			•	•	R	P	n/a	25% of glazed aggregate area	12 in.
PERMIT: (R) Required (n/a) Not Required									
PERMIT PERIOD: (P) Permanent (T) Temporary									

TABLE 1308.2 SPECIFIC SIGN REGULATIONS

AWNING SIGN		
Requirements	Valance sign area must maintain a minimum one-inch border.	
CANOPY SIGN		
Requirements	Canopy signs may be externally illuminated, neon or LED. Fixtures must be shielded to prevent glare. Conduit, raceways, and wiring may not be exposed to view from the sidewalk.	

TABLE 1308.2 SPECIFIC SIGN REGULATIONS (Continued)

CORNER SIGN		
Requirements	Corner signs may be located only at the corner of a building with both primary and secondary frontages. Internally or externally illuminated.	
GROUND SIGN		
Requirements	Ground signs must be constructed of durable materials. Ground signs must be located within or interior to frontages. Ground signs located within six feet of buildings must be integrated into the building facade.	
MARQUEE SIGN		
Requirements	Marquee signs may project to within two feet of the curb. May require an encroachment permit. Marquee signs may be combined with a canopy sign or a projecting sign.	

TABLE 1308.2 SPECIFIC SIGN REGULATIONS (Continued)

PROJECTING SIGN		
Requirements	Projecting signs may project up to three feet from facades. Projecting signs may be double-sided.	
A-FRAME		
Requirements	A-frame signs may not be located within three feet of a curb. Maximum size: three-foot high and 30 square feet if located within the public street setback. Sign may not block the sidewalk or ADA accessible route.	
WALL SIGN		
Requirements	Wall signs may be externally illuminated, neon or LED. Fixtures must be shielded to prevent glare. Conduit and wiring shall not be exposed.	

TABLE 1308.2 SPECIFIC SIGN REGULATIONS (Continued)

WALL MURAL SIGN		
Requirements	Only text or graphics painted directly on the wall or a graphic mural are permitted. Sign area is further restricted to 50-foot maximum width. Sign area is further restricted to 56-foot maximum height.	
WINDOW SIGN		
Requirements	The following window signs are permitted: letters painted directly on the window, neon signs, LED signs, hanging signs hung behind the glass, and vinyl applique letters applied to the window. Appliques must consist of individual letters or graphics with no visible background.	

Date of Addition/Revision/Deletion - Section 1308
+1 Addition on 7-1-2015 by Ordinance No. G-6047, eff. 7-31-2015

Section 1309. Landscape standards. +1

A. **General Standards.**

1. Street trees and landscaping treatments shall be used for the entire site exclusive of building(s) and structural shade provided in accordance with the landscaping requirements in this section, unless there is a conflict with an existing or proposed public utility easement.

2. Planning and Development Department staff has the authority to accept modifications to landscaping requirements in the streetscape to accommodate public utility easement conditions, and to accept alternative design solutions consistent with a pedestrian environment.

3. If street trees cannot be planted in the right-of-way, architecturally or artistically integrated public amenities should be provided. Amenities may include but not be limited to the following:
   a. Structural shade elements (may be cantilevered).
   b. Seating (benches/chairs).
   c. Public art elements.
   d. Community information/news event board/kiosk.
   e. Area wayfinding signage.
   f. Designer light fixtures.
   g. Additional bike racks.
4. Street furniture may be located within the planter area. Street furniture may be located on public sidewalks only when additional width is available in compliance with ADA accessibility requirements.

B. **Planting Guidelines.**

1. Shade trees are limited to those specified in Table 1309.1. Alternate tree species may be approved if they are on the Arizona Department of Water Resources Phoenix AMA-3550 list. Tree locations in conflict with overhead power lines may use alternative tree species that are on the approved SRP or APS utility plant list.
   a. Minimum caliper: two inches.
   b. Trees in the right-of-way should be placed 25 feet on center or equivalent grouping.
   c. A minimum two-foot six-inch radius shall be clear of hardscape around the base of the tree.
   d. At installation a minimum 30 percent of all trees shall have a minimum caliper of three inches.
   e. Fifty percent living vegetation ground coverage should be provided when a landscape strip is present or required as part of redevelopment.
   f. When providing a double row of trees in the front setback or in the right-of-way, trees should be a minimum of two-inch caliper with 30 percent of all trees a minimum of three-inch caliper. The rows should be placed parallel on either side of the sidewalk and when possible, staggered, to provide for maximum shade.
2. Soil volume for shade tree planting is required according to tree spacing as specified on Table 1309.2 and as follows:
   a. Root paths, soil trenches, soil vaults, engineered soil solutions, and suspended sidewalk systems are permitted to meet soil volume requirements.
   b. Up to 20 percent of required soil volume may be fulfilled by structural soil.

c. Soil compacted during construction should be excavated and water settled.

3. All trees planted within ten feet of a public water/sewer main must comply with the Water Services Department's Design Standards Manual for Water and Wastewater Systems or as approved by the Water Services Department.

C. **Tree Species Guidelines.** The following should be used in accordance with the guidelines established below for type of trees within the WU Code:

TABLE 1309.1 PERMITTED SHADE TREES

BOTANICAL NAME	COMMON NAME	T3	T4	T5	T6	HEIGHT (FT)	SPREAD (FT)
Acacia salicina	Willow acacia			P	P	30	20
Acacia stenophylla	Shoestring acacia	P	P	P	P	30	20
Celtis reticulata	Netleaf hackberry	P	P			25	25
Dalbergia sissoo	Indian rosewood	P	P	P	P	40	25
Ebenopsis ebano	Texas ebony	P	P			30	20
Eucalyptus erythrocorys	Red-cap gum	P	P	P	P	25	15
Eucalyptus microtheca	Coolibah	P	P	P	P	35	25
Eucalyptus papuana	Ghost gum	P	P	P	P	40	25
Fraxinus velutina fan west	Fan west ash	P	P	P	P	50	30
Fraxinus velutina bonita	Bonita ash	P	P	P	P	30	25
Olea europaea	Swan hill, Wilsonii, Majestic beauty—fruitless olives	P	P	P	P	30	25
Olneya tesota	Desert ironwood	P	P			25	25
Parkinsonia desert museum	Desert museum palo verde	P	P			30	25
Parkinsonia florida	Blue palo verde	P	P			25	20
Parkinsonia praecox	Palo brea	P	P			25	25
Pistacia chinensis	Chinese pistache	P	P	P	P	40	25
Prosopis South American hybrid	Thornless mesquite	P	P			30	20
Prosopis glandulosa	Honey mesquite	P	P			30	30
Prosopis velutina	Velvet mesquite	P	P			25	35
Quercus virginiana	Live oak	P	P	P	P	40	30
Ulmus parvifolia	Evergreen elm	P	P	P	P	40—60	30
UNDERSTORY TREES							
Acacia aneura	Mulga	P	P	P	P	20	15

TABLE 1309.1 PERMITTED SHADE TREES (Continued)

BOTANICAL NAME	COMMON NAME	T3	T4	T5	T6	HEIGHT (FT)	SPREAD (FT)
Ceiba speciosa	Silk floss tree	P	P			30	25
Chilopsis linearis	Desert willow	P	P	P	P	25	20
Chitalpa tashkentensis	Chitalpa	P	P	P	P	25—30	20
Havardia pallens	Tenaza	P	P	P	P	25	15
Pittosporum phillyraeoides	Willow pittosporum	P	P	P	P	20	15
Schinus terebinthifolius	Brazilian pepper tree	P	P			20	15
Vachellia farnesiana	Sweet acacia	P	P			20	20

TABLE 1309.2 SHADE TREE SOIL VOLUME

Spacing	Soil Volume (Cubic Feet)		
	500 cf	750 cf	1,000 cf
30 feet			X
25 feet		X	
20 feet	X		

D. **Existing Landscape.**

1. Existing noxious or invasive plants species identified in Table 1309.3 should be removed.
2. Removal of existing plants meeting the following criteria should be minimized:
   a. Trees with four-inch caliper or larger;
   b. Native cacti three-foot and taller or nonnative cacti six-foot and taller.

E. **Prohibited Plants.**

1. The following plants are prohibited:
   a. Artificial plants and artificial turf except at active recreation sports fields.
   b. Noxious or invasive plants species as identified on the University of Arizona Nonnative Invasive Plants of Arizona list and Table 1309.3.

TABLE 1309.3 PROHIBITED PLANTS

BOTANICAL NAME	COMMON NAME
Arundo donax **(L.)**	Giant cane, giant reed grass, elephant grass
Pennisetum setaceum **(Forsk. Chiov)**	Fountaingrass
Rhus lancea **(L.)**	African sumac

Date of Addition/Revision/Deletion - Section 1309
+1 Addition on 7-1-2015 by Ordinance No. G-6047, eff. 7-31-2015

Section 1310. Open space improvements. +1

A. **Open Space Guidelines.**

1. Parcels zoned T3 are exempt from required public space improvements.
2. Open space requirements for commercial, nonresidential and mixed-use development as follows:
   a. For sites of one gross acre or larger, minimum open space of at least five percent of the gross lot area shall be required.
   b. A minimum of 50 percent of all accessible public and private open space areas should be shaded, of which 50 percent of the shade should be provided by trees or trellised vines.
   c. Open space areas should be a minimum of 500 square feet with a minimum dimension of 20 feet.
3. Open space tree and landscaping requirements as specified in Section 1309, Landscape standards.
4. Alternative paving materials should be used on private property to reduce urban heat island effect, and to allow natural drainage and filtration.
   a. Permeable paving, porous concrete or similar materials should be installed adjacent to treewells. The design should ensure adequate watering and root growth.
   b. Alternative materials such as brick pavers, permeable concrete pavers, granite and flagstone should be encouraged on walkways.

TABLE 1310.1 PUBLIC SPACE TYPE GUIDELINES

PUBLIC OPEN SPACES		
Transect Zone	T4, T5, T6	
Size	Five percent of the gross site area above one acre.	
Edge Condition	One side minimum fronting a thoroughfare or pedestrian way.	
Surface	Paved and landscaped.	
Shade and Landscaping	50 percent shade provided by trees. Ground cover and shrubs: Should be provided in areas with no pavement or structures.	
PASEOS		
Transect Zone	T4, T5, T6	
Guidelines	See Section 1304.H.	
Surface	Paved and landscaped.	
Shading	Minimum 75 percent shaded.	

Date of Addition/Revision/Deletion - Section 1310
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Section 1311. Design development considerations. +1

A. **General Considerations.**

1. Walking and bicycling should be encouraged within the Gateway, Eastlake-Garfield, Midtown, Uptown and Solano Districts, particularly in support of transit services:

   a. People should be provided the opportunity to walk, ride a bicycle, or use transit;

   b. People should be provided the opportunity to drive less, and to park once and walk to nearby destinations;

   c. Outdoor pedestrian activities within public rights-of-way should be encouraged;

   d. A compact pattern of development and mix of uses should be encouraged in order to achieve increased walking and bicycling;

e. A high level of amenities, including public shade, should be provided for pedestrians' and other users' comfort and convenience;

f. An adequate level of access for automobiles should be maintained and their use integrated safely with pedestrians, bicyclists, and other users.

2. Transit use should be encouraged within proximity of existing and future transit service:

a. Uses that promote round-the-clock activity around transit stations should be encouraged;

b. Sufficient density of employees, residents, and recreational users are required to support transit.

3. Personal safety should be specifically considered in relationship to a transit supportive urban environment:

a. The public's safety should be protected by employing environmental design to promote situational awareness and by visually and physically defining the public and private realms;

b. Sidewalks, pedestrian passages, streets and alleys should be adequately illuminated;

c. Illumination should not leave areas of contrast which permit concealment;

d. Lighting should not create glare for pedestrians or drivers.

4. Property owners and users of the public realm should be provided adequate access to light and air:

a. Property value and the healthfulness of the public realm should be protected by allowing equal access to light and air;

b. Urban heat island effect should be limited by increasing access to light and air.

5. Parking should be regulated in order to support a walkable and transit-connected environment, providing for the needs of all users:

a. The supply of parking should be adequate for the uses it serves;

b. The displacement of building and land uses by parking should be minimized;

c. Parking should be allocated to locations in which it will support, not interfere, with walkability;

d. Motor vehicle users should be able to park once to visit a variety of different destinations.

6. The public realm should be regulated to assist and support an active pedestrian oriented realm and to cool streets, sidewalks, and buildings:

a. Local microclimate and environment should be moderated through the application of trees and landscaping to:

(1) Improve air quality;

(2) Mitigate noise pollution;

(3) Provide seasonal shade, sun and temperature regulation;

(4) Reduce reflected light;

(5) Mitigate wind gusts;

(6) Provide a permeable barrier between sidewalks and vehicular lanes;

(7) Reduce hot pavement;

(8) Reduce runoff by intercepting and percolating rainwater;

(9) Conserve soil and prevent erosion through vegetative cover, root growth, and windbreaks;

(10) Conserve water through xeriscape and design strategies.

Date of Addition/Revision/Deletion - Section 1311
+1 Addition on 7-1-2015 by Ordinance No. G-6047, eff. 7-31-2015

Section 1312. Character Areas. +1

A. **Transit Gateway Character Area.** Applicable to property within the Gateway Transit District Policy Plan area with Walkable Urban Code zoning.

1. **Streetscape Standards.**

a. *Arterial Streets—Light Rail Corridor.*

(1) Minimum sidewalk width: eight feet (six-foot minimum allowed if density less than 12 units per acre);

(2) Minimum landscape width (if no conflict with public utilities): five feet.

b. *Arterial Streets with No Transit Rail Line or Stations.*

(1) Minimum sidewalk width: six feet;

(2) Minimum landscape width (if no conflict with public utilities): five feet.

c. *Minor Collector and Local Streets.*

(1) Minimum sidewalk width: five feet;

(2) Minimum landscape width (if no conflict with public utilities): five feet.

2. **General Commercial and Industrial Uses.**

a. Land uses permitted under Sections 624, Commercial C-3 District—General Commercial, and 627, A-1 Light Industrial District, are allowed for properties zoned general commercial (C-3) and industrial (A-1) prior to adoption of the WU Code as identified on the Gateway General Commercial and Industrial Land Use Map 1312.a.

Map 1312.a.
Gateway General Commercial and Industrial Uses Regulating Map
Zoning Designation
C-3 General Commercial
A-1 Light Industrial
Gateway Transit-Oriented District
Parcel Boundary
Light Rail Line
Light Rail Stop
City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT
0 900 1,800
Feet
Phoenix Sky Harbor
Portland St
Roosevelt St
Garfield St
McKinley St
Pierce St
Fillmore St
Taylor St
Polk St
Van Buren St
Monroe St
Adams St
Washington St
Jefferson St
Madison St
Jackson St
Harrison St
22nd Pl
23rd St
25th St
26th St
27th St
28th St
28th Pl
29th St
30th St
31st St
31st Pl
32nd St
33rd St
34th St
35th St
36th St
40th St
41st St
42nd St
43rd Pl
44th St
Diamond St
Randolph Rd
Beatrice St
Buchanan St
Air Ln
Union Pacific Railroad
Cross Cut Canal
51
143
202
10

3. **Existing General Commercial and Industrial Uses.**

   a. Expansion of general commercial and industrial uses is allowed for properties that were zoned industrial (A-1) and commercial (C-3) zoning prior to adoption of the WU Code as shown on Map 1312.a.

   b. Additional square footage and structural improvements should follow the Planning Commission Policy for proportionate site improvements.

   c. *Special Considerations.*

      (1) Fences are allowed to be up to six feet in height at the building setback. Fences must have decorative finish and undulate if over 50 feet in width. To reduce the incidence of graffiti, open view fence or a combination block-open view fence should be considered whenever possible.

      (2) Pedestrian paseo and open spaces are not required as part of improvements.

4. **New General Commercial and Industrial Use Standards.**

   a. Shaded walkways should be provided from the public sidewalk to primary building entrance.

   b. Multiple tenant complexes should have primary entrances to each tenant space facing the street.

   c. *Parking and Loading.* Loading and vehicle access doors should be located either:

      (1) To the rear of the principal building(s); or

      (2) To the side of the principal building(s).

   d. *Placement and Massing.*

      (1) The primary building should be oriented toward the street.

      (2) Industrial/warehouse offices and lobbies should be located in the front of buildings adjacent to the street.

      (3) Loading docks and vehicle access doors should be located on the sides or rear of buildings to limit visibility from streets.

         (A) A minimum six-foot-high street decorative screen wall should be provided to screen all loading and outdoor storage areas from off-site views.

      (4) A minimum of a six-foot-wide landscaping strip should be provided along the street side of the wall.

      (5) A minimum 30 percent glazing should be provided for new single use industrial developments and minimum 50 percent glazing for a multiple tenant complex within the area from three feet to seven feet above adjacent sidewalk grade for frontages that face right-of-way.

(6) Buildings should not have massing that is boxy, bulky, or elongated. Large floor plates should be articulated or enhanced with facade and architectural features to break down the mass of the buildings.

e. Parking for C-3 and A-1 uses identified in Map 1312.a shall follow the standards of Section 702.

f. *Special Considerations.*

(1) Fences are allowed to six feet in height in the building setback. Fences must have decorative finish and undulate if over 60 feet in width. To reduce the incidence of graffiti, open view fence or a combination block-open view fence should be considered if possible.

(2) Pedestrian paseo requirements may be waived for new industrial uses.

g. *Outdoor Storage or Use.*

(1) Outdoor storage allowed only on properties that were C-3 and industrial (A-1) prior to the adoption of the WU Code per Map 1312.a.

(A) Outdoor display areas fronting the Light Rail Corridor as per Section 627.C.3.

(2) Except for vehicle parking areas, no outdoor uses, outdoor storage, or open buildings shall be located within 75 feet of a public street or single-family zoning district.

(3) Open storage shall be no higher than six feet plus one foot in height for every additional three feet of setback from the property line.

B. **Transit Eastlake-Garfield Character Area.** Applicable to property within the Eastlake-Garfield Transit District Policy Plan area with Walkable Urban Code zoning.

1. **Streetscape Standards.**

a. *Arterial Streets—Light Rail Corridor.*

(1) Minimum sidewalk width: eight feet (six-foot minimum allowed if density less than 12 units per acre);

(2) Minimum landscape width (if no conflict with public utilities): five feet.

b. *Arterial Streets with No Transit Rail Line or Stations.*

(1) Minimum sidewalk width: six feet;

(2) Minimum landscape width (if no conflict with public utilities): five feet.

c. *Minor Collector and Local Streets.*

(1) Minimum sidewalk width: five feet;

(2) Minimum landscape width (if no conflict with public utilities): five feet.

C. **Transit Midtown Character Area.** Applicable to property within the Midtown Transit District Policy Plan area with Walkable Urban Code zoning.

1. **Streetscape Standards.**

   a. *Arterial Streets—Light Rail Corridor.*

      (1) Minimum sidewalk width: eight feet (six-foot minimum allowed if density less than 12 units per acre);

      (2) Minimum landscape/streetscape width: five feet (if no public utility conflict).

   b. *Arterial Streets with No Transit Rail Line or Stations.*

      (1) Minimum sidewalk width: six feet;

      (2) Minimum landscape width: five feet (if no public utility conflict).

   c. *Minor Collector and Local Streets.*

      (1) Minimum sidewalk width: five feet;

      (2) Minimum landscape width: five feet (if no public utility conflict).

2. Special Considerations.

   a. Lots with alley access should provide a minimum of one vehicular access point from an alley unless adjacent to a single-family or historic zoning district or neighborhood.

   b. Where ground level retail uses are present, setbacks and build to dimensions may be increased up to 12 feet for outdoor seating, patio dining, or retail sales by securing a use permit.

D. **Transit Uptown Character Area.** Applicable to property within the Uptown Transit District Policy Plan area with Walkable Urban Code zoning.

1. **Streetscape Standards.**

   a. *Arterial Streets—Light Rail Corridor.*

      (1) Minimum sidewalk width: eight feet;

      (2) Minimum landscape width: five feet (if no public utility conflict).

   b. *Arterial Streets with No Transit Rail Line or Stations.*

      (1) Minimum sidewalk width: six feet minimum;

      (2) Minimum landscape width: five feet (if no public utility conflict).

   c. *Minor Collector and Local Streets.*

      (1) Minimum sidewalk width: five feet;

      (2) Minimum landscape width: five feet (if no public utility conflict).

2. **Special Considerations.**

a. Lots with alley access should provide a minimum of one vehicular access point from an alley unless adjacent to a single-family or historic zoning district or neighborhood.

b. Where ground level retail uses are present, setbacks and build to dimensions may be increased up to 12 feet for outdoor seating, patio dining, or retail sales by securing a use permit.

c. Property adjacent to the Grand Canal should integrate the canal into the project design.

E. **Transit Solano Character Area.** Applicable to property within the Solano Transit District Policy Plan area with Walkable Urban Code zoning.

1. **Streetscape Standards.**

a. *Arterial Streets—Light Rail Corridor.*

(1) Minimum sidewalk width: eight feet;

(2) Minimum landscape width: five feet (if no public utility conflict).

b. *Arterial Streets with No Transit Rail Line or Stations.*

(1) Minimum sidewalk width: six feet;

(2) Minimum landscape width: five feet (if no public utility conflict).

c. *Minor Collector and Local Streets.*

(1) Minimum sidewalk width: five feet;

(2) Minimum landscape width: five feet (if no public utility conflict).

2. **Special Considerations.**

a. Lots with alley access should provide a minimum of one vehicular access point from an alley unless adjacent to a single-family or historic zoning district or neighborhood.

b. Where ground level retail uses are present, setbacks and build to dimensions may be increased up to 12 feet for outdoor seating, patio dining, or retail sales by securing a use permit.

Date of Addition/Revision/Deletion - Section 1312
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Section 1313. Design and standards alternatives. +1

A. **Applicability.** The Design Review Committee (DRC) shall oversee and approve design alternatives and standards appeals beyond the scope of Planning and Development Department (PDD) Director or designee approval as per Section 1313.B.

A design alternative is a deviation from the WU Code standards and design guidelines that results in a furtherance of the goals for an urban pedestrian environment. Design alternatives shall demonstrate conformance with the intent of the WU Code and in general conformance with the Conceptual Master Plans and policies contained within Transit Oriented District Policy Plans.

B. **Standards.**

1. Uses and height requirements may not be modified by PDD staff as part of site plan review or through the DRC appeal process.
2. The maximum combined PDD staff and/or DRC modifications shall not exceed 35 percent.

C. Planning and Development Department staff may modify standards and design guidelines to accommodate existing conditions or as a design alternative, as follows:

1. Up to 20 percent from the prescribed standards for minimum/maximum setbacks; lot coverage; landscaping; and parking requirements.
2. Glazing and blank wall treatments may be modified by 15 percent.
3. Substitute methods of meeting the intent for frontage types may be approved in consultation with the PDD Planning Director or his/her designee.
4. PDD staff shall document the site specific justification for the design alternative(s) approval as part of the final site plan approval.
5. If design alternative cannot be approved by staff, the applicant may file an appeal with the Design Review Committee.

D. The following may be modified by the DRC as design alternatives:

1. Up to 35 percent for minimum/maximum setbacks; lot coverage; landscaping; parking; and glazing and blank wall alternatives.
2. Substitute methods of meeting the intent for frontage types.
3. A design alternative shall be reviewed and acted upon by the DRC in accordance with the procedural requirements of Section 507.
    a. An approval from the DRC shall be included on the final site plan.

Transit Oriented Development Districts Map

Date of Addition/Revision/Deletion - Section 1313

+1 Addition on 7-1-2015 by Ordinance No. G-6047, eff. 7-31-2015