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ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING PORTIONS OF THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX BY AMENDING CHAPTER 2, SECTION 202 (DEFINITIONS), CHAPTER 7, SECTION 702.C. (PARKING REQUIREMENTS) AND SECTION 702.E. (MODIFICATIONS TO PARKING REQUIREMENTS) REGARDING PARKING STANDARDS FOR RESTAURANT/BAR OUTDOOR RECREATION AREAS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1: That Chapter 2, Section 202 (Definitions) is amended to read:

Amend Chapter 2, Section 202 (Definitions) to read as follows:

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

OUTDOOR RECREATION AREAS FOR RESTAURANT, 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).

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

SECTION 2: That Chapter 7, Section 702.C. (Parking Requirements) is amended to read:

Amend Chapter 7, Section 702.C. (Parking Requirements) to read as follows:

- 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.

Type of Land Use

Parking Requirements

Restaurant, Bars, Taverns, Night Clubs, or Similar Drinking Establishment

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.

SECTION 3: That Chapter 7, Section 702.E. (Modifications to Parking Requirements) is amended to read:

Amend Chapter 7, Section 702.E. (Modifications to Parking Requirements) to read as follows:

9. **Reductions for infill development district.**

- 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.
- b. ~~OFF-SITE PARKING. The required parking for any use within the infill development district may use the following reduction.~~ Off-site parking NOT WITHIN THE RIGHT-OF-WAY may account for up to A MAXIMUM OF 50 percent of the required parking WITH, provided a use permit is obtained and the following conditions are met:
 - (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.

- (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.
- (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.
- (4) The off-site parking area must be ~~exclusively~~ IDENTIFIED for use by patrons of the subject parcel and shall not eliminate required parking for any other use IF ON PRIVATE PROPERTY.
- (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.
- (6) Additional bicycle parking may be required as a condition of use permit approval.

PASSED by the Council of the City of Phoenix this 5th day of April, 2017

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

_____ City Attorney

REVIEWED BY:

_____ City Manager

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