

# ATTACHMENT E

## REPORT OF PLANNING COMMISSION ACTION November 7, 2024

ITEM NO: 3	
	DISTRICT NO.: 4, 7, and 8
SUBJECT:	
Application #:	Z-TA-5-22-4-7-8 (Continued from October 10, 2024)
Proposal:	Amend the following sections of the Phoenix Zoning Ordinance, as follows: 1. Revise and clarify provisions in Chapters 2, 3, 5, 6, and 7 regarding definitions; variance and Design Review appeal processes, and to address how other sections interact with Chapter 12(Downtown Code): Section 201 (Rules of Construction), Section 202 (Definitions), Section 307.A (Authority and duties of the Zoning Administrator), Section 507 (Development Review Approval), Section 669 (Arts, Culture, and Small Business Overlay District), Section 702 (Off-Street Parking and Loading), and Section 703 (Landscaping, Fences and Walls). 2. Add a new Section 312 to Chapter 3 to create the Technical Appeals Committee. 3. Repeal and replace Chapter 12 (Downtown Code) with revised and clarified text.
Applicant:	City of Phoenix, Planning Commission
Representative:	City of Phoenix, Planning and Development Department

### **ACTIONS:**

**Staff Recommendation:** Approval, as shown in Exhibits A and B in the Addendum A Staff Report.

**Village Planning Committee (VPC) Recommendation:**

**Central City** 8/12/2024 Information only.

**Encanto** 8/5/2024 Information only.

**Central City** 9/9/2024 Approval, per the staff recommendation. Vote: 12-0.

**Encanto** 9/9/2024 Approval, per the staff recommendation. Vote: 9-1.

**Planning Commission Recommendation:** Approval, per the staff recommendation in the Addendum A Staff Report.

### **Motion Discussion:**

There was discussion regarding the questions posed by Commissioner Boyd at the October 10, 2024 Planning Commission Hearing regarding possible prohibition of particular land uses. Daniel Inglese from the Law Department and Tricia Gomes, Planning and Development Department Deputy Director, confirmed for the Commission that the notification requirements for the case would be different if there are proposed land use changes, and those requirements had not been met for the current proposal. Further changes to allowed land uses could be addressed in a later Text Amendment.

Motion details: Commissioner Boyd made a MOTION to approve Z-TA-5-22-4-7-8, per the staff recommendation in the Addendum A Staff Report.

Maker: Boyd  
Second: Jaramillo  
Vote: 9-0  
Absent: None  
Opposition Present: No

Findings: This proposed text amendment is quite extensive due to the many items identified by stakeholders needing clarification, revisions, or codification of standards in practice but not included in the current version of the Downtown Code. The intent of this amendment is to streamline Downtown development while still implementing the pedestrian-oriented vision of the Downtown Phoenix Urban Form Project.

Proposed Language:

**Amend Chapter 2, Section 202 (Definitions) to add and/or modify definitions as follows:**

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~~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.~~ AN ALLEY ABUTTING BOTH SINGLE-FAMILY AND COMMERCIAL USES, DESIGNATED ON THE REGULATING MAPS IN CHAPTER 12 (DOWNTOWN CODE).

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~~CITY MANAGER'S REPRESENTATIVE (CMR):~~ SEE SECTION 32-3 OF THE CITY CODE.

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~~FRONTAGE ZONE: THE PORTION OF A LOT OR PARCEL LOCATED DIRECTLY ADJACENT TO A STREET, OF A DEPTH REQUIRED BY THE APPLICABLE ZONING DISTRICT AND/OR CHARACTER AREA.~~

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

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~~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.~~

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~~SERVICE/GOODS LOADING SPACE: A DESIGNATED AREA WHICH IS PROVIDED FOR THE LOADING AND UNLOADING OF GOODS AND SERVICES FOR BUSINESSES AND COMMERCIAL USERS.~~

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~~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.~~

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~~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. A STREET DESIGNATED ON THE REGULATING MAPS IN CHAPTER 12 (DOWNTOWN CODE), WHICH IS SUBJECT TO DEVELOPMENT REGULATIONS AND VEHICULAR RESTRICTIONS INTENDED TO ENHANCE THE PEDESTRIAN ENVIRONMENT.~~

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~~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. A STREET DESIGNATED ON THE REGULATING MAPS IN CHAPTER 12 (DOWNTOWN CODE), WHICH PERMITS A MIX OF USES AND TYPES OF ACCESS, SUCH AS (BUT NOT LIMITED TO) PEDESTRIAN, VEHICULAR, SERVICE, AND LOADING ACCESS.~~

**STREETSCAPE:** THE LANDSCAPE, SHADE, STREET IMPROVEMENTS, SIDEWALK, AND OTHER AMENITIES PROVIDED DIRECTLY ADJACENT TO A STREET.

~~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).~~ THE PORTION OF A DEDICATED STREET PROVIDING STREETSCAPE IMPROVEMENTS AND LOCATED BETWEEN THE BACK OF CURB AND THE FRONTAGE PROPERTY LINE. THE STREETSCAPE ZONE MAY ALSO INCLUDE A PORTION OF ABUTTING PRIVATE PROPERTY, PER THE PROVISIONS OF CHAPTERS 12 AND 13.

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**Amend Chapter 3, Section 307.A (Authority and duties of the Zoning Administrator) to add a requirement for the Design Review Committee to review and make a recommendation for variance applications within Downtown, as follows:**

- 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~~ THEIR direction. The Zoning Administrator may appoint Deputy Zoning Administrators to perform the functions of the Zoning Administrator and to act under ~~his~~ THEIR direction. The Zoning Administrator shall:

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9. Authorize upon application and hearing such variance from the terms of this ZONING 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.
- e. THAT WHEN A VARIANCE IS REQUESTED FOR A PROPERTY SUBJECT TO THE DOWNTOWN CODE (CHAPTER 12), THE DESIGN REVIEW COMMITTEE ~~MUST SHALL~~ FIRST REVIEW AND PROVIDE A WRITTEN RECOMMENDATION REGARDING THE VARIANCE REQUEST, AS ~~FURTHER REFERENCED REQUIRED~~ IN SECTION 1224.C.

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**Amend Chapter 3 to add a new Section 312 (Technical Appeals Committee) to establish a technical review committee to review and decide technical appeals:**

**SECTION 312. TECHNICAL APPEALS COMMITTEE**

- A. **POWERS AND DUTIES.** THE TECHNICAL APPEALS COMMITTEE (TAC) SHALL HAVE THE POWER AND DUTY UNDER THE PROVISIONS OF THESE REGULATIONS TO HEAR SPECIFIC ITEMS APPEALED BY THE APPLICANT CONTESTING A DECISION ON A TECHNICAL ITEM OR INFRASTRUCTURE REQUIREMENT IMPOSED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, OR A DEVELOPMENT REGULATION INDICATED AS (T) IN SECTION 507 TAB A AND ALL OTHER ZONING ORDINANCE REQUIREMENTS (INCLUDING OVERLAYS) WHICH USE (T) TO INDICATE TECHNICAL ITEMS.
- B. **MEMBERSHIP.** THE TECHNICAL APPEALS COMMITTEE SHALL CONSIST OF THE SAME MEMBERS AS THE SUBDIVISION COMMITTEE AS SET FORTH IN CHAPTER 32 OF THE CITY CODE. THE PLANNING AND DEVELOPMENT DIRECTOR IS AUTHORIZED TO APPOINT AND REMOVE ANY MEMBER AT ANY TIME, WITH OR WITHOUT CAUSE, AND MAY ALSO APPOINT ADDITIONAL TECHNICAL CITY STAFF TO THE TAC, SUCH AS LANDSCAPE, FIRE PREVENTION/LIFE SAFETY, WATER/SEWER, AND BUILDING SAFETY.

**Amend Chapter 5, Section 507 (Development Review Approval) as follows:**

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- 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;~~

- ~~b.-a.~~ Interior tenant alterations or improvements which do not affect parking requirements or exterior building appearance;
  - ~~e.-b.~~ Nonstructural remodeling of facade treatment (SUCH AS PAINT);
  - ~~d.-c.~~ 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 ~~of / new BUILDING facade treatment, to buildings~~ AND/OR MODIFICATIONS TO EXISTING SITE IMPROVEMENTS (DRIVEWAYS, PARKING, SITE WALLS, LANDSCAPE, DRAINAGE FACILITIES, OR SIMILAR), OR PROPERTIES WITH ADDITIONS (INCLUDING NEW ACCESSORY STRUCTURES) OF UP TO 2000 SQUARE FEET, ~~without additional square footage~~ ~~is~~ ARE subject to development review approval as follows:
- a. ~~For properties located within the boundary of the Downtown Code, the following shall apply:~~ COMPLIANCE WITH DEVELOPMENT REGULATIONS APPLICABLE ONLY TO THE EXTERIOR PORTION OF THE BUILDING AND/OR SITE IMPROVEMENTS BEING MODIFIED, UNLESS OTHERWISE STIPULATED WITH A REZONING OR ZONING ADJUSTMENT ACTION.
    - (1) ~~Compliance with the development standards, design standards and design guidelines of Chapter 12 only for that exterior portion of the building being modified.~~
    - (2) ~~Provision of landscaping in accordance with adopted streetscape designs unless prohibitive because of existing public utilities.~~
  - b. ~~Reserved.~~ FOR SITES SUBJECT TO THE DOWNTOWN CODE (CHAPTER 12) OR WALKABLE URBAN CODE (CHAPTER 13), PROVISION OF SHADE, LANDSCAPING AND SIDEWALKS IN ACCORDANCE WITH ADOPTED STREETSCAPE STANDARDS. UNLESS PROHIBITIVE BECAUSE OF EXISTING PUBLIC UTILITIES OR OTHER EXISTING SITE CONSTRAINTS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. ~~Additions to buildings are subject to development review approval as follows:~~ CHANGE OF USE OR OCCUPANCY TYPE, OR INTERIOR STRUCTURAL REMODELING ("TENANT IMPROVEMENTS"), WITH OR WITHOUT ADDITIONAL SQUARE FOOTAGE, ARE SUBJECT TO THE FOLLOWING:

- 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.~~  
COMPLIANCE WITH CURRENT STANDARDS FOR REQUIRED AUTOMOBILE AND BICYCLE PARKING.
- 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.~~  
SPECIFIC REQUIREMENTS RELATED TO THE USE OR OCCUPANCY AS OTHERWISE INDICATED IN THE ZONING ORDINANCE.
- 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.~~  
REQUIREMENTS OF SECTION 507.B.2 IF EXTERIOR REMODELING AND/OR ADDITIONS UNDER 2000 SF ARE ALSO INCLUDED.

4. PROPERTIES WITH ADDITIONS OF 2000 SQUARE FEET OR LARGER, VACANT PROPERTIES, AND/OR PROPERTIES UNDERGOING FULL DEMOLITION AND REDEVELOPMENT ARE SUBJECT TO FULL DEVELOPMENT REVIEW, INCLUDING ALL APPLICABLE DESIGN REVIEW PRINCIPLES AND GUIDELINES, UNLESS STATED OTHERWISE WITHIN THIS ZONING ORDINANCE.

4. 5. 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 (DESIGN REVIEW) AND ALL OTHER CODES AND POLICIES TO WHICH SUBDIVISIONS ARE SUBJECT. H.C, "Subdivision design."

- 5-6. DEVELOPMENT WHICH EXISTED AT THE TIME OF ANNEXATION, OR FOR WHICH ALL REQUIRED PERMITS WERE ISSUED BY THE CITY, IS ASSUMED TO HAVE A VALID DEVELOPMENT REVIEW PLAN, EVEN IF NO APPROVED SITE PLAN EXISTS. A SITE PLAN MAY BE REQUIRED BASED ON THE SCOPE OF ANY PROPOSED REMODEL, REVISION, ADDITION, OR REDEVELOPMENT.

~~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.~~

- 6-7. ~~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.~~

**ADAPTIVE REUSE.** DEVELOPMENT QUALIFYING AS ADAPTIVE REUSE MAY BE GRANTED FULL OR PARTIAL ADMINISTRATIVE RELIEF FROM ZONING ORDINANCE REQUIREMENTS IN ACCORDANCE WITH POLICIES ADOPTED BY CITY COUNCIL. IN SUCH CASES, THE RELIEF PROVIDED SHALL BE NOTED ON THE SITE PLAN, OR THE CONSTRUCTION PLANS IF NO SITE PLAN IS REQUIRED.

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- C. **Design Review Principles and Guidelines.** Design review principles, and guidelines are listed in Tab A and other sections of ~~this~~ THE ZONING 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.

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.
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.

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.

Increase in the cost of development is not an acceptable reason to waive a guideline or determine that a guideline is inappropriate.

- b. *Appeals.* In the event that a presumption is not incorporated or overcome, AS DETERMINED BY PDD STAFF, ~~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. ~~THE APPLICANT MAY FILE AN APPEAL TO BE HEARD BY THE DESIGN REVIEW COMMITTEE PER SECTION 507.G.~~



e. ~~*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. **TECHNICAL ITEMS (T).** DEVELOPMENT REGULATIONS INDICATED BY (T) WITHIN THIS AND OTHER SECTIONS OF THE ZONING ORDINANCE ARE CONSIDERED TECHNICAL ITEMS. TECHNICAL ITEMS MAY BE APPEALED THROUGH THE TECHNICAL APPEAL PROCESS SPECIFIED IN SECTION 507.H.

~~3.~~ 4. **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.

5. ITEMS WITHIN SECTION 507 TAB A AND OTHER SECTIONS OF THE ZONING ORDINANCE WHICH ARE NOT QUALIFIED BY AN (R), (R\*), (P), (T) OR (C) SHALL BE TREATED AS REQUIREMENTS (R), UNLESS EXPLICITLY STATED OTHERWISE.

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~~-DEVELOPMENT 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 DESIGN REVIEW appeals (see subsection G);
4. ~~Review~~ CONSIDERATION of ANY technical APPEALS 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).

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~~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 with Walkable Urban Code zoning, which would result in a furtherance of the goals and policies of Transit Oriented Policy Plans or other relevant policy plans.~~

1. ~~Each design alternative application shall include, at a minimum, the following:~~
  - 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;~~
  - b. ~~A listing of the standard(s) or guideline(s) that are the subject of the proposed design alternative;~~
  - 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, Transit Oriented Policy Plans, or other relevant policy plans and would satisfy the findings required for approval;~~
  - d. ~~Site plan;~~
  - e. ~~Building elevations;~~
  - f. ~~Context plan;~~

- ~~g. Landscaping and shading plan;~~
  - ~~h. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office; and~~
  - ~~i. Such other information as may be required by the Planning and Development Director or DRC.~~
- ~~2. Each sustainability bonus appeal 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 making a quantifiable improvement in the performance of the building(s);~~
  - ~~f. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office;~~
  - ~~g. Such other information as may be required by the Planning and Development Director or DRC.~~
- ~~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.~~
- ~~4. In order to approve a design alternative, the DRC must make findings as follows:~~
- ~~a. That the project is consistent with the intent stated for the subject character area in the Downtown Code;~~
  - ~~b. That the project demonstrates design excellence by addressing at least two of the following:
    - ~~(1) Design innovation and the imaginative use of space, form and materials.~~~~

~~Permeability and connectivity which enables people to move within, around and through the project with ease.~~

~~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."~~

~~The project incorporates materials and design which enhance thermal comfort.~~

~~Modifications from prescribed standards as per Section 1313; and~~

- ~~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 Transit Oriented Policy Plans or other relevant policy plans. The modifications must meet the standards set forth in Section 1313.~~
- ~~5. In order to approve a sustainability bonus appeal, the DRC must make findings as follows:
  - ~~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(s) through generally accepted building and design standards and innovation; and~~
  - ~~c. The increased entitlements are consistent with the improved performance of the building(s).~~~~
- ~~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.~~
- ~~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. 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.~~

## **G. DESIGN REVIEW APPEALS**

1. THE PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE MAY APPEAL A DEPARTMENT DECISION ON A DESIGN REVIEW ITEM TO THE DESIGN REVIEW COMMITTEE, WHO SHALL HEAR THE APPEAL PER SECTION 309, AS FOLLOWS:
  - a. AN ACTION OR DECISION OF THE PLANNING AND DEVELOPMENT DEPARTMENT IMPOSING CONDITIONS IN ACCORDANCE WITH:
    - (1) DESIGN REVIEW PRESUMPTIONS, WHICH ARE TYPICALLY INDICATED AS (P); OR
    - (2) OTHER PRESUMPTIVE STANDARDS OR CRITERIA INDICATED BY THE WORD "SHOULD".
  - b. A DESIGN REVIEW REQUIREMENT INDICATED WITH AN (R\*).
  - c. AN ACTION OR DECISION OF THE PLANNING AND DEVELOPMENT DEPARTMENT IMPOSING CONDITIONS IN ACCORDANCE WITH URBAN DESIGN PRINCIPLES, ADOPTED DESIGN REVIEW POLICIES, OR DESIGN DECISIONS WHICH ARE IMPOSED TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE.
  - d. A DESIGN ALTERNATIVE APPEAL, AS PROVIDED IN THE DOWNTOWN CODE, CHAPTER 12, OR IN THE WALKABLE URBAN CODE, CHAPTER 13.
  - e. A SUSTAINABILITY BONUS APPEAL, AS PROVIDED IN THE DOWNTOWN CODE, CHAPTER 12.
2. **DESIGN REVIEW COMMITTEE HEARING PROCESS.** AN APPEAL TO THE DESIGN REVIEW COMMITTEE MUST BE SUBMITTED NO LATER THAN 30 CALENDAR DAYS AFTER A DECISION HAS BEEN ISSUED BY THE PLANNING AND DEVELOPMENT DEPARTMENT REGARDING THE SUBJECT DESIGN REVIEW ITEM.
  - a. APPEALS SHALL BE IN WRITING ON A FORM PROVIDED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AND SHALL INCLUDE ONLY THOSE ITEMS APPEALABLE TO THE DESIGN REVIEW COMMITTEE.
  - b. AN APPEAL SUBMITTAL MUST BE COMPLETE BASED UPON THE REQUEST AND REQUIREMENTS ON THE SUBMITTAL CHECKLIST BEFORE IT IS SCHEDULED FOR A HEARING. STAFF WILL REVIEW THE SUBMITTAL FOR COMPLETENESS AND PROVIDE A WRITTEN LIST OF ANY DEFICIENCIES TO THE APPLICANT WITHIN 15 CALENDAR DAYS OF RECEIPT OF THE SUBMITTAL.

- c. ONCE DETERMINED TO BE COMPLETE, AN APPEAL WILL BE SCHEDULED FOR THE NEXT DESIGN REVIEW COMMITTEE HEARING, BUT NO SOONER THAN 15 CALENDAR DAYS FROM STAFF DETERMINATION THAT THE SUBMITTAL IS COMPLETE. BY MUTUAL CONSENT OF PDD STAFF AND THE APPLICANT, THE APPEAL MAY BE SCHEDULED FOR A LATER DRC HEARING.
- d. NO LATER THAN 15 CALENDAR DAYS PRIOR TO THE SCHEDULED DESIGN REVIEW COMMITTEE HEARING, THE APPLICANT SHALL MAIL A NOTICE TO ALL PROPERTY OWNERS AND REGISTERED NEIGHBORHOOD ASSOCIATIONS 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.
- e. ANY PERSON WHO HAS BEEN OR WILL BE INVITED TO THE PRELIMINARY SITE PLAN REVIEW MEETING WITH THE APPLICANT SHALL BE INFORMED BY THE PLANNING AND DEVELOPMENT DEPARTMENT OF THE DATE, TIME AND LOCATION OF DRC APPEAL HEARING.
- f. IN APPROVING AN APPEAL, THE DRC MAY IMPOSE ANY REASONABLE CONDITIONS TO ENSURE THAT THE APPROVAL COMPLIES WITH ANY FINDINGS REQUIRED.
- g. A DECISION ON THE APPEAL WILL BE MADE BY THE DESIGN REVIEW COMMITTEE ON THE DATE OF THE HEARING UNLESS CONTINUED TO A FUTURE DRC HEARING AT THE DISCRETION OF THE DESIGN REVIEW COMMITTEE. THE DECISION SHALL BE TRANSMITTED BY PDD STAFF TO THE APPLICANT IN WRITING WITHIN 15 CALENDAR DAYS OF THE DECISION.
- h. THE DECISION OF THE DESIGN REVIEW COMMITTEE IS FINAL AND NON-APPEALABLE.

H. **Appeals.** There are two distinct categories of review standards, design and technical:

- 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.~~
  - 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.~~

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.~~

- 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.~~
- e. ~~*Development Advisory Board action.* The Development Advisory Board may:~~
  - (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.~~

## H. TECHNICAL APPEALS

1. THE PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE MAY APPEAL A DEPARTMENT DECISION REGARDING A TECHNICAL ITEM, AN INFRASTRUCTURE REQUIREMENT IMPOSED BY THE DEPARTMENT, OR AN ITEM INDICATED AS (T) IN SECTION 507 TAB A, CHAPTER 12 AND OTHER SECTIONS OF THE ZONING ORDINANCE TO THE TECHNICAL APPEALS COMMITTEE (TAC) PER SECTION 312, AS FOLLOWS:
  - a. ANY APPEAL SHALL BE FILED NO LATER THAN 15 CALENDAR DAYS FOLLOWING A DECISION OF THE PLANNING AND DEVELOPMENT DEPARTMENT.
  - b. THE TAC MAY GRANT AN APPEAL IF THE APPELLANT CAN DEMONSTRATE THAT THERE EXISTS EXTRAORDINARY CONDITIONS OF TOPOGRAPHY, LAND OWNERSHIP, OR ADJACENT DEVELOPMENT, OR OTHER CIRCUMSTANCES NOT PROVIDED FOR IN THESE REGULATIONS. THE TAC MAY MODIFY THE REQUIREMENT(S) IN SUCH A MANNER AND TO SUCH EXTENT AS MAY BE APPROPRIATE TO THE PUBLIC INTEREST SOUGHT TO BE PROTECTED BY THE REQUIREMENT(S) REQUESTED TO BE MODIFIED. IN MODIFYING THE REQUIREMENT(S), THE TAC MAY MAKE SUCH ADDITIONAL REQUIREMENTS AS APPEAR NECESSARY TO SUBSTANTIALLY SECURE THE OBJECTIVES OF THE MODIFIED REQUIREMENT(S).
  - c. IN ADDITION TO THE REQUIREMENTS OF H.1.B, REQUESTS FOR TECHNICAL APPEALS ARISING FROM DEVELOPMENTS SUBJECT TO THE DOWNTOWN CODE (CHAPTER 12), WALKABLE URBAN CODE (CHAPTER 13) AND ANY OTHER AREA-SPECIFIC TECHNICAL REQUIREMENTS SHALL BE APPROVED ONLY IF THE MODIFICATION IS CONSISTENT WITH ANY STATED RATIONALE, GOAL, OR INTENT SPECIFIC TO THE CHARACTER AREA AND APPLICABLE STREETSCAPE STANDARDS. THE TAC MAY IMPOSE STIPULATIONS TO ENSURE COMPLIANCE WITH SUCH RATIONALE, GOAL OR INTENT WHEN APPROVING A TECHNICAL APPEAL.
2. **APPLICATION.** TECHNICAL APPEALS SHALL BE FILED IN WRITING ON A FORM PROVIDED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AS FOLLOWS:
  - a. THE REQUEST SHALL ADDRESS ONLY THOSE ITEMS BEING APPEALED.



- b. THE REQUEST SHALL INCLUDE TECHNICAL INFORMATION AND A NARRATIVE RELATED TO THE APPEAL, CLEARLY EXPLAINING WHY THE PROPOSED ALTERNATIVE IS EQUIVALENT TO OR BETTER THAN THE TECHNICAL ITEM BEING APPEALED.
- 3. THE TAC WILL CONDUCT A REVIEW OF THE APPEAL AT THEIR FIRST REGULARLY SCHEDULED MEETING FOLLOWING A COMPLETE SUBMITTAL.
  - a. THE TAC MAY CHOOSE TO DEFER ACTION ON THE APPEAL AND INSTEAD SEND THE APPEAL REQUEST DIRECTLY TO THE CITY MANAGER'S REPRESENTATIVE (CMR) FOR HEARING, AS OUTLINED BELOW.
  - b. THE TAC MAY CHOOSE TO REQUEST ADDITIONAL INFORMATION PRIOR TO RENDERING A DECISION.
- 4. THE TAC SHALL TAKE ONE OF FIVE ACTIONS ON THE APPEAL: APPROVE, APPROVE WITH STIPULATIONS, DENY, FORWARD FOR CMR HEARING WITHOUT RECOMMENDATION, OR CONTINUE TO A SUBSEQUENT TAC MEETING IF ADDITIONAL INFORMATION IS REQUIRED FOR REVIEW BEFORE RENDERING A DECISION.
- 5. A DECISION OF THE TAC SHALL BE CONSIDERED FINAL IF NOT APPEALED TO THE CMR WITHIN 15 CALENDAR DAYS OF THE DECISION.
- 6. **CITY MANAGER'S REPRESENTATIVE APPEAL HEARING.** A DECISION OF THE TAC MAY BE APPEALED TO THE CMR BY THE PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE WITHIN 15 CALENDAR DAYS.
  - a. SCHEDULING OF CMR HEARING. A TECHNICAL APPEAL WILL BE HEARD BY THE CMR WITHIN 30 CALENDAR DAYS FROM THE DATE OF FORWARDING FROM TAC. THE APPLICANT SHALL BE NOTIFIED IN WRITING OF THE DATE OF THE CMR HEARING NO LATER THAN SEVEN CALENDAR DAYS PRIOR TO THE HEARING.
  - b. CITY MANAGER'S REPRESENTATIVE'S DECISION. A DECISION ON THE APPEAL WILL BE MADE BY THE CMR AT THE HEARING. THE CMR SHALL TAKE ONE OF FIVE ACTIONS ON THE APPEAL: APPROVE, APPROVE WITH STIPULATIONS, DENY, CONTINUE TO A SUBSEQUENT CMR HEARING FOR FURTHER CONSIDERATION, OR ISSUE A RULING AT A LATER DATE IN ORDER TO FIRST SEEK ADDITIONAL INFORMATION AND/OR PROFESSIONAL ADVICE. THE FINAL CMR DECISION SHALL BE TRANSMITTED IN WRITING TO THE APPLICANT AND ANY INTERESTED PARTIES WHO WERE IN ATTENDANCE AT THE HEARING.

7. **APPEAL TO DEVELOPMENT ADVISORY BOARD.** AN APPEAL OF THE DECISION OF THE CMR MAY BE MADE TO THE DEVELOPMENT ADVISORY BOARD, AS ESTABLISHED UNDER CHAPTER 2, ARTICLE IX OF THE CITY CODE. NOTWITHSTANDING THE PROCESS OUTLINED IN CHAPTER 2, ARTICLE IX, SECTION 2-172, AN APPEAL UNDER THIS PROVISION MUST BE FILED WITHIN 15 CALENDAR DAYS OF THE DATE OF THE CMR DECISION.

\*\*\*

**Amend Chapter 6, Section 669 (Arts, Culture, and Small Business Overlay District) as follows:**

\*\*\*

- B. **Applicability.** The Arts, Culture and Small Business Overlay may be applied to land bounded by Interstate 10 Inner Loop (Papago Freeway) on the north, 20th Street to the east, Buckeye Road to the south and 19th Avenue to the west. ~~The application of the overlay on specific parcels will occur subject to approval by City Council through the rezoning process in accordance with zoning map amendment section of the Zoning Ordinance. The regulations governing the uses of land and structures shall be as set forth in the underlying zoning districts or other overlay districts, except as expressly modified by the following regulations and as regulated by other provisions of City Code. Where there is a conflict with other Zoning Ordinance provisions, the more permissive shall apply.~~

1. FOR PROPERTIES NOT ZONED DOWNTOWN CODE (DTC), THE APPLICATION OF THE OVERLAY ON SPECIFIC PARCELS WILL OCCUR SUBJECT TO APPROVAL BY CITY COUNCIL THROUGH THE REZONING PROCESS IN ACCORDANCE WITH SECTION 506.B. THE REGULATIONS GOVERNING THE USES OF LAND AND STRUCTURES SHALL BE AS SET FORTH IN THE UNDERLYING ZONING DISTRICTS OR OTHER OVERLAY DISTRICTS, EXCEPT AS EXPRESSLY MODIFIED BY THE FOLLOWING REGULATIONS AND AS REGULATED BY OTHER PROVISIONS OF CITY CODE. WHERE THERE IS A CONFLICT WITH OTHER ZONING ORDINANCE PROVISIONS, THE MORE PERMISSIVE SHALL APPLY.
2. FOR PROPERTIES ZONED DOWNTOWN CODE (DTC), APPLICATION OF THE ARTS, CULTURE, AND SMALL BUSINESS AREA DEVELOPMENT REGULATIONS ON AFFECTED PROPERTIES SHALL BE AS SPECIFIED BY SECTION 1207.M.

\*\*\*

Amend Chapter 7, Section 702 (Off-Street Parking and Loading) to correct a numbering error for Section 702.B (Off-Street Loading Spaces), which immediately follows Section 702.G, and to make other minor changes to terms used.

- B.H. ~~Off-Street~~-SERVICE/GOODS Loading Spaces.

1. General provisions, requirements for space size. ~~Off-street~~ SERVICE/GOODS 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.
2. ~~Off-Street~~ SERVICE/GOODS loading spaces required. The following shall apply to all developments, except for single family developments and vehicular parking areas.
  - a. Commercial developments (excluding office) less than 60 feet in height and industrial developments, shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:  
\*\*\*
  - b. Office development less than 60 feet in height shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:  
\*\*\*
  - c. Multi-family residential development shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:  
\*\*\*
  - 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~~ SERVICE/GOODS loading spaces:  
\*\*\*
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. SERVICE/GOODS LOADING SPACES SHALL BE LOCATED ON-SITE UNLESS SPECIFICALLY PERMITTED ELSEWHERE BY THE ZONING ORDINANCE. In no case shall the required off-street loading space be part of the area USED to satisfy the off-street parking requirements of this Ordinance.~~

\*\*\*

Amend Chapter 7, Section 703 (Landscaping, Fences and Walls) to correct a provision regarding when a Certificate of No Effect or Certificate of Appropriateness is required for a wall/fence.

A. Height of Fences and Retaining Walls.

\*\*\*

2. The following shall apply to all residence districts:
  - 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:

- (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.~~

HISTORIC PRESERVATION DESIGNATED PROPERTIES. FOR PROPERTIES DESIGNATED HP AND HP-L, FENCES OR FREESTANDING WALLS IN THE FRONT YARD (THE AREA BETWEEN THE STRUCTURE AND THE STREET RIGHT-OF-WAY LINE) SHALL NOT EXCEED A MAXIMUM HEIGHT OF THREE FEET. THIS HEIGHT LIMITATION EXTENDS THREE FEET BACK FROM THE FRONT FAÇADE INTO THE SIDE YARD(S).

**Repeal Chapter 12, and replace with a new and revised Chapter 12, as follows:**

**Chapter 12  
DOWNTOWN CODE**

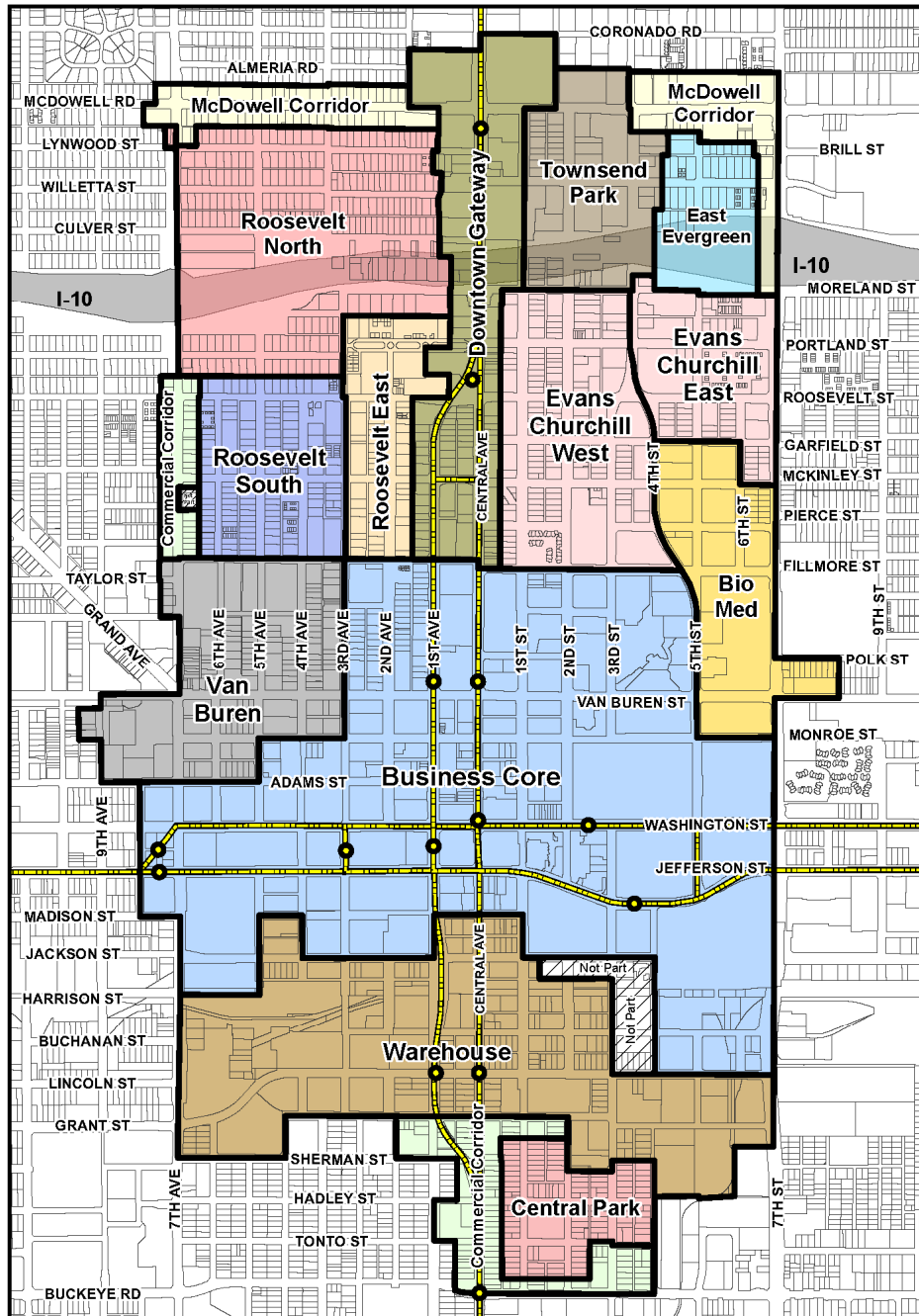
<b>Section 1201.</b>	<b>Code Administration.</b>
<b>Section 1202.</b>	<b>Regulating Maps.</b>
<b>Section 1203.</b>	<b>Land Use Matrix.</b>
<b>Section 1204.</b>	<b>Streetscape and Frontage Zones.</b>
<b>Section 1205.</b>	<b>Frontage Elements.</b>
<b>Section 1206.</b>	<b>Parking, Loading, and Vehicular Access.</b>
<b>Section 1207.</b>	<b>General Development Regulations.</b>
<b>Section 1208.</b>	<b>Biomed.</b>
<b>Section 1209.</b>	<b>Business Core.</b>
<b>Section 1210.</b>	<b>Central Park.</b>
<b>Section 1211.</b>	<b>Commercial Corridors.</b>
<b>Section 1212.</b>	<b>Downtown Gateway.</b>
<b>Section 1213.</b>	<b>East Evergreen.</b>
<b>Section 1214.</b>	<b>Evans Churchill East.</b>
<b>Section 1215.</b>	<b>Evans Churchill West.</b>
<b>Section 1216.</b>	<b>McDowell Corridor.</b>
<b>Section 1217.</b>	<b>Roosevelt East.</b>
<b>Section 1218.</b>	<b>Roosevelt North.</b>
<b>Section 1219.</b>	<b>Roosevelt South.</b>
<b>Section 1220.</b>	<b>Townsend Park.</b>
<b>Section 1221.</b>	<b>Van Buren.</b>
<b>Section 1222.</b>	<b>Warehouse.</b>
<b>Section 1223.</b>	<b>Sustainability Bonus Points.</b>
<b>Section 1224.</b>	<b>Appeals.</b>

## **Section 1201. Code Administration.**

- A. **Purpose and Intent.** The purpose of the Downtown 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 and with the vision and goals of PlanPHX.
- B. **Applicability.** The Downtown Code applies to all land uses, subdivisions, and development within the boundary specifically identified in Section 1202.A 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”. The “Downtown Code” may be abbreviated as “DTC”.
1. Historic Preservation. 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.
  2. If a conflict occurs between requirements of the Downtown Code and other provisions the City of Phoenix Zoning Ordinance (not including Chapter 8), the requirements of the Downtown Code shall prevail.
  3. Development review of sites located within Downtown shall be in conformance with the provisions of Section 507.B, unless specifically stated otherwise within this Chapter.
- 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, unless subject to the provisions of Chapter 9, Nonconformities.
  2. Development review approval shall be obtained in accordance with the procedures outlined in Section 507, Development Review Approval.
  3. Guidelines, standards, and requirements in this Chapter indicated with the markers (R), (R\*), (P), (T), and (C) shall be applied and enforced in the same manner as indicated in Section 507. Items not indicated with an (R), (R\*), (P), (T), and (C) shall be treated as (R).

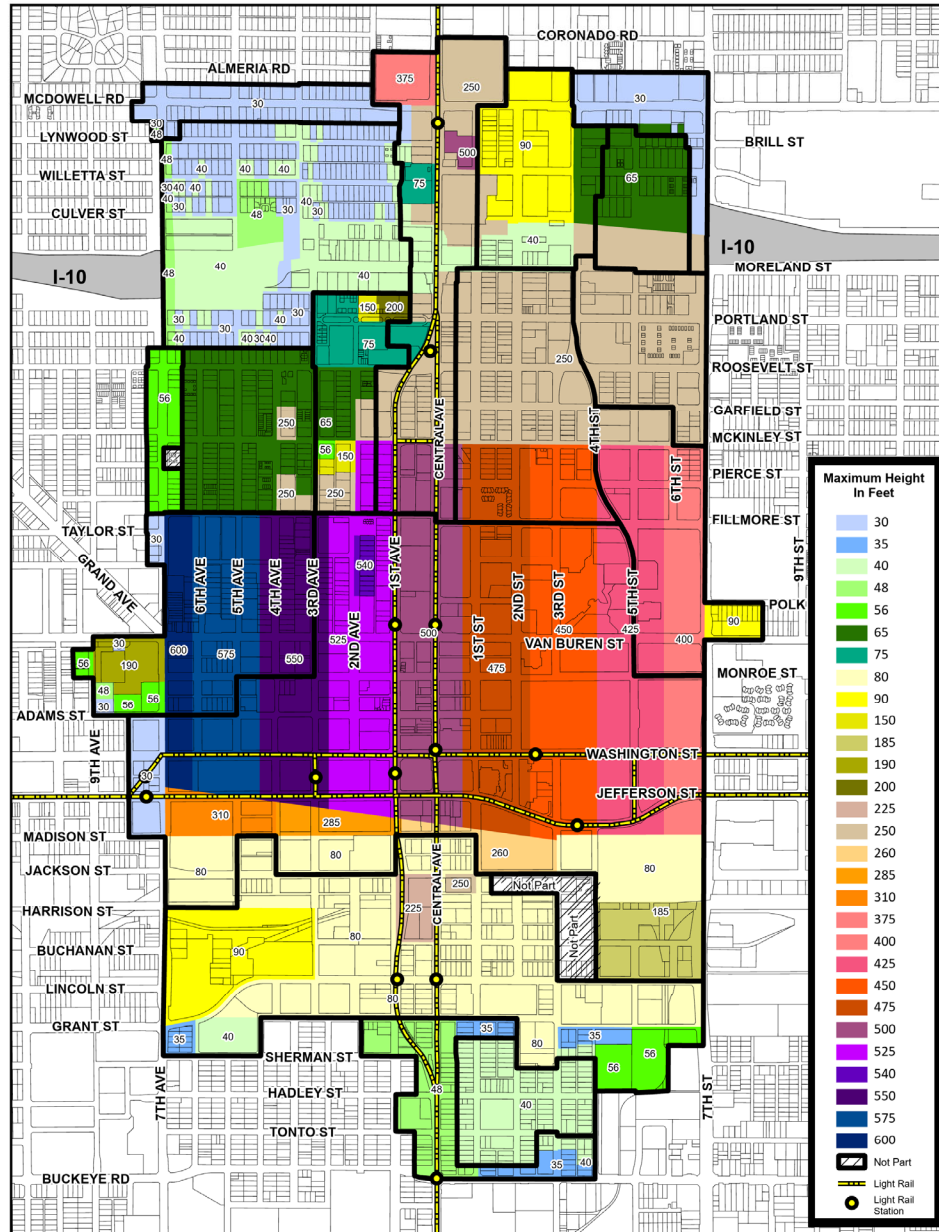
## Section 1202. Regulating Maps.

A. **Character Areas.** This map designates the Character Area boundaries for the Downtown Code:



**B. Maximum Building Height.** This map designates maximum building heights within Downtown.

1. The height limits shown on the following map are the base requirements and do not include any height bonuses which may be allowed per other sections of this Chapter. Additional setbacks may apply at the boundary between different height zones, per Section 1207.E.
2. No building height may exceed the Airport Height Limits provided in Chapter 4, Article XIII of the Phoenix City Code.

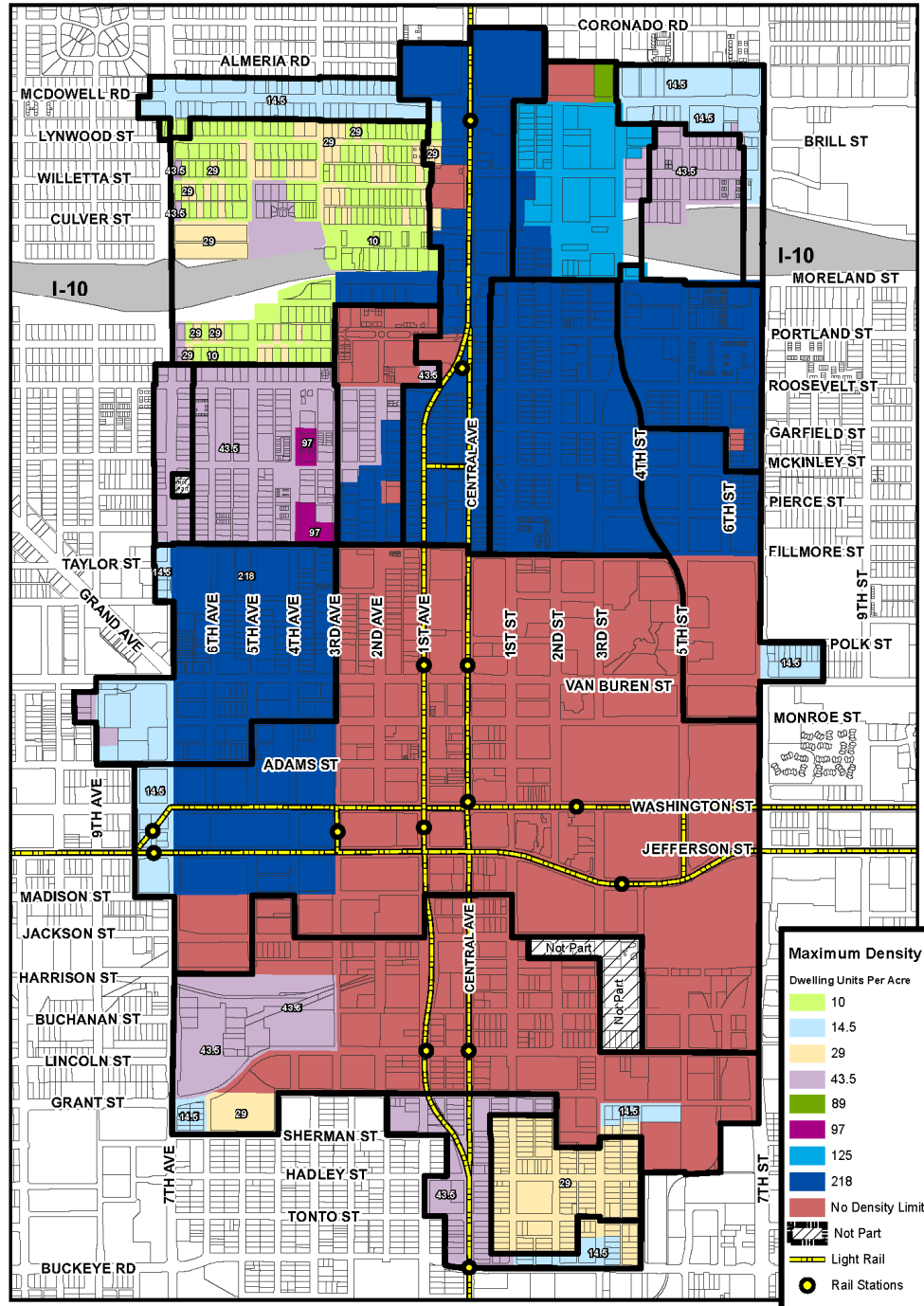


WHERE THERE EXISTS A CONFLICT BETWEEN THE HEIGHT LIMITATION PRESCRIBED IN THE CHAPTER AND ANY OTHER REGULATIONS IN CHAPTER 4 OF THE PHOENIX CITY CODE, THE LOWER LIMITATION SHALL GOVERN AND PREVAIL. (SEE PHOENIX CITY CODE SEC. 4-247)

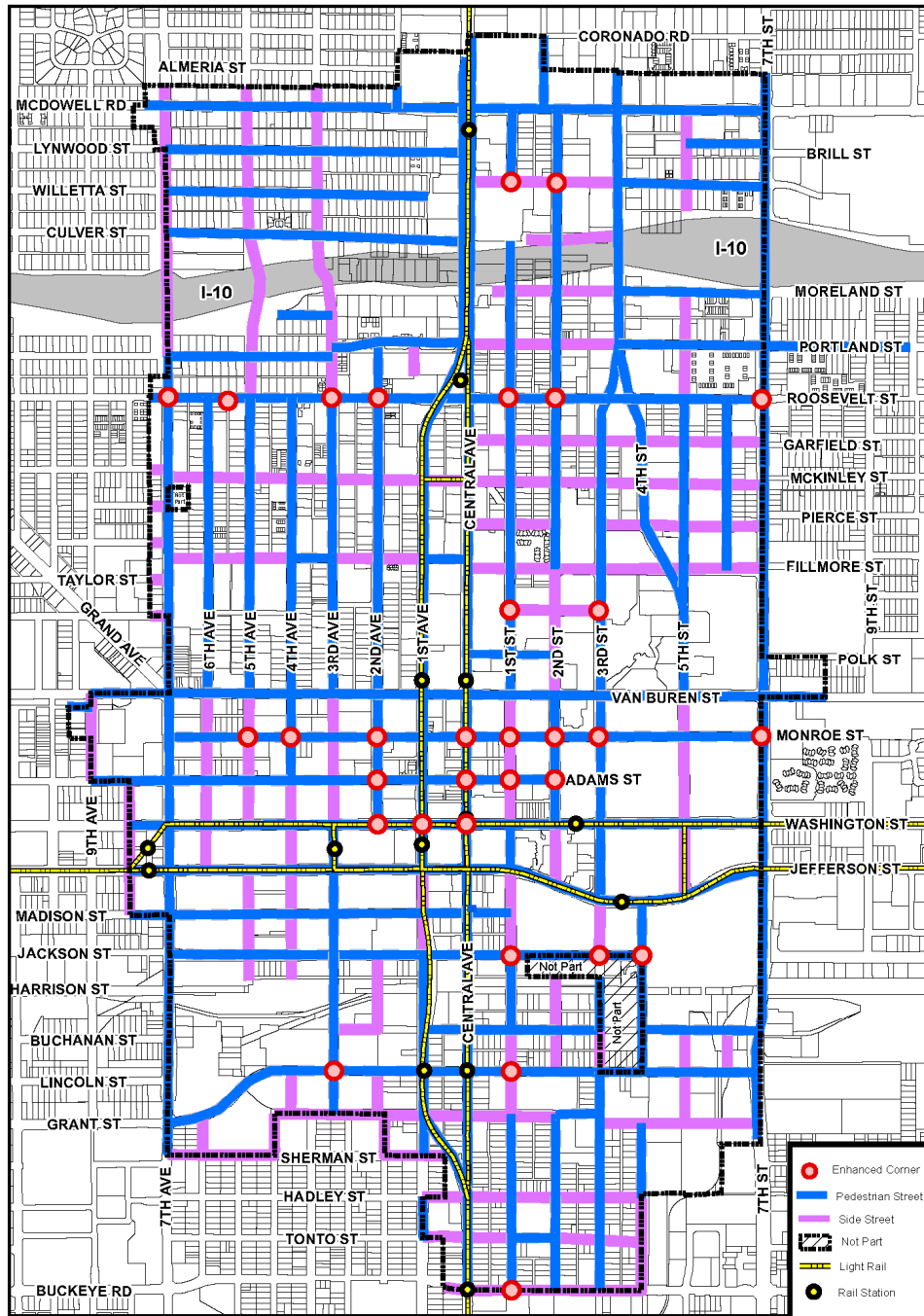


C. **Maximum Density.** This map designates maximum density limits within Downtown.

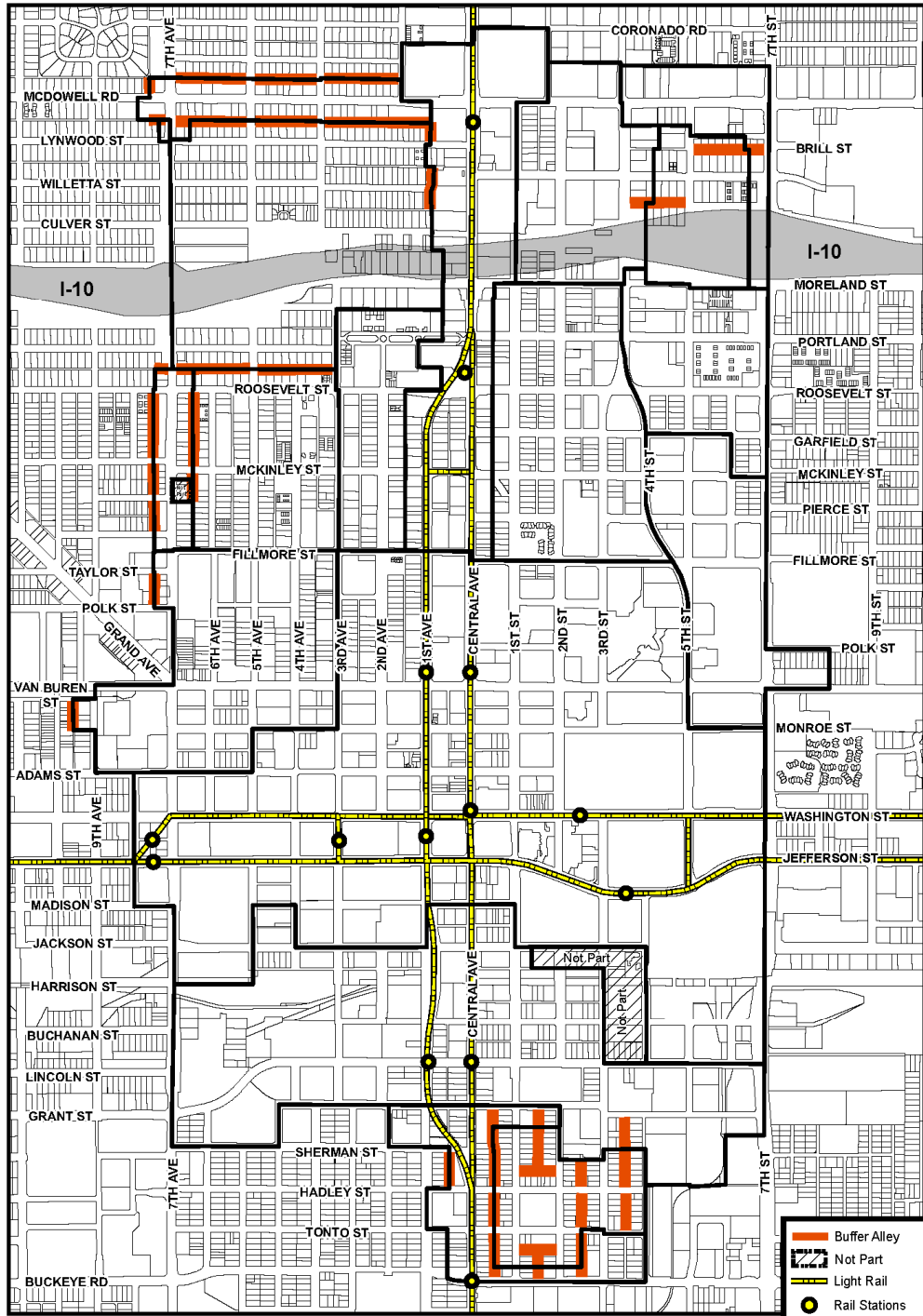
1. The density limits shown on the following map are the base requirements and do not include any density bonuses which may be allowed per other sections of this Chapter.



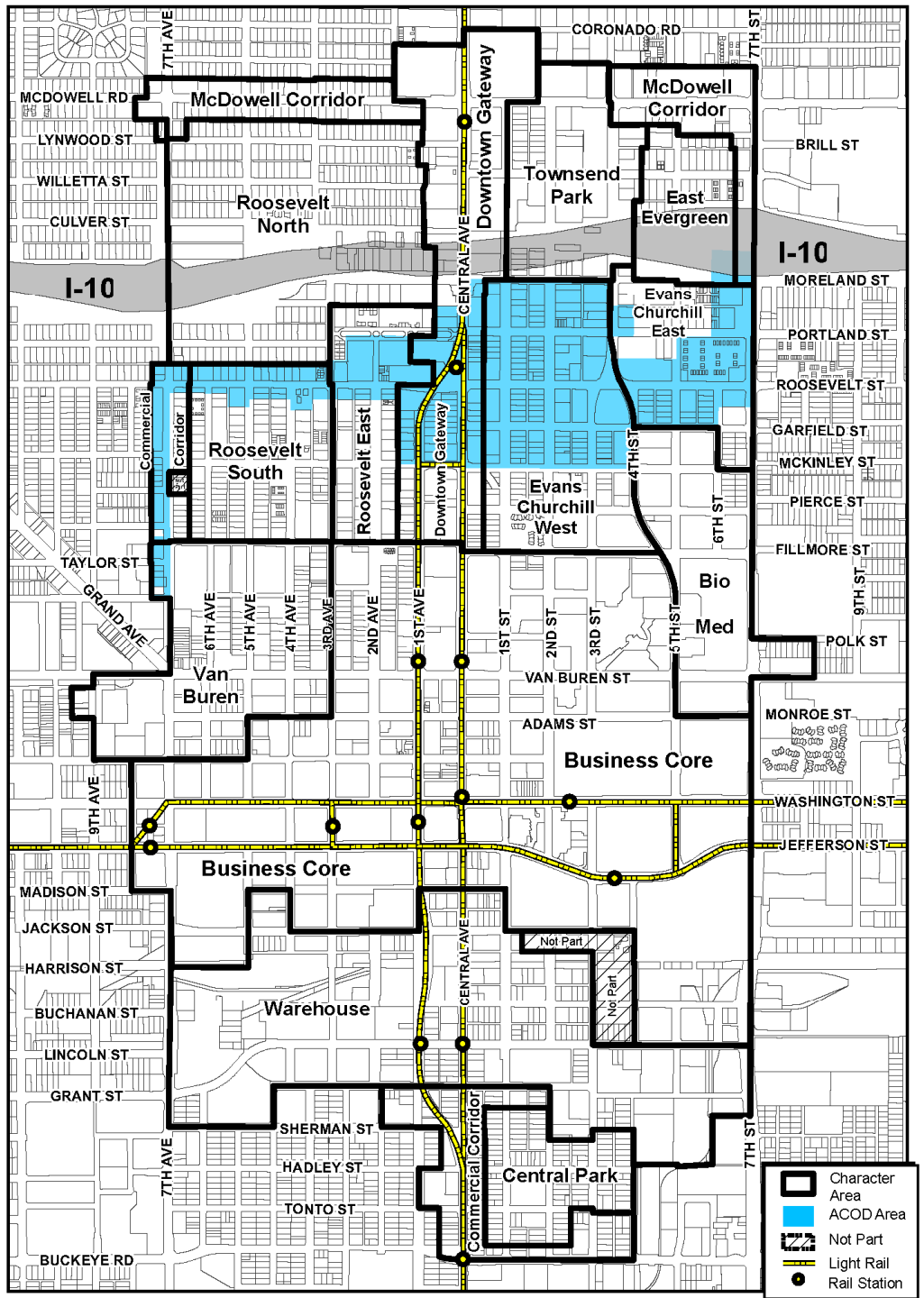
D. **Pedestrian Streets, Side Streets, and Enhanced Corners.** This map designates the streets within Downtown that are either Pedestrian or Side Streets, as referenced elsewhere within this Chapter. The map also designates Enhanced Corner locations as referenced elsewhere in this Chapter. Public streets not designated on this map shall be considered Pedestrian Streets.



E. **Buffer Alleys.** This map designates Buffer Alleys for which abutting properties must conform to the requirements outlined elsewhere in this Chapter.



F. **Arts, Culture and Small Business Area.** This map designates the Arts, Culture, and Small Business Area referenced elsewhere in this Chapter:



**Section 1203. Land Use Matrix.**

- A. **Applicability.** The Land Use Matrix regulates all permitted uses within Downtown.
- B. **Use Regulations.** The regulations governing the uses of land and structures shall be set forth in the Land Use Matrix, Section 1203.C, and Land Use Conditions in Section 1203.D:
1. Any use not specifically listed in the Land Use Matrix shall not be permitted.
  2. All uses indicated with “p” are permitted with the applicable Character Area.
  3. All uses indicated with “pc” are permitted with conditions within the applicable Character Area. The conditions are described in Section 1203.D, Land Use Conditions, by the associated condition number (e.g. “pc15” is described under Section 1203.D.15).
  4. All uses indicated with “up” are permitted within the applicable Character Area only upon approval of a Use Permit per Section 307.A.7.
  5. All uses indicated with “sp” are permitted within the applicable Character Area only upon approval of a Special Permit per Section 504.1.
  6. All uses indicated with “np” are not permitted within the applicable Character Area.

**C. Land Use Matrix.**

LAND USE CATEGORIES	CHARACTER AREAS															
	ACTIVE USE	BioMed	BC	Central Park	Commercial Corridors	Dntn Gateway	East Evergreen	Evans Churchill East	Evans Churchill West	McDowell Corridor	Roosevelt East	Roosevelt North	Roosevelt South	Townsend Park	Van Buren	Warehouse
<b>RESIDENTIAL USES</b>																
Boarding House		pc1	pc1	sp, pc1, 13	pc1, 13	pc1	pc1	pc1	pc1	pc1, 13	pc1, 13	sp, pc1, 13	up, pc1, 13	pc1, 13	pc1	pc1
Community Residence Home		pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29
Dwelling Unit, Multi-Family		p	p	p	p	p	p	p	p	p	p	p	p	p	p	p
Dwelling Unit, Single-Family, Detached (including Duplex and Triplex uses)		np	np	p	p	np	p	p	p	p	p	p	p	p	p	np
Dwelling Unit, Single-Family Attached		np	np	p	p	np	p	p	p	p	p	p	p	p	p	np
Group Home		pc1	pc1	sp, pc1, 13	pc1, 13	pc1	pc1	pc1	pc1	pc1, 13	pc1, 13	sp, pc1, 13	up, pc1, 13	pc1, 13	pc1	pc1
Group Foster Home		p	p	up	p	p	p	p	p	p	p	up	up	p	p	p
Live-Work	x	p	p	pc11, 15	p	p	p	p	p	p	p	np	p	p	p	p
Subdivision, Single-Family Infill		np	np	pc27	pc27	np	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27	np
<b>Accessory to Residential Uses Only:</b>																
Accessory Dwelling Unit		np	np	pc31	pc31	np	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31	np
Home Occupations		pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32
<b>ASSEMBLY USES</b>																
Assembly, General	x	p	p	np	p	p	up	p	p	p	up	np	np	p	p	p
Day Care (Adult Day Care Center and Child Care), Nursery School	x	p	p	pc13, 15	p	p	pc13, 15	p	p	p	p	pc13, 15	pc13, 15	p	p	p

LAND USE CATEGORIES		CHARACTER AREAS															
		<i>ACTIVE USE</i>	<i>BioMed</i>	<i>BC</i>	<i>Central Park</i>	<i>Commercial Corridors</i>	<i>Dntn Gateway</i>	<i>East Evergreen</i>	<i>Evans Churchill East</i>	<i>Evans Churchill West</i>	<i>McDowell Corridor</i>	<i>Roosevelt East</i>	<i>Roosevelt North</i>	<i>Roosevelt South</i>	<i>Townsend Park</i>	<i>Van Buren</i>	<i>Warehouse</i>
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
<b>GENERAL RETAIL SALES AND RELATED SERVICE USES</b>																	
Artist Studio/Gallery		x	p	p	pc4, 6, 17	p	p*	pc4, 6, 17	p*	p*	p	pc4, 6, 17*	np	pc4, 6, 17*	p	p	p
Bakery		x	p	p	np	p	p	up	p	p	p	p	np	up	p	p	p
Commercial Recreation		x	p	p	np	p	p	np	p	p	p	p	np	np	p	p	p
Farmers Market		x	pc26	pc26	np	pc26	pc26	pc26	pc26	pc26	pc26	pc26	np	pc26	pc26	pc26	pc26
Garden Center, Plant Nursery		x	np	np	np	p	p	p	p	p	p	p	np	p	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
Retail Sales		x	p	p	np	pc10	p	pc7	pc9	pc10	pc10	pc9	np	pc9	pc8	p	p
Second Hand/Used Merchandise Sales		x	pc21	pc21	np	pc10, 21	pc21	pc7, 21	pc9, 21	pc10, 21	pc10, 21	pc9, 21	np	pc9, 21	pc8, 21	pc21	pc21
<b>FOOD SERVICE AND ENTERTAINMENT</b>																	
Bar		x	up	p	np	up	up	up	up	up	up	up	np	up	up	up	p
<i>(ac)</i>	<i>Outdoor Liquor Service</i>	x	up	up	np	up	up	up	up	up	up	up	np	up	up	up	up
Liquor, Retail Sales		x	up	up	np	up	up	np	up	up	up	up	np	np	up	up	up

LAND USE CATEGORIES		CHARACTER AREAS															
	ACTIVE USE	BioMed	BC	Central Park	Commercial Corridors	Dntrn Gateway	East Evergreen	Evans Churchill East	Evans Churchill West	McDowell Corridor	Roosevelt East	Roosevelt North	Roosevelt South	Townsend Park	Van Buren	Warehouse	
Dance Hall	x	np	up	np	np	np	np	np	np	np	np	np	np	np	up	up	
Restaurant	x	p	p	np	p*	p*	pc7	p*	p*	p	p*	np	pc2*	p	p	p	
Brew Pub, Microbrewery, Winery	x	up24	up24	np	up24	up24	up24	up24	up24	up24	up24	np	up24	up24	up24	p24	
<b>Accessory Only To Restaurant/Brew Pub/Microbrewery/Winery:</b>																	
(ac)	Outdoor Liquor Service	x	up	p	np	up	up	up	up	up	up	np	up	up	up	p	
(ac)	Outdoor Cooking	x	up	pc4, 16	np	up	up	np	up	up	up	np	np	up	up	up	
(ac)	Outdoor Dining	x	p	p	np	pc3*	p*	np	p*	p*	p	p*	np	pc3*	p	pc3	p
(ac)	Patron Dancing	x	p	p	np	p	p	np	p	p	p	p	np	np	p	p	p
<b>LODGING</b>																	
Bed and Breakfast	x	p	p	up	p	p	p	p	p	p	p	np	p	p	p	p	
Hotel/Motel	x	p	p	np	p	p	p	p	p	p	p	np	up	p	p	p	
<b>HEALTH AND SUPPORT SERVICES</b>																	
Clinic, Medical or Dental	x	p	p	np	p	p	p	p	p	p	up	np	up	p	p	p	
Community Residence Center	x	p	p	sp	p	p	p	p	p	p	p	sp	up	p	p	p	
Hospice	x	p	p	sp	p	p	p	p	p	p	p	sp	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	



LAND USE CATEGORIES	CHARACTER AREAS															
	<i>ACTIVE USE</i>	<i>BioMed</i>	<i>BC</i>	<i>Central Park</i>	<i>Commercial Corridors</i>	<i>Dntrn Gateway</i>	<i>East Evergreen</i>	<i>Evans Churchill East</i>	<i>Evans Churchill West</i>	<i>McDowell Corridor</i>	<i>Roosevelt East</i>	<i>Roosevelt North</i>	<i>Roosevelt South</i>	<i>Townsend Park</i>	<i>Van Buren</i>	<i>Warehouse</i>
Nursing Home or Assisted Living Center	x	p	p	sp	p	p	p	p	p	p	sp	up	p	p	p	
Veterinary Office	x	p	p	np	p	p	p	p	p	p	np	up	p	p	p	
<b>INDUSTRIAL AND MANUFACTURING USES</b>																
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
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
<b>OFFICE AND PROFESSIONAL USES</b>																
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	pc19	p	p	p	p

<b>SERVICES</b>																
Appliance Repair	x	pc4, 6, 17	np	np	pc4, 6, 17	pc4, 6, 17	np	pc4, 6, 17	pc4, 6, 17	pc4, 6, 17	pc4, 6, 17	np	np	pc4, 6, 17	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	p	p	p	sp	np	np	np	p	p

<b>STORAGE AND WHOLESALING USES</b>																
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
<b>UTILITY AND TRANSPORTATION USES</b>																
Motor Vehicle Rentals	x	up	pc12	np	up	pc12	np	sp	sp	sp	sp	np	np	sp	up	up
Motor Vehicle Sales (New) and Leasing	x	sp	pc12	np	pc12	pc12	np	sp	sp	sp	sp	np	np	sp	pc12	pc12
Motor Vehicle Service Station, Fuel Sales	x	np	sp	np	up19	np	np	np	np	up19	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
Public Utility Buildings and Facilities		pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28
<b>ACCESSORY USES AND FACILITIES</b>																
Accessory Structure (not ADU)		np	np	p	p	np	p	p	p	p	p	p	p	p	p	np
Adult Day Care Home		up	p	up	p	p	p	p	p	p	p	up	p	p	p	p
Dependent Care Facility		up	p	up	p	p	pc14	p	p	p	p	up	pc14	p	p	p
Drive-Through		np	np	np	pc19, 20	np	np	np	np	pc19, 20	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 as per Section 608.E.27		p	p	p	p*	p*	p*	p*	p*	p*	p*	p	p*	p	p	p
Outdoor Crafting of Art		up	up	up	p22*	up*	up	p22*	p22*	p22	p22*	up	np	up	up	p22

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	pc4, 16, 23	np	up*	pc5, 16, 18, 23*	up	pc5, 16, 18, 23*	pc5, 16, 18, 23*	up	up*	np	up*	up	pc4, 16, 23	pc4, 16, 23
Pocket Shelter (Accessory to Religious Assembly Only)		pc13, 25	pc13, 25	pc13, 25	pc13, 25	pc13, 25	pc13, 25	pc13, 25	pc13, 25	pc13, 25	pc13, 25	pc13, 25	pc13, 25	pc13, 25	pc13, 25	pc13, 25
Repair and/or Storage Facilities (Accessory to Public Utility Building and Facilities Only)		up	up	up	up	up	up	up	up	up	up	up	up	up	up	up
Storage		np	np	np	p	np	np	np	np	np	np	np	np	np	p	p
Valet Parking		pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30
<b>Local Food Production</b>																
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
<b>Interim Uses</b>																
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, and Small Business Area (see map in Section 1202.G), please refer to the additional regulations outlined in Section 1207.C. If a regulation of Section 1207.C conflicts with the provisions of this Land Use Matrix, the more permissive regulation 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.

D. **Land Use Conditions.** 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 1203.C:

**Spacing:**

1. No use shall be located on a lot with a property line within 1,320 feet of the same type of use as measured in a straight line in any direction of the lot line of another such use.

**Separation:**

2. The use shall not be located within 50 feet of a Buffer Alley 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.
3. The use shall not be located within 25 feet of a Buffer Alley as measured from the portion of the property on which the use is conducted to the right-of-way line of the Buffer Alley.

**Environmental Quality:**

4. 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.
5. 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.
6. 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.

**Maximum Size:**

7. The use shall not exceed 2,500 square feet of building area.
8. The use shall not exceed 5,000 square feet of building area per tenant, unless a use permit is obtained.
9. The use shall not exceed 10,000 square feet of building area, unless a use permit is obtained.
10. The use shall not exceed 25,000 square feet of lot area.
11. The use shall not exceed 25 percent of the total under roof area, unless a use permit is obtained to enlarge to a maximum of 50 percent of the total under roof area.
12. The use shall not include more than ten display vehicles.

**Maximum Persons:**

13. The use may not be conducted for more than ten persons.
14. The use may not be conducted for more than 12 persons.
15. The use may not employ more than one nonresident person.

**Hours of Operation:**

16. The use is limited to Fridays, Saturdays and Sundays only, **UNLESS A USE PERMIT IS OBTAINED FOR OTHER DAYS OF THE WEEK.**
17. The use may not be conducted between the hours of 10:00 p.m. and 6:00 a.m., **UNLESS A USE PERMIT IS OBTAINED TO EXTEND THE HOURS.**
18. The use may only be conducted between the hours of 10:00 a.m. and 12:00 midnight on Fridays and Saturdays and between 10:00 a.m. and 10:00 p.m. on Sundays, unless a use permit is obtained to extend the hours.

**Location:**

19. The use may only occur on a site that is adjoining an arterial street which is not a light-rail street.
20. Drive-through windows shall not be located within a Frontage Zone, nor drive-through queuing lanes, which also must be screened from the view from the right-of-way unless approval is obtained from the Design Review Committee.
21. Used/second hand merchandise cannot be received or processed at a site in Downtown for sale at another site. No outdoor sales or displays allowed.
22. Outdoor crafting of art subject to the following:
  - a. Must be associated with an enclosed business when the subject parcel abuts an arterial or collector street.
  - 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.
  - c. Storage area shall be fully screened with a solid wall or landscaping.
  - 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.
23. Outdoor entertainment, subject to the following:
  - a. Outdoor event or performances are open to the public.
  - 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.
24. The facility shall be licensed by the State as a producer, domestic microbrewery or domestic farm winery.
25. Drug, alcohol, other substance abuse or mental health rehabilitation programs shall not be allowed as part of the shelter services.

26. Farmers markets, subject to the following:
- a. Obtaining an administrative temporary use permit (ATUP) in accordance with the provisions of Section 708 if no food or beverage is dispensed from a vehicle.
  - b. Obtaining a use permit in accordance with the provisions of Section 307 if food or beverage is dispensed from a vehicle.
  - c. On-site operational conditions and improvements may be stipulated as a condition of an ATUP or use permit approval.
27. Single-family infill subdivision, per Section 608.F.6 and Section 614, Table 614.B, except as modified below:
- a. Historic Preservation designated properties or properties in historic districts cannot use the single-family infill development option.
  - b. Maximum height: as per height map, Section 1202.B.
  - c. Maximum density: as per density map, Section 1202.C.
  - d. Maximum lot coverage: 100 percent per townhome lot; overall subdivision lot coverage per applicable Character Area.
  - e. Frontage Requirements: as per the applicable Character Area; or if lots front on a something other than a Frontage Zone, per the regulations of Section 608.F.6 and Section 614, Table B, Column D.
  - f. Setbacks:
    - (1) Perimeter setbacks (interior and street frontage): per the applicable Character Area; or if lots front on a dedicated alley with no Frontage Zone, minimum 10 feet setback.
    - (2) Individual lot front (not on a perimeter): 0 feet.
    - (3) Individual lot side and rear: 0 feet or the required perimeter setback, whichever is greater.
  - g. Allowed uses: single-family attached dwelling units and home occupations per Section 608, except that units fronting a perimeter street (not an alley) may have additional uses as permitted per the applicable Character Area. Single-family detached units are permitted for no more than 20% of the units in an SFI development to allow for variety and efficiency of design.
  - h. Parking and loading: per Section 1206, except that one space per dwelling unit is required to be covered.
  - i. Design: units adjacent to perimeter streets shall provide primary entrances facing and accessible from the street. No garages or carports are allowed to face perimeter streets. (R\*)

- j. All subdivisions must comply with the requirements of the Subdivision Ordinance (Chapter 32 of the City Code), as may be modified by the Subdivision Committee to further the goals of this Chapter and the applicable Character Area.

28. Public utility buildings and facilities shall be fully screened and subject to the following:

- a. Mixed use opportunities should be prioritized for locating utility buildings and facilities. The applicant shall submit a written analysis to the Planning and Development Director or his/her designee of possible mixed use opportunities to allow for an integrated development project that minimizes the visual impact of the proposed utility. (R\*)
- b. All public utility buildings and facilities subject to the provisions of this land use condition shall be reviewed and acted upon by the Design Review Committee as a Design Alternative Appeal, per the provisions of Section 1224.A.
- c. The applicant must hold a public neighborhood meeting and send written notification of the public neighborhood meeting and the DRC hearing date to real property owners and to neighborhood associations registered with the City pursuant to the DRC process handout.
- d. The use cannot be located on a light rail street or adjoining Hance Park, or only separated by a street from Hance Park, unless the mixed use opportunity outlined in Section 1203.D.28.a is satisfied.
- e. For the required street frontage(s), the Design Review Committee (DRC) may approve one of the following:
  - (1) A wall designed to mimic the frontage type which meets the intent of both the applicable character area and the streetscape standards, and that appears to be a conforming building as viewed from street.
  - (2) A creative use or frontage design alternative that surrounds the public utility building and facilities, as determined by the DRC as appropriate for scale of the area.
  - (3) A micro-park, which shall include at least three of the following elements, as indicated below, and as determined by the DRC as appropriate for scale of the area:
    - A minimum of two of the following installations:
      - (a) Recreational amenities such as but not limited to a single basketball hoop, swing, and/or climbing equipment.
      - (b) Landscape areas designed to create outdoor rooms or useful spaces, which may include extensive hardscape, decorative paving and/or artificial turf.
      - (c) Shade trees or shade structures.
      - (d) Lighting and seating designed to discourage camping.

In addition, a minimum of one of the following more significant scale installations:

- (e) A local public art component and/or wall displays for local public arts organizations.
  - (f) An educational component that describes the history or setting.
  - (g) Facilities for pop-up retail, restaurant, farmers markets, and/or public events, which may include programming that changes seasonally, if permitted in the character area.
  - (h) Facilities for pets, which may include water sources, enclosures for off-leash activity, and stations for pet washing.
- f. When considering an alternative frontage proposal in accordance with Section 1203.D.28.e, the DRC is authorized to provide relief from other Frontage and Streetscape Zone regulations, including those indicated as (R).

**Dispersal and Establishment of a Registered Use:**

29. Community residence homes, subject to the following:

- a. The home has no more than five residents, not including staff (unless permitted by Section 36-582(A), Arizona Revised Statutes); or
- b. For a home with six to ten residents, not including staff, the following conditions shall apply:
  - (1) Such home shall be registered with, and administratively verified by, the Planning and Development Department Director's designee as to compliance with the standards of this section as provided in Section 701.
  - (2) No community residence home shall be 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 community residence home that has been registered with six to ten residents.
  - (3) Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.

**Accessory Uses:**

30. Valet Parking, subject to the following:

- a. Valet parking is permitted by right if accessory to a permitted use or a use permitted with conditions, so long as all of the conditions are complied with. For primary uses subject to approval through a use permit or special permit, valet parking is permitted as an accessory use only if the valet parking is specifically approved as part of the use permit or special permit.
- b. Valet parking spaces for a use located on a different site than for which the parking is to be provided is allowed only if the following three conditions are met:
  - (1) Both the site where the parking is to be located, and the site for which the parking is provided, are allowed the use(s) for which the parking is to be provided. For sites with uses permitted by use permit or special permit, compliance with Section 1203.D.30.a is required.



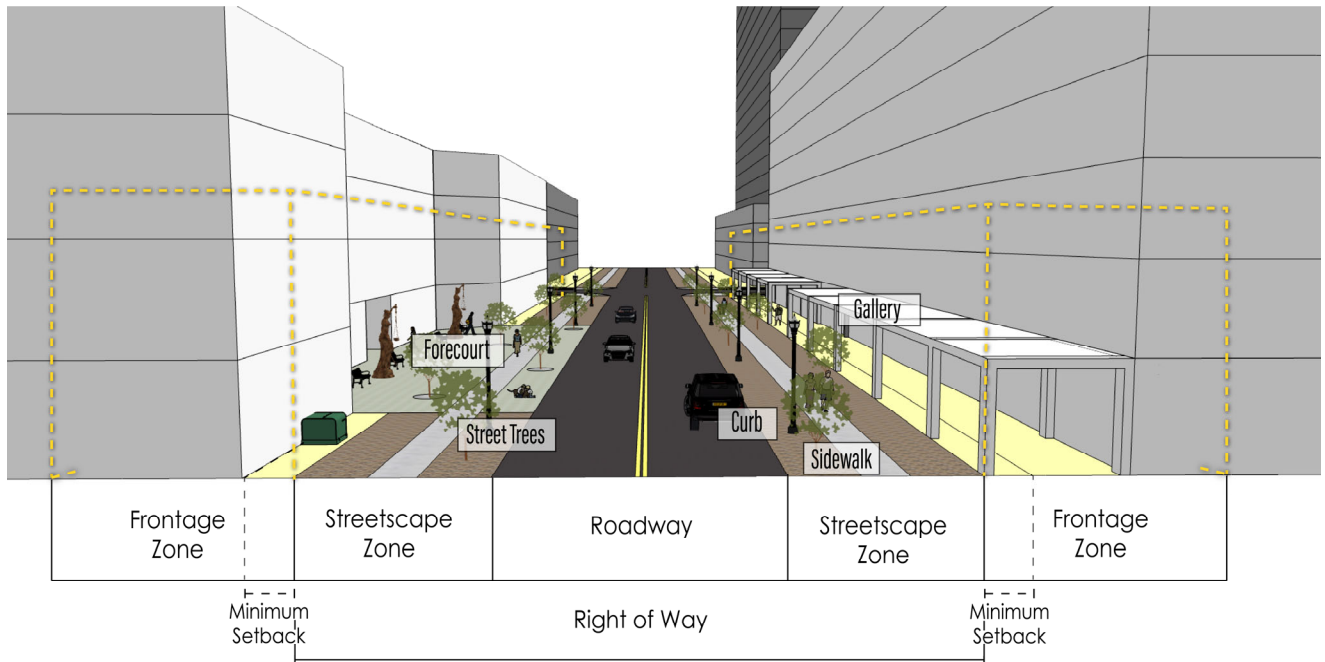
- (2) The site on which the valet parking is to be provided also has a primary use, or is otherwise permitted to have valet parking.
  - (3) The site where the valet parking is to be located has provided parking spaces in excess of any required minimum parking for the subject site. This provision does not grant permission to provide more parking spaces than the maximum parking spaces allowed for uses located on the site.
- c. Valet parking facilities, when provided, must comply with the additional development regulations of Section 1206.G.
31. Accessory Dwelling Unit (ADU). Two ADUs are permitted on a lot which has only one other single-family detached dwelling unit. A third ADU is permitted only when at least one ADU qualifies as low-income housing and the net lot size is a minimum of 43,560 square feet.
32. Home Occupations, subject to the provisions of Section 608.E.27. Properties subject to the provisions of Arts, Culture, and Small Business Area have additional permissions, as outlined in Section 1207.M.

## **Section 1204. Streetscape and Frontage Zones.**

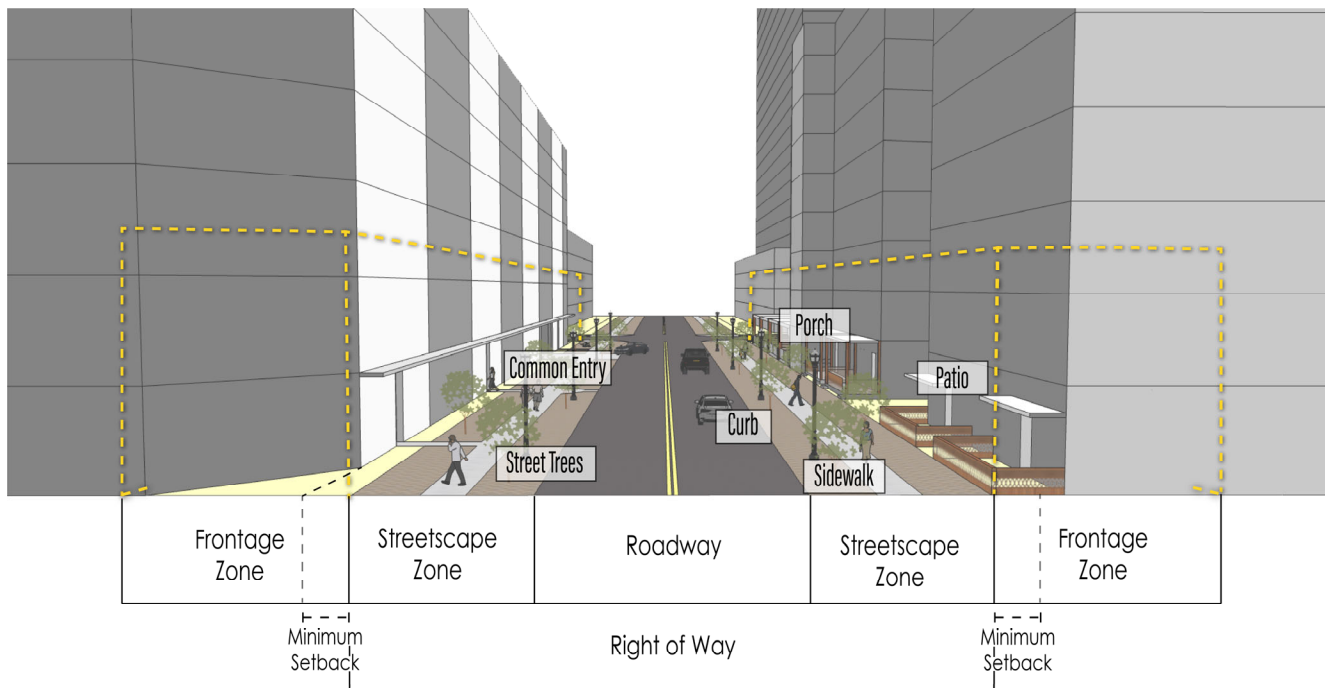
### **A. Applicability.**

1. **Streetscape Zone.** This is the area located between the curb and the property line located within a dedicated street, of a minimum depth as stated in the Frontage and Streetscape Zone Matrix for each individual Character Area.
  - a. The minimum depth required is inclusive of sidewalk provided within the Streetscape Zone.
2. **Frontage Zone.** This is the portion of a private lot or parcel located directly adjacent to a Streetscape Zone, of a depth as stated in the Frontage and Streetscape Zone Matrix for each individual Character Area.
  - a. The depth of the Frontage Zone is measured from and perpendicular to the property line abutting the street.
  - b. If the Street Transportation Department allows a sidewalk easement to be dedicated in lieu of required ROW based upon the adopted Street Classification Map, and/or a public utility easement is dedicated, the Frontage Zone depth shall be measured from the back of the easement. If both easements are dedicated over the same area, the setback shall be from the larger easement.
  - c. Frontage Zones and associated development regulations apply only to the first 25 feet of the development as measured vertically above the finished grade.
  - d. Frontage Zones do not apply where parcels abut dedicated alleys.
3. **Combined Dimensions of Streetscape Zone and Frontage Zone.**
  - a. In cases where the existing Streetscape Zone does not meet the minimum depth required, the Frontage Zone depth shall be increased by the same amount as the deficiency in the Streetscape Zone depth, unless the Streetscape Zone can be brought into compliance within the existing ROW, or by dedication of additional ROW as approved by the Street Transportation Department.
  - b. When the minimum Frontage Zone depth is 15 feet or greater, Planning and Development staff have the authority to reduce the Frontage Zone depth by up to 5 feet so long as the Streetscape Zone is increased by the same amount.
  - c. Additional easement dedications may be required if public sidewalks, public utilities, or other public amenities are provided within the Frontage Zone. (T)

**Figure 1204.1 Non-Residential Streetscape and Frontage Zone (example)**



**Figure 1204.2 Residential Streetscape and Frontage Zone (example)**



## **B. Streetscape Zone Standards.**

1. **Intent.** The Streetscape Zone is the public realm, and the area from which the public may access private properties via multiple transportation modes.
  - a. Along Pedestrian Streets, the Streetscape Zone area should be designed primarily for pedestrians, providing shade, easy access to building entrances, and complementary landscaping.
  - b. Along Side Streets, the Streetscape Zone area is expected to have automobile access, parking and loading access, as well as service areas adjoining them, while still serving pedestrians.
2. **Structures and Projections within the Streetscape Zone.** Structures shall not be constructed or provided within the Streetscape Zone, except where specifically permitted within this Chapter. Any allowed structural projections into public rights-of-way may only be installed upon issuance of an encroachment permit as administered by the City of Phoenix, and if applicable, approval from affected public utility companies. (T)
  - a. Cantilevered structural shade elements projecting from the building are not subject to minimum setback requirements and are allowed to project into the public right-of-way (with approval of an encroachment permit) so long as the structures do not preclude the installation of required street trees. The shade elements shall be removable, unless otherwise approved in writing by all affected City departments and utilities. (T)
  - b. Stairs/steps/accessible ramps to building entrances (other than those required for public street crossings or existing grade differentials within the public right-of-way) are not permitted within the Streetscape Zone. Retaining walls within the Streetscape Zone are regulated by Section 1204.D. (T)
  - c. Transformers and other mechanical equipment are not permitted to be located within the Streetscape Zone. (T)
3. **Uses permitted within the Streetscape Zone.** No uses are permitted within the Streetscape Zone unless specifically permitted by other provisions of this Chapter, with the following exceptions:
  - a. Development regulations for uses permitted within the Streetscape Zone shall be the same as those provided for the adjacent Frontage Zone, unless specific regulations for the use or structure located within the Streetscape Zone are provided elsewhere within this Chapter.
  - b. Uses which are permitted by right or with conditions for a site per Section 1203, Land Use Matrix, that are not specifically permitted to be conducted within the right-of-way per other provisions of this Chapter, may be permitted within the right-of-way adjacent to the site with the issuance of an encroachment permit approved by the Street Transportation Department, if the following are complied with:
    - (1) The use of the right-of-way does not preclude compliance with all other regulations regarding the Streetscape Zone, including but not limited to the minimum sidewalk width, and

- (2) The proposed use complies with the development regulations required of the use when located within the adjacent Frontage Zone.
  - (3) The Street Transportation Department has no other objections to or conflicts with the request.
- c. Uses which are permitted with approval of a use permit or special permit for a site per Section 1203, Land Use Matrix, that are not specifically permitted to be conducted within the right-of-way per other provisions of this Chapter, may be permitted within the right-of-way adjacent to the site with the issuance of an encroachment permit approved by the Street Transportation Department if the following are complied with:
- (1) The use of the right-of-way does not preclude compliance with all other regulations regarding the Streetscape Zone, including but not limited to the minimum sidewalk width, and
  - (2) The use of the right-of-way is specifically shown and reviewed as part of the use permit or special permit approval.
  - (3) The Street Transportation Department has no other objections to or conflicts with the request.
4. Private pedestrian and bicycle amenities being provided for residents or on-site users should not be located within the public right-of-way. (P)

*Rationale: Non-structural amenities (such as benches, lit bollards, bicycle racks, or public art) should not cause obstructions to pedestrian routes, prevent proper installation or clearances for required landscape, or private utility lines in the Streetscape Zone. Amenities should instead be provided within the Frontage Zone whenever possible. This does not apply to amenities specifically provided for public use.*

5. In the Roosevelt North, Roosevelt South, and Roosevelt East character areas, where there is an existing Streetscape Zone larger than required by the applicable Character Area, a private development shall not reduce the Streetscape Zone by moving the curb and widening the street to provide new on-street parking, loading, or drop off areas: (R\*)

*Rationale: The Roosevelt Character areas retain a significant number of historic single-family homes, and many blocks have large areas between the curb and the sidewalk historically used for landscaping. These areas should not be reduced for vehicle parking, passenger loading, or good/services loading, unless approved by both Street Transportation and the Design Review Committee.*

6. On-Street Parking. When on-street parking is provided abutting a site, a minimum 4-foot wide concrete walkway may be provided adjacent to the raised curb in addition to the required sidewalk, so long as it does not preclude installation of required street trees. The walkway shall provide paved connections at reasonable intervals to the public sidewalk, and be constructed to the same standards as the public sidewalk. (T)

*Rationale: Persons exiting a car parked adjacent to a curb should not have to step into a landscape or other areas unsuitable for pedestrians.*

## 7. Sidewalks.

- a. Location. The required public sidewalk shall be located within the Streetscape Zone, subject to the following:
- (1) On a Side Street, the sidewalk may be attached to the curb, unless it is a designated Arterial Street. (T)
  - (2) On a Pedestrian Street, the sidewalk shall be detached from the curb and the required street trees located between the curb and sidewalk, unless a Technical Appeal is approved to allow an attached sidewalk when abutting on-street parking. (T)
  - (3) When a required sidewalk is approved to be attached to the curb, the sidewalk shall be a minimum of 8 feet wide, regardless of the Character Area requirement. (T)
- b. Elevation. The required public sidewalk should be constructed no higher than six inches above the immediately adjacent street top of curb. Additional elevation may be permitted without a Technical Appeal when the area between the back of curb and sidewalk has a slope no steeper than 10:1 and no retaining walls are provided. (T)

*Rationale: Most of the sidewalks in Downtown are existing and historic. Sidewalks reconstructed higher than 6" above the adjacent top of curb can make access from on-street parking difficult; can provide challenges with ADA compliance; can cause steep slopes within adjacent landscape areas which encourage erosion and discourage the growth of plants and trees; and can interrupt the visual and historic continuity of the neighborhood. If the finished floor of the building(s) are higher than six inches above the top of curb, ramps and/or steps should be provided from the sidewalk to the building entries, rather than raising the sidewalk, unless it can be done in a very gradual manner.*

- c. Planning and Development staff may allow a decrease in the minimum required sidewalk width of up to one foot in the case of conflicts with existing utilities other existing obstacles which cannot otherwise be avoided. (T)
- d. The required sidewalk shall be clear of all obstacles for the full minimum required sidewalk width. Approved amenities and landscaping (including tree grates) shall only be allowed within portions of the sidewalk wider than the minimum required. (T)
- e. Sidewalks located within the public right-of-way shall be constructed using materials and methods approved by the Street Transportation Department. (T)
- f. Where setback sidewalks exist on a block face where there is an HP designated property, the sidewalk should remain within the historic alignment for that block face and not be offset by more than one foot. (P)

*Rationale: Historic streetscapes are generally defined by a consistent sidewalk and landscape area along a single block face. These streetscapes are an important part of the Downtown Phoenix character and should be maintained whenever possible.*

- g. The required sidewalk should not have jogs and offsets, and should be in a straight line unless navigation around existing conflicts in the Streetscape Zone is unavoidable. (P)

*Rationale: Pedestrians of all capabilities should be able to navigate sidewalks easily and not have unnecessary diversions around landscape, amenities, transformers, or similar potential obstructions.*

### **C. Frontage Zone Standards.**

1. **Intent.** The Frontage Zone is the interface between the public and the private realm, and the area where public amenities (including but not limited to pedestrian and bicycle amenities, outdoor dining, public courtyards, public art, etc.) should be located.
2. **Structures within the Frontage Zone.** Structures shall not be constructed within the Frontage Zone, except where specifically permitted by this Chapter.
  - a. For wall/fence requirements, refer to Section 1207.D and any applicable Frontage Element regulations.
  - b. For retaining wall requirements, refer to Section 1204.D and any applicable Frontage Element regulations.
3. **Amenities and Projections within the Frontage Zone.** The following items may project or be constructed within the Frontage Zone, but no closer than the minimum setback as stated in the Frontage and Streetscape Zone Matrix for each individual Character Area, unless specifically permitted elsewhere in this Chapter: (R\*)
  - a. Frontage Elements, as allowed by the Character Area.
  - b. Exterior stairwells constructed as part of the building and not part of the hardscape.
  - c. Parking spaces within structured parking and/or located internal to the building and screened from view of the Frontage Zone.

The following items are permitted anywhere within the Frontage Zone and are not required to meet minimum setbacks, so long as they do not preclude installation of required street trees and shading requirements:

- d. Outdoor dining patio or bar area, covered or open (if a permitted use).
- e. Bicycle parking and amenities.
- f. Pedestrian amenities.
- g. Exterior art installations.
- h. Passenger loading zones.
- i. Valet parking facilities, subject to the provisions of Section 1206.G.
- j. Drainage facilities.

- k. Mechanical equipment/systems, so long as a minimum 5 feet separation from the public sidewalk is provided.
- l. Basements/utility vaults.
- m. Cantilevered awnings/shade structures.
- n. ADA ramps/pathways.

#### **4. Minimum Building Frontage Requirements.**

- a. The length of each building façade constructed within or abutting the Frontage Zone shall be no less than required by the Streetscape and Frontage Zone Matrix for the applicable Character Area and street section, unless otherwise approved by the DRC as a Design Alternative per Section 1224.A.
- b. The minimum building frontage requirement shall be calculated as a percentage of the length of the frontage property line, and the façade shall be measured by a line parallel with the frontage property line. For the purposes of this calculation only, the following may be subtracted from the length of the frontage property line:
  - (1) The width of driveways at the frontage property line, so long as the driveways are otherwise compliant with this Chapter.
  - (2) The portion of required visibility triangles which are deeper than the applicable Frontage Zone depth.
- c. All portions of the building façade abutting or located within the Frontage Zone, including Frontage Elements, may be used to calculate the required minimum building frontage. Certain Frontage Elements may provide additional flexibility in calculating the required minimum building frontage, as stated elsewhere in this Chapter.
- d. Underground structures cannot be counted toward meeting minimum building frontage requirements.

#### **5. Hardscape Guidelines—Frontage Zones.**

- a. Alternative paving materials should be used when possible within the Frontage Zone to reduce the urban heat island effect, and to allow natural drainage and filtration. (T)
- b. Permeable paving, porous concrete or similar material should be installed adjacent to tree wells. The design should ensure adequate watering and root growth. (T)
- c. Alternative materials such as brick pavers, permeable concrete pavers, granite and flagstone should be encouraged on private walkways and patio/gathering areas. (T)

#### **D. Grading and Drainage Requirements—Streetscape and Frontage Zones.**

- 1. The maximum slope of any landscape or non-hardscape area located within the Streetscape Zone is 10:1. (T)



2. The maximum grade differential of the Frontage Zone from the adjacent Streetscape Zone is 30 inches, unless specifically permitted elsewhere in this Chapter. (T)
3. Retaining walls are not allowed within the Streetscape Zone. (T)
4. Retaining walls up to 36 inches in height are allowed within the Frontage Zone, unless greater height is specifically permitted elsewhere in this Chapter. (T)
5. If the required finished floor elevation is at a height which will require stairs or ADA ramps to connect building entries with the sidewalk, or will require a retaining wall exceeding heights permitted for Streetscape and Frontage Zones, the depth of the Frontage Zone may be increased to the depth required to avoid steps or ramps (if desired). (T)

#### **E. Design Requirements—Frontage Zones.**

1. Along Pedestrian Streets, buildings facades facing Frontage Zones shall incorporate at least one of the Frontage Elements allowed by the applicable Character Area into the façade for a minimum of 75% of the required building frontage for each Frontage Zone, unless a Design Alternative is approved by the Design Review Committee per Section 1224.A. (R\*)
2. Along Side Streets, buildings facades facing Frontage Zones should incorporate at least one of the Frontage Elements allowed by the applicable Character Area into the façade for a minimum of 50% of the required building frontage for each Frontage Zone. (P)

*Rationale: Appropriate Frontage Elements for have been determined through extensive staff analysis and community input for each Character Area, as well as the specific streets within each area. Facades located along designated Side Streets may be granted additional flexibility in application of this design requirement.*

3. The portion of a building facade adjacent to a Frontage Zone which does not comply with a Frontage Element design should have a level of trim and finish compatible with the quality and design of the remainder of the Frontage Zone façade(s). (P)

*Rationale: The portion of facades not required to meet the minimum building frontage, or the portion which does project into the Frontage Zone should still consist of high quality materials, and be integrated with the design of the remainder of the façade. Unfinished surfaces and blank walls should not be provided where visible from a Frontage Zone.*

4. The areas of a Frontage Zone not adjacent to or occupied by Frontage Elements shall be improved as follows:
  - a. Landscape shall be provided in accordance with Section 1204.G. (T)
  - b. Seating should be provided. Seating may consist of installed benches or removable furniture. This shall not apply within the Roosevelt North, Roosevelt South, and East Evergreen character areas. (P)

*Rationale: Character areas consisting mainly of traditional single-family homes and historic designations should maintain the residential character of private front yards when possible.*

- c. Other features which attract and engage pedestrians should be provided, such as (but not limited to) bicycle parking and amenities, exterior art installations, additional structural shade, etc. (P)

*Rationale: Tthe area of a Frontage Zone not adjacent to a Frontage Element, where conflicts with primary entrances are less likely to occur, should have other features which encourage use by pedestrians and cyclists.*

5. Building entrances shall face toward the street in order to meet the intent of activating the public realm. Entrances from a permitted Frontage Element (such as Forecourt, Patio, Porch, or Stoop/Doorwell) are exempt from this requirement. (R\*)
6. Public building entrances, residential patios/porches, windows, storefronts, outdoor dining, public gathering areas, exterior art installations, and other similar features should be located adjacent to Pedestrian Streets. (P)

*Rationale: On Pedestrian Streets, adjacent structures should be designed to provide easy and obvious pedestrian access to the buildings, to encourage pedestrian use.*

7. All on-site mechanical equipment, transformers, utility equipment, trash/recycling receptacles, or similar must be fully screened from view from the Streetscape Zone. Screening may consist of the following: (P)
  - a. Green screen.
  - b. Dense landscaping which provides screening starting from the time of initial installation.
  - c. Decorative walls or fences up to 40 inches in height if within the minimum setback area, or 72" if behind the minimum setback.
  - d. Underground utility vaults.
  - e. Along Side Streets only: decorative walls or fences up to 8 feet in height if located at or beyond the minimum setback.

*Rationale: The Streetscape environment should be aesthetically pleasing, and service equipment/areas should be screened from view whenever possible. If it is simply not possible, the visual impact should be mitigated by disguising equipment with paint or other treatments as approved by PDD and any affected utility company.*

8. Along Pedestrian Streets, all windows and doors counting toward required glazing should allow a minimum of 75% of the visible light (as specified by the manufacturer) to be visible on either side of the window. (P)
9. Along Pedestrian Streets, commercial suites with windows or entrances to Frontage Zones should be constructed so that a public area of the suite (lobby, reception area, dining area, or similar) is adjacent to the Frontage Zone. Storage areas, private offices, kitchens, or other areas restricted to the public/customer use shall not be located adjacent to doors or windows facing a Pedestrian Street. (P)

*Rationale for E.8 and E.9: Frontage Zones along Pedestrian Streets should attract, engage, and interest pedestrians at the street level and encourage patronage of the*

*businesses. Opaque or translucent/frosted windows, or views into employee or storage areas do not meet this intent.*

10. Building facades abutting or within a Frontage Zone should be designed to provide a sense of human scale at the ground level by providing a clear architectural distinction between the Frontage Zone and all additional stories. (P)

*Rationale: Large buildings should provide a transition to a pedestrian scale to make such areas feel comfortable for pedestrians, without causing a feeling of walking up to the base of a tall "cliff".*

11. Roof drains shall not be designed to drain across public sidewalks or other pedestrian walkways. (T)

#### **F. Shade Standards—Streetscape and Frontage Zones.**

1. Public and private pedestrian walkways should be shaded (minimum 75 percent at maturity) for the health, safety, and welfare of pedestrians and to encourage use. (P)
2. All Streetscape and Frontage Zones should be shaded (50% at maturity) for the health, safety, and welfare of pedestrians and to encourage use. (P)

*Rationale for F.1 and F.2: The design of pedestrian routes and gathering areas, such as public sidewalks, private walkways, courtyards, plazas, and transit stops, should be designed with appropriate shading for the health, safety, and welfare of pedestrians and to mitigate the heat island effect to enhance the pedestrian environment.*

3. Shade calculations shall be based on shade cast at the summer solstice at 12:00 noon. (T)
4. Shade cast from required shade trees, structural shade (canopies/awnings), or shade cast from a building may be used to comply with the shade requirements of this section.

#### **G. Landscape Requirements—Streetscape and Frontage Zones.**

1. Landscape shall be provided, subject to the following:
  - a. Where there is an existing established streetscape theme, including street trees, additional trees shall be provided to replace removed or destroyed trees, and/or to comply with shade requirements. In such cases, the trees shall be of like kind and size to those provided with the existing streetscape, as approved by the PDD Landscape Architect. (T)
  - b. Trees shall be provided for the full length of the Streetscape Zone at a minimum rate of 20 feet on center, or equivalent groupings as approved by the PDD Landscape Architect (T).
    - (1) This requirement does not apply to properties with a maximum of two dwelling units and no other primary uses.
    - (2) Trees provided within the Streetscape Zone may be used to comply with the shade requirements of Section 1204.F.

- (3) All trees planted to meet this requirement must be selected from the Tree Species Matrix, Section 1204.G.5, and allowed for use in the Streetscape Zone, or match the existing streetscape trees adjacent to the site.
    - (4) If existing utility conflicts prevent the installation of trees within both the Streetscape Zone and the Frontage Zone, architecturally or artistically integrated structural shade may be requested for approval by filing a Technical Appeal.
  - c. If necessary to avoid existing utility conflicts, required street trees may be provided within the Frontage Zone within 5 feet of the sidewalk, as approved by PDD. (T)
  - d. Trees shall be provided within a minimum 5 feet wide landscape area, unless tree wells (or equivalent) are provided outside of the required minimum sidewalk width to avoid conflicts with existing utilities or other existing street improvements. (T)
  - e. When two rows of trees are provided either side of the public sidewalk, the minimum planting area for each row should be 5' wide, unless tree wells are approved by the PDD Landscape Architect (T).
  - f. Where hardscape is not necessary for pedestrian connections to amenities, drop off/pickup zones, on-street parking, or similar, shrubs or groundcovers shall be installed in addition to trees to provide 75% live coverage. This percentage may be reduced to 50% if bioswales are approved for use within the Streetscape Zone. (T)
  - g. Unless prohibited by law, palm trees may be installed in the Streetscape Zone in areas where palm trees have historically been provided in the ROW, in addition to any required shade trees. Palm trees should be of the same type as existing historic palm trees and planted in a similar manner/rate as existing on the same block face. (T)
  - h. In areas where turf has historically been provided within the Streetscape Zone, turf may be provided unless otherwise prohibited for use within the ROW by law. Alternatively, low growing, drought-tolerant green ground covers may instead be provided, as approved by the PDD Landscape Architect. (T)
  - i. Artificial turf is not permitted for use within public rights-of-way, and may not be used to comply with any on-site landscape requirements. It may be used for outdoor amenity areas which are not required to be landscaped. (T)
2. Tree wells, if permitted, shall be a minimum five feet by five feet, or a two-foot six-inch radius from the base of the tree. (T)
    - a. A minimum two inches of decomposed granite, nitrogen stabilized mulch or similar material shall be installed atop the soil and below the tree grates. (T)
    - b. The landscape plans shall demonstrate that the soil volume to be provided for each tree is sufficient for the healthy and successful maturity of type of tree chosen, as approved by the PDD Landscape Architect. (T)
  3. All landscape areas located within the Streetscape Zone shall not exceed a 10:1 slope. (T)

4. New underground utility lines or equipment should not be installed where street trees are required unless other options are not technically feasible, as approved through a Technical Appeal. (T)

*Rationale: The Streetscape and Frontage Zones should provide a pleasant and comfortable pedestrian experience, of which landscape and shade are of great importance. If a technical appeal is approved because there is no other technically feasible option, the appeal should address how required landscape and shade requirements will still be met.*

5. **Tree Species Matrix.** The following is a list of shade trees permitted for use within Streetscape and Frontage Zones, as indicated below. Additional tree types may be requested for approval by filing a Technical Appeal. All trees used within public rights-of-way must be low-water use/drought-tolerant as approved by the Arizona Department of Water Resources. (T)

**Tree Species Matrix (Streetscape and Frontage Zones)**

<i>Botanical Name</i>	Common Name	Allowed locations	
		Public right of way (Streetscape Zone)	Private property (Frontage Zone)
<i>Parkinsonia florida</i>	Blue Palo Verde	Yes	Yes
<i>Pistacia chinensis</i> (+ hybrids)	Chinese Pistache	Yes	Yes
<i>Chilopsis linearis</i>	Desert Willow	Yes	Yes
<i>Ulmus parvifolia</i> 'Sempervirens'	Evergreen Elm, Chinese Evergreen Elm	Yes	Yes
<i>Quercus virginiana</i>	Heritage Live Oak	Yes	Yes
<i>Gleditsia triacanthos</i> (thornless)	Honey Locust (thornless)	Yes	Yes
<i>Olneya tesota</i>	Ironwood	Yes	Yes
<i>Prosopis spp.</i> (thornless)	Mesquite (thornless hybrids)	Yes	Yes
<i>Olea europaea</i> (fruitless)	Olive (fruitless hybrids)	Yes	Yes
<i>Dalbergia sissoo</i>	Sissoo Tree, Indian Rosewood	Yes	Yes
<i>Fraxinus velutina</i> (+ hybrids)	Arizona Ash (varieties)	No	Yes
<i>Acacia farnesiana</i> ( <i>Acacia smallii</i> )	Sweet Acacia	No	Yes

## Section 1205. Frontage Elements.

The following Frontage elements consist of architectural features, designs, and amenities which may project within the Frontage Zone, though no closer than the required minimum setback unless specifically permitted by this Chapter. Please see the Frontage and Streetscape Zone Matrix for each Character Area for applicable standards, in addition to the Streetscape and Frontage Zone standards of Section 1204.

**A. Active Front Yard (AFY).** An Active Front Yard is a frontage element intended for use on blocks with a high percentage of existing and/or historic single-family or duplex style residential structures. AFY is not permitted for use on sites with primary uses which are non-residential, or on residential lots with more than two dwelling units (not including ADUs). (R\*)

1. For sites with HP zoning or designation, both the building elevations and improvements in the Frontage Zone shall be constructed as approved by Historic Preservation.
2. For sites not zoned or designated HP, buildings and improvements shall be installed in conformance with Section 507 Tab A II.C.8.5 (Individual Unit Design Standards). If any of the requirements of Section 507 Tab A II.C.8.5 conflict with provisions of the Downtown Code, Section 507 Tab A II.C.8.5 requirements shall prevail.
3. Minimum building frontages stated in the Streetscape and Frontage Matrix for each Character Area do not apply when implementing Active Front Yard standards as a Frontage Element.

**B. Patio (PA).** A Patio (previously known as a “Dooryard”) is a residential frontage element which incorporates a private outdoor space for each dwelling unit, and is surrounded by a fence or wall to provide a separation of the private realm from the adjacent streetscape.



1. A permanent hardscaped or landscaped area shall be provided in accordance with the following standards:
  - a. Minimum depth: 8 feet. (R\*)
  - b. Minimum area: 64 square feet. (R\*)
  - c. Maximum grade differential: 30 inches above adjacent Streetscape grade. (T)
  - d. Placement: Adjacent to the individual dwelling unit entry. (R\*)
  - e. Hardscape shall consist of concrete slab, pavers, open grid pavers, wood decking (if elevated) or equivalent alternative. (T)
2. Pedestrian access. An opening in the wall/fence, or stairs to the elevated area, shall be provided for a pedestrian connection to the adjacent streetscape from each Patio. (R\*)
3. Separation of public and private realm:

- a. A wall/fence of at least 40 inches in height shall be provided around each Patio, up to a maximum of 72 inches in height as measured from the adjacent streetscape grade. This maximum height applies only to walls abutting patios and not to other walls located in the Frontage Zone.
  - b. The portion of walls or fences above 40 inches in height shall consist of view fencing, as approved by Planning and Development.
  - c. Screen walls/fences may be constructed on top of permitted retaining walls, but the combined height of the retaining wall and screen wall/fence may not exceed 72 inches as measured from the adjacent streetscape grade.
4. Shade. Each Patio shall have a minimum of 50% shade provided either by landscaping or permanent structural shade. (T)

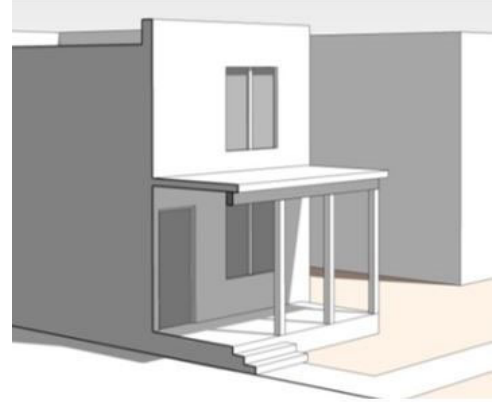
**C. Stoop/Door Well (SD).** A Stoop/Door Well is a type of facade that provides an entryway that is elevated (Stoop) or depressed (Door Well) to provide differentiation from the adjacent streetscape. A Stoop/Door Well is constructed as an integral part of the building, rather than as a courtyard or patio. It may or may not have structural shade.



- 1. A landing area shall be provided for each Stoop/Door Well in accordance with the following standards:
  - a. Minimum depth: 6 feet. (R\*)
  - b. Minimum area: 36 square feet (R\*)
  - c. Maximum grade differential: 60 inches above or below adjacent Streetscape grade. Retaining walls of up to 66 inches in height may be permitted within the Frontage Zone when necessary for this Frontage element. (T)
  - d. Placement: Adjacent to a primary entrance. (R\*)
  - e. Walls/fences, if provided, shall not exceed 40 inches in height.
- 2. Pedestrian access. A pedestrian connection to the adjacent Streetscape Zone from each Stoop/Door Well shall be provided. (R\*)
- 3. Minimum building frontage requirements. If a Stoop/Doorwell is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Stoop/Doorwell shall still count towards the minimum building frontage requirement(s), so long as the front (street side) of the Stoop/Doorwell is located within or abutting the Frontage Zone. (R\*)



**D. Porch (PO).** A Porch frontage element consists of a covered structure that is often elevated above street grade, sheltering an outdoor area deep enough to ensure usability. A Porch is larger than a Stoop and is structurally shaded for its entirety. A Porch provides a transition between the public and private realm, and creates opportunity for interaction between neighbors.



1. Each Porch shall meet the following requirements:
  - a. Minimum depth: 8 feet. (R\*)
  - b. Minimum area: 96 square feet. (R\*)
  - c. Maximum grade differential: 60 inches above the adjacent Streetscape grade. (R\*)
  - d. Placement: Adjacent to a primary entrance. (R\*)
  - e. Each Porch shall have 100% structural shading. (R\*)
  - f. Porch floor shall consist concrete, stone, metal, wood decking, or equivalent alternative suitable for outdoor flooring. (T)
  - g. Walls/fences, if provided, shall not exceed 40 inches in height.
2. Pedestrian access. A pedestrian connection to the adjacent Streetscape Zone from each Porch shall be provided. (R\*)
3. Minimum building frontage requirements. If a Porch is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Porch shall still count towards the minimum building frontage requirement(s), so long as the front (street side) of the Porch is located within or abutting the Frontage Zone. (R\*)

**E. Common Entry (CE).** A Common Entry is a building façade design element which includes ground floor entrance(s) to a shared lobby/hallway, which in turns provides direct access to residential units and/or office suites on all floors. This frontage element is generally not intended for use with frontages consisting primarily of retail suites. Elevations should include a large number of transparent windows and frequent building entrances to create visual interest from the adjacent public sidewalk, though to a lesser extent than Storefront. This frontage element should also include cantilevered canopies or awnings.



1. Primary entrance requirements.
  - a. A minimum of one primary entrance leading to a shared lobby/hallway is required from each frontage on a Pedestrian Street. For sites located at an Enhanced Corner, the corner building entry may serve as the required primary entrance for both street frontages. (R\*)

- b. Additional primary entrances are required on each Pedestrian Street frontage at the rate of one per 100 feet of building frontage. Each additional primary entrance (beyond the minimum one per street frontage) may provide access to either a shared lobby/hallway or an individual commercial/office suite. (R\*)
  - c. Stoops or doorwells may be provided as part of any Common Entry frontage, even if Stoop/Doorwell is not a permitted Frontage Element per the applicable Streetscape and Frontage Zone Matrix, so long as they comply with all Stoop/Doorwell development standards.
2. Glazing requirements:
- a. Location: The area between 3 feet and 8 feet above the adjacent sidewalk grade.
  - b. Minimum amount: 50% of each required building frontage, which may include primary entrances if the doors are glass and meet visibility requirements. (R\*)
  - c. Glazing requirements shall be calculated as a percentage of the Common Entry frontage element length.
  - d. 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. This includes the doors for any primary entrances located within the Common Entry frontage element. (R\*)
3. Shade Requirements. A cantilevered canopy, fixed awning, or retractable awning shall be provided along each Common Entry frontage element, in accordance with Section 1204.B.2, and the following:
- a. Minimum depth: 5 feet. (R\*)
  - b. Minimum length: 50% of the Common Entry frontage element length.
  - c. Minimum clear height: 10 feet, if not required greater clearance per Section 1204.B.2. (T)
4. Walls/Fencing.
- a. Retaining walls may be provided as otherwise permitted by this Chapter. A railing/view fence is permitted on top of a retaining wall to a height of 40 inches if required for pedestrian safety due to the grade differential.

**F. Forecourt (FC).** A Forecourt is a pedestrian-oriented design element, where a courtyard that is open to the sky and the street (or two streets if located on a corner) is provided. The Forecourt may be used as an entry area and shared garden space for residential uses, or as additional shopping, seating, or gathering areas adjacent to and accessible from the street for commercial uses. Art installations and other pedestrian amenities are also appropriate uses within a Forecourt.



1. Mechanical equipment, transformers, trash and recycling containers, and vehicular uses are not permitted within a Forecourt.
2. Minimum building frontage requirements. If a Forecourt is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Forecourt shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated.
3. Minimum glazing: 50% of the area measured between 3 and 8 feet above grade for the portion of the building façade abutting each Forecourt. (R\*)
4. A Forecourt should be a minimum 500 square feet in size, with a minimum street frontage of 20 feet. (P)

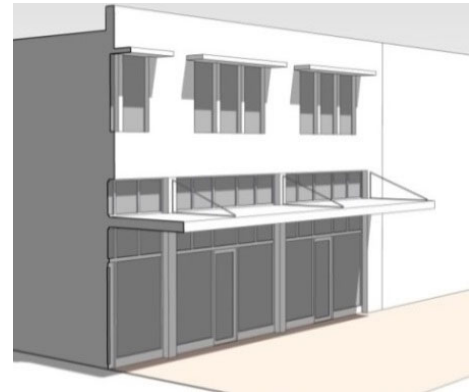
*Rationale: A forecourt needs to be of a minimum size to encourage gathering, while also having a large enough frontage to encourage pedestrians to enter and create a successful transition between the public and private realm.*

5. Accessibility. Forecourts shall have a slope not exceeding 2%, except for approved ADA ramps, and be grade-separated by no more than 24 inches above or below the abutting Streetscape Zone(s). (T)
6. Pedestrian access. A minimum of one pedestrian connection to each Streetscape Zone abutting the Forecourt shall be provided. (R\*)
7. Primary entrance requirements.
  - a. Residential uses. At least one residential unit shall have a primary entrance from a Forecourt, unless a primary entrance is provided which leads to a lobby or hall which provides direct access to the abutting unit(s). (R\*)
  - b. Commercial uses. Each ground floor commercial suite abutting a Forecourt shall provide a primary entrance into the Forecourt, unless a primary entrance is provided which leads to a lobby or hall which provides direct access to the abutting suite(s). (R\*)
8. Walls/Fences/Public Access. A Forecourt is a quasi-public area which is an extension of the public realm. No walls or fences are permitted within or abutting a Forecourt, except as follows:

- a. Walls or fences not exceeding 40 inches in height.
  - b. Retaining walls, as otherwise permitted by this Chapter. A railing/view fence is permitted on top of a retaining wall to a height of 40 inches if required for pedestrian safety due to the grade differential.
  - c. View fencing (no solid/opaque portions) surrounding areas approved for outdoor dining or outdoor alcohol consumption may be provided up to a height of 72 inches above the forecourt grade.
  - d. Walls/fencing separating private residential patios which front on a Forecourt may be provided up to a height of 72 inches above the grade of the forecourt, so long as all portions of the wall/fence above 40 inches consists of view fencing, as approved by Planning and Development.
9. Shade Requirements. A minimum of 50% of each Forecourt should be shaded with landscape and/or structural shade. (P)

*Rationale: Shade is needed in the hotter months to encourage users to gather in the area.*

**G. Storefront (S).** A Storefront is a building façade design element which includes a ground floor elevation with a large number of transparent windows and frequent building entrances to create visual interest from the adjacent public sidewalk. This frontage element is traditionally used for retail, live/work, and other nonresidential active uses and should include cantilevered canopies or awnings.



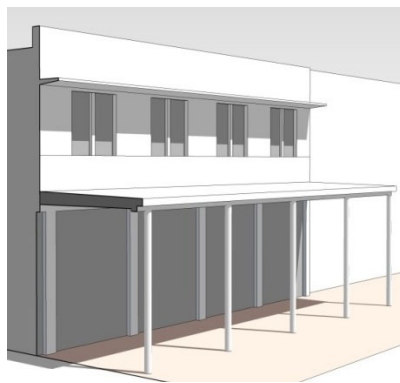
- 1. Minimum building frontage requirements. If a portion of the Frontage Zone occupied by outdoor dining or outdoor liquor service is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the outdoor dining/liquor service area shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated.
- 2. Primary entrance requirements.
  - a. Each ground floor commercial suite located within a Storefront frontage element shall provide a primary entrance on the street side that directly connects to the street. A suite which abuts a corner may meet this requirement for both street frontages by providing a single primary entrance at the corner. (R\*)
  - b. A Recessed Display Entry may be included as part of a Storefront frontage element.
- 3. Glazing requirements:
  - a. Location: The area between 3 feet and 8 feet above the adjacent sidewalk grade.
  - b. Minimum amount: Per the table below. (R\*)

Number of primary entrances* within Storefront frontage element:	Glazing Requirement:
One:	75%
Two:	70%
Three:	65%
Four or more:	60%

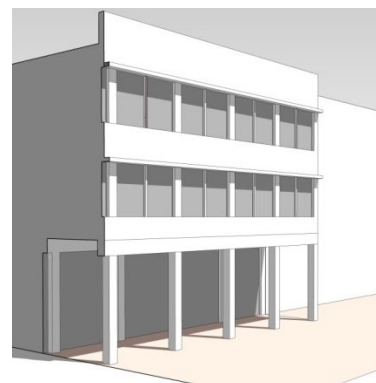
*\*A primary entrance may consist of more than one door. Doors must be separated by at least 20 feet to be considered as a separate primary entrance.*

- c. Glazing requirements shall be calculated as a percentage of the Storefront frontage element length.
4. Shade Requirements. A cantilevered canopy, fixed awning, or retractable awning shall be provided along each Storefront frontage element, in accordance with Section 1204.B.2, and the following:
  - a. Minimum depth: 5 feet. (R\*)
  - b. Minimum length: 75% of the Storefront frontage element length. (R\*)
  - c. Minimum clear height: 10 feet, if not required greater clearance per Section 1204.B.2. (T)
5. No fencing is permitted within the Streetscape or Frontage Zones adjacent to a Storefront frontage element, except as follows:
  - a. Retaining walls may be provided as otherwise permitted by this Chapter. A railing/view fence is permitted on top of a retaining wall to a height of 40 inches if required for pedestrian safety due to the grade differential. (R\*)

**H. Gallery/Arcade (GA).** A Gallery or an Arcade is a building façade design element where significant and continuous structural shade is provided for pedestrians, often over the actual public sidewalk. Similar to the Storefront frontage element, a large number of transparent windows and frequent building entrances should be provided to create visual interest from the adjacent public sidewalk. This frontage element is traditionally used for retail, office, and other nonresidential active uses.



**Gallery**



**Arcade**

1. Minimum setback requirements. A Gallery/Arcade may project into the Frontage Zone to the property line and is not required to meet minimum setbacks as stated in the applicable Character Area so long as compliance with other Streetscape and Frontage

Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated. (R\*)

2. Minimum dimensions. All portions of a Gallery/Arcade frontage element shall comply with the following:
  - a. Minimum depth: 10 feet. (R\*)
  - b. Maximum depth: 30 feet. No maximum for the portion of a Gallery/Arcade is being used for outdoor dining, outdoor liquor service, or a public gathering space. (R\*)
  - c. Minimum spacing between columns/supports: 10 feet as measured parallel to the street. (R\*)
  - d. Minimum clear height: 10 feet as measured from finished grade. (R\*)
  - e. Maximum clear height: 25 feet as measured from finished grade. (R\*)
3. Pedestrian use. All portions of a Gallery/Arcade frontage element shall have a walkway provided for pedestrians. The walkway may serve as the actual public sidewalk, if public easements are dedicated, or it may be provided in addition to the public sidewalk located within the Streetscape Zone so long as the area under the Gallery/Arcade is also open for pedestrian use.
  - a. Public sidewalk easement dedications shall be no less than the required sidewalk width for the applicable Character Area. (T)
  - b. Outdoor uses (dining, alcohol consumption, or similar), if permitted by the Character Area, may be provided within a Gallery/Arcade, so long as the greater of 5 feet, or the minimum public sidewalk width (if there is no other public sidewalk) is left unobstructed for use as a pedestrian walkway. (R\*)
4. Primary entrance requirements.
  - a. Each Gallery/Arcade frontage element shall provide a minimum of one primary entrance on the street side that directly connects to the street. A single primary entrance provided at the corner of a building at a street intersection complies this requirement for both street frontages. (R\*)
  - b. A Recessed Display Entry may be included as part of a Gallery/Arcade frontage element.
5. Glazing requirements:
  - a. Location: The area between 3 feet and 8 feet above the adjacent sidewalk grade for the portion of the building that is a Gallery/Arcade Frontage Element. (R\*)
  - b. Minimum amount: Per the table below. (R\*)

Number of primary entrances* within Gallery/Arcade frontage element:	Glazing Requirement:
One:	75%

Two:	70%
Three:	65%
Four or more:	60%

*\*A primary entrance may consist of more than one door. Doors must be separated by at least 20 feet to be considered as a separate primary entrance.*

c. Glazing requirements shall be calculated as a percentage of the Gallery/Arcade frontage element length.

6. Walls/Fencing.

a. No walls or fences are permitted in the Frontage Zone adjacent to a Gallery/Arcade frontage element which separates the Gallery/Arcade from the Frontage Zone.

b. Walls and fences within a Gallery/Arcade may be provided to separate outdoor dining or other permitted outdoor uses from the public walkway, if compliance with both of the following is demonstrated:

(1) A minimum 5-foot walkway clearance (or the minimum sidewalk width, if the public sidewalk has been located within the Gallery/Arcade) is maintained.

(2) View fencing (no solid/opaque portions) may be provided up to a height of 72 inches above the Gallery/Arcade grade.

I. **Recessed Display Entry.** A Recessed Display Entry is not a separate frontage element; rather it is a feature which may be included as part of a Common Entry, Storefront or Gallery/Arcade frontage element. The characteristics of a Recessed Display Entry are as follows:

1. Consists of a primary entrance to a public space (retail, restaurant, lobby/reception, etc.) recessed from the façade of the building, and is shaded by the upper portion of the building.

2. Minimum depth to primary entrance: 5 feet. (R\*)

3. Maximum depth to primary entrance: 25 feet. (R\*)

4. Minimum clear height: 8 feet on private property; 10 feet if permitted to project within public ROW or into a public sidewalk easement. (T)

5. Glazing provided within the Recessed Display Entry counts toward the minimum required glazing for the associated Frontage Element.

6. Shade provided by a Recessed Display Entry counts towards the minimum requirement for the associated Frontage Element.

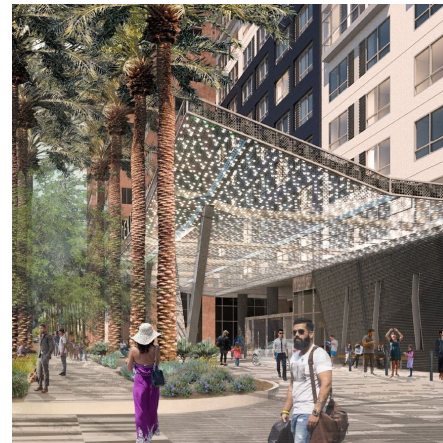
7. No portion of a Recessed Display Entry may be fenced off, unless included as a part of an outdoor dining/bar/patio which is otherwise allowed.





8. If a Recessed Display Entry is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Recessed Display Entry shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated.

**J. Grand Entry (GR).** A Grand Entry is a building façade design element which includes the most important pedestrian entrance to the building, indicated by significant architectural features and windows which may be provided more for visual impact than actual need. A Grand Entry should also incorporate significant public gathering space(s), pedestrian amenities, and art. A Grand Entry may also incorporate vehicular passenger loading and valet functions, including a porte-cochere, if the proposed use allows it. A Grand Entry would typically be used in conjunction with hotels, government buildings, educational institutions, hospitals, large office buildings, large residential and mixed-use buildings, and large assembly uses.



1. Applicability. A Grand Entry frontage element may be provided for the following uses if also permitted by the Frontage and Streetscape Zone Matrix for the applicable Character Area: (R\*)
  - a. Hotels.
  - b. Government buildings.
  - c. Schools/educational institutions.
  - d. Hospitals.
  - e. Office, retail, assembly, and mixed use buildings 100,000 square feet (gross) or larger.



- f. Residential buildings with at least 100,000 square feet (gross) or 100 dwelling units.
2. Main Entrance. A Grand Entry frontage element must serve as the main and most prominent entrance to the building for pedestrians. At least one primary entrance shall be provided which leads to a lobby or other internal gathering area which provides access to any ground-level suites and upper stories. (R\*)
3. Architecture. A Grand Entry should consist of architectural features which are prominent and intended to attract users to the main entry. These features may extend above the height of the Frontage Zone. Examples are: porticos/columns, large sets of steps; significant structural shade; extensive and imaginative use of colors, textures, windows, and/or lighting; prominent exterior works of art; and monuments. Signage may also contribute if otherwise in compliance with applicable sign regulations. (R\*)
4. Pedestrian Accessibility. Pedestrian access to the primary entrance must be visually obvious, preferably by use of materials and colors. The access route should be greater in width than any minimum required for ADA accessibility and commensurate in scale with the architectural features of the Grand Entry. Pedestrian routes may cross vehicular areas but must otherwise be segregated from vehicular traffic. (R\*)
5. Passenger Loading. A passenger loading zone, including a porte-cochere, may be part of a Grand Entry and located within the Frontage Zone if it complies with all of the following: (R\*)
  - a. It does not preclude installation of required Streetscape and Frontage Zone improvements, including trees; and
  - b. It allows for the most intuitive and direct pedestrian access to the primary entrance from the Streetscape Zone.
6. Valet Parking. A valet parking station and valet parking zone, including a porte-cochere, may be incorporated within a Grand Entry if it complies with all of the following: (R\*)
  - (1) It is a permitted accessory use per the Land Use Matrix;
  - (2) It is constructed in accordance with Section 1206.G.
  - (3) It does not preclude installation of required Streetscape and Frontage Zone improvements, including trees; and
  - (4) It allows for the most intuitive and direct pedestrian access to the primary entrance from the Streetscape Zone.
7. Trash and recycling containers, service areas, and commercial loading areas are not permitted to be incorporated within a Grand Entry, or within the adjacent Streetscape or Frontage Zones. Mechanical equipment and transformers/utility equipment may be provided only if located within a building or subterranean ground vault. (R\*)
8. Minimum building frontage requirements. If a Grand Entry incorporates pedestrian plazas, outdoor dining, outdoor liquor service, or other improved public gathering areas which are deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the gathering areas shall still count towards the minimum building

frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated. (R\*)

## **Section 1206. Parking, Loading, and Vehicular Access**

A. **Applicability.** All provisions of Section 702, “Off-Street Parking and Loading” apply to properties located within Downtown, unless specifically modified by this Chapter.

1. For additional Buffer Alley regulations, see Section 1207.L.
2. For additional Arts, Culture, Small Business Area regulations, see Section 1207.M.

B. **Automobile Parking Requirements.** Parking for automobiles shall be provided as follows:

1. Residential units.
  - a. Minimum: 1 space per dwelling unit.
  - b. Maximum: 2 spaces per dwelling unit, plus 1 space per 1,000 sf of gross square footage for leasing/residential management office and Shared Amenity Areas.
2. Non-residential uses.
  - a. Minimum: 1 space per 1,000 square feet of gross building square footage, except in the Business Core and Warehouse character areas, where no minimum parking is required.
  - b. Maximum: 4 spaces per 1,000 square feet of gross building square footage.
3. Parking reductions identified in Section 702.E are not applicable within Downtown. However, parking reductions and other modifications may be earned by the application of sustainability bonus points, per the provisions of Section 1223.
4. Location of automobile parking.
  - a. Lots having only one or two dwelling units (no mixed uses): required spaces may not be provided within any Frontage Zone. An on-site driveway leading to designated parking spaces may be provided within a Frontage Zone if not in excess of 18 feet wide and if otherwise permitted by this Chapter. (R\*)
  - b. Multi-family, mixed use, and non-residential developments: no surface parking is allowed within any Frontage Zone. Drive aisles may cross a Frontage Zone when access from the adjacent street is otherwise permitted. (R\*)
  - c. Parking located within structures, including underground parking, is subject to the requirements of Section 1207.J.
  - d. Off-site parking. Off-site parking not located within a public right-of-way may account for up to 50% of the required automobile parking, with approval of a use permit and compliance with all the provisions of Section 702.E.9.

C. **Maneuvering.** All maneuvering for automobile parking spaces, passenger loading, and service/goods loading shall be provided on-site, subject to the following:

1. Maneuvering within a public right of-way shall be allowed as follows:

- a. Maneuvering within a public alley is permitted by right if the alley is a minimum 20 feet wide, and then only if access to the alley is permitted per other City regulations; or
- b. Maneuvering in public right-of-way may be permitted with approval of a Technical Appeal which demonstrates that adequate space is being provided for the safe maneuvering of vehicles within the right-of-way. Additional requirements, such as but not limited to dedications, pavement widening, and/or removal of utility poles may be stipulated as part of the Technical Appeal approval. (T)

**D. Electric Vehicle Charging.** The following development regulations apply to electric vehicle charging (EVC) spaces provided within parking areas within Downtown:

1. EVC spaces may be counted as part of the required minimum number parking spaces. (R)
2. EVC spaces shall not be counted as part of required maximum number of parking spaces. (R)
3. All EVC spaces, charging stations, and associated transformers or other mechanical equipment, shall be provided on site and not in any required landscape setback, required landscape area, or Frontage Zone. ~~(R)~~(R\*)

**E. Bicycle Parking.** Parking and amenities for bicycles shall be provided as follows:

1. Multi-family residential development shall provide shared bicycle parking at the rate of 0.25 space per dwelling unit, with a maximum requirement of 50 spaces.
2. All nonresidential uses over 5,000 gross square feet shall provide 1 bicycle space per 25 vehicle parking spaces provided or portion thereof, with a maximum requirement of 25 spaces.
3. All nonresidential uses 100,000 gross square feet or larger shall provide 1 bicycle space per 25 vehicle parking spaces or portion thereof, with a maximum requirement of 50 spaces. In addition, a minimum of 2 shower stalls and 10 personal lockers that are available for use by the building's occupants shall be provided.
4. Restaurants and bars totaling less than 5,000 gross square feet on one site shall provide a minimum of 4 bicycle spaces in the Frontage Zone. If automobile parking spaces are provided, 1 additional bicycle space for every 25 vehicle parking spaces as required for the restaurant and bar uses shall be provided.
5. Bicycle parking shall not be located within a required public sidewalk or accessible route.

**F. Service/Goods Loading Areas.** The following requirements apply to short-term loading and unloading of service vehicles with goods or equipment.

1. On-site loading shall be required for all developments per the following table:

Required Loading and Service Bays					
Use	Gross square footage of buildings (per site)				
	25,000 – 40,000 sf	> 40,000 – 160,000 sf	> 160,000 – 320,000 sf	> 320,000 – 500,000 sf	> 500,000 sf
Multi-Family Residential	0	1 per 150 dwelling units or portion thereof			
Lodging	0	1 per each 300 rooms or portion thereof			
Retail, Commercial, and Office Uses	0	1	2	3	4 + 1 per additional 180,000 sf above 500,000
Industrial, Manufacturing, Storage, and Wholesaling Uses	1	2	3	4	5 + 1 per additional 180,000 sf above 500,000

Mixed-use developments shall provide the required loading spaces per each use category shown in the table above.

2. Loading bays shall be a minimum of 10 feet in width and 30 feet in length. (T)
3. Location of Service/Goods Loading Areas.
  - a. Service/goods loading areas may not be located within a Frontage Zone adjacent to a Pedestrian Street. (R\*)
  - b. Service/goods loading areas may not be located within a public street right-of-way unless compliance with all of the following occurs: (R)
    - (1) An encroachment permit has been obtained from the Street Transportation Department for the design and/or structures provided as part of the loading area (dock, loading ramp, etc.).
    - (2) The loading area does not reduce the required Streetscape Zone and does not preclude the provision of required street trees and shading requirements.
    - (3) The loading area does not interrupt the required public sidewalk or other dedicated pedestrian walkways.
    - (4) The loading area does not interrupt a designated bicycle lane.
    - (5) Compliance with Section 1204.B.5 regarding historic curb locations is demonstrated.
  - c. Service entrances, loading areas, and trash/recycling pickup should be located internal to the site or building, or adjacent to a Side Street or alley whenever possible. (P)

*Rationale: Pedestrian Streets should create a safe, secure, and welcoming atmosphere for pedestrians, and should not have uses or functions which discourage pedestrian use. Noxious uses and conflicts with service vehicles should be minimized along Pedestrian Streets. Side Streets and alleys (which are not designated Buffer Alleys) are preferred access points for service and delivery functions.*

G. **Valet Parking.** The requirements of this Section apply only for sites which are allowed valet parking as an accessory use per Section 1203.D.30.

1. Location of Valet Parking Facilities.

- a. A valet transfer zone (where vehicles are dropped off and picked up) should be located internally to the building whenever possible. (P)

*Rationale: Views of standing automobiles, and conflicts with pedestrians, should be minimized.*

- b. A valet transfer zone may be provided within a Frontage Zone adjacent to a Side Street, so long as it does not preclude compliance with other Streetscape and Frontage Zone standards, including driveway access and placement. A valet transfer zone may be combined with a service/goods loading area when located adjacent to a Side Street. (R\*)

- c. A valet transfer zone may be provided within a Frontage Zone adjacent to a Pedestrian Street, subject to the following: (R\*)

(1) Compliance with the driveway and vehicular access regulations of Section 1206.H is demonstrated.

(2) Compliance with other applicable Frontage Zone and Streetscape Zone requirements for Pedestrian Streets (including shading, provision of street trees, and minimum building frontage) is demonstrated.

(3) Valet facilities may not be located within the minimum street setback area.

- d. Valet parking spaces (where cars are parked after being dropped off) may be located off-site if in accordance with the provisions of Section 1203.D.

- e. A valet transfer zone should have primary access from a street, rather than an alley. (P)

*Rationale: Whenever possible, vehicles should be dropped off and picked up from a more intuitive location associated with the street address, particularly if the parking is for patrons and visitors, rather than occupants of the building or site.*

- f. Valet parking facilities, including the valet transfer station, valet transfer zone, and valet parking spaces, may not be located within a public right-of-way unless compliance with all of the following occurs: (R)

(1) An encroachment permit has been obtained from the Street Transportation Department for the Valet Parking Facilities.

- (2) The Valet Parking Facilities do not reduce the required Streetscape Zone and do not preclude the provision of required street trees and shading requirements.
  - (3) The Valet Parking Facilities do not interrupt the required public sidewalk or other dedicated pedestrian walkways.
  - (4) The Valet Parking Facilities does not interrupt a designated bicycle lane.
  - (5) Compliance with Section 1204.B.5 regarding historic curb locations is demonstrated.
- g. Public right-of-way may be used to move vehicles between the valet transfer zone and the valet parking spaces, if the valet parking spaces are located on a different property, as otherwise permitted by this Chapter.
2. Design requirements for valet parking facilities.
- a. A valet transfer zone shall comply with the following: (T)
    - (1) A minimum length of 60 feet.
    - (2) A minimum width of 10 feet.
    - (3) A maximum width of 16 feet.
  - b. A valet transfer zone must include an accessible vehicle pull-up space constructed in accordance with federal requirements. (T)
  - c. A valet transfer zone shall not be used all or in part for any vehicle parking. Short term vehicle standing of up to 30 minutes is permitted during hours of operation of the valet parking facilities. (T)

H. **General Driveway and Access Regulations.** This section regulates driveways and access from streets to private property. Access from any street to a property must be in compliance with the provisions of this Section.

- 1. Properties with HP designation. Driveways for properties with HP zoning or designation may be located, designed, constructed, or reconstructed in a historic manner and dimensions as approved in writing by the Historic Preservation Officer.
- 2. Arterial Streets.
  - a. Access for automobile parking, valet parking facilities, passenger loading zones, and Service/Goods Loading Areas is permitted from the following arterial Pedestrian Streets, regardless of other site frontages or regulations of this Chapter:
    - (1) 7th Street
    - (2) 7th Avenue
    - (3) McDowell Road
    - (4) Van Buren Street
    - (5) Buckeye Road

- b. Maximum driveway width: 40 feet, or wider as approved by Street Transportation when requiring islands for restricted turns. (T)
  - c. All other provisions for Pedestrian Streets apply.
3. Pedestrian Streets. Driveways and access to private property from Pedestrian Streets are subject to the following:
- a. Automobile Parking. Access is permitted from a Pedestrian Street only when one of the following applies: (R\*)
    - (1) The development site has no other frontage on an alley or side street; or
    - (2) The parking area has at least one additional access point from an alley or side street.
  - b. Service/Goods Loading Areas are not permitted access from a Pedestrian Street unless the loading area is located completely within the building; within a parking garage, or screened from view from the street. Screening may consist of the following: (R\*)
    - (1) Green screen.
    - (2) Dense landscaping which provides screening starting from the time of initial installation.
    - (3) Underground utility vaults.
    - (4) Buildings.
  - c. Passenger loading zones are permitted access from a Pedestrian Street.
  - d. Maximum driveway width: 30 feet. When a site has only Pedestrian Street frontages, additional width may be granted through approval of a Technical Appeal (T).
  - e. Minimum separation between driveways: 30 feet. (T)
    - (1) Properties which have a maximum of two dwelling units (no mixed primary uses) have no minimum separation except as may be required by City policies for safety and visibility. (T)
    - (2) Other City policies and ordinances regulating the design of driveways, including but not limited to required visibility, restricted turn movements, and distances from intersections may require a greater separation than 30 feet. (T)
4. Side Streets. Driveways and access to private property from Side Streets are subject to the following:
- a. Access for all types of vehicular uses is permitted from a Side Street.
  - b. Maximum driveway width: 40 feet. (T)



- c. Minimum separation between driveways: 20 feet. (R\*)
  - (1) Properties which have a maximum of two dwelling units (no mixed primary uses) have no minimum separation except as may be required by City policies for safety and visibility. (T)
  - (2) Other City policies and ordinances regulating the design of driveways, including but not limited to: required visibility, restricted turn movements, and distances from intersections may require a greater separation than 20 feet. (T)

5. Alleys. Driveways and access to private property from alleys are subject to the following:

- a. Access is not permitted from a Buffer Alley, unless in compliance with Section 1207.L. (R)
- b. Automobile Parking. Access is permitted from an alley, subject to the following:
  - (1) The alley pavement must be (or be widened to) a minimum 20 feet wide and unobstructed for the length of the property; (T)
  - (2) If the parking area has more than 100 spaces, the alley pavement is a minimum 20' wide and unobstructed for the full length of the block, unless otherwise approved through a Technical Appeal. (T)
- c. Passenger loading zones should not have primary access provided from an alley. (P)  
*Rationale: Rideshare and personal delivery vehicles should be able to access a development from a more intuitive location associated with the street address.*
- d. Maximum driveway width: as determined by PDD and Street Transportation for safety and visibility. (T)
- e. Minimum separation between driveways: as determined by PDD and Street Transportation for safety and visibility. (T)

I. **Driveway Design Guidelines.**

- 1. Appropriate visibility triangles and/or lines of sight shall be provided for driveways. The visibility triangles shall provide for visibility of pedestrians on the public sidewalk, as well as vehicles in the street. (T)

*Rationale: Vehicles exiting from a site or parking garage should be able to see cars on the street, as well as pedestrians on the sidewalk (and vice versa). Alternatives, such as mirrors, pedestrian safety signage, etc. may be approved as part of a Technical Appeal when standard visibility requirements cannot be met.*

- 2. Specialty paving, striping, bollards, or similar as approved by PDD staff should be provided where a driveway crosses a sidewalk. (P)

*Rationale: Where vehicular routes interface with pedestrian routes, warnings to both the vehicles and the pedestrians should be visually indicated.*

3. Shared access and driveways serving more than one development should be provided whenever possible. (P)

*Rationale: The number of driveways crossing sidewalks and bicycle routes should be minimized to avoid conflicts and collisions. However, consideration and flexibility should be applied when a primarily residential development is adjacent to a non-residential development.*

## **Section 1207. General Development Regulations.**

- A. **Applicability.** This section contains development regulations specific to Downtown. If a conflict occurs between any specific Character Area regulations and the regulations of this Section, the Character Area regulations shall apply.
- B. **Historic Preservation Development Regulations.** 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.
- C. **Projections.**
1. Projections within the Streetscape Zone are regulated by Section 1204.B.2.
  2. Projections within the Frontage Zone are regulated by Section 1204.C.3.
  3. Projections within required yards adjacent to interior lot lines are not permitted, except as follows: (R)
    - a. Roof overhangs, but not including covered porches, patios, or carports, are permitted so long as no portion of the overhang is closer than 2 feet from the property line.
    - b. Other projections, when explicitly allowed by other sections of this Chapter.
- D. **Wall/Fence Requirements.**
1. **Historic Preservation designated properties.** For residential properties designated HP and HP-L, fences or freestanding walls in the front yard (the area between the structure and the street right-of-way line) may not exceed a maximum height of three feet. This height limitation extends three feet back from the front façade into the side yard(s).
  2. Within Frontage Zones, the following apply:
    - a. Walls/fences are limited to 40 inches in height, except as may be specifically modified by other provisions of this Chapter. (R\*)
    - b. Within a Frontage Zone which abuts a side property line (e.g. a "street side"), a wall or fence up to 6 feet tall may be permitted if all of the following also apply: (R)
      - (1) The wall encloses a private residential side yard and/or rear yard on a lot with no more than two dwelling units (and no other primary uses).
      - (2) No structure on the property exceeds two stories and 30 feet in height.
      - (3) No portions of the wall over 40 inches in height are located within a Frontage Zone applicable to any other street frontage.
      - (4) No portions of the wall over 40 inches in height (36 inches if in an HP Overlay) are located closer than 3 feet behind the front façade of the structure.

3. Walls/fences provided for screening of mechanical equipment shall comply with the provisions of Section 1204.E.7.
4. Walls located adjacent to interior property lines or other locations outside of the Frontage Zones shall comply with the regulations stated in the applicable Character Area.
5. Retaining walls located within Streetscape and Frontage Zones are regulated by Section 1204.D.

**E. Height Transition Standards.** For all new development adjacent to lots located in a lower height zone, a setback shall be provided to compensate for disproportionate height disparities. This additional setback provides for building separation and circulation of air and light in a dense urban fabric.

1. Along an interior property line or a designated Buffer Alley which separates properties of two different height zones, the minimum required setback shall be increased by 10 feet for all portions of the building taller than the maximum height of the adjacent (lower) height zone. (R)

*Example: A building located on a property with a maximum height of 140 feet and a 10 feet minimum interior setback, sharing a property line with a property with a 65 feet maximum height, has a 20 feet setback required for all portions of the building taller than 65 feet. The portions of the building less than 65 feet tall may be located at the standard 10 feet setback from the property line.*

2. A setback shall not be required in the following circumstances unless specifically required by the applicable Character Area standards:
  - a. The proposed building is no more than 20 feet taller than the maximum permitted height of the adjacent height zone.
  - b. The proposed building is adjacent to a height zone with a maximum permitted height of 65 feet or greater.
3. The proposed building should respect the scale of existing buildings located on adjacent properties and serve as an orderly transition to a different scale. Stepbacks, changes in massing, or changes in materials and color starting at the height of the adjacent existing building are highly encouraged. (P)

*Rationale: Building heights with a vastly different scale than those on adjacent parcels should have a transition in scale to reduce and mitigate potential impacts.*

**F. Landscape Standards.** Landscape shall be provided in accordance with the following:

1. Landscape requirements of Section 703.E, as well as Section 507 Tab A, apply unless specifically modified by this section or other provisions of this Chapter.
  - a. See Section 1207.M for special regulations applicable to the Arts, Culture, Small Business Area.
2. Landscape within the Streetscape and Frontage Zones shall comply with the requirements of Section 1204.G.

3. Landscape shall be provided for surface parking areas as follows:

<b>Surface Parking—Landscape Standards</b>	
Interior surface area (exclusive of perimeter landscaping and all required setbacks)	Minimum 10% (R*)
Landscaped planters	At ends of each row of parking and approximately every 110 feet (P)
Landscaped planters, single row of parking	Minimum 5 feet wide (inside curb measurement) for full depth of parking space. (T)
Landscaped planters, double row of parking	Minimum 5 feet wide (inside curb measurement) for full depth of both parking spaces. (T)
Additional parking lot landscape areas	As needed to meet 10% minimum requirement, evenly distributed throughout the entire parking lot. (P)
Required trees	Minimum requirement: one per 100 sf of landscape area (T) Planter (single space depth): one tree. (P) Planter (double space depth): two trees (P) All other areas: 20 feet on center or equivalent groupings (P).
Required tree sizes:	Minimum 2-inch caliper (60% of trees) (T) Minimum 1-inch caliper (40% of trees) (T)
Required shrubs:	Minimum 5 shrubs per tree. (P)
Required shrub size:	Minimum 5-gallon. (T)

*Rationale: Parking lot landscaping and shade should be provided in a similar manner as required for other commercial areas outside of Downtown. However, flexibility can be exercised regarding installation of landscape materials in order to address on-site conflicts, such as lighting, mechanical equipment, sight lines, required pedestrian walkways, or similar. Requests to provide smaller than required planting areas, trees, or shrubs may only be approved through a Technical Appeal.*

4. All on-site pedestrian walkways shall be 75% shaded by trees and/or structural shade. (R\*)
5. All remaining areas of a site which are not Frontage or Streetscape Zones, surface parking, pedestrian walkways, or amenities specifically permitted by PDD which do not typically include shade (i.e. pools and pool decks), must be landscaped to provide 50% shade. Properties having only residential uses, not exceeding two dwelling units, are exempt from this requirement. (R\*)

**G. Multi-Family Development Design Requirements.**

1. The provisions of this section apply to all sites which include five or more dwelling units. The provisions of Section 703.B, Landscaping and Open Areas in Multiple-Family Development, do not apply to properties located within Downtown. (R\*)
2. Where dwelling units are provided at the ground level adjacent to a Pedestrian Street, an appropriate residential Frontage Element (such as Patio, Stoop/Doorwell, Porch, or Forecourt) should be utilized to allow for individual dwelling unit access to the street. (P)

*Rationale: Individual entrances promote more “eyes on the street”, due to greater use of patios and other outdoor areas. Individual entrances also encourage pedestrian use by creating more interest, as well as a feeling of smaller-scale design.*

3. Shared Amenity Areas for the residents of multi-family dwelling units shall be provided on-site, as follows:
  - a. The minimum Shared Amenity Area provided shall be per the following table (R\*):

Minimum Shared Amenity Areas for Sites with Multi-Family Dwellings	
Up to 100 units	None required.
101-300 units	Minimum 2500 square feet
301+ units	Minimum 5000 square feet

- b. Shared Amenity Areas shall consist of the following types of spaces (R\*):
- (1) On-site open space provided in accordance with the provisions of Section 1207.H.
  - (2) Roof-top decks which are occupiable and do not exceed height requirements for the applicable Character Area.
  - (3) Conditioned suites with amenities/shops/services.
- c. All areas used to count toward the minimum Shared Amenity Area requirements must be accessible to all users, in accordance with FHA and ADA standards. (T)
- d. Uses open to the public, such as retail stores, restaurants, commercial gyms, bars, etc. may be used to meet no more than 50% of the Shared Amenity Area requirement. (R)
- e. A minimum of two of the following amenities shall be provided within the Shared Amenity Areas (P):
- (1) Swimming pool and/or hot tub.
  - (2) Fitness center/sport court or facility.
  - (3) Tot lot/playground.
  - (4) Barbecue/picnic/common kitchen area.
  - (5) Gathering area with focal feature (fountain, firepit/fireplace, television, game tables, kitchen etc.)
  - (6) Pet exercise area.

*Rationale: Shared Amenity Areas should include a variety of amenities which may be used by multiple residents, but are not shared with non-residents (such as an on-site store, restaurant, or bar). Staff may approve additional types of amenities similar to*

*those listed above and meeting this intent. Two separate amenities in the same category may also be approved.*

**H. Open Space Development Regulations.** Open space, when provided for sustainability bonus credits per Section 1223 or as part of a multi-family Shared Amenity Area requirement, shall comply with the following:

1. Open Space shall be provided at ground level. Roof tops, areas inside structures, or areas placed underground cannot be counted as open space. Outdoor areas provided under a building overhang are permitted so long as they are fully open to at least one Frontage Zone. (R\*)
2. Each Open Space area shall abut and include a Frontage Zone. The area of the Frontage Zone may be included in the minimum area and dimensions required for qualifying Open Space areas. (R\*)
3. Each Open Space area shall be a minimum of 500 square feet with a minimum dimension of 20 feet in any direction. (R\*)
4. All Open Space areas are subject to the design requirements for Frontage Zones, with the following modifications: (R\*)
  - a. No automobile uses (parking, loading, etc.) of any type may be provided within an Open Space area.
  - b. Open Space areas with a dedicated public access easement may not be fenced or walled off from the street except for low walls not exceeding 40 inches in height, unless the height of the wall is further restricted by the Frontage Zone or Frontage Element requirements.

**I. Enhanced Corner Requirements.** Developments located on Enhanced Corners (per map in Section 1202.D) should be integrated with and oriented toward the corner, as follows:

1. A primary entrance that faces both streets and that serves as a main entry for the building shall be provided at each Enhanced Corner. An entrance to a single commercial suite or residence does not meet this requirement. (R\*)
2. Additional building articulation, architectural features, signage, pedestrian amenities, and/or art that emphasizes the corner and draws attention to the Enhanced Corner entry of the building shall be provided. (P)

*Rationale: An Enhanced Corner should be visually obvious and comfortable for pedestrians to use as the building's primary entrance.*

3. If an Enhanced Corner entry plaza is provided which is deeper than the applicable Frontage Zone depth(s), the building frontage along the corner entry plaza shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated. (R\*)

**J. Structured Parking/Parking Garage Design Guidelines.**



1. Where parking structures are visible from a street or neighboring property, they should utilize approved Frontage Elements, art/murals, decorative materials, imaginative use of colors and patterns, and/or permitted signage to fully screen vehicles from view and to create interest at the ground level. (P)

*Rationale: Parking structures, particularly ones with exterior unfinished concrete masonry or panels, do not engage or create interest for pedestrians. The side of a parking garage should never appear to be "blank".*

2. Parking structures shall be designed so that light from vehicle headlights, when parked head-in in a parking space, is fully screened from view from all perimeter streets. (R\*)
3. Parking structures should be integrated with the form and materials of the main site structures, or the scale, form, color and materials of the immediately adjacent area. (P)

*Rationale: Parking structures should not be a dominant feature of the building design, and creative solutions should be integrated and/or complement the design elements of other buildings on site or within the surrounding context area.*

4. Rooftop lighting on a parking garage should be set back a minimum of 25 feet from the perimeter of the rooftop parking structure and be mounted no higher than 12 feet above the roof deck. (P)

*Rationale: The direct source of light should not be visible from lower levels or adjacent uses.*

5. 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). Pedestrian routes should always be separated from vehicular traffic, except where required crossings can be provided safely. (T)
6. Pedestrian entrances to parking garages should be separate from vehicular entrances. (P)
7. Garage openings should be enhanced with specialty lighting, artwork, or materials to visually notify vehicle drivers that pedestrians may be crossing, and vice versa. (P)

*Rationale for J.7 and J.8: Safety at pedestrian and vehicular crossings should be addressed with design.*

8. Underground parking may extend to a height of five feet above finished grade, provided that the garage perimeter wall does not cause the Frontage Element assigned to that portion of the building façade to become non-compliant with other required development standards. (R\*)

#### **K. General Design Guidelines.**

1. All building facades adjacent to interior property lines (i.e. not abutting or within a Frontage Zone) should have a level of trim and finish equivalent with and complementary to the Frontage Zone façade(s). (P)

*Rationale: Most buildings within Downtown are of heights that they are visible from quite a distance. Facades visible from the street or other properties should be of a quality similar to that required for facades facing streets, and should never appear to be unfinished or “blank”.*

2. All buildings over 10 stories tall should be designed with a base that is visually differentiated from the remainder of the building. The base may be between one and four stories in height. (P)

*Rationale: All buildings should be scaled at the base to relate and connect to pedestrian uses.*

3. Windows and balconies in near proximity that face each other should receive special design treatment to increase privacy for existing adjacent residential uses by providing one (or a combination) of the following, or similar as approved by PDD staff: (P)
  - a. Louvers;
  - b. Privacy screens;
  - c. Windows that start a minimum of six feet above respective finished floor;
  - d. Frosted or tinted window treatments.

*Rationale: Existing residential units close enough to be impacted by new development should be able to maintain their level of existing privacy. Incorporating methods of screening with windows and balconies on new development can help provide the means for maintaining this privacy.*

4. Natural surveillance should be maximized in project design to encourage easy observation of people and property near entryways, pathways, public spaces and parking areas. (P)

*Rationale: Safety and security for pedestrians should be addressed by design. Hidden and obscures spaces can encourage illicit activity.*

5. 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. (P)

*Rationale: Building accents and detailing should be high quality and durability and not of materials which can fade or deteriorate over time.*

6. 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. (P)

*Rationale: While buildings should not appear too monolithic or monotonous, they should also not appear to be an assemblage of many materials or designs without a common theme.*

7. 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). (P)

*Rationale: Character Areas were created to acknowledge the unique characteristics of each area. New development and redevelopment should reflect the existing character by use of similar and complementary architectural styles and accents.*

8. 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. (P)

*Rationale: Character Areas were created to acknowledge the unique characteristics of each area. New development and redevelopment should reflect the existing character by use of similar and complementary building materials.*

9. Architecture and applied treatments that express corporate identity should be de-emphasized. The building should be a unique structure that complements and blends with the surrounding context. (P)

*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.*

10. All electric lines 12 KV and smaller, communications and cable television lines, and all on-premise wiring shall be placed underground in developments where visible from streets or adjoining properties. (T)

*Rationale: Overhead utility lines are in many cases visually objectionable; can cause issues with proximity to balconies; can obstruct direct pedestrian and vehicular routes and visibility; and can restrict the ability to install required trees and other shading methods.*

11. Freestanding detached monument signage should be integrated with the building architecture. (P)

*Rationale: Monument signs should incorporate elements of the building architecture through use of similar colors, materials, and/or forms.*

**L. Buffer Alley Development Regulations.** The following regulations shall apply to properties adjacent to Buffer Alleys identified in Section 1202.E, in addition to any other requirements of the Downtown Code:

1. Access to and vehicular maneuvering within a Buffer Alley is not permitted, except for developments meeting at least one of the following criteria: (R)
  - a. Abutting properties that currently have legally established access to the Buffer Alley and are not subject to the applicability requirements of Sections 507.B.2 or 507.B.3.
  - b. Abutting properties on which there are no more than two dwelling units and no other primary uses.

c. Abutting subdivisions developed in accordance with Section 1203.D.27.

2. If non-residential loading or service areas (including for trash/recycling collection) have established legal access from a Buffer Alley, loading, pickup and deliveries shall be prohibited between 9:00 p.m. and 6:00 a.m., **UNLESS A USE PERMIT IS OBTAINED.** This restriction shall be prominently posted on signs on the building adjacent to the service area, as well as at the entrance to the property from the Buffer Alley. (R)
3. A setback equal to the minimum required building setback, plus 10 feet, is required for all portions of buildings taller than 30 feet when adjacent to a Buffer Alley. Additional setbacks may be required by Section 1207.E. (R)
4. For non-single-family developments, a minimum five-foot wide landscape area and minimum 6-foot high solid wall on the alley side of the landscape area must be provided along the property line abutting a Buffer Alley. The wall must be consistent with the material, design and character of the primary building. (R)
5. All new mechanical equipment, including roof mounted equipment, must be fully screened from view from a Buffer Alley. Solar panels and/or solar water heaters are exempt from this requirement. (R)
6. All trash/recycling containers must be fully screened from view from a Buffer Alley, unless alley collection services are provided by the City of Phoenix. (R)
7. Parking lot and security lighting, including building-mounted lighting, shall not exceed 15 feet in height, including lamp, pole, and base, for properties abutting a Buffer Alley. Light fixtures fully screened by a building or other structure, and not visible from the Buffer Alley, are exempt from this requirement. (R)
8. Decorative lighting (including but not limited to illuminative gases, fiber optics, or LED fixtures) and lighted signage shall not be installed where visible from an adjacent Buffer Alley. (R)
9. Windows, balconies, and rooftop decks on properties abutting a Buffer Alley should be designed to protect the existing privacy of adjacent single-family residential uses. (P)

*Rationale: These building features should ideally be oriented away from the Buffer Alley. However, if provided, they should be mitigated with things like louvers, screening, frosted/tinted window treatments, and relative window height (i.e. at least 6 feet above the floor).*

#### **M. Arts, Culture, Small Business Area Development Regulations.**

1. Applicability. The area indicated on the Arts, Culture, Small Business Area Map in Section 1202.F is subject to the following regulations. In the event of a conflict with other provisions of this Chapter, the more permissive regulation shall apply. The development regulations of Section 669 (Arts, Culture, and Overlay District (ACOD) do not apply to properties zoned Downtown Code.
2. 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 Downtown and will enhance community events.

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: (R)
  - 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.
  - 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.
  - c. Outdoor events or performances are limited to Fridays, Saturdays and Sundays only.
  - 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.
  - 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.
  - 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.
  - g. Outdoor events or performances in Downtown shall be a minimum of 300 feet from an adjacent Character Area that is not included in the Arts, Culture, and Small Business Area depicted on the map in Section 1202.F and from any single-family zoning district outside of Downtown.
4. Accessory uses.
  - a. Home occupations are permitted subject to the following:
    - (1) Employees are permitted, subject to obtaining a use permit in accordance with the provisions of Section 307.A.7.
    - (2) No more than 50 percent of the dwelling unit may be used for any home occupation.
  - b. The following accessory uses are permitted:
    - (1) Outdoor dining as accessory to a restaurant is permitted subject to the following:
      - (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 in Section 1202.F and from any single-family zoning district outside of Downtown.
      - (b) The outdoor dining area and accessory public space shall be clearly delineated by a minimum three-foot-high continuous fence, wall or planter.

- (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.
  - (d) Hours of operation for outdoor dining area shall not extend beyond restaurant hours of operation.
  - (e) The outdoor dining area shall not restrict or impede accessible access to the building or the parking area.
- (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:
- (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.
  - (b) Storage area shall be fully screened with a solid wall or landscaping.
  - (c) Storage of materials associated with the crafting area exceeding eight feet in height shall be subject to obtaining a use permit.

5. Signs.

- a. A-frame signs are permitted on private property, subject to the following: (R)
  - (1) No off-site advertising is permitted.
  - (2) A maximum of one A-frame sign is permitted per 25 feet of street frontage.
  - (3) A maximum of six square feet of signage per side of the A-frame sign is permitted.
  - (4) There shall be a maximum height of three feet from natural grade.
  - (5) All signs shall be removed daily at the close of business or event.
- b. Shingle signs are permitted subject to the following: (R)
  - (1) A maximum of one sign is permitted for each business per facade if access to business is available from that facade.
  - (2) A minimum clearance of eight feet from finished grade to the bottom of the sign shall be provided.
  - (3) A maximum of five square feet in area shall be permitted per side.
  - (4) No backlit or cabinet signs are permitted.
- c. Wall and window signs are permitted for structures existing as of May 2, 2008, as follows: (R)

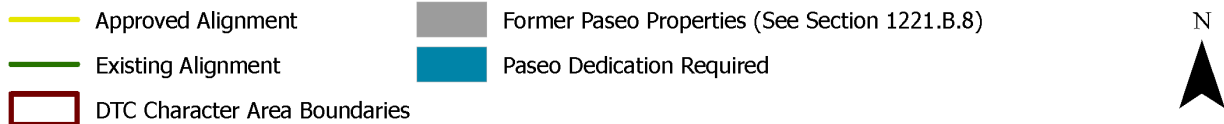
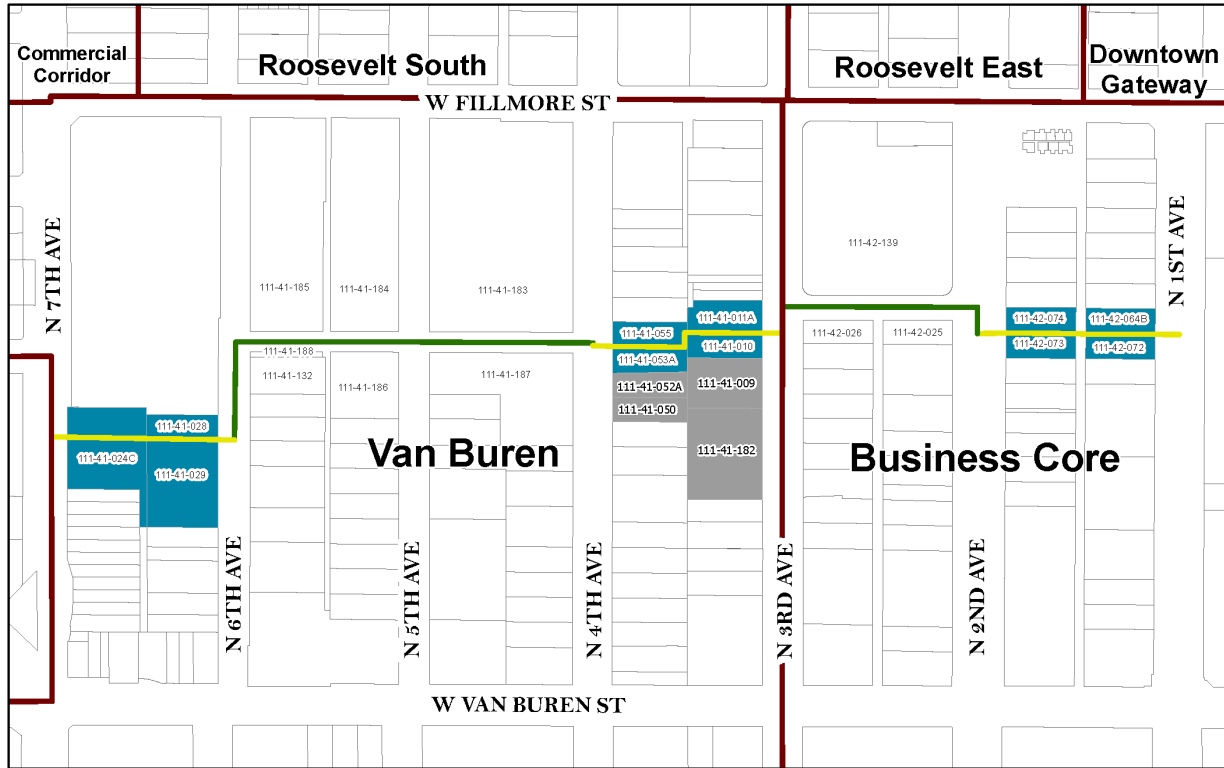
- (1) Wall signs.
    - (a) The maximum square footage permitted per Section 705.D may be increased by 25 percent.
    - (b) The maximum square footage permitted may be increased by an additional ten percent if graphics comprise a minimum of ten percent of the overall square footage of the sign.
  - (2) Window signs. The total area of such signs shall not exceed 40 percent of each window area located on the ground floor of the building.
6. Parking, yard and area requirements for nonresidential uses or mixed uses containing nonresidential uses.
- a. For parking, yard and area requirements for structures existing as of May 1, 2008:  
(R)
    - (1) Regardless of change of use or occupancy no additional parking or landscaping shall be required.
    - (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.
    - (3) Building additions may exceed the lot coverage of the underlying zoning district by 25 percent, excluding those with Historic Preservation Overlays.
    - (4) Interior setbacks may be reduced by a maximum of 25 percent of that required by the underlying zoning requirements, excluding those with Historic Preservation Overlays.
  - 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.
  - c. Unless subject to Buffer Alley regulations (Section 1207.L), vehicles are permitted to maneuver in the alley when dustproofing/paving, adequate maneuvering space, and visibility are approved by the Planning and Development Department.
  - d. Unless subject to Buffer Alley regulations (Section 1207.L), when vehicular access to the site is provided from an alley, no landscape setback is required adjacent to the alley.

#### **N. Taylor Street Pedestrian Paseo Regulations.**

1. **Intent.** The Taylor Street Paseo is intended to primarily serve pedestrians, connecting the Van Buren Character Area to the commercial, educational, and cultural resources and institutions located in the central portion of Downtown (generally east of First Avenue). The Paseo will provide a mid-block east-west route alternative located generally along the alignment of Taylor Street, to help mitigate the unusually long block lengths between Fillmore and Van Buren Streets.

2. **Applicability.** The properties abutting the alignment indicated on the map below are subject to the following special development regulations:

### Taylor Street Paseo



3. **Easement dedication.** Properties abutting the Paseo alignment are required to dedicate a public pedestrian easement (hereafter referred to as "Paseo") per the alignment as shown on the map provided in this Section.
- a. The minimum width of the Paseo, and the public pedestrian easement to be dedicated at the time of development is 20 feet, subject to the following:
    - (1) Where the Paseo runs between different properties, the dedication may be split between the properties so long as the Paseo dedications from all properties are made concurrently.
    - (2) If the Paseo is dedicated within or abutting a public street, the public pedestrian easement dedication within the adjacent Frontage Zone shall be wide enough to provide a minimum of 20 feet from back of curb to back of easement.
  - b. The Paseo may be provided as a pedestrian-only corridor between private lots, or within and/or adjacent to a public street, so long as it is in compliance with all of the applicable design standards and guidelines provided below.

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4. **Deviation from approved alignment.** The alignment of the Paseo may be deviated by up to 50 feet either north or south of the approved alignment under the following conditions:

- a. The deviation should not result in a misalignment of more than 90 feet.
- b. 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.
- c. The revised easement location shall be dedicated prior to final site plan approval.
- d. The deviated alignment can be used in place of the approved alignment. For sites with an optional alignment two easements are not required.

5. **Paseo Streetscape and Frontage Zone standards**

- a. Streetscape and Frontage Zone standards apply as stated in the applicable Character Area Streetscape and Frontage Zone Matrix.
- b. Streetscape Zone development regulations, per Section 1204, apply when the Paseo is located within or abutting a dedicated street.
- c. Frontage Zone development regulations, per Section 1204, apply within the portion of the Paseo located on private property unless such regulations conflict with other regulations specific to development of the Paseo stated in this Section.
- d. If the Paseo is provided within or adjacent to a public street, the street should be designed with on-street parking adjacent to the Paseo. (P)

*Rationale:* On-street parking provides a buffer from through traffic lanes, as well as creating an environment encouraging the use of the Paseo as the main access point to residential units or commercial suites fronting the Paseo.

- e. A minimum of 50% of the ground floor abutting the Paseo should consist of active uses and/or residential uses providing primary entrances from the Paseo. (P)
- f. Each ground floor commercial suite adjacent to the Paseo should provide a primary entrance to the Paseo. (P)

*Rationale for e and f:* The Paseo should attract pedestrians and be a safe place for persons to walk and gather.

6. **Paseo Design Regulations**

- a. An ADA compliant sidewalk a minimum of 8 feet in width and clear of obstructions shall be provided within the Paseo. (T)
- b. The Paseo should be a straight as possible and avoid meanders. (T)
- c. The Paseo sidewalk should be a minimum of 75% shaded. If trees are used to provide shade, the percent shading shall be calculated based upon tree canopy at

- maturity. Structural shade may also be used to comply with the shading requirement. (P)
- d. Decorative paving (e.g. pavers, permeable pavement, colored and textured concrete) should be provided within the Paseo when located on private property. (P)
  - e. The Paseo should be clearly separated from vehicular maneuvering areas. (T)
  - f. Automobile access to on-site parking areas or garages should not cross the Paseo, unless the Paseo is located within or abutting a dedicated street. At all such crossings, a crosswalk a minimum of 20 feet wide consisting of paint or contrasting pavement should be provided. (T)
  - g. A minimum 15-foot by 15-foot visibility triangle should be provided at any intersection with the Paseo and on-site vehicular traffic lanes. (T)
  - h. Paseo segments that cross surface parking areas should be designed with the following elements: (P)
    - (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).
  - i. The following lighting treatment should be provided within the Paseo: (P)
    - (1) 15-foot maximum height of lighting fixtures. When adjacent to a street, taller streetlights may be provided in addition to the pedestrian-level lighting.
    - (2) A minimum of one foot-candle illumination should be maintained over the Paseo sidewalk.
    - (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.
  - j. One of the following identifying markers should be provided at each street entrance to the Paseo: (P)
    - (1) Bollard path light.
    - (2) Public art.
    - (3) Decorative directional signage.
  - k. Temporary security gating—In the event that a block's Paseo is not fully developed, and the Paseo is not located along a dedicated street, temporary removable fencing may be erected at the entrances to the Paseo under the following conditions: (P)
    - (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.

***Rationale for a through k:*** *The design of the Paseo should encourage use by pedestrians. Safety, security, and accessibility should work into all design elements, as well as uses which engage and attract pedestrians.*

O. **Lot Coverage.** When 100% lot coverage is permitted by right, or obtained by sustainability bonus points, the following apply: (R\*)

1. Interior property line setbacks may be reduced or eliminated.
2. Frontage Zone depths and minimum street building setbacks may be reduced as approved by the Design Review Committee per Section 1224.A.

**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 Regulations.** The following development regulations apply to properties located with the Biomed character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:** Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
  - a. Bonus: None.
2. **Maximum density:** Governed by the density map, Section 1202.C.
  - a. Bonus: Maximum 50% increase.
3. **Maximum lot coverage:** No maximum.
  - a. Bonus: None.
4. **Minimum setbacks from interior property lines:** None.
5. **Required parking:** governed by Section 1206.
  - a. Bonus:
    - (1) Increase: Maximum 50%.
    - (2) Decrease: Maximum 100%.
6. **Walls/Fences.**
  - a. Frontage Zones: Per the provisions of Section 1207.D.
  - b. Interior property lines: Maximum wall height is the same as the maximum permitted building height(s) for the property.
7. **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.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in

the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R\*.

<b>Streetscape and Frontage Zone Matrix--Biomed</b>						
<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
Garfield Street 4th St. to 6th St.	5'	25'	50%	ALL	5'	20'
McKinley Street 4th St. to 7th St.	5'	25'	50%	ALL	5'	20'
Pierce Street 4th St. to 7th St.	5'	25'	50%	ALL	5'	15'
Fillmore Street 5th St. to 7th St.	5'	25'	50%	ALL	5'	15'
Van Buren Street 5th St. to 9th St.	0'	20'	75%	ALL	6'	12'
4th Street Garfield St. to Fillmore St.	5'	20'	75%	SD, PO, S, GA, FC	6'	14'
5th Street Garfield St. to Fillmore St.	0'	20'	75%	S, GA, FC	10'	20'
5th Street Fillmore St. to Monroe St.	0'	20'	75%	S, GA	10'	20'
6th Street Garfield St. to Fillmore St.	5'	25'	75%	SD, PO, S, GA, FC	10'	20'
7th Street McKinley St. to Monroe St.	0'	20'	75%	ALL	5'	15'

**(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements**

**Section 1209. Business Core.**

**A. Intent.** The Business Core character area 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.

**B. Development Regulations.** The following development regulations apply to properties located with the Business Core character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee, unless stated otherwise.

1. **Maximum height:** Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
  - a. Bonus (north of Madison Street): None.
  - b. Bonus (south of Madison Street, within the 80 feet base height category only): Maximum height of 140 feet shall be permitted only with dedication of a 30-year conservation easement over an existing building designated HP or HP-L, as approved by HP. The property with the conservation easement must be located between Madison Street and Lincoln Street, and within either the Business Core or Warehouse character areas. Sustainability bonus points cannot be used to obtain this height bonus.
2. **Maximum density:** Governed by the density map, Section 1202.C.
  - a. Bonus: None.
3. **Maximum lot coverage:** No maximum.
  - a. Bonus: None.
4. **Minimum setbacks from interior property lines:** None.
5. **Required parking:**
  - a. Minimum:
    - (1) Residential uses: Governed by Section 1206.
    - (2) Non-residential uses: None.
  - b. Maximum: Governed by Section 1206.
  - c. Bonus:
    - (1) Increase: Maximum 100%.
    - (2) Decrease: maximum 100%.

**6. Walls/Fences.**

- a. Frontage Zones: Per the provisions of Section 1207.D.
- b. Interior property lines: Maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Taylor Street Paseo.** Certain properties within the Business Core are subject to the additional development regulations of the Taylor Street Paseo, Section 1207.N. The affected properties are shown on the map provided within that Section.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R\*.

<i>Streetscape and Frontage Zone Matrix—Business Core</i>						
<i>Street Section</i>	<i>Minimum Setback</i>	<i>Frontage Zone Depth</i>	<i>Minimum Building Frontage</i>	<i>Allowed Frontage Elements</i>	<i>Minimum Sidewalk Width</i>	<i>Minimum Streetscape Zone Depth</i>
Fillmore Street 3rd Ave. to 5th St.	5'	25'	Minimum 50%	ALL	5'	11'
Taylor Street Paseo 7 <sup>th</sup> Ave. to 3 <sup>rd</sup> Ave.	0'	20'	Minimum 75%	SD, PO, S, GA, CE	8'	13', or 0' when not located within or adjacent to a dedicated street
Taylor Street 1st St. to 3rd St.	5'	20'	Minimum 75%	S, GA, GR	8'	14'
Polk Street Central Ave. to 2nd St.	0'	20'	Minimum 75%	S, GA, GR	8'	14'
Van Buren Street 3rd Ave. to 5th St.	0'	20'	Minimum 75%	S, GA, GR	8'	14'
Monroe Street 5th Ave. to 5th St.	0'	20'	Minimum 75%	S, GA, GR	10'	16'
Adams Street 8th Ave. to 7th Ave.	0'	20'	Minimum 75%	ALL	5'	13'
Adams Street 7th Ave. to 3rd Ave.	0'	20'	Minimum 75%	S, GA, CE, GR	8'	14'

<b>Streetscape and Frontage Zone Matrix—Business Core</b>						
<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
Adams Street 3rd Ave. to 2nd St.	0'	20'	Minimum 75%	S, GA, CE, GR	10'	16'
Washington Street 8th Ave. to 2nd St.	0'	20'	Minimum 75%	S, GA, CE, GR	10'	16'
Washington Street 2nd St. to 7th St.	0'	20'	Minimum 75%	S, GA, CE, GR	8'	14'
Jefferson Street 8th Ave. to 3rd Ave.	0'	20'	Minimum 75%	S, GA, CE, GR	8'	14'
Jefferson Street 3rd Ave. to 5th St.	0'	20'	Minimum 75%	S, GA, CE, GR	10'	16'
Jefferson Street 5th St. to 7th St.	0'	20'	Minimum 75%	S, GA, CE, GR	8'	14'
Madison Street 8th Ave. to 7th Ave.	0'	20'	Minimum 75%	S, GA, CE, GR	8'	14'
Madison Street 5th Ave. to 1st St.	0'	20'	Minimum 75%	S, GA, CE, GR	8'	14'
Jackson Street 7th Ave. to 5th Ave.	0'	20'	Minimum 75%	S, GA, CE, GR	8'	14'
Jackson Street 4th Ave. to 1st Ave.	0'	20'	Minimum 75%	S, GA, CE, GR	8'	14'
Jackson Street 1st St. to 4th St.	0'	20'	Minimum 75%	S, GA, CE, GR	10'	16'
Buchanan Street 4th St. to 7th St.	5'	25'	Minimum 75%	SD, PA, PO, S, GA	8'	14'
Lincoln Street 4th St. to 7th St.	5'	25'	Minimum 75%	SD, PA, PO, S, GA	8'	14'
8th Avenue Adams St. to Madison St.	5'	23'	Minimum 75%	S, GA, GR	8'	14'



**Streetscape and Frontage Zone Matrix—Business Core**

<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
7th Avenue Adams St. to Jefferson St.	5'	25'	Minimum 75%	S, GA, GR	6'	14'
7th Avenue Jefferson St. to Harrison St. alignment	None Required	None Required	None Required	ALL	6'	14'
6th Avenue Adams St. to Washington St.	5'	25'	Minimum 50%	S, GA, GR	8'	14'
5th Avenue Monroe St. to Washington St.	5'	25'	Minimum 75%	SD, PA, PO, S, GA	5'	10'
5th Avenue Jefferson St. to Harrison St. alignment	5'	25'	Minimum 50%	ALL	8' West	14' West
					5' East	10' East
4th Avenue Monroe St. to Washington St.	5'	25'	Minimum 50%	ALL	8'	14'
4th Avenue Washington St. to Jackson St.	5'	25'	Minimum 75%	SD, PA, PO, S, GA	10'	16'
3rd Avenue Fillmore St. to Van Buren St.	5'	25'	Minimum 75%	ALL	8'	14'
3rd Avenue Van Buren St. to Washington St.	5'	25'	Minimum 50%	ALL	8'	14'
3rd Avenue Washington St. to Jackson St.	5'	25'	Minimum 75%	S, GA, GR	8'	14'
2nd Avenue Fillmore St. to Monroe St.	5'	25'	Minimum 75%	ALL	Per plans approved by Street Transportation Department.	

**Streetscape and Frontage Zone Matrix—Business Core**

<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
2nd Avenue Monroe St. to Adams St.	5'	25'	Minimum 75%	ALL	10'	16'
1st Avenue Fillmore St. to Madison St.	5'	25'	Minimum 75%	S, GA, GR	8'	14'
1st Avenue Madison St. to Jackson St.	None Required	None Required	None Required	ALL	Per plans approved by Street Transportation Department.	
Central Avenue Fillmore St. to Madison St.	5'	25'	Minimum 75%	S, GA, GR	10'	16'
1st Street Fillmore St. to Jackson St.	5'	25'	Minimum 75%	S, GA, GR	10'	16'
2nd Street Fillmore St. to Jefferson St.	5'	25'	Minimum 75%	S, GA, GR	10'	16'
3rd Street Fillmore St. to Jackson St.	5'	25'	Minimum 75%	S, GA, GR	10'	16'
4th Street Jefferson St. to Jackson St.	5'	25'	Minimum 75%	S, GA, GR	5'	10'
4th Street Jackson St. to Lincoln St.	5'	25'	Minimum 75%	SD, PA, PO, S, GA	8'	14'
5th Street Fillmore St. to Van Buren St.	5'	25'	Minimum 75%	SD, PA, PO, S, GA	8'	14'
5th Street Van Buren St. to Jefferson St.	5'	25'	Minimum 50%	S, GA, GR	8'	14'

<b>Streetscape and Frontage Zone Matrix—Business Core</b>						
<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
5th Street Buchanan St. to Lincoln St.	5'	25'	Minimum 50%	ALL	8'	14'
6th Street Buchanan St. to Lincoln St.	5'	25'	Minimum 50%	ALL	8'	14'
7th Street Monroe St. to Jefferson St.	5'	25'	Minimum 75%	S, GA, GR	8'	14'
7th Street Jefferson St. to Lincoln St.	None Required	None Required	None Required	ALL	8'	14'

**(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements**

**D. Signage Regulations.**

1. 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.
  - a. 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) Identify only one on-site business.
    - (2) Provide a minimum eight-foot head clearance. Existing signs with a minimum of seven feet six inches clearance may remain.
    - (3) Project no more than three feet into the public right-of-way.
    - (4) Be indirectly illuminated from a shielded light source (i.e., not backlit or "cabinet" sign).
  - b. Awning signs shall be permitted by right. Awning signs shall have letters no more than ten inches in height.

- c. Signs painted on the building surface or letters mounted directly to the building surface shall:
  - (1) Be a maximum of one square foot of signage for each lineal foot of building elevation to a maximum of 100 square feet.
  - (2) Be at least half the vertical height of the letters to a building corner (vertical edge) or to a roofline.
2. 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.
3. 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.
4. Window signs fronting the public right-of-way shall not exceed a total of more than 20 percent of the window panel area.
5. 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.
6. Corner buildings shall be allowed signage on each street frontage.
7. 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.
8. 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.
9. The provisions of Section 705.C.6.d (illuminated sign spacing from residential use) shall not apply within the Business Core Character Area.
10. 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 Downtown 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:
  - a. The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.
  - b. When two or more adjoining establishments are to participate equally in the event, a single request for a use permit may be filed.
11. 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:

- a. The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.
  - b. The signs, banners, and flags are mounted and secured so as not to pose a distraction or hazard to vehicles or pedestrians.
  - c. The signs and other displays shall include only logos, graphics and project name of the master planned development.
12. 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.
13. The following signs are prohibited:
- a. Signs placed above or on top of any portion of the roof or front parapet.
  - b. Signs advertising goods or services not provided on the premises.
  - c. Signs utilizing moving, flashing, or rotating lights or mechanisms, except as provided by a use permit.
14. For master planned developments covering contiguous area of at least ten acres, signs, including those signs, banners, and flags otherwise prohibited by Sections 1209.D.10 and 13, 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 Downtown.
- a. 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.D.10 and 13, 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.
  - b. Master Planned Development Sign Plan application. A Master Planned Development Sign Plan application shall include the following elements:
    - (1) 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 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) 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.
  - (3) 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:
    - (a) 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.
    - (b) 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.
    - (c) 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.
    - (d) 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.
  - (4) 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.
  - (5) 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.
- c. 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) The signs, banners, flags and architectural lighting are mounted and secured so as to not pose a distraction or hazard to vehicles and pedestrians.
  - (2) The signs and architectural lighting are appropriate in scale, composition, and manner of display with surrounding development.
  - (3) The signs and architectural lighting conform to the vision, goals and policies of the Downtown Phoenix Plan.
- d. 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) 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.
  - (2) Graphic rendering of the signs depicting their lettering, illumination, color, shape, area, and height.
  - (3) Details regarding any proposed animation or changeable messages, including duration of each message and intensity of illumination.
  - (4) Proposed hours for illumination of the signs.
  - (5) A written narrative discussing the detailed project sign plan's consistency with the Master Planned Development Sign Plan.
- e. 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) The size and location of the signs, banners, flags or architectural lighting are allowed under the standards of the Master Development Sign Plan.
  - (2) 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.
  - (3) The type and hours of illumination and animation conform to the standards of the Master Development Sign Plan.
  - (4) 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.
- f. 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.D.10.e.

- g. 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.
  - h. 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.
15. 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.D.10 and 13, 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 Downtown. All signage permitted under this section shall be reviewed and approved in accordance with the following:
- a. 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 message display signs, inflatable signs, kinetic signs, projected image signs, projecting signs, roof signs, supergraphics signs, and wayfinding signs.
  - b. 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:
    - (1) 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) 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.
  - (3) 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:
    - (a) 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.
    - (b) Supergraphics. Supergraphics signs not to exceed 300 square feet or five percent of building elevation whichever is less.
    - (c) 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.
    - (d) 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.
  - (4) 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 or anticipated lifespan of the proposed sign materials.
  - (5) 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.
- c. 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:
- (1) The signs, banners, flags and architectural lighting are mounted, secured, and operated so as to not pose a nuisance.

- (2) The signs and architectural lighting are appropriate in scale, composition, and manner of display with surrounding development.
  - (3) The signs and architectural lighting are consistent with the vision, goals and policies of the Downtown Phoenix Plan dated December 14, 2004.
- d. 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.D.15.c.
  - e. 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.
16. 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.

**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.

**B. Development Regulations.** The following development regulations apply to properties located with the Central Park character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

**1. Maximum height:**

- a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
- b. Accessory structures, including Accessory Dwelling Units: 30 feet.
- c. Bonus: None.

**2. Maximum density:** Governed by the density map, Section 1202.C.

- a. Bonus: Maximum 50% increase.

**3. Maximum lot coverage:** 50%.

- a. Bonus: None.
- b. Additional lot coverage of 10% (total 60%) is allowed for accessory structures.

**4. Minimum setbacks from interior property lines.**

- a. Primary building:

(1) Side: 5 feet.

(2) Rear: 40 feet.

- b. Accessory structures:

(1) Side: 3 feet.

(2) Rear: 5 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley per Section 1202.E.

**5. Required parking:** Governed by Section 1206.

a. Bonus:

(1) Increase: Maximum 50%.

(2) Decrease: Maximum 50%.

**6. Walls/Fences.**

a. Frontage Zones: Per the provisions of Section 1207.D.

(1) Walls/fences taller than 40 inches may not be provided closer to the street than the front façade of the structure. This provision does not apply to street side yards.

b. Interior property lines: Maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R\*.

<b>Streetscape and Frontage Zone Matrix—Central Park</b>						
<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
Tonto Street Alley west of 1st St. to 4th St.	5'	25'	Minimum 50%	AFY, SD, PA, PO	5'	12'
Hadley Street Alley west of 1st St. to 1st St.	5'	25'	Minimum 50%	AFY, SD, PA, PO	5'	12'
Hadley Street 1st St. to 2nd St.	15'	25'	Minimum 50%	AFY, SD, PA, PO	5'	12'
Hadley Street 2nd St. to 4th St.	5'	25'	Minimum 50%	AFY, SD, PA, PO, CE, S	5'	12'
1st Street South of Grant St. to north of Buckeye Rd.	15'	25'	Minimum 50%	AFY, SD, PA, PO, S	5'	12'
2nd Street South of Grant St. to north of Buckeye Rd.	15'	25'	Minimum 50%	AFY, SD, PA, PO	5'	12'

<b>Streetscape and Frontage Zone Matrix—Central Park</b>						
<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
3rd Street South of Grant St. to north of Hadley St.	15'	25'	Minimum 50%	AFY, SD, PA, PO	5'	20'
4th Street South of Grant St. to Hadley St.	15'	25'	Minimum 50%	AFY, SD, PA, PO	5'	12'

**(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements**

## **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 Regulations.** The following development regulations apply to properties located with the Commercial Corridors character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.
1. **Maximum height:**
    - a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
    - b. Accessory structures, including Accessory Dwelling Units: 20 feet.
    - c. Bonus: None.
  2. **Maximum density:** Governed by the density map, Section 1202.C.
    - a. Bonus: None.
  3. **Maximum lot coverage:** 50%.
    - a. Bonus: Maximum 85% lot coverage.
    - b. Additional lot coverage of 10% (total 60%) is allowed for an ADU.
  4. **Minimum setbacks from interior property lines:**
    - a. Primary building:
      - (1) Side: 5 feet.
      - (2) Rear: 15 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley.
  5. **Required parking:** Governed by Section 1206.
    - a. Bonus:
      - (1) Increase: Maximum 50%.
      - (2) Decrease: Maximum 50%.

**6. Walls/Fences.**

- a. Frontage Zones: Per the provisions of Section 1207.D.
- b. Interior property lines: Maximum height of 6 feet.

**7. 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.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R\*.

<b>Streetscape and Frontage Zone Matrix—Commercial Corridors</b>						
<b>Street Section</b>	<b>Minimum Building Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
<b>7th Avenue Corridor</b>						
7th Avenue Alley north of Roosevelt St. to Fillmore St.	5'	25'	Minimum 50%	ALL	6'	12'
Roosevelt Street Alley west of 7th Ave. to alley east of 7th Ave.	5'	25'	Minimum 50%	AFY, SD, PA, PO, S, GA	5'	11'
McKinley Street Alley west of 7th Ave. to alley east of 7th Ave.	5'	25'	Minimum 50%	AFY, SD, PA, PO, S, GA	5'	10' west of 7th Ave.
						14' east of 7th Ave.
Pierce Street Alley west of 7th Ave. to 7 <sup>th</sup> Ave.	5'	25'	Minimum 50%	AFY, SD, PA, PO, S, GA	5'	10'
Fillmore Street Alley west of 7th Ave. to alley east of 7th Ave.	5'	25'	Minimum 50%	AFY, SD, PA, PO, S, GA	5'	12'
<b>Central Avenue South Corridor</b>						
Central Avenue Grant St. to Hadley St.	0'	20'	Minimum 50%	S, GA, SD, PO, CE	5'	11'
Central Avenue	0'	20'	Minimum 50%	S, GA, SD, PO, CE	5'	10'

**Streetscape and Frontage Zone Matrix—Commercial Corridors**

<b>Street Section</b>	<b>Minimum Building Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
Hadley St. to Buckeye Rd.						
Grant Street 2nd Ave. to 2nd St.	5'	25'	Minimum 50%	SD, PA, PO, S, GA	5'	15'
Sherman Street 2nd Ave. to 1st Ave. crossover	5'	25'	Minimum 50%	SD, PA, PO, S, GA	5'	11'
Hadley Street 1st Ave. to alley east of Central Ave.	5'	25'	Minimum 50%	SD, PA, PO, S, GA	5'	12'
Tonto Street 1st Ave. to alley east of Central Ave.	5'	25'	Minimum 50%	SD, PA, PO, S, GA	5'	12'
Buckeye Road Alley west of Central Ave. to 3rd St.	0'	20'	Minimum 50%	S, GA	5'	12'
Buckeye Road Alley west of 3rd St. to 4th St.	0'	20'	Minimum 50%	S, GA	7'	12'
2nd Avenue Grant St. to Sherman St.	0'	20'	Minimum 50%	ALL	5'	10'
1st Avenue Grant St. to Sherman St.	0'	20'	Minimum 50%	S, GA	5'	19'
1st Avenue Hadley St. to Tonto St.	5'	25'	Minimum 50%	AFY, SD, PA, PO, S, GA	5'	18'
1st Street South of Grant St.	15'	25'	Minimum 50%	AFY, SD, PA, PO, S, GA	5'	12'
1st Street Adjacent to Buckeye Rd.	10'	20'	Minimum 50%	AFY, SD, PA, PO, S, GA	5'	12'
2nd Street South of Grant St.	15'	25'	Minimum 50%	AFY, SD, PA, PO	5'	12'
2nd Street	10'	20'	Minimum 50%	AFY, SD, PA, PO, S, GA	5'	12'



**Streetscape and Frontage Zone Matrix—Commercial Corridors**

<b>Street Section</b>	<b>Minimum Building Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
Adjacent to Buckeye Rd.						
3rd Street Tonto St. to Buckeye Rd.	10'	20'	Minimum 50%	AFY, SD, PA, PO, S, GA	5'	20'
4th Street Tonto St. to Buckeye Rd.	10'	20'	Minimum 50%	AFY, SD, PA, PO, S, GA	5'	10'

**(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements**

## **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.** The following development regulations apply to properties located with the Downtown Gateway character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.
1. **Maximum height:**
    - a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
    - b. Bonus: None, except north of Garfield Street, McKinley Street and south of Portland Street where a 30% bonus is allowed.
  2. **Maximum density:** Governed by the density map, Section 1202.C.
    - a. Bonus: Maximum 50% increase.
  3. **Maximum lot coverage:** 100%.
    - a. Bonus: None.
  4. **Minimum setbacks from interior property lines:** None.
  5. **Required parking:** Governed by Section 1206.
    - a. Bonus:
      - (1) Increase: Maximum 50%.
      - (2) Decrease: Maximum 100%.
  6. **Walls/Fences.**
    - a. Frontage Zones: Per the provisions of Section 1207.D.
    - b. Interior property lines:
      - (1) When a fully dedicated alley is present, view fencing shall be provided for all portions of walls above 40 inches in height.
      - (2) When not adjacent to an alley, maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R\*.

<i>Streetscape and Frontage Zone Matrix—Downtown Gateway</i>						
<i>Street Section</i>	<i>Minimum Building Setback</i>	<i>Frontage Zone Depth</i>	<i>Minimum Building Frontage</i>	<i>Allowed Frontage Elements</i>	<i>Minimum Sidewalk Width</i>	<i>Minimum Streetscape Zone Depth</i>
Coronado Road Central Ave. to Alvarado Rd.	0'	20'	Minimum 75%	SD, PA, PO, S, GA	8'	16'
McDowell Road 1st Ave. to Alvarado Rd.	0'	20'	Minimum 75%	SD, PA, PO, S, GA, GR	8'	16'
Lynwood Street West of Central Ave. to Central Ave.	0'	20'	Minimum 75%	SD, PA, PO, S, GA	8'	16'
Willetta Street Central Ave. to 1st St.	0'	20'	Minimum 50%	ALL	8'	16'
Culver Street West of Central Ave. to Central Ave.	0'	20'	Minimum 50%	ALL	8'	16'
Roosevelt Street Alley west of 1st Ave. to alley east of Central Ave.	0'	20'	Minimum 75%	SD, PA, PO, S, GA	8'	16'
Portland Street West of Central Ave. to Central Ave.	0'	20'	Minimum 75%	SD, PA, PO, S, GA	8'	16'
Portland Street Central Ave. to alley east of Central Ave.	0'	20'	Minimum 50%	ALL	8'	16'
Garfield Street Central Ave. to alley east of Central Ave.	0'	20'	Minimum 50%	ALL	8'	16'

**Streetscape and Frontage Zone Matrix—Downtown Gateway**

<b>Street Section</b>	<b>Minimum Building Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
McKinley Street Alley west of 1st Ave. to alley east of Central Ave.	0'	20'	Minimum 50%	ALL	8'	16'
Pierce Street Central Ave. to alley east of Central Ave.	0'	20'	Minimum 50%	ALL	8'	16'
Fillmore Street Alley west of 1st Ave. to alley east of Central Ave.	0'	20'	Minimum 50%	ALL	8'	16'
1st Avenue Alley north of Almeria Rd. to McDowell Rd.	5'	25'	N/A	SD, PO	8'	16'
1st Avenue Roosevelt St. to McKinley St.	0'	20'	Minimum 75%	ALL	8'	16'
1st Avenue McKinley St. to Fillmore St.	0'	20'	Minimum 75%	ALL	8'	16'
Central Avenue Coronado Rd. to Culver St.	0', unless more needed to comply with Central Avenue Development Standards	20'	Minimum 75%	ALL	per adopted Central Avenue Development Standards	per adopted Central Avenue Development Standards
Central Avenue Culver St. to Roosevelt St.	0'	20'	Minimum 75%	ALL	8'	16'
Central Avenue Roosevelt St. to Fillmore St.	0'	20'	Minimum 75%	ALL	8'	16'

<b>Streetscape and Frontage Zone Matrix—Downtown Gateway</b>						
<b>Street Section</b>	<b>Minimum Building Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
Alvarado Road Coronado Rd. to McDowell Rd.	5'	20'	50%	SD, PA, PO, S, GA	8'	16'
1st St. McDowell Rd. to Willetta St. (Cancer Survivor Park)	0'	20'	Minimum 75%	SD, PA, S	8'	16'

**(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements**

## **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.** The following development regulations apply to properties located with the East Evergreen character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.
1. **Maximum height:**
    - a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
    - b. Accessory structures, including Accessory Dwelling Units: 30 feet.
    - c. Bonus: None.
  2. **Maximum density:** Governed by the density map, Section 1202.C.
    - a. Bonus: None.
  3. **Maximum lot coverage:** 50%.
    - a. Additional lot coverage of 10% (total 60%) is allowed for accessory structures.
    - b. Additional bonus: None.
  4. **Minimum setbacks from interior property lines.**
    - a. Primary building:
      - (1) Sides: 3 feet; combined total of 10 feet required.
      - (2) Rear: 10 feet.
    - b. Accessory buildings:
      - (1) Side: 3 feet.
      - (2) Rear 0 feet.
  5. **Required parking:** Governed by Section 1206.
    - a. Bonus: None.

6. **Walls/Fences.**

- a. Frontage Zones: Per the provisions of Section 1207.D.
- b. Interior property lines: Maximum height of 6 feet.

7. **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.

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R\*.

<i>Streetscape and Frontage Zone Matrix—East Evergreen</i>						
<i>Street Section</i>	<i>Minimum Setback</i>	<i>Frontage Zone Depth</i>	<i>Minimum Building Frontage</i>	<i>Allowed Frontage Elements</i>	<i>Minimum Sidewalk Width</i>	<i>Minimum Streetscape Zone Depth</i>
Lynwood Street West of 7th St. to 4th St.	15'	30'	Minimum 50%	AFY, SD, PA, PO	5'	10' North 9' South
Willetta Street West of 7th St. to east of 3rd St.	15'	30'	Minimum 50%	AFY, SD, PA, PO	5'	19'
5th Street South of McDowell Rd. to Interstate 10 Freeway	5'	20'	Minimum 50%	AFY, SD, PA, PO	5'	19'

**(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements**

A. **Additional Design Regulations—East Evergreen.**

- 1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)
- 2. **Window design.** Window format should be square or rectangular and similar to existing historic buildings. Window openings should be recessed or articulated, particularly at the ground level. (P)

3. **Roof forms.** Buildings should incorporate one or more of the following roof forms: gable (including clipped, and with parapets), hip, and flat with parapets. (P)

***Rationale for D.1 through D.3:*** Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of East Evergreen, preferably by using historic materials and design elements already found within the Character Area.



## **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 Regulations.** The following development regulations apply to properties located with the Evans Churchill East character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.
1. **Maximum height:**
    - a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
    - b. Bonus north of Garfield Street: None.
    - c. Bonus south of Garfield Street: 10% maximum increase.
  2. **Maximum density:** Governed by the density map, Section 1202.C.
    - a. Bonus: Maximum 50% increase.
  3. **Maximum lot coverage:**
    - a. North of Garfield Street: 50%.
    - b. South of Garfield Street: 90%
    - c. Bonus (both areas): Maximum 100% lot coverage.
  4. **Minimum setbacks from interior property lines:**
    - a. Primary building:
      - (1) Side: 5 feet.
      - (2) Rear: 15 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley per Section 1202.E.
  5. **Required parking:** Governed by Section 1206.
    - a. Bonus:

(1) Increase: Maximum 100%.

(2) Decrease: Maximum 100%.

**6. Walls/Fences.**

a. Frontage Zones: Per the provisions of Section 1207.D.

b. Interior property lines: Maximum height of 6 feet.

**7. 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

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R\*.

<i>Frontage and Streetscape Zone Matrix—Evans Churchill East</i>						
<i>Street Section</i>	<i>Minimum Building Setback</i>	<i>Frontage Zone Depth</i>	<i>Minimum Building Frontage</i>	<i>Allowed Frontage Elements</i>	<i>Minimum Sidewalk Width</i>	<i>Minimum Streetscape Zone Depth</i>
Moreland Street 3rd St. to 7th St.	10'	30'	Minimum 75%	AFY, SD, PA, PO, FC	5'	20'
Portland Street 3rd St. to 7th St.	10'	30'	Minimum 75%	AFY, SD, PA, PO, FC	5'	20'
Roosevelt Street 3rd St. to 7th St.	5'	30'	Minimum 75%	SD, PA, PO, S, GA	7'	17'
Garfield Street 4th St. to 6th St.	5'	30'	Minimum 50%	ALL	5'	20'
Garfield Street 6th St. to 7th St.	5'	30'	Minimum 50%	ALL	5'	12'

**Frontage and Streetscape Zone Matrix—Evans Churchill East**

<b>Street Section</b>	<b>Minimum Building Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
McKinley Street 6th St. to 7th St.	5'	30'	Minimum 50%	ALL	5'	20'
3rd Street North of Moreland St. to Portland St.	5'	30'	Minimum 75%	ALL	5'	17'
3rd Street Portland St. to Roosevelt St.	5'	30'	Minimum 75%	ALL	5'	15'
4th Street Roosevelt St. to Garfield St.	5'	30'	Minimum 75%	AFY, SD, PA, S	5'	15'
5th Street Moreland St. to Roosevelt St.	5'	30'	Minimum 75%	AFY, SD, PA, S	5'	20'
5th Street Roosevelt St. to Garfield St.	5'	30'	Minimum 75%	AFY, SD, PA, S	5'	20'
6th Street Roosevelt St. to Garfield St.	5'	30'	Minimum 75%	SD, PA, S, GA	5'	20'
7th Street Moreland St. to	0'	20'	Minimum 75%	ALL	8'	16'

<b>Frontage and Streetscape Zone Matrix—Evans Churchill East</b>						
<b>Street Section</b>	<b>Minimum Building Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
McKinley St.						

**(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements**

## **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 Regulations.** The following development regulations apply to properties located with the Evans Churchill West character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.
1. **Maximum height:**
    - a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
    - b. Bonus: For properties located between Pierce Street and Fillmore Street, a maximum additional 100-foot height bonus (in addition to the height permitted per Section 1202.B) may be permitted through a Sustainability Bonus approved by the Design Review Committee per Section 1224.
  2. **Maximum density:** Governed by the density map, Section 1202.C.
    - a. Bonus: Maximum 100% increase.
  3. **Maximum lot coverage:** 75%.
    - a. Bonus: Maximum 100% lot coverage.
  4. **Minimum setbacks from interior property lines:** None.
  5. **Required parking:** Governed by Section 1206.
    - a. Bonus:
      - (1) Increase: Maximum 100%.
      - (2) Decrease: Maximum 100%.
  6. **Walls/Fences.**
    - a. Frontage Zones: Per the provisions of Section 1207.D.

b. Interior property lines: Maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **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

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R\*.

<i>Frontage and Streetscape Zone Matrix—Evans Churchill West</i>						
<i>Street Section</i>	<i>Minimum Building Setback</i>	<i>Frontage Zone Depth</i>	<i>Minimum Building Frontage</i>	<i>Allowed Frontage Elements</i>	<i>Minimum Sidewalk Width</i>	<i>Minimum Streetscape Zone Depth</i>
Moreland Street 1st St. to 3rd St.	5'	30'	Minimum 50%	SD, PA, CE, S, GA	5'	20'
Portland Street Alley east of Central Ave. to 3rd St.	5'	30'	Minimum 50%	SD, PA, PO, CE, S, GA	5'	20'
Roosevelt Street Alley east of Central Ave. to 4th St.	5'	30'	Minimum 75%	SD, PA, PO, S, GA	12'	18'
Garfield Street Alley east of Central Ave. to 4th St.	5'	30'	Minimum 50%	SD, PA, PO, S, GA	5'	20'
McKinley Street Alley east of Central Ave. to 4th St.	5'	30'	Minimum 50%	SD, PA, PO, S, GA	5'	20'

**Frontage and Streetscape Zone Matrix—Evans Churchill West**

<b>Street Section</b>	<b>Minimum Building Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
Pierce Street Alley east of Central Ave. to 2nd St. and 3rd St. to 4th St.	5'	30'	Minimum 50%	SD, PA, PO, S, GA	5'	20'
Fillmore Street Alley east of Central Ave. to 1st St.	5'	30'	Minimum 50%	PA, S, GA, CE	8'	14'
Fillmore Street 1st St. to 2nd St.	5'	30'	Minimum 50%	PA, S, GA, CE	5'	15'
Fillmore Street 2nd St. to 3rd St.	5'	30'	Minimum 50%	PA, S, GA, CE	5' North 8' South	10' North 15' South
Fillmore Street 3rd St. to 5th St.	5'	30'	Minimum 50%	PA, S, GA, CE	8' North 5' South	15'
1st Street Moreland St. to Fillmore St.	0'	20'	Minimum 75%	SD, PA, PO, S, GA	Per plans approved by Street Transportation Department.	
2nd Street Moreland St. to McKinley St.	0'	20'	Minimum 75%	SD, PA, PO, S, GA	5'	20'

**Frontage and Streetscape Zone Matrix—Evans Churchill West**

<b>Street Section</b>	<b>Minimum Building Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
2nd Street McKinley St. to Fillmore St.	0'	20'	Minimum 75%	SD, PA, PO, S, GA	5'	15' East 25' West
3rd Street Moreland St. to Portland St.	5'	30'	Minimum 75%	SD, PA, PO, S, GA	5'	15'
3rd Street Portland St. to alley north of Roosevelt St.	5'	30'	Minimum 75%	SD, PA, PO, S, GA	5'	20' East 10' West
3rd Street Alley north of Roosevelt St. to Roosevelt St.	5'	30'	Minimum 75%	SD, PA, PO, S, GA	5'	10'
3rd Street Roosevelt St. to Fillmore St.	5'	30'	Minimum 75%	SD, PA, PO, S, GA, CE	5'	15'
4th Street Roosevelt St. to Fillmore St.	5'	30'	Minimum 75%	SD, PA, PO, S, GA, CE	5'	15'

**(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements**



## **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 Regulations.** The following development regulations apply to properties located with the McDowell Corridor character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.
1. **Maximum height:**
    - a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
    - b. Bonus: None.
  2. **Maximum density:** Governed by the density map, Section 1202.C.
    - a. Bonus: Maximum 50% increase.
  3. **Maximum lot coverage:** 50%.
    - a. Bonus: Maximum 85% lot coverage.
  4. **Minimum setbacks from interior property lines:**
    - a. Primary building:
      - (1) Side: 5 feet.
      - (2) Rear: 15 feet.
  5. **Required parking:** Governed by Section 1206.
    - a. Bonus:
      - (1) Increase: Maximum 50%.
      - (2) Decrease: Maximum 25%.
  6. **Walls/Fences.**
    - a. Frontage Zones: Per the provisions of Section 1207.D.
    - b. Interior property lines: Maximum height of 6 feet.
  7. **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

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R\*.

<i>Frontage and Streetscape Zone Matrix—McDowell Corridor</i>						
<i>Street Section</i>	<i>Minimum Building Setback</i>	<i>Frontage Zone Depth</i>	<i>Minimum Building Frontage</i>	<i>Allowed Frontage Elements</i>	<i>Minimum Sidewalk Width</i>	<i>Minimum Streetscape Zone Depth</i>
McDowell Road West of 7th Ave. to east of 1st Ave.	10', or 0' if a minimum 50' ROW is dedicated for the half street	20'	Minimum 75%	S, SD, PO, GA	5'	15'
McDowell Road 3rd St. to 7th St.	10', or 0' if a minimum 50' ROW is dedicated for the half street	20'	Minimum 75%	S, GA	6'	16'
Lynwood Street East of 7th Ave. (north side only)	15'	30'	Minimum 50%	AFY, SD, PA, PO	5'	15'
Lynwood Street 5th St. to west of 7th St.	15'	30'	Minimum 75%	AFY, SD, PA, PO	5'	15'
7th Avenue Alley north of McDowell to Lynwood St.	0'	20'	Minimum 75%	S, GA, CE	7'	17'
5th Avenue Alley north of McDowell Rd. to alley	5'	30'	Minimum 50%	SD, S, PO	5'	16'

<i>Frontage and Streetscape Zone Matrix—McDowell Corridor</i>						
<i>Street Section</i>	<i>Minimum Building Setback</i>	<i>Frontage Zone Depth</i>	<i>Minimum Building Frontage</i>	<i>Allowed Frontage Elements</i>	<i>Minimum Sidewalk Width</i>	<i>Minimum Streetscape Zone Depth</i>
south of McDowell Rd.						
3rd Avenue Alley north of McDowell Rd. to alley south of McDowell Rd.	5'	30'	Minimum 75%	SD, S, PA, PO	5'	North of McDowell: 10' South of McDowell: as established
3rd Street Alley north of McDowell Rd. to alley south of McDowell Rd.	5'	30'	Minimum 50%	SD, S, GA, PA, PO, CE	6'	16'
5th Street McDowell Rd. to Lynwood St.	5'	30'	Minimum 50%	SD, S, PO	5'	15'
7th Street Alley north of McDowell to Moreland St.	0'	20'	Minimum 50%	ALL	6'	16', or as may be required by ADOT adjacent to freeway ramps

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## **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 Regulations.** The following development regulations apply to properties located with the Roosevelt East character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.
1. **Maximum height:**
    - a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
      - (1) Bonus: Maximum 25%.
    - b. Accessory structures, including Accessory Dwelling Units: 30 feet.
  2. **Maximum density:** Governed by the density map, Section 1202.C.
    - a. Bonus: Maximum 100% increase.
  3. **Maximum lot coverage:** 75%.
    - a. Bonus: Maximum 100% lot coverage.
  4. **Minimum setbacks from interior property lines.**
    - a. Primary building:
      - (1) Side abutting HP-zoned lot: 10 feet.
      - (2) Side abutting lot not zoned HP: 0 feet.
      - (3) Rear: 0 feet.
    - b. Accessory buildings:
      - (1) Side: 3 feet.
      - (2) Rear: 0 feet.
  5. **Required parking:** Governed by Section 1206.
    - a. Bonus:
      - (1) Increase: Maximum 50%.
      - (2) Decrease: Maximum 100%.

**6. Walls/Fences.**

- a. Frontage Zones: Per the provisions of Section 1207.D.
- b. Interior property lines: Maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

**8. Street trees.**

- a. Shade trees, when provided in the Streetscape Zone, shall be Arizona ash or evergreen elm trees. (T)
- b. Palm trees, on blocks where they have existed historically, shall be installed in the Streetscape Zone in addition to any required shade trees, unless prohibited by law. Palm trees should be of the same type as existing historic palm trees, and planted in a similar manner/rate as existing on the same block face. (T)

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R\*.

<i>Frontage and Streetscape Zone Matrix—Roosevelt East</i>						
<i>Street Section</i>	<i>Minimum Building Setback</i>	<i>Frontage Zone Depth</i>	<i>Minimum Building Frontage</i>	<i>Allowed Frontage Elements</i>	<i>Minimum Sidewalk Width</i>	<i>Minimum Streetscape Zone Depth</i>
Portland Street 3rd Ave. to west of Central Ave.	0'	20'	Minimum 75%	SD, S, PO, GA, CE	As Established	As Established
Roosevelt Street 3rd Ave. to 1st Ave.	0'	20'	Minimum 75%	SD, S, PO, GA	As Established	As Established
McKinley Street 3rd Ave. to alley west of 1st Ave.	0'	25'	Minimum 50%	SD, PA, PO	5'	15'
Fillmore Street	0'	25'	Minimum 50%	SD, PA, PO, GA, CE	5'	15' North Side

<b>Frontage and Streetscape Zone Matrix—Roosevelt East</b>						
<b>Street Section</b>	<b>Minimum Building Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
3rd Ave. to alley west of 1st Ave.						21' South Side
2nd Avenue Portland St. to Roosevelt St.	0'	25'	Minimum 75%	SD, S, PO, CE	6'	16'
2nd Avenue Roosevelt St. to McKinley St.	20'	30'	Minimum 50%	AFY, SD, PA, S, PO, FC, CE	As Established	As Established
2nd Avenue McKinley St. to Fillmore St.	10'	30'	Minimum 75%	AFY, SD, S, PO, FC	As Established	As Established
3rd Avenue Latham St. to Roosevelt St.	0'	25'	Minimum 50%	SD, PA, PO, S	6'	As Established
3rd Avenue Roosevelt St. to McKinley St.	20'	30'	Minimum 50%	AFY, SD, S, PO, FC	6'	20'
3rd Avenue McKinley St. to Fillmore St.	10'	30'	Minimum 50%	AFY, SD, S, PO, FC	6'	20'

**(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements**

**A. Additional Design Regulations—Roosevelt East.**

- 1. Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

***Rationale:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of Roosevelt East, preferably by using historic materials and design elements already found within the Character Area.*

## **Section 1218. Roosevelt North.**

- B. 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.
- C. Development Regulations.** The following development regulations apply to properties located within the Roosevelt North character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.
- 1. Maximum height:**
    - a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
      - (1) Bonus: None.
    - b. Accessory structures, including Accessory Dwelling Units: 30 feet.
  - 2. Maximum density:** Governed by the density map, Section 1202.C.
    - a. Bonus: None.
  - 3. Maximum lot coverage:** 40%.
    - a. Additional lot coverage of 15% (total 55%) is allowed for accessory structures.
    - b. Additional bonus: None.
  - 4. Minimum setbacks from interior property lines.**
    - a. Primary building:
      - (1) Sides: 3 feet; 10 feet combined total minimum.
      - (2) Rear: 10 feet.
    - b. Accessory structures:
      - (1) Side: 3 feet.
      - (2) Rear: 0 feet.
  - 5. Required parking:** Governed by Section 1206.



a. Bonus: None.

**6. Walls/Fences.**

a. Frontage Zones: Per the provisions of Section 1207.D.

b. Interior property lines: Maximum height of 6 feet.

**7. Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

**8. Street trees.**

a. Shade trees, when provided in the Streetscape Zone, shall be Arizona ash or evergreen elm trees. (T)

b. Palm trees, on blocks where they have existed historically, shall be installed in the Streetscape Zone in addition to any required shade trees, unless prohibited by law. Palm trees should be of the same type as existing historic palm trees, and planted in a similar manner/rate as existing on the same block face. (T)

**D. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R\*.

<i>Streetscape and Frontage Zone Matrix—Roosevelt North</i>						
<i>Street Section</i>	<i>Minimum Setback</i>	<i>Frontage Zone Depth</i>	<i>Minimum Building Frontage</i>	<i>Allowed Frontage Elements</i>	<i>Minimum Sidewalk Width</i>	<i>Minimum Streetscape Zone Depth</i>
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'

**Streetscape and Frontage Zone Matrix—Roosevelt North**

<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
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, <del>SY</del>	5'	10'
3rd Avenue Alley north of Roosevelt St. to Culver St.	10'	25'	None	AFY, <del>SY</del>	5'	10'
3rd Avenue Culver Street to alley north of Lynwood St.	10'	25'	None	AFY, <del>SY</del>	5'	6'

**(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements**

(Ord. No. G-5480, 2010; Ord. No. G-5777, 2013; Ord. No. G-6409, 2018)

**E. Additional Design Regulations—Roosevelt North.**

1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)
2. **Window design.** Window format should be square or rectangular and similar to existing historic buildings. Window openings should be recessed or articulated, particularly at the ground level. (P)
3. **Roof forms.** Buildings should incorporate one or more of the following roof forms: gable (including clipped, and with parapets), hip, and flat with parapets. Mansard roof forms are prohibited. (R\*)

***Rationale for D.1 through D.3: Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of Roosevelt North, preferably by using historic materials and design elements already found within the Character Area.***

## **Section 1219. Roosevelt South.**

**B. 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.

**C. Development Regulations.** The following development regulations apply to properties located with the Roosevelt South character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

### **1. Maximum height:**

a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

(1) Bonus: None.

b. Accessory structures, including Accessory Dwelling Units: 30 feet.

### **2. Maximum density:** Governed by the density map, Section 1202.C.

a. Bonus: 100%.

### **3. Maximum lot coverage:** 50%.

a. Additional lot coverage of 10% (total 60%) is allowed for accessory structures.

b. Bonus: Maximum 75% lot coverage.

### **4. Minimum setbacks from interior property lines.**

a. Primary building:

(1) Side abutting HP-zoned lot: 10 feet.

(2) Side(s) abutting lot not zoned HP: 3 feet; 10 feet combined total minimum.

(3) Rear: 0 feet.

b. Accessory structures:

(1) Side: 3 feet.

(2) Rear: 0 feet.

### **5. Required parking:** Governed by Section 1206.

a. Bonus:

(1) Increase: Maximum 50%.

(2) Decrease: Maximum 50%.

**6. Walls/Fences.**

a. Frontage Zones: Per the provisions of Section 1207.D.

b. Interior property lines: Maximum height of 6 feet.

**7. Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

**8. Street trees.**

a. Shade trees, when provided in the Streetscape Zone, shall be Arizona ash or evergreen elm trees. (T)

b. Palm trees, on blocks where they have existed historically, shall be installed in the Streetscape Zone in addition to any required shade trees, unless prohibited by law. Palm trees should be of the same type as existing historic palm trees and planted in a similar manner/rate as existing on the same block face. (T)

**D. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R\*.

<i>Streetscape and Frontage Zone Matrix—Roosevelt South</i>						
<i>Street Section</i>	<i>Minimum Setback</i>	<i>Frontage Zone Depth</i>	<i>Minimum Building Frontage</i>	<i>Allowed Frontage Elements</i>	<i>Minimum Sidewalk Width</i>	<i>Minimum Streetscape Zone Depth</i>
Roosevelt Street Alley west of 6th Ave. to 3rd Ave.	10'	30'	Minimum 75%	AFY, SD, PO, PA, S	5'	6'
McKinley Street Alley west of 6th Ave. to 3rd Ave.	10'	30'	Minimum 50%	ALL	5'	10'
Fillmore Street Alley west of 6th Ave. to 3rd Ave.	10'	30'	Minimum 50%	ALL	5'	7'5"

<b>Streetscape and Frontage Zone Matrix—Roosevelt South</b>						
<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
6th Avenue Roosevelt St. to Fillmore St.	20'	30'	Minimum 50%	AFY, SD, PA, PO, FC, S	5'	6'
5th Avenue Roosevelt St. to Fillmore St.	20'	30'	Minimum 50%	AFY, SD, PA, PO, FC, S	5'	14'
4th Avenue Roosevelt St. to Fillmore St.	20'	30'	Minimum 50%	AFY, SD, PA, PO, FC, S	5'	15'
3rd Avenue Roosevelt St. to Fillmore St.	20'	30'	Minimum 50%	AFY, SD, PA, PO, FC, S	5'	15'

**(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements**

(Ord. No. G-5480, 2010; Ord. No. G-5777, 2013; Ord. No. G-6409, 2018)

**E. Additional Design Regulations—Roosevelt South.**

1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)
2. **Window design.** Window format should be square or rectangular and similar to existing historic buildings. Window openings should be recessed or articulated, particularly at the ground level. (P)
3. **Roof forms.** Buildings should incorporate one or more of the following roof forms: gable (including clipped, and with parapets), hip, and flat with parapets. Mansard roof forms are prohibited. (R\*)

**Rationale for D.1 through D.3:** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of Roosevelt South, preferably by using historic materials and design elements already found within the Character Area.*

## **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 Regulations.** The following development regulations apply to properties located with the Townsend Park character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

### **1. Maximum height:**

a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

(1) Bonus: Maximum 30%.

b. Accessory structures, including Accessory Dwelling Units: 30 feet.

### **2. Maximum density:** Governed by the density map, Section 1202.C.

a. Bonus: 100%.

### **3. Maximum lot coverage:** 75%.

a. Bonus: Maximum 100% lot coverage.

b. Accessory buildings may not exceed 25% of the net lot area. This coverage is included within the overall permitted lot coverage.

### **4. Minimum setbacks from interior property lines:**

a. Primary building: 0 feet.

b. Accessory structures:

(1) Side: 3 feet.

(2) Rear: 5 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley per Section 1202.E.

### **5. Required parking:** Governed by Section 1206.

a. Bonus:

(1) Increase: Maximum 50%.

(2) Decrease: maximum 100%.

**6. Walls/Fences.**

- a. Frontage Zones: Per the provisions of Section 1207.D.
- b. Interior property lines: Maximum height of 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.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R\*.

<i>Streetscape and Frontage Zone Matrix—Townsend Park</i>						
<i>Street Section</i>	<i>Minimum Setback</i>	<i>Frontage Zone Depth</i>	<i>Minimum Building Frontage</i>	<i>Allowed Frontage Elements</i>	<i>Minimum Sidewalk Width</i>	<i>Minimum Streetscape Zone Depth</i>
McDowell Road 1st St. to east of 3rd St.	0'	20'	Minimum 75%	S, GA, CE	5'	5'
Willetta Street 1st St. to 3rd St.	0'	25'	Minimum 50%	ALL	5'	15'
Culver Street 1st St. to 2nd St.	0'	25'	Minimum 50%	ALL	5'	15'
Moreland Street 1st St. to 3rd St.	0'	25'	Minimum 50%	ALL	5'	15'
1st Street McDowell Rd. to Willetta St.	0'	25'	Minimum 75%	S, SD, PA, PO, GA	5' East 7' West	6' East West—None Required
2nd Street McDowell Rd. to Culver St.	0'	25'	Minimum 75%	S, SD, PA, PO, GA	5'	25'



<b>Streetscape and Frontage Zone Matrix—Townsend Park</b>						
<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
3rd Street McDowell Rd. to Moreland St.	5'	30'	Minimum 75%	S, SD, PA, PO, GA	5'	15'

**(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements**

## **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 Regulations.** The following development regulations apply to properties located within the Van Buren character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

### **1. Maximum height.**

a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

(1) Bonus: None.

b. Accessory structures, including Accessory Dwelling Units: 30 feet.

### **2. Maximum density:** Governed by the density map, Section 1202.C.

a. Bonus: Maximum 50% increase.

b. For properties which dedicate the Taylor Street Paseo, see below.

### **3. Maximum lot coverage: 55%.**

a. Bonus: Maximum 100% lot coverage.

b. Accessory structures: Maximum 25% total lot coverage. This amount is included in the overall allowed lot coverage.

c. For properties which dedicate the Taylor Street Paseo, see below.

### **4. Minimum setbacks from interior property lines.**

a. Primary building: 10 feet. No setback required if property line abuts an alley which is not a Buffer Alley.

b. Accessory structures: None.

### **5. Required parking:** Governed by Section 1206.

a. Bonus:

(1) Increase: Maximum 50%.

(2) Decrease: Maximum 100%.

**6. Walls/Fences.**

- a. Frontage Zones: Per the provisions of Section 1207.D.
- b. Interior property lines: Maximum height of 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.

**8. Taylor Street Paseo.** Certain properties within Van Buren are subject to the additional development regulations of the Taylor Street Paseo, Section 1207.N., in addition to the modified standards stated above. The affected properties are shown on the map provided within that Section.

- a. For properties that dedicate the Taylor Street Paseo, lot coverage and density are not restricted.

- b. For properties formerly required to dedicate the Taylor Street Paseo prior to the Paseo realignment, lot coverage and density are not restricted if all of the following amenities are provided within the property frontage:

(1) A minimum 8 foot wide sidewalk is provided for the length of the property.

(2) Two separate rows of shade trees along the public sidewalk, planted along each side of the public sidewalk.

(3) Open space at the ground level on private property (minimum 500 square feet and not less than 10 feet wide any direction), with a public access easement dedicated over all portions of the open space area.

(4) A minimum of three pedestrian amenities within the open space, such as: lit bollards, waste receptacles (recycling and trash), clocks, way finding signs, benches, drinking fountains and decorative pedestrian lighting not higher than 15 feet.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R\*.

**Streetscape and Frontage Zone Matrix—Van Buren**

<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
Fillmore Street Alley west of 7th Ave. to 7th Ave.	0'	20'	Minimum 50%	ALL	5'	7'
Fillmore Street 7th Ave. to 3rd Ave.	0'	20'	Minimum 50%	ALL	5'	10'
Taylor Street Paseo 7 <sup>th</sup> Ave. to 3 <sup>rd</sup> Ave.	0'	20'	Minimum 75%	SD, PO, S, GA, CE	8'	13', or 0' when not located within or adjacent to a dedicated street
Van Buren Street 7th Ave. to 3rd Ave.	0'	20'	Minimum 75%	S, GA, CE, GR	5'	5'
Woodland Avenue 9th Ave. to alley west of 9th Ave.	12'	30'	Minimum 75%	AFY, SD, PA, PO, S	5'	10'
Monroe Street 7th Ave. to 3rd Ave.	0'	20'	Minimum 75%	SD, PA, PO, S	8'	10'
Adams Street 4th Ave. to 7th Ave.	0'	20'	Minimum 75%	SD, PA, PO, S, GA	5'	10'
Adams Street 7th Ave. to 5th Ave.	0'	20'	Minimum 75%	SD, PA, PO, S, GA	8'	5'
9th Avenue Van Buren St. to Adams St.	0'	20'	Minimum 50%	ALL	5'	20'
7th Avenue Fillmore St. to Adams St.	0'	20'	Minimum 75%	ALL	7'	7'
6th Avenue Fillmore St. to Van Buren St.	0'	20'	Minimum 50%	SD, PA, PO, S, GA	East 5' West 5'	East 8' West 5'

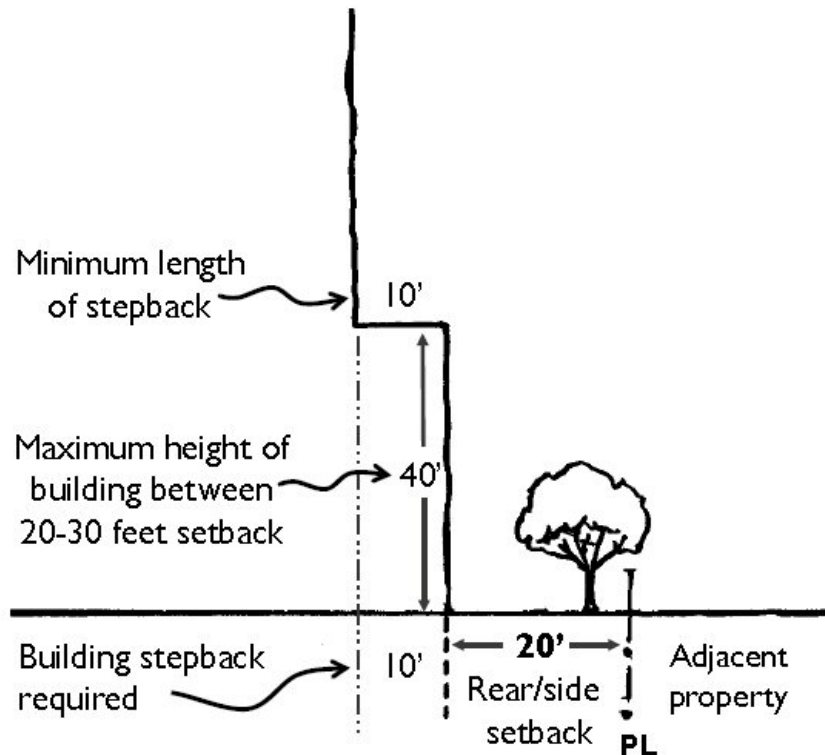
<b>Streetscape and Frontage Zone Matrix—Van Buren</b>						
<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
6th Avenue Van Buren St. to Adams St.	0'	20'	Minimum 75%	ALL	East 5' West 5'	East 5' West 8'
5th Avenue Fillmore St. to Van Buren St.	0'	20'	Minimum 50%	SD, PA, PO, S, GA	5'	10'
5th Avenue Van Buren St. to Adams St.	0'	20'	Minimum 75%	ALL	7'	7'
4th Avenue Fillmore St. to Van Buren St.	0'	20'	Minimum 50%	SD, PA, PO, S, GA	5'	15'
4th Avenue Van Buren St. to Monroe St.	0'	20'	Minimum 75%	ALL	7'	7'
3rd Avenue Fillmore St. to Van Buren St.	0'	20'	Minimum 50%	SD, PA, PO, S, GA	5'	10'
3rd Avenue Van Buren St. to Monroe St.	0'	20'	Minimum 75%	ALL	5'	5'
Taylor Street Paseo 7th Ave. to 3rd Ave.	0'	20'	Minimum 65%	SD, PO, S, FC, GA	See Paseo Guidelines	See Paseo Guidelines

**(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements**

## 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 Regulations.** The following development regulations apply to properties located within the Warehouse character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee, unless stated otherwise.
1. **Maximum height:** Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
    - a. Bonus (north of Lincoln Street, within the 80 feet base height category only): maximum height of 140 feet shall be permitted only with dedication of a 30-year conservation easement over an existing building designated HP or HP-L, as approved by HP. The property with the conservation easement must be located between Madison Street and Lincoln Street, and within either the Business Core or Warehouse character areas. Sustainability bonus points cannot be used to obtain this height bonus.
    - b. Bonus (elsewhere within Character Area): 50%. Exception: Any property within a base height category of 150 feet or greater shall not be permitted a height bonus, due to Airport Downtown Zone height limits.
    - c. Additional height restrictions apply for properties subject to Section 1222.B.4.
  2. **Maximum density:** Governed by the density map, Section 1202.C.
    - a. Bonus: Maximum 100% increase.
  3. **Maximum lot coverage:** 100%.
    - a. Bonus: None.
  4. **Minimum setbacks from interior property lines:**
    - a. For sites not abutting a property located within the Central Park Character Area: 0 feet.
    - b. For sites abutting a property located within the Central Park Character Area (not including properties separated by a fully dedicated alley or street), the following regulations apply:
      - (1) Side or rear lot line: Minimum 20-foot building setback, including a ten-foot landscape setback. The landscape setback shall be measured from the property line.

- (2) The building shall not exceed 40 feet in height when located between 20 and 30 feet of the side or rear property line.
- (3) 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.



**5. Required parking:**

a. Minimum:

- (1) Residential uses: Governed by Section 1206.
- (2) Non-residential uses: None.

d. Maximum: Governed by Section 1206.

e. Bonus:

- (1) Increase: Maximum 100%.
- (2) Decrease: Maximum 100%.

**6. Walls/Fences.**

- a. Frontage Zones: Per the provisions of Section 1207.D.
  - b. Interior property lines: Maximum height of 8 feet.
7. **Signage.** 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.
- a. 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) Identify only one on-site business.
    - (2) Provide a minimum eight-foot clearance.
    - (3) Project no more than three feet into the public right-of-way.
    - (4) Be indirectly illuminated from a shielded light source (i.e., not backlit or cabinet sign).
  - b. Awning signs shall be permitted by right. Awning signs shall have letters no more than ten inches in height.
  - c. Signs painted on the building surface or letters mounted directly to the building surface should:
    - (1) 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.
    - (2) Be at least half the vertical height of the letters to a building corner (vertical edge) or to a roofline.
  - d. Windows visible from the public right-of-way shall not exceed a maximum of 20 percent of the windowpane area.
  - e. 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.
  - f. Corner buildings shall be allowed signage on each street frontage.
  - g. 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.
  - h. The provisions of Section 705.C.6.d shall not apply within the Warehouse Character Area.
  - i. 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) The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.
  - (2) When adjoining establishments participate in an event, a single request for a use permit may be filed.
- j. 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.
- k. The following signs are prohibited:
- (1) Those placed above or on top of any portion of the roof or front parapet or facade.
  - (2) Signs utilizing moving, flashing, or rotating lights or mechanisms, except as provided by a use permit.
  - (3) Freestanding signs or ground signs.
- l. 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.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R\*.

<b>Streetscape and Frontage Zone Matrix—Warehouse</b>						
<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
7th Avenue South of the train tracks to Grant St.	0'	20'	None	ALL	5'	10'
7th Avenue Grant St. to Sherman St.	0'	20'	Minimum 75%	S, GA, SD, CE	5'	10'
6th Avenue	0'	20'	Minimum 50%	ALL	5'	12'

**Streetscape and Frontage Zone Matrix—Warehouse**

<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
Sherman St. to Grant St.						
5th Avenue Alley south of Jackson St. to Madison St.	0'	20'	Minimum 75%	S	5'	12'
4th Avenue Sherman St. to Grant St.	0'	20'	Minimum 50%	ALL	5'	12'
4th Avenue Grant St. to Lincoln St.	0'	20'	Minimum 50%	ALL	5'	19'
4th Avenue Alley south of Jackson St. to Madison St.	0'	20'	Minimum 75%	S	5'	12'
3rd Avenue Grant St. to Jackson St.	0'	20'	Minimum 75%	S	5'	20'
2nd Avenue Grant St. to Lincoln St.	0'	20'	Minimum 50%	ALL	5'	23'
2nd Avenue Buchanan St. to Jackson St.	0'	20'	Minimum 50%	S	5'	10'
1st Avenue Grant St. to Madison St.	0'	20'	Minimum 75%	S	10'	15'

**Streetscape and Frontage Zone Matrix—Warehouse**

<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
Central Avenue Grant St. to Madison St.	0'	20'	Minimum 75%	S, GA, SD, CE	8'	15'
1st Street Grant St. to Buchanan St.	0'	20'	Minimum 50%	ALL	5'	15'
1st Street Buchanan St. to Madison St.	0'	20'	Minimum 50%	ALL	6'	20'
2nd Street Lincoln St. to alley south of Jackson St.	0'	20'	Minimum 50%	ALL	6'	20'
3rd Street South of Grant St. to Grant St.	0'	20'	Minimum 75%	AFY, SD, PA, PO, S	6'	20'
3rd Street Grant St. south to Railroad Row	0'	20'	Minimum 75%	S	6'	14'
4th Street Grant St. south to Character Area boundary	0'	20'	Minimum 75%	SD, PA, S	5'	10'
5th Street Grant St. to Lincoln St.	0'	20'	Minimum 50%	ALL	6'	14'

**Streetscape and Frontage Zone Matrix—Warehouse**

<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
6th Street Lincoln St. to Buchanan St.	0'	20'	Minimum 50%	ALL	8'	13'
7th Street Lincoln St. to south of Grant St.	0'	20'	Minimum 75%	ALL	6'	14'
Madison Street 5th Ave. to 4th Ave.	0'	20'	Minimum 75%	SD, PA, S	5'	12'
Madison Street 1st Ave. to 1st St.	0'	20'	Minimum 75%	SD, PA, S	5'	12'
Jackson Street 5th Ave. to 1st St.	0'	20'	Minimum 75%	S	8'	As Established with Tree Wells <sup>(1)</sup>
Buchanan Street 3rd Ave. to 3rd St.	0'	20'	Minimum 75%	SD, PA, S	7'	12'
Lincoln Street 7th Ave. to 7th St.	0'	20'	Minimum 75%	SD, PA, S	7'	12'
Grant Street 6th Ave. to 2nd St. 3rd St. to 7th St.	0'	20'	Minimum 50%	ALL	5'	19'

<b>Streetscape and Frontage Zone Matrix—Warehouse</b>						
<b>Street Section</b>	<b>Minimum Setback</b>	<b>Frontage Zone Depth</b>	<b>Minimum Building Frontage</b>	<b>Allowed Frontage Elements</b>	<b>Minimum Sidewalk Width</b>	<b>Minimum Streetscape Zone Depth</b>
Grant Street 2nd St. to 3rd St.	0'	20'	Minimum 75%	SD, PA, S	5'	19'
Sherman Street 7th Ave. to 4th Ave.	0'	20'	Minimum 75%	SD, PA, S	8'	14'

**(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements**

**D. Additional Design Regulations--Warehouse.**

1. New construction from finished grade to 65 feet in height shall use concrete, brick or other quality exterior-facing materials found on the structures in the Warehouse 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. (P)
2. Brick veneer and brick tile applications, when used, should give the appearance of structural brick by using wraparound corner and bullnose pieces to minimize a veneer appearance. (P)
3. Stucco should not be used as a new element on an existing building. For new construction, stucco finishes should be limited to no more than 25 percent of all facades, and located where least visible from Streetscape Zones. (P)

***Rationale for D.1 – D.3: The Warehouse Character Area has a unique and historic architectural context which current development should mimic or complement.***

4. The following design elements are only permitted for use within the Warehouse Character area if approved by the Design Review Committee as a Design Alternative per Section 1224 (R\*):
  - 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.
  - e. Steeply pitched roofs (greater than 30 degrees) including mansard roof forms.
  - f. Curtain-wall facades.



**Section 1223. Sustainability Bonus.**

**A. Applicability.** The Sustainability Bonus system is designed to provide additional entitlements to developments that exhibit enhanced and/or environmentally friendly design, or other performance elements as outlined in this Section or as approved by the Design Review Committee.

1. A Sustainability Bonus may only be awarded when allowed by the applicable Character Area development regulations.
2. Sustainability Bonus credits (as detailed in Section 1223.C) earned shall only apply to one category of bonus. If multiple bonuses are desired for one development (such as one for height increase, and another for parking increase), each bonus must earn the required bonus credits separately, unless specifically stated otherwise in this Chapter.
3. All items or improvements which are provided specifically to obtain a Sustainability Bonus shall be located on site, and not in public right-of-way, unless approved as a Technical Appeal demonstrating that all required Streetscape improvements, including shade, landscape, and minimum sidewalk width, will still be provided.

**B. Credit Categories.**

1. **Height Increase.** The allowed bonus is an increase in height calculated as a percentage of the base maximum height permitted per Section 1202.B. However, no building height may exceed the Airport Height Limits provided in Chapter 4, Article XIII of the Phoenix City Code.

<b>Height Increase</b>	
<b>Minimum Credits Required</b>	<b>Allowed Bonus</b>
70	50%
60	40%
50	30%
40	20%
30	10%
20	5%

2. **Density Increase.** The allowed bonus is an increase in the number residential units calculated as a percentage of the base maximum units permitted per Section 1202.C:

<b>Density Increase</b>	
<b>Minimum Credits Required</b>	<b>Allowed Bonus</b>
70	100%
60	80%
50	60%
40	40%
30	25%
20	10%

3. **Increase of Lot Coverage.** The allowed bonus is the amount of additional lot coverage allowed in addition to the lot coverage permitted by the applicable Character Area; e.g. a development earning 20 bonus credits is allowed an additional 10% lot coverage.

<b>Increase of Lot Coverage</b>	
<b>Minimum Credits Required</b>	<b>Allowed Bonus</b>
50	50%
40	25%
30	15%
20	10%
10	5%



4. **Increase of Maximum Parking.** The allowed bonus is an increase calculated as a percentage of the maximum parking allowed per Section 1206.

<b>Increase of Maximum Parking</b>	
<b>Minimum Credits Required</b>	<b>Allowed Bonus</b>
50	100%
40	75%
30	50%
20	25%
10	15%
5	10%

5. **Decrease in Minimum Parking.** The allowed bonus is a decrease calculated as a percentage of the minimum parking required per Section 1206.

<b>Decrease of</b>	
<b>Minimum Credits Required</b>	<b>Allowed Bonus</b>
25	100%
20	75%
15	50%
10	25%
5	10%

**C. Sustainability Bonus Credit Matrix.**

<b>CREDIT DESCRIPTION AND QUALIFIERS</b>	<b>OPTIONS</b>	<b>POSSIBLE CREDITS</b>
<p>1. Provide a vertical mixed-use development which incorporates commercial suites at the ground level intended for patronage by the general public, and not associated with the operation of the overall development. Each suite shall have a primary entrance from the Frontage/Streetscape zone.</p>	25% of gross ground area of building	5
	50% + of gross ground floor area of building	10
<p>2. Provide pedestrian amenities within the Frontage Zone (or Streetscape Zone if approved through a Technical Appeal and Street Transportation) such as: lit bollards, waste receptacles (recycling and trash), clocks, way finding signs, benches, drinking fountains and decorative pedestrian lighting not higher than 15 feet. (Must be in addition to any required amenities.)</p>	3 Different Types of Amenities	5
	6+ Different Types of Amenities	10
<p>3. Provide outdoor dining within the Frontage Zone. Also applies to outdoor dining provided within a Forecourt or a Gallery/Arcade, but only if the minimum sidewalk width required by the Character Area is maintained.</p>	Minimum 400 sf	5
	800+ sf	10
<p>4. Provide additional bicycle amenities (beyond any required), as follows in 4a and 4b:</p>		
<p>4a. For any use type, provide additional amenities such as a secured bicycle parking room; bicycle lockers, tire air-up facilities, and/or bicycle maintenance area or room.</p>	Secured parking room for minimum 50% required bicycle parking	5
	Bicycle lockers for minimum 50% required bicycle parking	5
	Tire air-up facility or bicycle maintenance area/room	3 (each)

CREDIT DESCRIPTION AND QUALIFIERS	OPTIONS	POSSIBLE CREDITS
4b. For non-residential uses, provide showers and/or personal lockers within changing rooms for use by the building's tenants.	Shower	4 (each); maximum 20 points
	Personal lockers in changing room	3 points for each 5 lockers, maximum 15 points
5. Provide a public art installation within or on the building abutting a Frontage Zone.	Art installation (as approved by PDD)	5 points per installation
6. Provide on-site 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 areas provided may include on-site pedestrian walkways, private driveways/aisles and parking stalls, but shall not include loading areas or hardscape located within public ROW.	minimum 250 sf area	2
	>250 sf to 500sf area	4
	>500 sf to 1000 sf area	8
	>1000 sf area	15
7. Utilize non-potable gray water and/or rainwater to supplement required landscape irrigation water.	Either gray water or rainwater harvesting system provided	3
	Both systems provided (may be combined)	6
8. Outperform the currently adopted energy code standard by the following percentages, measured by the percent (%) over required energy code standard.	5%—9%	5
	10%—14%	10
	15%+	15
9. 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

CREDIT DESCRIPTION AND QUALIFIERS	OPTIONS	POSSIBLE CREDITS
<p>10. Provide 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.</p>	10%—35%	5
	35%+	10
<p>11. Provide a minimum 8 foot wide public sidewalk for the length of the property frontage (applicable only when the required minimum width is less than 8 feet).</p>		5 per street frontage
<p>12. Provide two separate rows of shade trees along the public sidewalk, planted along each side of the public sidewalk.</p>	Second row trees matching Streetscape minimum requirements	10 per street frontage
<p>13. Provide a minimum 30-year historic preservation conservation easement for the original footprint of a building on a property designated HP or HP-L, as approved by the Historic Preservation Officer.</p>	Easement provided on a property located within Downtown	20
	Easement provided on a property located within same Character Area as development	10 (in addition to the base 20 points)
<p>14. Rehabilitate a structure (including building stabilization) on a property zoned HP or HP-L located within Downtown, as approved by the Historic Preservation Officer.</p>		30
<p>15. Provide open space at the ground level on private property (minimum 500 sf and not less than 10 feet wide any direction), as follows:</p>	Provide at least 5% of the gross site area.	5
	Provide at least 10% of the gross site area.	10

CREDIT DESCRIPTION AND QUALIFIERS	OPTIONS	POSSIBLE CREDITS
	Dedicate a public access easement over the full open space area used to qualify for bonus	10 additional
16. 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%	10
	25%—49%	15
	50%+	20
17. Provide solar panels on the roof of the building(s), as follows:	At least 25% of the total roof area, up to 50%	5
	More than 50% up to 75% of the total roof area	10
	More than 75% of the total roof area	15
18. Provide electric vehicle charging spaces with installed electric vehicle charging stations (maximum 30 points total).	For use by building owners or tenants only	2 per EVC space
	For use by building visitors and/or general public	4 per EVC space
19. Provide below grade and/or lower level parking areas only. (not applicable if no parking provided).  <i>*not including required ADA spaces</i>	No parking provided above the ground floor level	10
	All parking* provided below finished grade	20
20. Provide shade for a minimum of 50% of all occupiable roof areas.		5

**Section 1224. Appeals.**

**A. Design Alternative Appeals.** A Design Alternative appeal is a requested deviation from development regulations indicated with (R\*), or an appeal of a decision by the Planning and Development Department regarding compliance with a presumption (P). Approval of a Design Alternative appeal shall 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, as follows:

1. A Design Alternative appeal shall be reviewed and acted upon by the Design Review Committee (DRC) in accordance with the procedural requirements of Section 507.G.
2. The DRC may approve substitute methods of meeting the intent of development regulations as part of a Design Alternative appeal.
3. The DRC may impose conditions or stipulations with an approval of a Design Alternative appeal.
4. When considering a proposed Design Alternative for the required frontage type/design, the DRC is authorized to provide relief from other related Zoning Ordinance standards and regulations indicated with (P), (R\*), and (R), but not items indicated with (T).  
**“RELATED” IN THIS CONTEXT MEANS THAT RELIEF FROM AN ITEM INDICATED BY (P), (R\*), OR (R) IS NECESSARY TO APPROVE THE PROPOSED DESIGN ALTERNATIVE.**
5. Each Design Alternative appeal application shall include, at a minimum, the following:
  - a. For properties with a Historic Preservation (HP) designation, a Certificate of Appropriateness or Certificate of No Effect must be obtained in advance of filing the appeal and a copy submitted with the appeal application;
  - b. A listing of each of the development regulations that are the subject of the proposed Design Alternative, including all additional items indicated with (P), (R\*) and (R) which also require relief to attain the proposed Design Alternative;
  - 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 applicable Character Area, and would satisfy the findings required for approval;
  - d. Site plan;
  - e. Building elevations;
  - f. Context plan (per Section 507.E);
  - g. Landscaping and shading plan;
  - h. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor’s Office; and
  - i. Such other information as may be required by the Planning and Development Director or the DRC.

6. In order to approve a Design Alternative appeal, the DRC must make findings as follows:
  - a. That the project is consistent with the intent, goals, and polices stated for the applicable Character Area; and
  - b. That the project demonstrates design excellence by addressing at least two of the following:
    - (1) Design innovation and the imaginative use of space, forms, and materials.
    - (2) Permeability and connectivity which enables people to move within, around and through the project with ease.
    - (3) That the design alternative would improve safety and security by introducing human activity to the public realm with active building frontages onto streets and other public spaces, and enable "eyes on the street."
    - (4) The design alternative will incorporate materials and design which enhance thermal comfort.

**B. Sustainability Bonus Appeals.** An applicant may ~~file a request for the Design Review Committee to~~ appeal a decision of the Planning and Development Department regarding Sustainability Bonus credits, as outlined in Section 1223-, **TO THE DESIGN REVIEW COMMITTEE, AS FOLLOWS:**

1. A Sustainability Bonus appeal shall be reviewed and acted upon by the Design Review Committee (DRC) in accordance with the procedural requirements of Section 507.G.
2. The DRC may approve substitute methods of meeting the intent of specific bonus credits as part of a Sustainability Bonus appeal.
3. The DRC may impose conditions or stipulations with an approval of a Sustainability Bonus appeal.
4. Each Design Alternative appeal application shall include, at a minimum, the following:
  - a. A listing of the credits that are being utilized and any supporting documentation (to be sealed by a licensed professional);
  - b. Site plan;
  - c. Building elevations;
  - d. Context plan (per Section 507.E);
  - e. A narrative statement describing any deviation from the prescribed bonus 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);
  - f. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office;

- g. Such other information as may be required by the Planning and Development Director or DRC.
5. In order to approve a Sustainability Bonus Appeal, the DRC must make findings as follows:
- a. That the project is consistent with the intent, goals, and polices stated for the applicable Character Area; and
  - b. That the project is improving the overall performance of the building(s) through generally accepted building and design standards and innovation; and
  - c. That the increased entitlements are consistent with the improved performance of the building(s).

**C. Variances/Zoning Adjustment.** A variance is a requested deviation from a development regulation designated as a requirement, or (R), and shall comply with the provisions of Section 307.A.9, in addition to the following:

1. Any variance/zoning adjustment request within Downtown must be formally reviewed by the Design Review Committee prior to processing of the variance request, **UNLESS THE REQUEST IS NOT DESIGN-RELATED, AS DETERMINED BY THE DESIGN ADVISOR, OR IS REGARDING A SIGN REGULATION.** The formal review shall be through the same public hearing process as indicated in Section 1224.B, except that the Design Review Committee shall, instead of making findings and a decision, provide a written recommendation to the Zoning Administrator regarding the variance request. The written recommendation shall, at a minimum, address the following items:
- a. Whether the request is consistent with the intent, goals, and polices stated for the applicable Character Area; and
  - b. Whether the request is consistent with the intended Streetscape design and shade requirements for the applicable Streetscape and Frontage Zones.
2. The applicant shall provide a written narrative for the DRC to review and address as part of its written recommendation regarding the variance request. The narrative shall, at a minimum, include the following items:
- a. How much relief has, or could be obtained through application of a Sustainability Bonus;
  - b. A written explanation why a Sustainability Bonus cannot be applied or obtain the relief desired by the variance request; and
  - c. A written explanation of how the development and the variance request is consistent with the intent, goals, and polices stated for the applicable Character Area.

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REPORT OF PLANNING COMMISSION ACTION  
November 7, 2024

ITEM NO: 4	
	DISTRICT NO.: Citywide
SUBJECT:	
Application #:	Z-TA-2-24-Y
Proposal:	<p>Amend the following sections of the Phoenix Zoning Ordinance, as follows:</p> <ol style="list-style-type: none"> <li>1. Chapter 2, Section 202 (Definitions) to add new definitions and revise existing definitions regarding Accessory Dwelling Units and related residential terms;</li> <li>2. Chapter 6, Section 603 (Suburban S-1 District—Ranch or Farm Residence) to comply with HB 2720;</li> <li>3. Section 604 (Suburban S-2 District—Ranch or Farm Commercial) to comply with HB 2720;</li> <li>4. Section 605 (Residential Estate RE-43 District—One-Family Residence) to comply with HB 2720 and increase permitted lot coverage;</li> <li>5. Section 606 (Residential Estate RE-24 District—One-Family Residence) to comply with HB 2720 and increase permitted lot coverage;</li> <li>6. Section 607 (Residential R1-14 District—One-Family Residence) to comply with HB 2720 and increase permitted lot coverage;</li> <li>7. Section 608 (Residential Districts) to comply with HB 2720;</li> <li>8. Section 609 (RE-35 Single-Family Residence District) to increase permitted lot coverage;</li> <li>9. Chapter 7, Section 701.A.3 (Projections) to comply with HB 2720;</li> <li>10. Section 703.B (Landscaping and Open Areas In Multiple-Family Development) to differentiate the addition of ADUs from multi-family developments; and</li> <li>11. Section 706 (Accessory Uses and Structures) to clarify wordings and comply with HB 2720.</li> </ol>
Applicant:	City of Phoenix, Planning Commission
Representative:	City of Phoenix, Planning and Development Department

**ACTIONS:**

Staff Recommendation: Approval, as shown in the proposed text in Exhibit A.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion:

Commissioner Boyd engaged in dialogue with Christopher DePerro about three points of concern. Commissioner Boyd desired that the word “common wall” be replaced with “shared wall” within the modifications to the definition of “Accessory Dwelling Unit, Attached” in Chapter 2. He expressed concern regarding the design integration requirements within Section 706 for attached Accessory Dwelling Units. Lastly, Commissioner Boyd stated that he believed the Use Permit requirement to place an ADU between the main dwelling unit and right-of-way was unnecessary.

There was discussion amongst the commissioners regarding Commissioner Boyd's recommendations and most agreed on the first item related to the definition, but not the other items.

Commissioner Jaramillo made a MOTION to approve Z-TA-2-24-Y, per the staff recommendation, with a modification to amend Chapter 2, Section 202, to strike "common wall" and replace it with "shared wall" in the definition of "Accessory Dwelling Unit, Attached".

Commissioner Matthews seconded.

Commissioner Boyd made a MOTION for a substitute motion to amend the prior motion to include an additional modification to strike Section 706.A.5.

The substitute motion died for lack of a second.

Motion details: Commissioner Jaramillo made a MOTION to approve Z-TA-2-24-Y, per the staff recommendation, with a modification to amend Chapter 2, Section 202, to strike "common wall" and replace it with "shared wall" in the definition of "Accessory Dwelling Unit, Attached".

Maker: Jaramillo  
Second: Matthews  
Vote: 9-0  
Absent: None  
Opposition Present: No

Findings: The proposed amendment to the Zoning Ordinance will bring the City into compliance with the requirements of HB 2720.

Proposed Language:

**Amend Chapter 2, Section 202 (Definitions) to add new definitions and revise existing definitions regarding Accessory Dwelling Units and related residential terms.**

\*\*\*

*Accessory Dwelling Unit (ADU):* A dwelling unit, as defined in this section, subordinate to the primary dwelling unit and situated on the same lot ~~and used for a residential accessory use.~~ ADUs, where permitted, do not count towards calculations of gross density.

**ACCESSORY DWELLING UNIT, ATTACHED:** AN ADU WHICH IS CONSTRUCTED HAVING A **COMMON SHARED** WALL AND ATTACHED FOUNDATIONS WITH THE PRIMARY DWELLING UNIT. AN ADU CONNECTED TO THE PRIMARY DWELLING UNIT IN ANY OTHER MANNER SHALL NOT BE CONSIDERED AN ATTACHED ADU.

**ACCESSORY DWELLING UNIT, DETACHED:** AN ADU WHICH IS CONSTRUCTED WITH NO CONNECTION TO THE PRIMARY DWELLING UNIT, EXCEPT AS MAY BE EXPLICITLY PERMITTED WITHIN THE ZONING ORDINANCE. A DETACHED ADU MAY INCLUDE AN INTEGRATED GARAGE, CARPORT, OR PORCH. TWO ADUS ATTACHED TO EACH OTHER, BUT NOT TO THE PRIMARY DWELLING UNIT, SHALL EACH BE CONSIDERED AS A DETACHED ADU.

\*\*\*

*Multi-Family/Multiple-Family:* A lot or parcel where two or more dwelling units are provided, not including a-permitted accessory dwelling unitS.

\*\*\*

**Amend Chapter 6, Section 603 (Suburban S-1 District—Ranch or Farm Residence) to read as follows:**

**Section 603. Suburban S-1 District—Ranch or Farm Residence.**

\*\*\*

**A. Permitted Uses.**

1. Dwelling Units. Each lot may have the following:
  - a. One primary dwelling unit.
  - b. ~~One~~ TWO accessory dwelling unitS, and
  - c. For each additional 10 acres provided above the minimum lot size, one additional accessory dwelling unit for use by on-site laborers may be provided.
  - d. IN ADDITION TO THE ABOVE, ONE ADDITIONAL ACCESSORY DWELLING UNIT (ADU) MAY BE PERMITTED ONLY WHEN AT LEAST ONE ADU QUALIFIES AS AFFORDABLE HOUSING.

\*\*\*

**B. Yard, Height and Area Requirements.**

1. Each lot shall have a net area of not less than one acre.
2. ~~For all dwelling units:~~ SETBACK REQUIREMENTS:
  - a. The minimum front setback is 40 feet.
  - b. The minimum side setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.
  - c. The minimum rear setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

\*\*\*

6. Accessory dwelling units are subject to the additional ~~provisions~~ DEVELOPMENT REGULATIONS of Section 706.A.

\*\*\*

**Amend Chapter 6, Section 604 (Suburban S-2 District—Ranch or Farm Commercial) to read as follows:**

**Section 604. Suburban S-2 District—Ranch or Farm Commercial**

\*\*\*

**B. Yard, height and area requirements.**

1. Each lot shall have a net area of not less than three acres.
2. ~~For all dwelling units:~~ SETBACK REQUIREMENTS:
  - a. The minimum front setback is 40 feet.
  - b. The minimum side setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.
  - c. The minimum rear setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

\*\*\*

6. Accessory dwelling units are subject to the additional ~~provisions~~ DEVELOPMENT REGULATIONS of Section 706.A.

\*\*\*

**Amend Chapter 6, Section 605 (Residential Estate RE-43 District—One-Family Residence) to read as follows:**

**Section 605. Residential Estate RE-43 District—One-Family Residence.**

The provisions of this section shall apply only to land zoned RE-43 prior to September 13, 1981.

The RE-43, One-Family Residence DISTRICT, is a district of single-family homes designed to maintain, protect and preserve a character of development on lots with a minimum area of 43,560 square feet, and with not more than one dwelling unit and customary accessory buildings upon one lot.

**A. Permitted Uses.**

1. Dwelling units. Each lot may have the following:
  - a. One primary dwelling unit.
  - b. ~~One~~ TWO accessory dwelling units. A THIRD ADU IS PERMITTED ONLY WHEN AT LEAST ONE ADU QUALIFIES AS AFFORDABLE HOUSING AND THE NET LOT SIZE IS A MINIMUM OF 43,560 SQUARE FEET.
  - c. Model homes are permitted subject to the provisions of Section 608.E.19.

\*\*\*

5. ~~RESERVED. Model homes and/or subdivision sales offices when located in model homes subject to approval of the Planning and Development Department, and subject to the following conditions:~~
- ~~a. Such model home and/or subdivision sales offices shall be located in a subdivision which is owned by or held in trust for the subdivision developer proposing to erect the model homes and/or proposing to operate the sales office.~~
  - ~~b. Subdivision sales offices and/or model homes shall be permitted for a period not to exceed 36 months from the date of approval for the sales offices and/or model homes.~~
  - ~~c. The time limit allowed in Section 605.A.5.b for an additional 36 months shall be extended only upon securing a use permit.~~
  - ~~d. The subdivision sales office shall be removed and the model homes shall be discontinued as model homes on or before the termination date set forth in Section 605.A.5.b or upon expiration of the extension granted by the Zoning Administrator pursuant to Section 605.A.5.c, or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever occurs first. Notwithstanding these provisions, the model home complex shall, subject to obtaining a use permit in accordance with the provisions of Section 307, be able to be used as off-site models after sale of 75 percent of the lots in the subdivision; provided, that the model home complex is within four hundred feet of an arterial or collector street and that the use as off-site models shall not exceed, in combination with the use as on-site models, a total of 72 months.~~
  - ~~e. For the purposes of Sections 605.A.5.a and d, the term "subdivision" shall mean all the land included within the preliminary plat submitted to Planning and Development Department.~~
  - ~~f. Subdivision sales offices in buildings other than model homes may be permitted subject to the following standards to be reviewed and approved by the Planning and Development Department:
    - ~~(1) One trailer per subdivision;~~
    - ~~(2) Trailer shall be removed upon occupancy of first model home or within six months of approval (whichever occurs first);~~
    - ~~(3) Signs shall not exceed six square feet;~~
    - ~~(4) Subject to all provisions listed in Section 605.C.1.~~~~
  - ~~g. More than one model home complex in a subdivision shall be permitted subject to the above standards and the following standards:~~

- (1) ~~A maximum of either six percent of the lots in the development or two lots, whichever is greater, may be used for model homes.~~
- (2) ~~The model home complexes shall be within four hundred feet of an arterial or collector street.~~
- (3) ~~Temporary street closures and temporary fences over the public right-of-way shall be approved by the Street Transportation Department.~~
- (4) ~~Off street parking and circulation shall be dustproofed.~~
- (5) ~~Lighting shall be limited to security lighting of the model home complex.~~

~~If these standards cannot be met, the additional model home complex shall be subject to obtaining a use permit in accordance with the provisions of Section 307.~~

\*\*\*

**B. Yard, height and area requirements.** Except as required by Section 710, the following yard, height, and area provisions shall be required for this district.

1. ~~There shall be a lot area of not less than 43,560 square feet. No lot shall hereafter be subdivided to provide less than 43,560 square feet of lot area, nor to have a width of less than 165 feet, nor to have a lot depth of less than 175 feet.~~
2. ~~There shall be a front yard having a depth not less than that established by an existing main building on the nearest lot within one hundred feet, provided, however, that on a lot between two lots each within one hundred feet, which lots have established [front yards, then the minimum front yard shall be that established] by a line joining the nearest front corner of the main building on one lot and the nearest front corner of the main building on the other lot. Nothing in this section shall require that a front yard be more than fifty feet in depth nor to permit a front yard of less than forty feet in depth. On a lot that is not within one hundred feet of a lot with an established front yard, the front yard shall be not less than forty feet.~~

~~In a tract development, construction of which is substantially contemporaneous, the above rules shall not apply at the discretion of the builder providing he follow an approved plot plan of the tract development and providing the front yards of all lots be not less than forty feet.~~

3. ~~There shall be two side yards each having a width of thirty feet.~~
4. ~~There shall be a rear yard having a depth of not less than forty feet, which depth may be measured from the centerline of an existing sixteen-foot or wider rear alley where only a one-half or partial alley exists.~~

1. EACH LOT SHALL HAVE A NET AREA OF NOT LESS THAN 43,560 SQUARE FEET.
2. EACH LOT SHALL HAVE A MINIMUM WIDTH OF 165 FEET.
3. EACH LOT SHALL HAVE A MINIMUM DEPTH OF 175 FEET.
4. SETBACK REQUIREMENTS:
  - a. THE MINIMUM FRONT SETBACK IS 40 FEET.
  - b. THE MINIMUM SIDE SETBACK IS 30 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.
  - c. THE MINIMUM REAR SETBACK IS 30 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.
5. The main building and all accessory buildings on a lot shall not occupy more than 20 percent of the net lot area, except if all structures are less than 20 feet and one story in height then a maximum of 30-40 percent lot coverage is allowed.
6. No building shall exceed the height of two stories, not to exceed thirty feet, and no dwelling shall be erected to a height of less than one story.
7. ~~Yards for a~~Accessory ~~d~~Dwelling ~~u~~Units and other accessory structures ~~shall be provided in accordance with the provisions~~ ARE SUBJECT TO THE ADDITIONAL DEVELOPMENT REGULATIONS of Section 706.
8. OPEN ~~P~~rojections into the required side yards, per the provisions of Section 701.a.3.a (1)(b), are not permitted.

\*\*\*

**Amend Chapter 6, Section 606 (Residential Estate RE-24 District—One-Family Residence) to read as follows:**

**Section 606. Residential Estate RE-24 District—One-Family Residence.**

The provisions of this section shall apply only to land zoned RE-24 prior to September 13, 1981.

The RE-24, One Family Residence District, is a district of single-family homes designed to maintain, protect and preserve a character of development on lots with a minimum area of 24,000 square feet and with not more than one dwelling unit and customary accessory buildings upon one lot.

**A. Permitted Uses.**

1. *Dwelling Units.* Each lot may have the following:
  - a. One primary dwelling unit.

- b. ~~One~~ TWO accessory dwelling units. A THIRD ADU IS PERMITTED ONLY WHEN AT LEAST ONE ADU QUALIFIES AS AFFORDABLE HOUSING AND THE NET LOT SIZE IS A MINIMUM OF 43,560 SQUARE FEET.
- c. Model homes are permitted subject to the provisions of Section 608.E.19.

\*\*\*

5. ~~RESERVED. Model homes and/or subdivision sales offices when located in model homes subject to approval of the Planning and Development Department, and subject to the following conditions:~~

- a. ~~Such model home and/or subdivision sales offices shall be located in a subdivision which is owned by or held in trust for the subdivision developer proposing to erect the model homes and/or proposing to operate the sales office.~~
- b. ~~Subdivision sales offices and/or model homes shall be permitted for a period not to exceed 36 months from the date of approval for the sales offices and/or model homes.~~
- c. ~~The time limit allowed in Section 606.A.5.b for an additional 36 months shall be extended only upon securing a use permit.~~
- d. ~~The subdivision sales office shall be removed and the model homes shall be discontinued as model homes on or before the termination date set forth in Section 606.A.5.b or upon expiration of the extension granted by the Zoning Administrator pursuant to Section 606.A.5.c, or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever occurs first. Notwithstanding these provisions, the model home complex shall, subject to obtaining a use permit in accordance with the provisions of Section 307, be able to be used as off-site models after sale of 75 percent of the lots in the subdivision; provided, that the model home complex is within four hundred feet of an arterial or collector street and that the use as off-site models shall not exceed, in combination with the use as on-site models, a total of 72 months.~~
- e. ~~For the purposes of Sections 606.A.5.a and d, the term "subdivision" shall mean all the land included within the preliminary plat submitted to Planning and Development Department.~~
- f. ~~Subdivision sales offices in buildings other than model homes may be permitted subject to the following standards to be reviewed and approved by the Planning and Development Department:~~

(1) ~~One trailer per subdivision;~~



~~(2) Trailer shall be removed upon occupancy of first model home or within six months of approval (whichever occurs first);~~

~~(3) Signs shall not exceed six square feet;~~

~~(4) Subject to all provisions listed in Section 606.A.1.~~

~~g. More than one model home complex in a subdivision shall be permitted subject to the above standards and the following standards:~~

~~(1) A maximum of either six percent of the lots in the development or two lots, whichever is greater, may be used for model homes.~~

~~(2) The model home complexes shall be within four hundred feet of an arterial or collector street.~~

~~(3) Temporary street closures and temporary fences over the public right-of-way shall be approved by the Street Transportation Department.~~

~~(4) Off street parking and circulation shall be dustproofed.~~

~~(5) Lighting shall be limited to security lighting of the model home complex.~~

~~If these standards cannot be met, the additional model home complex shall be subject to obtaining a use permit in accordance with the provisions of Section 307.~~

~~\*\*\*~~

**B. Yard, height and area requirements.** Except as required by Section 710, the following yard, height, and area provisions shall be required for this district.

- ~~1. There shall be a lot area of not less than 24,000 square feet. No lot shall hereafter be subdivided to provide less than 24,000 thousand square feet of lot area nor to have a width of less than 130 feet nor a lot depth of less than 120 feet.~~

2. ~~There shall be a front yard having a depth not less than that established by an existing main building on the nearest lot within one hundred feet, provided, however, that on a lot between two lots each within one hundred feet, which lots have established front yards, then the minimum front yard shall be that established by a line joining the nearest front corner of the main building on one lot and the nearest front corner of the main building on the other lot. Nothing in this section shall require that a front yard be more than forty feet in depth nor to permit a front yard of less than feet thirty in depth. On a lot that is not within one hundred feet of a lot with an established front yard, the front yard shall be not less than thirty feet.~~

~~In a tract development, construction of which is substantially contemporaneous, the above rules shall not apply at the discretion of the builder providing he follows an approved lot plan of the tract development and providing the front yards of all lots be not less than thirty feet.~~

3. ~~There shall be two side yards which shall have the following minimum widths:~~

- a. ~~Fifteen feet on the street side of a corner lot.~~
- b. ~~Ten feet on an interior side yard.~~

4. ~~There shall be a rear yard having a depth of not less than thirty feet, which depth may be measured from the centerline of an existing sixteen-foot or wider rear alley or from what would be the centerline of a full sixteen-foot or wider rear alley where only a one-half or partial alley exists.~~

1. EACH LOT SHALL HAVE A NET AREA OF NOT LESS THAN 24,000 SQUARE FEET.

2. EACH LOT SHALL HAVE A MINIMUM WIDTH OF 130 FEET.

3. EACH LOT SHALL HAVE A MINIMUM DEPTH OF 120 FEET.

4. **SETBACK REQUIREMENTS:**

- a. THE MINIMUM FRONT SETBACK IS 30 FEET.

- b. THE MINIMUM STREET SIDE SETBACK IS 15 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

- c. THE MINIMUM INTERIOR SIDE SETBACK IS 10 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

- d. THE MINIMUM REAR SETBACK IS 20 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

5. The main building and all accessory buildings on a lot shall not occupy more than 25 percent of the net lot area, except if all structures are less than 20 feet and one story in height then a maximum of 30-40 percent lot coverage is allowed.
6. No building shall exceed the height of two stories, not to exceed thirty feet, and no dwelling structure shall be erected to a height of less than one story.
7. ~~Yards for a~~Accessory ~~d~~Dwelling ~~u~~Units and other accessory structures ~~shall be provided in accordance with the provisions~~ ARE SUBJECT TO THE ADDITIONAL DEVELOPMENT REGULATIONS of Section 706.
8. OPEN ~~P~~projections into the required side yards, per the provisions of section 701.A.3.a(1)(b), are not permitted.

\*\*\*

**Amend Chapter 6, Section 607 (Residential R1-14 District—One-Family Residence) to read as follows:**

**Section 607. Residential R1-14 District—One-Family Residence.**

The provisions of this section shall apply only to land zoned R1-14 prior to September 13, 1981.

The R1-14, One-Family ~~Resident~~-RESIDENCE District, is a district of single-family homes designed to maintain, protect, and preserve a character of development on lots with minimum area of 14,000 square feet and with not more than one dwelling unit and customary accessory building upon one lot. Dwelling groups shall also be allowed in the districts on certain lots of excessive size, then developed consistent with the character of adjacent residential uses in the district.

\*\*\*

**B. Yard, height and area requirements.** Except as required by Section 710, the following yard, height, and area provisions shall be required for this district.

1. ~~There shall be a lot area of not less than 14,000 square feet. No lot shall hereafter be subdivided to provide less than 14,000 thousand square feet of lot area nor to have a width of less than 110 feet nor a lot depth of less than 120 feet.~~
2. ~~Front yard requirements shall be the same as for RE-24.~~
3. ~~Side yard requirements shall be the same as for RE-24.~~
4. ~~Rear yard requirements shall be the same as for RE-24.~~

1. EACH LOT SHALL HAVE A NET AREA OF NOT LESS THAN 14,000 SQUARE FEET.
2. EACH LOT SHALL HAVE A MINIMUM WIDTH OF 110 FEET.
3. EACH LOT SHALL HAVE A MINIMUM DEPTH OF 120 FEET.
4. SETBACK REQUIREMENTS:
  - a. THE MINIMUM FRONT SETBACK IS 30 FEET.
  - b. THE MINIMUM STREET SIDE SETBACK IS 15 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.
  - c. THE MINIMUM INTERIOR SIDE SETBACK IS 10 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.
  - d. THE MINIMUM REAR SETBACK IS 20 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.
5. The main building and all accessory buildings on a lot shall not occupy more than 25 percent of the net lot area, except if all structures are less than 20 feet and one story in height then a maximum of 30-40 percent lot coverage is allowed.
6. No building shall exceed the height of two stories, not to exceed thirty feet, and no dwelling structure shall be erected to a height of less than one story.
7. ~~Yards for a~~Accessory ~~d~~Dwelling ~~u~~Units and other accessory structures ~~shall be provided in accordance with the provisions~~ ARE SUBJECT TO THE ADDITIONAL DEVELOPMENT REGULATIONS of Section 706.
8. OPEN ~~P~~projections into the required side yards, per the provisions of section 701.A.3.a(1)(b), are not permitted.

\*\*\*

**Amend Chapter 6, Section 608 (Residential Districts) to read as follows:**

**Section 608. Residential Districts.**

\*\*\*

**E. Land Use Conditions.**

1. **Single-Family Detached Dwelling Unit.** Each single-family lot is permitted one single-family detached primary dwelling unit and no additional dwelling units, unless otherwise permitted elsewhere in this section.

2. **Accessory Dwelling Unit (ADU).**

- a. ~~Each single-family detached lot is permitted one accessory dwelling unit in addition to the primary dwelling unit, except that lots having a duplex or triplex may not have an ADU.~~  
 WHEN A LOT HAS NO MORE THAN ONE SINGLE-FAMILY DETACHED PRIMARY DWELLING, TWO ADUS ARE PERMITTED IN ADDITION TO THE PRIMARY DWELLING UNIT. A THIRD ADU MAY BE PERMITTED WHEN AT LEAST ONE OF THE ADUS QUALIFIES AS AFFORDABLE HOUSING, AND THE NET LOT SIZE IS A MINIMUM 43,560 SQUARE FEET. HOWEVER, LOTS HAVING A DUPLEX OR TRIPLEX, SINGLE-FAMILY ATTACHED UNITS, OR ANY MULTI-FAMILY DWELLING UNITS ARE NOT PERMITTED ANY ADUS.
- b. An ADU is subject to the development regulations of Section 706.A.

\*\*\*

**Amend Chapter 6, Section 609 (RE-35 Single-Family Residence District) to read as follows:**

**Section 609. RE-35 Single-Family Residence District**

\*\*\*

<b>TABLE 609.A RE-35 Development Options</b>			
<b>Standards</b>	<b>(a) Subdivision</b>	<b>(b) Average Lot</b>	<b>(c) Planned Residential Development</b>
***	***	***	***
Lot coverage	25%, except if all structures are less than 20' and 1 story in height then a maximum of 30-40% lot coverage is allowed.	30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%	30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%
***	***	***	***

\*\*\*

**Amend Chapter 7, Section 701.A.3 (Projections) to read as follows:**

\*\*\*

**A. Lots.**

\*\*\*

**3. Projections.**

- a. The following provisions apply to development in Sections 604 through 607 and Section 619 and in the subdivision option of Sections 609 through 618:

\*\*\*

(2) Closed Projections.

\*\*\*

- (d) The main building (which may include an attached ADU) may project into the required rear OR SIDE yard, SUBJECT TO THE FOLLOWING: ~~when no portion of the projection exceeds 15 feet in height; the projection is no closer to the rear property line than three feet, and the projection is no closer to a side property line than allowed by the district; unless a use permit is obtained in accordance with the provisions of Section 307.~~

- (i) THE PROJECTION IS NO CLOSER TO A SIDE PROPERTY LINE THAN FIVE FEET;
- (ii) THE PROJECTION IS NO CLOSER TO A REAR PROPERTY LINE THAN THREE FEET; AND
- (iii) THE PROJECTION DOES NOT EXCEED 15 FEET IN HEIGHT, UNLESS GREATER HEIGHT IS PERMITTED BY OBTAINING A USE PERMIT PER SECTION 307.

\*\*\*

**Amend Chapter 7, Section 703.B (Landscaping and Open Areas In Multiple-Family Development) to read as follows:**

\*\*\*

- B. 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 subject to residential district standards with ~~four~~ FIVE or more dwelling units.

\*\*\*

**Amend Chapter 7, Section 706 (Accessory Uses and Structures) to revise language regarding Accessory Dwelling Units, as follows:**

**Section 706. Accessory Uses and Structures.**

**A. Accessory Dwelling Units (ADU)**

1. ~~In zoning districts where accessory dwelling units are a permitted use, one ADU is permitted per lot when a single family detached primary dwelling unit is also provided, unless otherwise permitted by the zoning district.~~ THIS SECTION APPLIES TO ACCESSORY DWELLING UNITS WHEN A LOT HAVING NO MORE THAN ONE SINGLE-FAMILY DWELLING UNIT IS PERMITTED ONE OR MORE ADUS PER THE UNDERLYING ZONING DISTRICT.
2. ~~An ADU is not permitted on a lot with a single family attached dwelling unit, a duplex, triplex, or multifamily dwelling units, unless otherwise permitted by the zoning district.~~ AN ADU MAY BE EITHER ATTACHED TO OR DETACHED FROM THE PRIMARY DWELLING UNIT, SUBJECT TO THE FOLLOWING:
  - a. A MAXIMUM OF ONE ATTACHED ADU MAY BE PROVIDED PER LOT.
  - b. A MAXIMUM OF ONE DETACHED ADU MAY BE CONNECTED TO THE PRIMARY DWELLING UNIT BY A PORCH, DECK, COVERED PATIO, CARPORT, BREEZEWAY, OR SIMILAR.
3. ~~An ADUS may be either attached to or detached from the primary dwelling unit,~~ ARE subject to the following design guidelines:
  - a. An attached ADU shall be integrated into the design of the primary dwelling unit so that it appears to be part of one single family home, rather than a duplex. This guideline does not prohibit the provision of separate entry features. (P)
  - b. A detached ADU, when visible from adjacent streets, ~~shall be constructed with similar and/or complementary materials, design, and color(s) as the primary dwelling unit,~~ SHOULD HAVE A RESIDENTIAL APPEARANCE IN NATURE AND DESIGN, or as may be approved by Historic Preservation for HP zoned or designated properties. (P)

*Rationale:* ADUs are intended be subordinate to the primary single-family home and should visually appear as such. ~~An ADU which looks like a second duplex unit, or a second detached primary dwelling unit, does not meet this intent.~~ MATERIALS MORE COMMONLY ASSOCIATED WITH COMMERCIAL STRUCTURES SHOULD BE AVOIDED. HOWEVER, THESE DESIGN GUIDELINES DO NOT REQUIRE THAT AN ADU MATCHES THE EXTERIOR DESIGN, ROOF PITCH, OR FINISHING MATERIALS OF THE PRIMARY DWELLING UNIT.

4. A detached ADU ~~may be located within the required rear yard,~~ IS subject to the following:
  - a. A DETACHED ADU MAY BE LOCATED WITHIN THE REQUIRED REAR OR SIDE YARD(S), AND/OR WITHIN A REQUIRED ON-LOT PERIMETER SETBACK WHICH IS NOT ALSO THE FRONT YARD.
  - a. b. Setbacks.
    - (1) Minimum ~~ten~~-FIVE feet from a street side property line.

- (2) Minimum three feet from an interior SIDE OR REAR property line.
- (3) No setback is required adjacent to a fully dedicated alley.
- (4) FRONT SETBACKS APPLY AS STATED FOR THE ZONING DISTRICT.

~~b. c.~~ PERMITTED Height. ~~Maximum 15 feet unless use permit approval for a greater height is obtained per Section 307.~~

- (1) WHEN LOCATED WITHIN THE REQUIRED REAR OR SIDE YARDS: MAXIMUM 15 FEET, UNLESS USE PERMIT APPROVAL FOR A GREATER HEIGHT IS OBTAINED PER SECTION 307.
- (2) WHEN NOT LOCATED WITHIN ANY REQUIRED YARD: THE SAME HEIGHT AS PERMITTED FOR THE PRIMARY DWELLING UNIT.

~~5.~~ A detached ADU not located within the required rear yard and compliant with the same setbacks required for the primary dwelling unit is subject to the same height regulations as the primary dwelling unit.

~~6.~~ 5. WHEN IN COMPLIANCE WITH THE MINIMUM REQUIRED FRONT SETBACK, ~~A~~ detached ADU may not be located between the primary dwelling unit and the front property line unless use permit approval is obtained per Section 307.

~~7.~~ 6. An attached ADU shall comply with same height regulations and setbacks (including permitted projections per Section 701.A.3) required for the primary dwelling unit.

~~8.~~ 7. AnY ADU shall comply with the lot coverage requirements applicable to the property.

~~9.~~ 8. AnY ADU shall not have a gross floor area which exceeds 75% of the gross floor area of the primary dwelling unit, and:

- a. For lots up to 10,000 square feet in net area: 1,000 square feet.
- b. For lots over 10,000 square feet in net area: the lesser of 3,000 square feet or 10% of the net lot area.

For the purposes of these calculations, any garage, ATTACHED SHADE STRUCTURE, or attached carport constructed as part of a detached ADU shall NOT count toward the gross floor area of the ADU. ~~Any attached shade structures shall count towards lot coverage, but not gross floor area.~~

~~10.~~ Notwithstanding any other provision, using the ADU for an activity requiring a permit under Chapter 10, Article XVI of the City Code is prohibited.



B. **Single-Family Residential Accessory Structures.** The following regulations apply to accessory structures which are not accessory dwelling units, and located on lots having only single-family residential uses:

1. Accessory structures are not permitted within the required front yard. Accessory structures located behind the required front setback but between the primary dwelling unit and the front property line are not permitted unless use permit approval is obtained per Section 307.

2. SETBACKS.

a. MINIMUM THREE FEET FROM A SIDE OR REAR PROPERTY LINE.

b. NO SETBACK IS REQUIRED ADJACENT TO A FULLY DEDICATED ALLEY, UNLESS NEEDED FOR REQUIRED VEHICULAR MANUEVERING.

~~2-3.~~ Permitted Heights.

a. WHEN LOCATED WITHIN A REQUIRED REAR OR SIDE YARD, A ~~M~~maximum height of eight feet IS PERMITTED when located ~~within ten~~ LESS THAN FIVE feet ~~of~~ FROM a street side property line, AND A MAXIMUM HEIGHT OF ~~or~~ 15 feet IS PERMITTED when located FIVE FEET OR MORE FROM A STREET SIDE PROPERTY LINE ~~elsewhere~~ ~~within the required rear or side yard.~~

b. Heights in excess of 15 feet, when ~~not~~ located ~~within ten~~ FIVE feet ~~of~~ OR MORE FROM a street side property line, may be approved through a use permit obtained per Section 307.

c. An accessory structure not located within the required rear or side yard and compliant with the same setbacks required for the primary dwelling unit is subject to the same height regulations as the primary dwelling unit.

~~3.~~ ~~Setbacks. Accessory structures shall maintain a minimum setback of three feet adjacent to a rear or side property line, except that no setback is required adjacent to a fully dedicated alley.~~

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# ATTACHMENT E

## REPORT OF PLANNING COMMISSION ACTION October 10, 2024

ITEM NO: 2	
	DISTRICT NOS.: 4, 7, and 8
SUBJECT:	
Application #:	Z-TA-5-22-4-7-8
Proposal:	Amend the following sections of the Phoenix Zoning Ordinance, as follows: 1. Revise and clarify provisions in Chapters 2, 3, 5, 6, and 7 regarding definitions; variance and Design Review appeal processes, and to address how other sections interact with Chapter 12(Downtown Code): Section 201 (Rules of Construction), Section 202 (Definitions), Section 307.A (Authority and duties of the Zoning Administrator), Section 507 (Development Review Approval), Section 669 (Arts, Culture, and Small Business Overlay District), Section 702 (Off-Street Parking and Loading), and Section 703 (Landscaping, Fences and Walls). 2. Add a new Section 312 to Chapter 3 to create the Technical Appeals Committee. 3. Repeal and replace Chapter 12 (Downtown Code) with revised and clarified text.
Applicant:	City of Phoenix, Planning Commission
Representative:	City of Phoenix, Planning and Development Department

### **ACTIONS:**

Staff Recommendation: Approval, as shown in the proposed text in Exhibits A and B of the Addendum A Staff Report.

Village Planning Committee (VPC) Recommendation:

**Encanto** 8/5/2024 Information only.

**Central City** 8/12/2024 Information only.

**Encanto** 9/9/2024 Approval, per the staff recommendation. Vote: 9-1.

**Central City** 9/9/2024 Approval, per the staff recommendation. Vote: 12-0.

Planning Commission Recommendation: Continued to the November 7, 2024 Planning Commission Hearing, without fee.

### Motion Discussion:

Commissioner Boyd made a MOTION to approve Z-TA-5-22-4-7-8, per the staff recommendation in the Addendum A Staff Report.

Commissioner Gorraiz seconded the motion.

Commissioner Boyd made a MOTION to amend the motion to include the deletion and replacement of page 41, the Land Use Matrix, regarding drive-throughs to not be permitted in the Commercial Corridor and McDowell Corridor.

Commissioned Hu seconded the motion.

Chairman Gaynor initiated a roll-call vote.

The motion failed with a vote of 2-5 (Boyd, Hu) (Busching and James absent).

There was discussion about the legality of updating land uses due to possible Proposition 207 diminution in property value claims and that the intent of the text amendment was not to update uses, so there was a legal advertising issue.

Commissioner Matthews made a MOTION to continue Z-TA-5-22-4-7-8 to the November 7, 2024 Planning Commission hearing and to have an executive session on the item.

Commissioner Jaramillo seconded the motion.

Chairman Gaynor initiated a roll-call vote.

The motion passed with a vote of 4-3 (Gorraiz, Read, Gaynor) (Busching and James absent).

Motion details: Commissioner Matthews made a MOTION to continue Z-TA-5-22-4-7-8 to the November 7, 2024 Planning Commission Hearing, and to have an executive session on the item.

Maker: Matthews  
Second: Jaramillo  
Vote: 4-3 (Gorraiz, Read, Gaynor)  
Absent: Busching, James  
Opposition Present: No

Findings: The application was continued to the November 7, 2024 Planning Commission Hearing to allow for an executive session on the item.

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