



Agenda

City Council Formal Meeting

Wednesday, September 6, 2023

2:30 PM

phoenix.gov

*****REVISED SEPT. 5, 2023*****

Items Requested to be Withdrawn: 14 and 63

OPTIONS TO ACCESS THIS MEETING

Virtual Request to speak at a meeting:

- **Register online** by visiting the City Council Meetings page on phoenix.gov **at least 2 hours prior to the start of this meeting.** Then, click on this link at the time of the meeting and join the Webex to speak:
<https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=e4e2d4dd12f87d8a4074e4a15d2798785>

- **Register via telephone** at 602-262-6001 **at least 2 hours prior to the start of this meeting.** noting the item number. Then, use the Call-in phone number and Meeting ID listed below at the time of the meeting to call-in and speak.

In-Person Requests to speak at a meeting:

- Register in person at a kiosk located at the City Council Chambers, 200 W. Jefferson St., Phoenix, Arizona, 85003. Arrive **1 hour prior to the start of this meeting.** Depending on seating availability, residents will attend and speak from the Upper Chambers, Lower Chambers or City Hall location.

- Individuals should arrive early, 1 hour prior to the start of the meeting to submit an in-person request to speak before the item is called. After the item is called, requests to speak for that item will not be accepted.

At the time of the meeting:

- **Watch** the meeting live streamed on phoenix.gov or Phoenix Channel 11 on Cox Cable, or using the Webex link provided above.

- **Call-in** to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 2559 530 3222# (for English) or 2553 411 7142# (for Spanish). Press # again when prompted for attendee ID.

- **Watch** the meeting in-person from the Upper Chambers, Lower Chambers or City Hall depending on seating availability.

Para nuestros residentes de habla hispana:

- **Para registrarse para hablar en español**, llame al 602-262-6001 **al menos 2 horas antes del inicio de esta reunión** e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 2553 411 7142#. El intérprete le indicará cuando sea su turno de hablar.

- **Para solamente escuchar la reunión en español**, llame a este mismo número el día de la reunión (602-666-0783; ingrese el número de identificación de la reunión 2553 411 7142#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

- **Para asistir a la reunión en persona**, vaya a las Cámaras del Concejo Municipal de Phoenix ubicadas en 200 W. Jefferson Street, Phoenix, AZ 85003. Llegue 1 hora antes del comienzo de la reunión. Si desea hablar, regístrese electrónicamente en uno de los quioscos, antes de que comience el tema. Una vez que se comience a discutir el tema, no se aceptarán nuevas solicitudes para hablar. Dependiendo de cuantos asientos haya disponibles, usted podría ser sentado en la parte superior de las cámaras, en el piso de abajo de las cámaras, o en el edificio municipal.

CALL TO ORDER AND ROLL CALL**BOARDS AND COMMISSIONS**

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LIQUOR LICENSES, BINGO, AND OFF-TRACK BETTING LICENSE APPLICATIONS

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| 3 | Liquor License - The Mighty Axe | District 2 - Page 17 |
| 4 | Liquor License - Special Event - Xavier College Preparatory Roman Catholic High School | District 4 - Page 21 |
| 5 | Liquor License - Rott N' Grapes | District 4 - Page 22 |
| 6 | Liquor License - Special Event - Greek Orthodox Church - Holy Trinity | District 6 - Page 27 |
| 7 | Liquor License - CK's Tavern & Grill | District 6 - Page 28 |
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60	Amend City Code - Official Supplementary Zoning Map 1250 (Ordinance G-7150)	District 5 - Page 144
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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS**000 CITIZEN COMMENTS****ADJOURN**



City of Phoenix

City Council Formal Meeting

Report

Agenda Date: 9/6/2023, Item No. 1

Mayor and Council Appointments to Boards and Commissions

Summary

This item transmits recommendations from the Mayor and Council for appointment or reappointment to City Boards and Commissions.

Responsible Department

This item is submitted by the Mayor's Office.

ATTACHMENT A



City of Phoenix

To: City Council
From: Mayor Kate Gallego

Date: September 6, 2023

Subject: BOARDS AND COMMISSIONS – APPOINTEES

The purpose of this memo is to provide recommendations for appointments to the following Boards and Commissions:

Development Advisory Board

I recommend the following for appointment:

Jennifer Weskahnies

Ms. Weskahnies is an Architect at ADM Group, and a resident of District 6. She replaces Cassandra Lemon as a Design Professionals Representative for a term to expire September 6, 2026.

Phoenix Women's Commission

I recommend the following for appointment as Chair:

Heather Ross

Dr. Ross is an Assistant Professor at Arizona State University, and a resident of District 3. She will serve a term as Chair to expire September 6, 2024.



Liquor License - Habanero Fresh Mexican Grill

Request for a liquor license. Arizona State License Application #250596.

Summary

Applicant

Miguel Navarro, Agent

License Type

Series 12 - Restaurant

Location

701 W. Deer Valley Road, Ste. A4

Zoning Classification: A-1 DVAO

Council District: 1

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is Sept. 17, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"The restaurant has been open for 15 years. I believe my staff and I have the knowledge and experience to hold a liquor license for my restaurant."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"The restaurant is family owned. With that being said we are all responsible and hard working individuals. We have lots of loyal returning customers as well as new ones that would appreciate having a drink at our friendly restaurant."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Habanero Fresh Mexican Grill

Liquor License Map - Habanero Fresh Mexican Grill

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: HABANERO FRESH MEXICAN GRILL

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	0
Microbrewery	3	1	1
Bar	6	1	0
Liquor Store	9	1	0
Beer and Wine Store	10	3	1
Restaurant	12	4	2
Craft Distiller	18	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	61.49	22.74	21.33
Violent Crimes	11.79	2.14	0.74

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

Property Violation Data

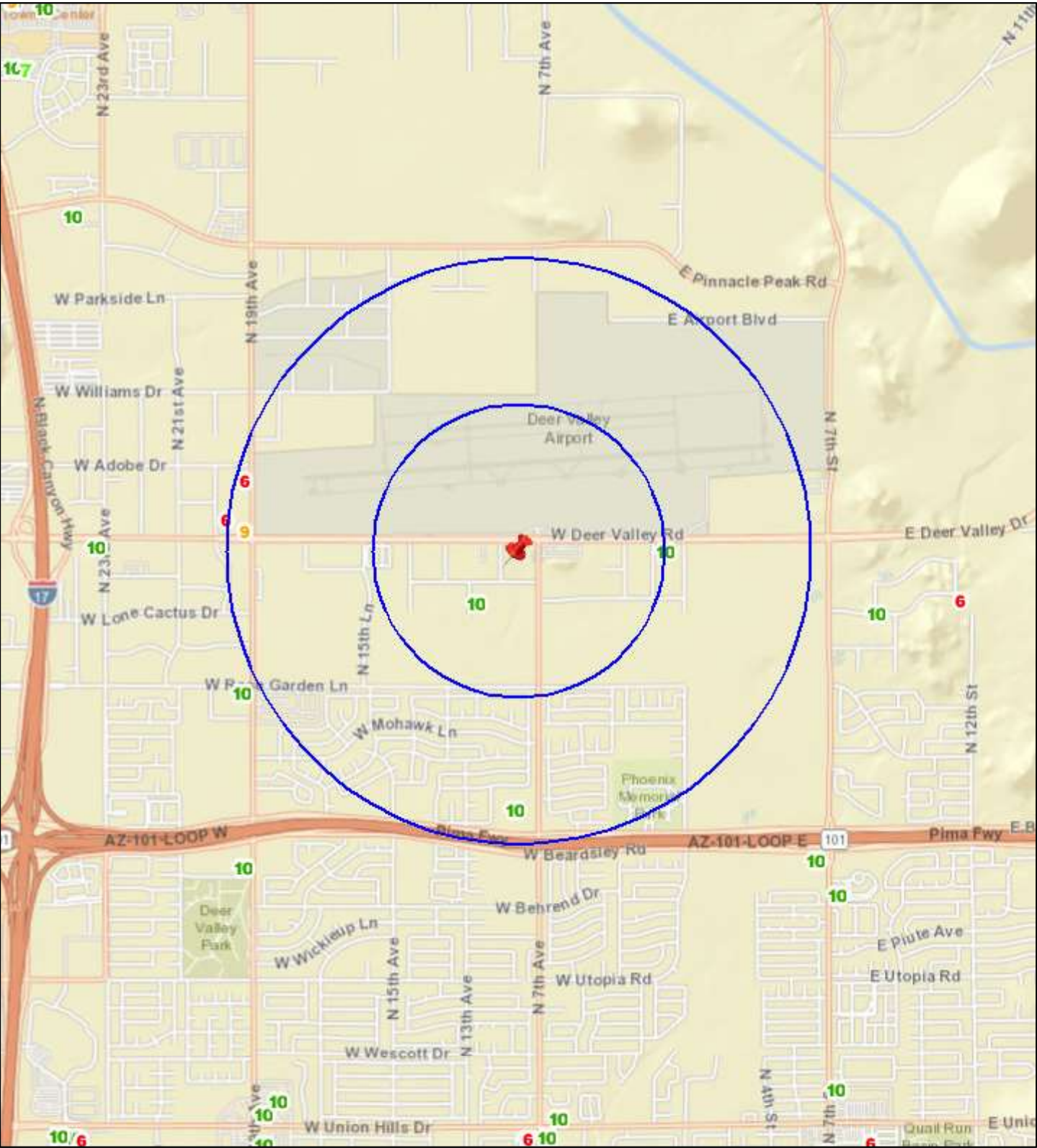
Description	Average	1/2 Mile Average
Parcels w/Violations	49	5
Total Violations	86	6

Census 2010 Data 1/2 Mile Radius

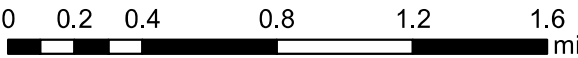
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6147001	287	86	29	31
6148002	1944	69	0	7
6148003	1319	64	3	27
Average	0	61	13	19

Liquor License Map: HABANERO FRESH MEXICAN GRILL

701 W DEER VALLEY RD



Date: 7/21/2023





Liquor License - The Mighty Axe

Request for a liquor license. Arizona State License Application 06070355.

Summary

Applicant

Amy Nations, Agent

License Type

Series 6 - Bar

Location

5410 E. High St., Ste. 102

Zoning Classification: C-2 DRSP

Council District: 2

This request is for an ownership and location transfer of a liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow a bar and outdoor recreation.

The 60-day limit for processing this application is Sept. 23, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of

Arizona.

Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Phoenix will be the third location for The Mighty Axe with two locations already open in California. The owner has many successful businesses he operates with and without liquor licenses. His employees will attend Arizona state certified liquor law training to ensure compliance with all liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Axe throwing has become a popular sport throughout the United States and will be the first in this north Phoenix area. It will be a great addition to the businesses already open on High Street. The Mighty Axe will be a great place to meet friends for food, drinks, and fun. We will have safety procedures in place as well as safety attendants to ensure adherence to rules and procedures. We have leagues for ages 10 and up."

Staff Recommendation

Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments

Liquor License Data - The Mighty Axe

Liquor License Map - The Mighty Axe

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: THE MIGHTY AXE

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	10	7
Beer and Wine Bar	7	5	3
Liquor Store	9	3	3
Beer and Wine Store	10	5	3
Restaurant	12	33	26

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	61.49	44.34	33.97
Violent Crimes	11.79	2.65	2.76

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

Property Violation Data

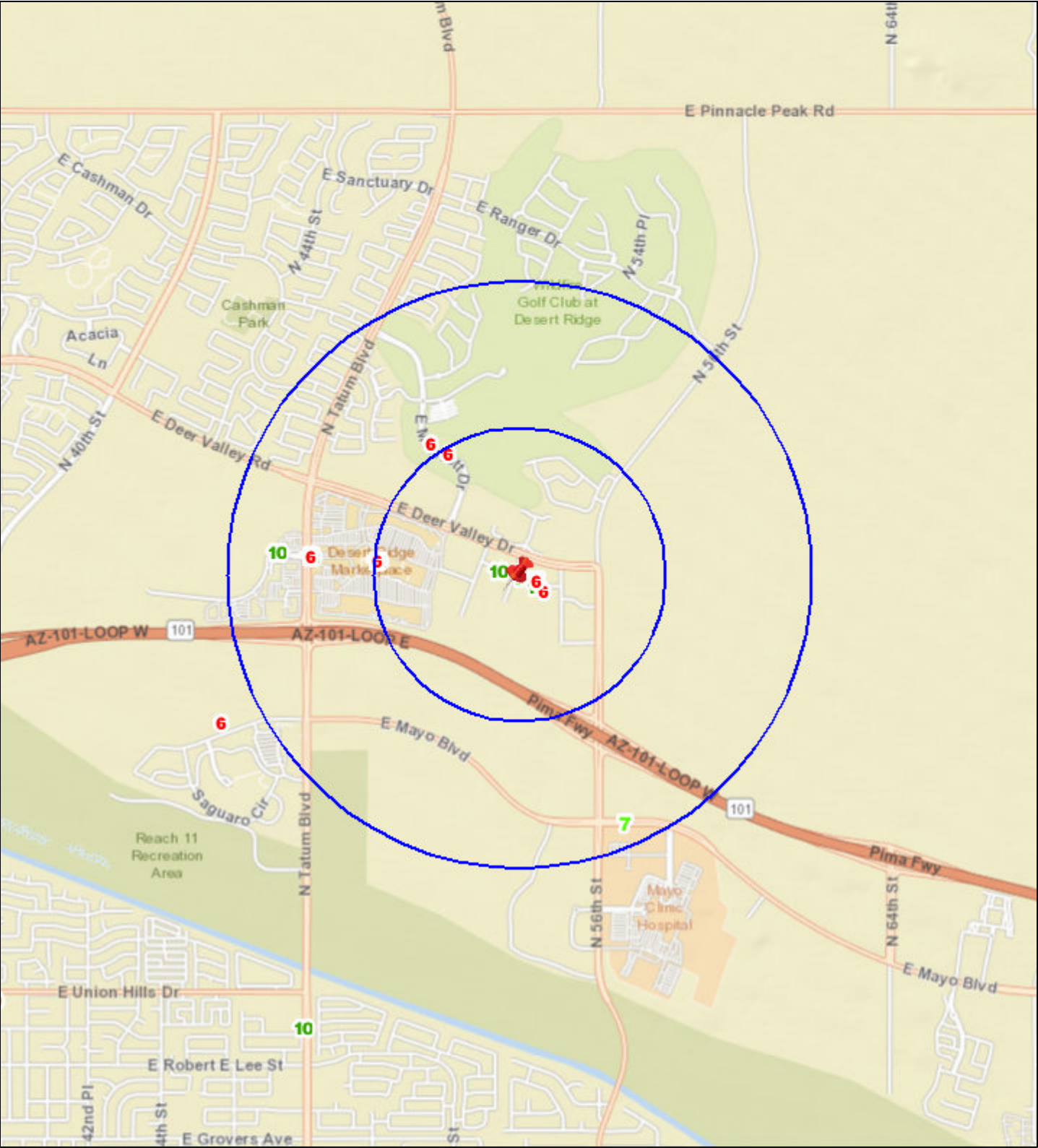
Description	Average	1/2 Mile Average
Parcels w/Violations	49	0
Total Violations	86	0

Census 2010 Data 1/2 Mile Radius

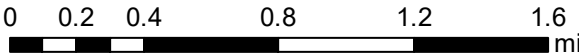
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6152001	1993	8	29	12
6152002	2127	70	10	4
Average	0	61	13	19

Liquor License Map: THE MIGHTY AXE

5410 E HIGH ST



Date: 7/28/2023





Report

Agenda Date: 9/6/2023, Item No. 4

Liquor License - Special Event - Xavier College Preparatory Roman Catholic High School

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant

Maria Sharon Murphy-Fontes

Location

4710 N. 5th St.

Council District: 4

Function

Dinner and Silent Auction

Date(s) - Time(s) / Expected Attendance

Oct. 14, 2023 - 5 p.m. to 11:55 p.m. / 500 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



Liquor License - Rott N' Grapes

Request for a liquor license. Arizona State License Application 07070412.

Summary

Applicant

Perry Huellmantel, Agent

License Type

Series 7 - Beer and Wine Bar

Location

4750 N. Central Ave., Ste. B-1

Zoning Classification: C-2 H-R TOD-1

Council District: 4

This request is for an ownership transfer of a liquor license for a beer and wine bar. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Sept. 19, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of

Arizona.

Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: "I currently serve as the agent on more than 140 licenses in the state of Arizona. Since I have been an agent on those licenses, I have not received a single citation for a violation of liquor laws. I ensure that all appropriate individuals have current liquor training and maintain strict standards to ensure all employees comply with state laws. As an agent, I have demonstrated that I have the capability, reliability and qualifications to hold a liquor license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"The public convenience requires and the best interest of the community will be substantially served by the issuance of the requested liquor license because it allows an existing establishment to continue serving the surrounding residents. This request is to transfer an existing liquor license at this same location to the new owners. Rott N' Grapes is a popular beer and wine bar that has been operating at this location since 2016. The previous owner sold the business and the liquor license to the new owners who are requesting this liquor license transfer request. Approving this request will allow the new owners to continue to operate this beer and wine bar and continue to serve existing and future patrons."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Rott N' Grapes

Liquor License Map - Rott N' Grapes

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: ROTT N' GRAPES

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	16	2
Beer and Wine Bar	7	11	10
Liquor Store	9	7	2
Beer and Wine Store	10	12	1
Restaurant	12	55	24

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	61.49	181.6	134.07
Violent Crimes	11.79	32.56	21.01

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

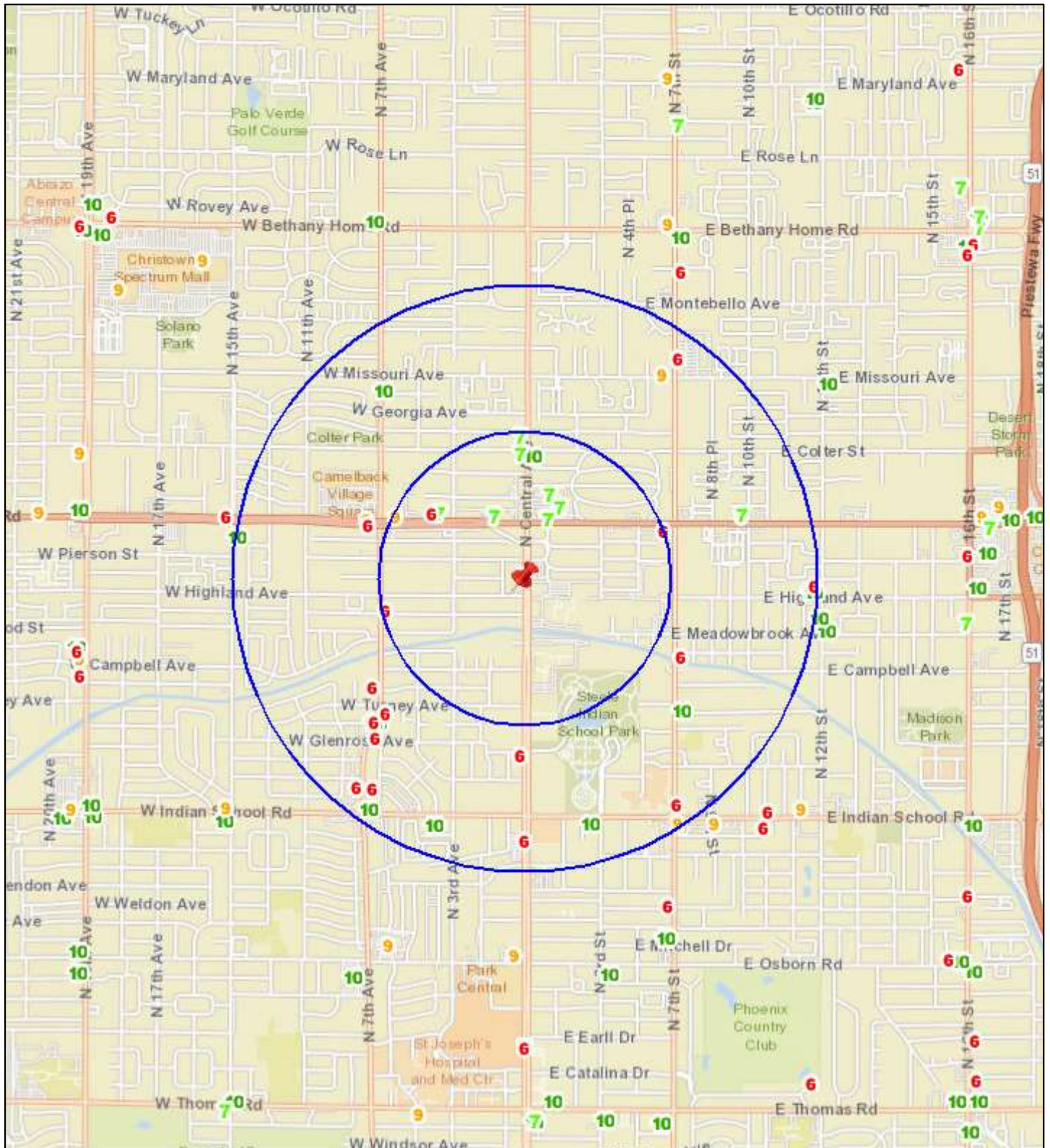
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	49	65
Total Violations	86	115

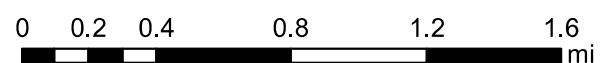
Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1075001	758	80	2	3
1075003	1599	46	15	14
1088021	1456	23	32	31
1088022	435	43	41	19
1089023	1072	28	3	47
1171001	2126	10	15	10
1171002	703	57	27	12
Average	0	61	13	19

4750 N CENTRAL AVE



Date: 7/24/2023





Liquor License - Special Event - Greek Orthodox Church - Holy Trinity

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant

Kalliopi Schneider

Location

1973 E. Maryland Ave.
Council District: 6

Function

Cultural Celebration

Date(s) - Time(s) / Expected Attendance

Oct. 6, 2023 - 5 p.m. to 10 p.m. / 3,000 attendees
Oct. 7, 2023 - 11 a.m. to 10 p.m. / 8,000 attendees
Oct. 8, 2023 - 11 a.m. to 8 p.m. / 4,000 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



Liquor License - CK's Tavern & Grill

Request for a liquor license. Arizona State License Application 251636.

Summary

Applicant

Amy Nations, Agent

License Type

Series 12 - Restaurant

Location

4142 E. Chandler Blvd., Ste. 105

Zoning Classification: C-2 PCD

Council District: 6

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is Sept. 22, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“The owners of Ck's Bar & Grill are experienced business owners and have operated this location since November 2021. All of their employees have attended state certified liquor law training.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

“This location has been a neighborhood favorite for many years. It has always had a liquor license. We would like to continue to offer the same great food, drinks, entertainment, and great people our neighbors have come to expect.”

Staff Recommendation

Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments

Liquor License Data - CK's Tavern & Grill

Liquor License Map - CK's Tavern & Grill

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: CK'S TAVERN & GRILL

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	2
Liquor Store	9	3	2
Beer and Wine Store	10	7	3
Restaurant	12	22	11

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	61.49	50.92	59.34
Violent Crimes	11.79	6.39	11.14

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

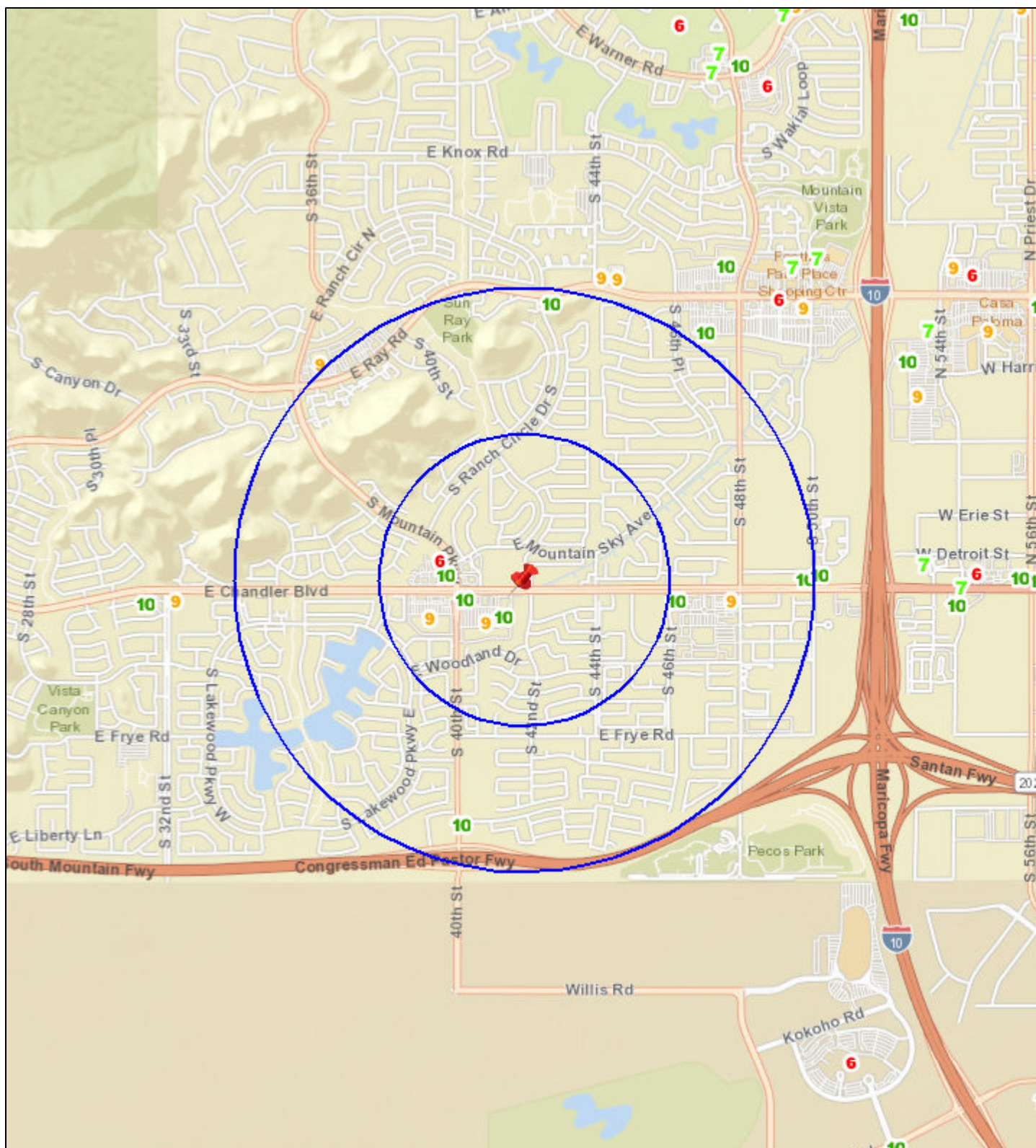
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	49	15
Total Violations	86	30

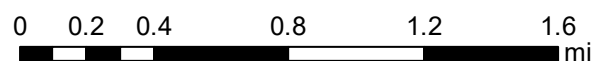
Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167121	2721	19	15	9
1167122	1832	76	0	3
1167131	589	64	51	42
1167133	1145	100	0	7
1167135	1106	54	0	2
1167191	1679	87	3	2
1167194	2185	77	0	4
1167202	1687	44	7	7
1167203	1430	34	7	5
1167212	1820	65	4	3
Average	0	61	13	19

4142 E CHANDLER BLVD



Date: 7/27/2023





Liquor License - Nello's

Request for a liquor license. Arizona State License Application 251978.

Summary

Applicant

Amy Nations, Agent

License Type

Series 12 - Restaurant

Location

4710 E. Warner Road, Ste. 10

Zoning Classification: C-1

Council District: 6

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining, and outdoor alcohol consumption.

The 60-day limit for processing this application is Sept. 22, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the

State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Nello's (Series 7)
4710 E. Warner Road, Ste. 10, Phoenix
Calls for police service: 18
Liquor license violations: None

Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"We train all of our employees in responsible liquor service. We also conduct regular audits to ensure compliance with liquor laws. The owners are current with their basic and management liquor law training and make sure to stay up to date. They own and operate other restaurants in Arizona and have for many years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"Nellos Ahwatukee opened in 1996. Customer loyalty is what helped Nellos long standing and continued success. The owners were longtime customers before they purchased the business and didn't want to see it changed. As longtime Arizona residents, the owners knew of the reputation Nellos has and have continued to be a part of it."

Staff Recommendation

Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments

Liquor License Data - Nello's
Liquor License Map - Nello's

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: NELLO'S

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	4	2
Beer and Wine Bar	7	6	3
Liquor Store	9	7	2
Beer and Wine Store	10	5	1
Hotel	11	1	0
Restaurant	12	24	5
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	61.49	70.59	85.45
Violent Crimes	11.79	7.03	12.31

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

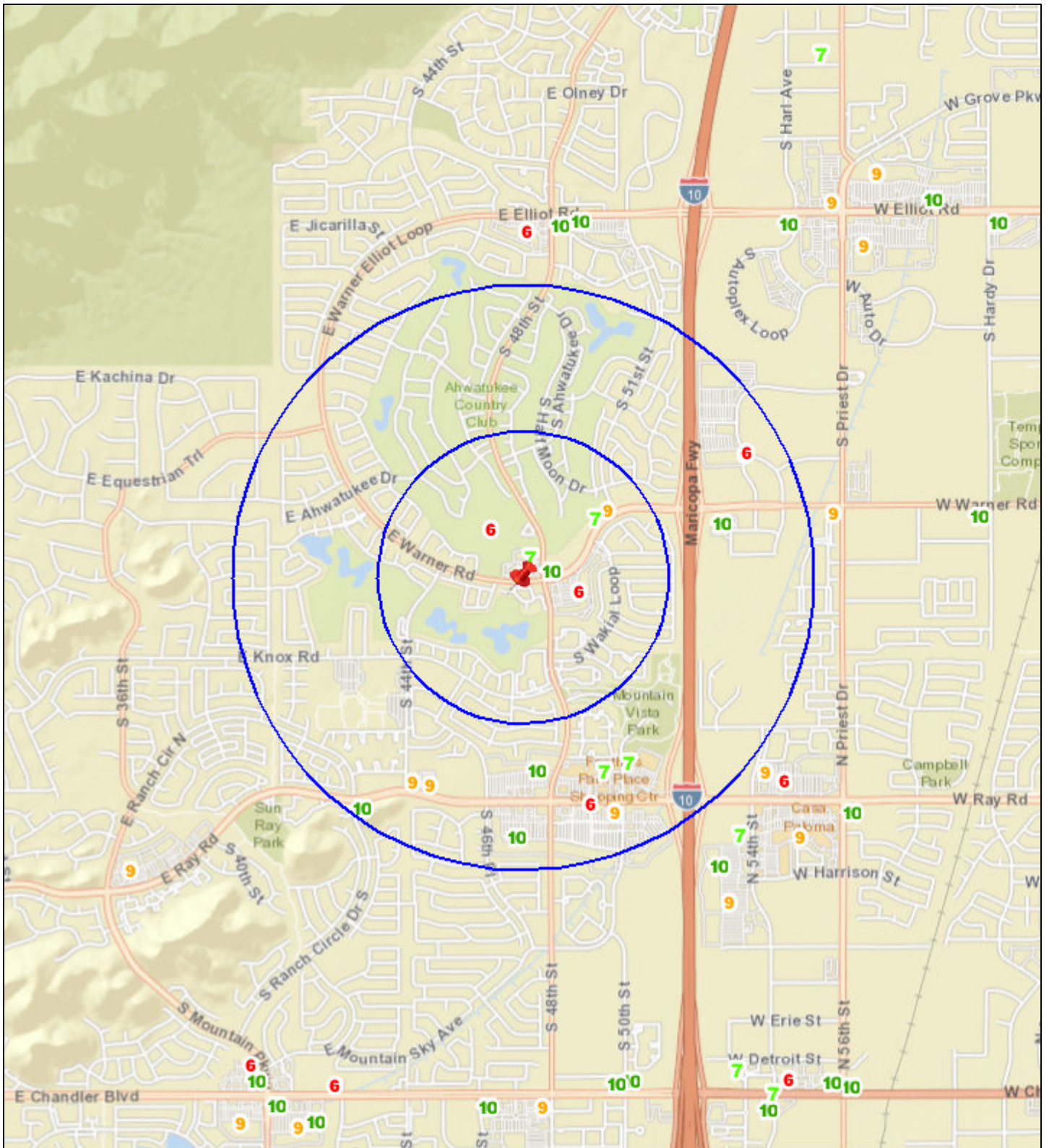
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	49	12
Total Violations	86	22

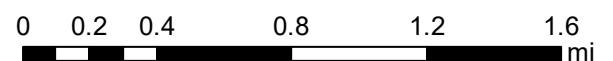
Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167081	1516	88	0	2
1167082	1243	52	3	17
1167083	1314	34	0	7
1167084	1551	93	10	2
1167111	758	80	4	15
1167112	1154	28	15	11
1167171	1769	0	25	11
1167172	1663	40	18	17
1167181	2685	40	10	9
Average	0	61	13	19

4710 E WARNER RD



Date: 7/27/2023





Liquor License - Sushi Michi

Request for a liquor license. Arizona State License Application #251980.

Summary

Applicant

Young Lee, Agent

License Type

Series 12 - Restaurant

Location

6025 N. 16th St.

Zoning Classification: C-2

Council District: 6

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Sept. 16, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“I have successfully completed all required training and certifications related to responsible alcohol service and safety. My previous experience in the food industry has provided me with a deep understanding of the legal and ethical responsibilities that come with serving alcohol to the public.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

“It will provide a responsible and regulated environment for alcohol service, ensuring safety, while also contributing positively to the local economy and social activities.”

Staff Recommendation

Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments

Liquor License Data - Sushi Michi

Liquor License Map - Sushi Michi

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: SUSHI MICH

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	3
Beer and Wine Bar	7	3	3
Liquor Store	9	2	0
Beer and Wine Store	10	7	2
Restaurant	12	20	11

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	62.21	81.87	87.26
Violent Crimes	11.92	9.47	11.25

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

Property Violation Data

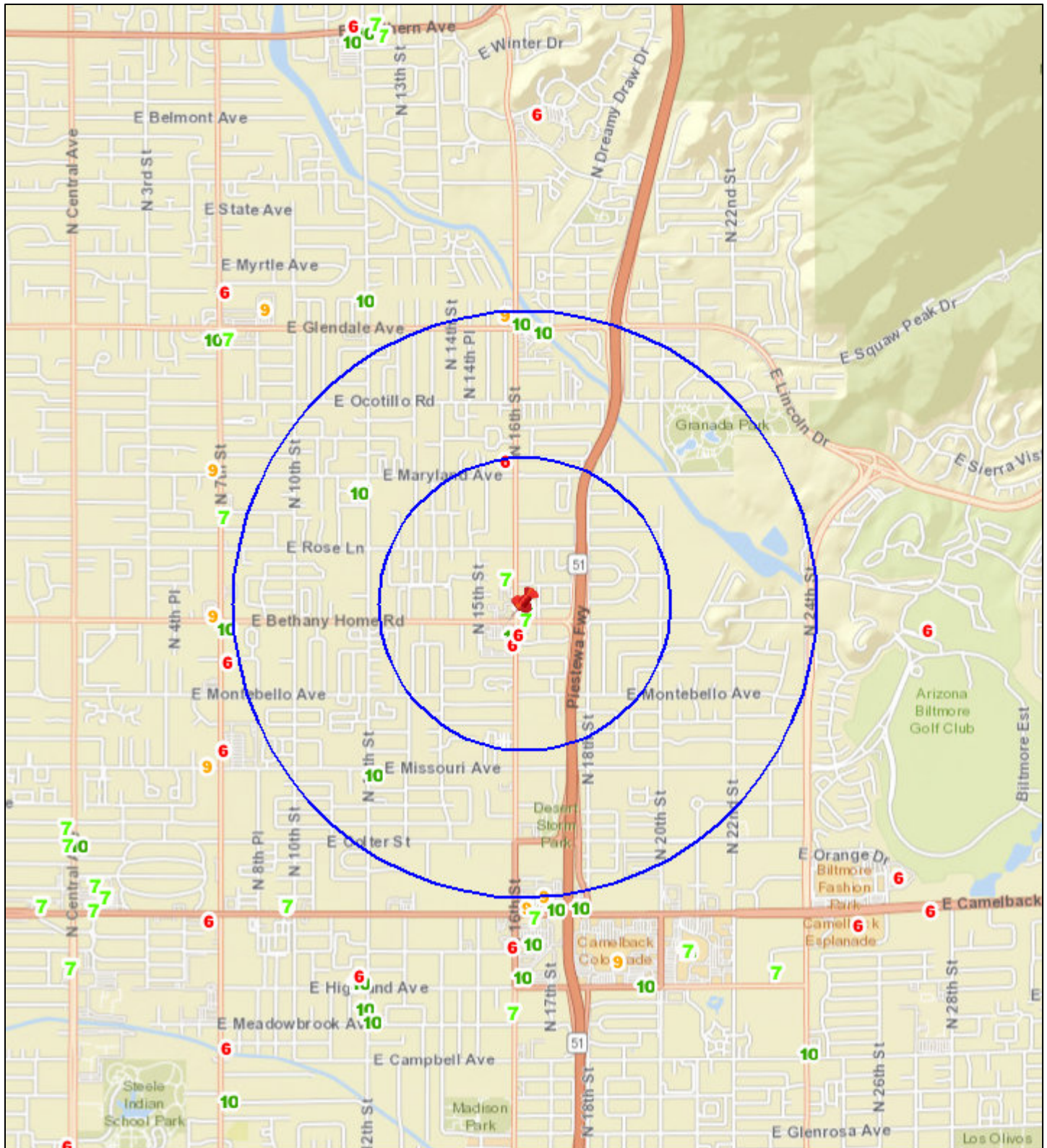
Description	Average	1/2 Mile Average
Parcels w/Violations	49	48
Total Violations	86	81

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1064001	715	84	23	9
1064002	2049	31	16	9
1065021	1383	30	18	43
1065022	1027	85	14	4
1065023	919	56	15	10
1076021	1311	82	0	6
1077001	1222	100	2	3
1077004	526	77	27	21
Average	0	61	13	19

Liquor License Map: SUSHI MICHI

6025 N 16TH ST



Date: 8/11/2023



0 0.2 0.4 0.8 1.2 1.6 mi



Liquor License - Arizona Mutual Trading, LLC

Request for a liquor license. Arizona State License Application 247974.

Summary

Applicant

Harry Kang, Agent

License Type

Series 4 - Wholesaler

Location

5153 W. Fillmore St.

Zoning Classification: A-1

Council District: 7

This request is for a new liquor license for a wholesaler. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is Sept. 19, 2023.

Pursuant to A.R.S. 4-203, consideration should be given only to the applicant's personal qualifications.

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the

applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: “I am a resident of Arizona. I will be the manager, representative, and agent of this business under the name Arizona Mutual Trading, LLC ('AMT'). AMT is a wholly-owned subsidiary of Mutual Trading Co., Inc., a California corporation ('MTC'), a national importer and distributor and multi-state wholesaler of alcohol beverages. AMT's parent MTC has operated a similar wholesaler business in California and currently holds a Wholesaler license in Arizona. MTC has been operating successfully and compliantly in California for 97 years and in Arizona for 24 years. MTC also holds federal (Alcohol & Tobacco Tax & Trade Bureau) importer and wholesaler permits in both Arizona and California. MTC also wholly-owns New York Mutual Trading, LLC, a NJ limited liability company ('NYMTC'). NYMTC operates a similar wholesaler business in New Jersey and New York for 49 years and currently holds wholesaler liquor licenses in New Jersey and New York. Also, MTC is a major shareholder in The Cherry Company Ltd, a Hawaii corporation ('Cherry Company'). Cherry Company operates a similar wholesaler business in Hawaii for 35 years and currently holds wholesaler liquor license in Hawaii.”

Staff Recommendation

Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



Liquor License - Buqui Bichi

Request for a liquor license. Arizona State License Application 252348.

Summary

Applicant

Juanita Esparza, Agent

License Type

Series 12 - Restaurant

Location

21 W. Van Buren St.

Zoning Classification: DTC-Business Core

Council District: 7

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Sept. 19, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations

on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Buqui Bichi (Series 12)
325 S. Arizona Ave., Ste 1 & 2, Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Call Her Martina (Series 12)
7135 E. Camelback Road, Ste. 165, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Fuego Bar & Grill (Series 6)
9118 W. Van Buren St., Tolleson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"The owner of Buqui Bichi Martin A Hurtado is committed to upholding the highest standards for it's busines practices & employees. He has been trained in the techniques of legal & responsibility and has taken the Title 4 Liquor Law Training Course. As owner of the business Mr. Hurtado will oversee all employees & will provide a safe experience for all staff and restaurant patrons."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Martin A Hurtado owner of Buqui Bichi wishes to provide dining with alcoholic beverages at the request of the patron. In addition Mr. Hurtado will responsibly adhere to all state, and federal tax laws and maintain a strict adherence to the security requirements of the city and state."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Buqui Bichi

Liquor License Map - Buqui Bichi

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: BUQUI BICHI

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	0
Microbrewery	3	4	1
Wholesaler	4	1	0
Government	5	7	3
Bar	6	45	34
Beer and Wine Bar	7	13	8
Liquor Store	9	3	2
Beer and Wine Store	10	16	4
Hotel	11	6	5
Restaurant	12	108	57
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	61.49	241.42	383.75
Violent Crimes	11.79	66.85	88

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

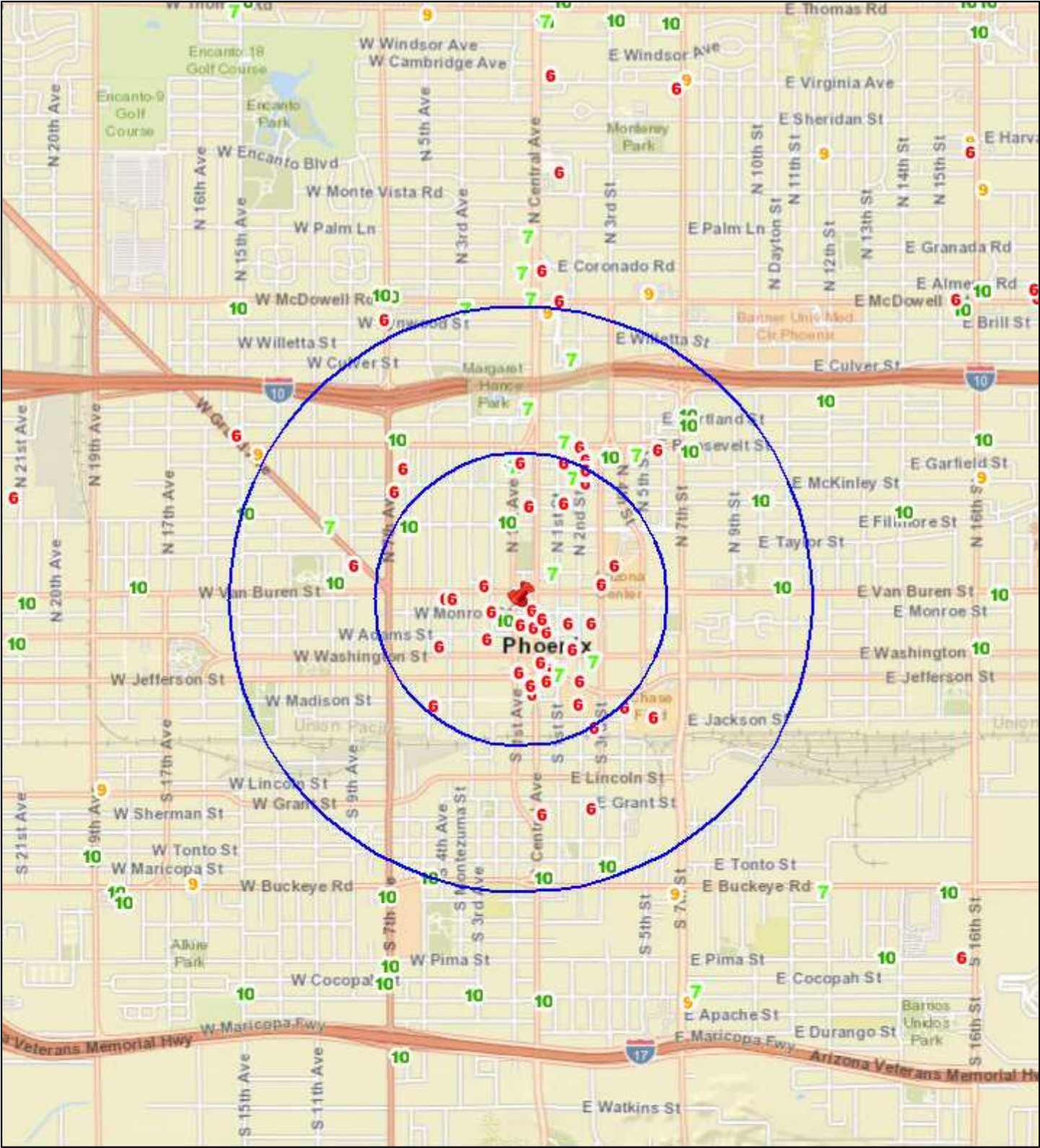
Description	Average	1/2 Mile Average
Parcels w/Violations	49	47
Total Violations	86	87

Census 2010 Data 1/2 Mile Radius

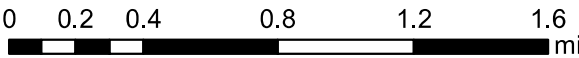
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1129002	815	37	22	24
1129003	1372	4	18	40
1131001	1015	7	8	28
1131002	1242	3	7	33
1141001	2299	16	37	44
1142001	1321	36	22	50
1143011	1389	22	15	57
Average	0	61	13	19

Liquor License Map: BUQUI BICHI

21 W VAN BUREN ST



Date: 7/24/2023





Liquor License - Special Event - Liberty Wildlife, Inc.

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant

Margaret Mosby

Location

2600 E. Elwood St.

Council District: 8

Function

Dinner and Silent Auction

Date(s) - Time(s) / Expected Attendance

Nov. 4, 2023 - 4 p.m. to 7 p.m. / 300 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



Liquor License - Westside Tavern

Request for a liquor license. Arizona State License Application 250000.

Summary

Applicant

Raymond Kubik, Agent

License Type

Series 12 - Restaurant

Location

3558 W. Northern Ave.

Zoning Classification: C-2

Council District: 1

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is Sept. 16, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I have previously owned two successful bar and grill establishments that carried Series 6 licenses, including one that operated at this exact location from 2013-2015. Both establishments operated without fail or incident for a number of years before I decided to sell them and pursue other business opportunities."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"Westside Tavern will provide a great environment for friends, family and the local community to gather for fantastic food and drink. We want to create an atmosphere where all ages from the surrounding area can enjoy a delicious breakfast, lunch or dinner served by a friendly and caring staff."

Staff Recommendation

Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department disapproval is based on the applicant's history of liquor license violations at an establishment the applicant owns, multiple outstanding federal and state tax liens, subject of a criminal investigation and submitted application indicates the location will be a bar versus restaurant. The applicant has not demonstrated the capability, qualifications, and reliability to hold and control a liquor license.

Attachments

Liquor License Data - Westside Tavern

Liquor License Map - Westside Tavern

Liquor License Police Department Recommendation - Westside Tavern

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: WESTSIDE TAVERN

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	1
Beer and Wine Bar	7	1	0
Liquor Store	9	4	0
Beer and Wine Store	10	10	2
Restaurant	12	5	3

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	61.49	131.84	200.95
Violent Crimes	11.79	30.44	44.05

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

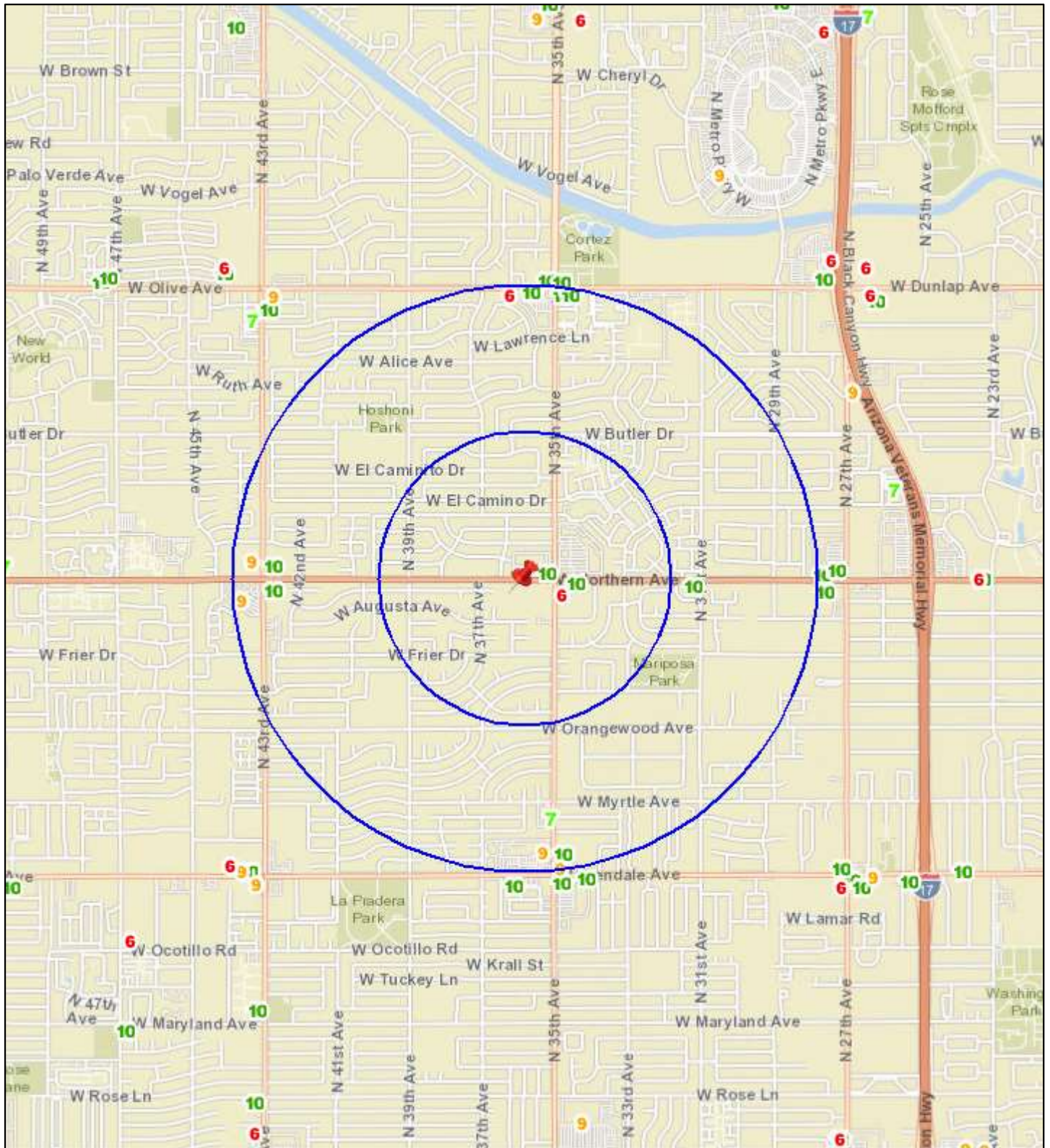
Description	Average	1/2 Mile Average
Parcels w/Violations	49	166
Total Violations	86	316

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1056021	2042	80	0	26
1056022	2457	38	23	34
1056023	2787	15	21	27
1057012	2012	87	15	6
1057021	2725	66	7	22
1057022	1187	68	22	7
1058001	1575	74	8	13
1058004	2395	76	8	5
1059001	1697	50	0	42
1059002	2227	70	11	22
Average	0	61	13	19

Liquor License Map: WESTSIDE TAVERN

3558 W NORTHERN AVE



Date: 7/19/2023



0 0.2 0.4 0.8 1.2 1.6 mi

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	Westside Tavern	District	1
Business Location	3558 W. Northern Avenue, Suite 1, 2, 3		
Applicant Names	Raymond Kubik	Series Type	12

The Police Department recommends disapproval of this liquor license application for the following reasons:

Westside Tavern agent and controlling person Mr. Raymond Kubik, in accordance with Arizona Revised Statute 4-203.A is not capable, qualified and reliable to own and operate a liquor license due to multiple liquor violations during his time as owner of the Hideaway Lounge, multiple outstanding federal and state tax liens, subject of a criminal investigation and submitted application indicates the location will be a bar versus restaurant.

According to Mr. Kubik submitted stated liquor application he listed that he owned and operated the Hideaway Lounge located at 3215 E Thomas Road from 4/2011 to 1/2020. According to the Department of Liquor Licensing and Control records the Hideaway Lounge while under the ownership of Mr. Kubik was cited for the following violations:

-April 10, 2013	4-244.1 Selling without a license
-July 29, 2014	4-244.37 Fail to report act of violence
-July 29, 2014	4-244.12 Employee intoxicated/ disorderly on duty
-July 29, 2014	4-210.A.10 Failure to protect the safety of patrons
-May 7, 2018	4-244.37 Fail to report act of violence
-May 7, 2018	4-244.14 Allowing Disorderly to Remain on Premises
-May 7, 2018	4-210.A.10 Failure to protect the safety of patrons
-January 16, 2019	4-244.37 Fail to report act of violence
-January 16, 2019	4-244.14 Allowing Disorderly to Remain on Premises
-January 16, 2019	4-210.A.10 Failure to protect the safety of patrons
-June 26, 2021	4-210.A.5 Delinquent Taxes
-August 8, 2022	4-242 Sale of Liquor on Credit

Mr. Kubik during an interview also stated that he had been the owner of the Hideaway West Lounge, 3558 W. Northern Avenue from 2013-2015 and Pat Murphy's Bar, 3215 E. Thomas Road in 2000, neither location was listed on his application.

During the background investigation of Mr. Kubik, it was discovered that he had 23 outstanding Federal and State tax liens from 2009 to 2018 in the aggregate amount of \$251,521.00. Mr. Kubik stated that his ex-wife handled the taxes at that time and agreed with the government to settle the debt. Mr. Kubik was then asked to provide proof that his tax debt was resolved. He stated that his accountant would provide that documentation. To date we have not received any documentation.

Mr. Kubik was then asked about an incident in June of 2022 involving the Vegan and Vine business located at 503 E Thunderbird Road. Mr. Kubik stated that his construction company had built the business for his girlfriend at the time and was 2% owner of the business. Mr. Kubik stated that he had keys for the business and entered the business to remove his belongings, but according to the police report, the victim stated he entered the business, disassembled the manager's door and removed beer and three shelves of

LIQUOR LICENSE DISAPPROVAL FORM

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	Westside Tavern	District	1
Business Location	3558 W. Northern Avenue, Suite 1, 2, 3		
Applicant Names	Raymond Kubik	Series Type	12


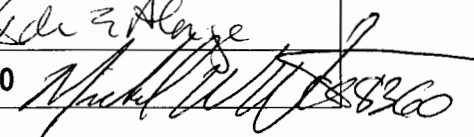
alcohol. Mr. Kubik even pulled the security system from the wall in an attempt to disable the system.

Mr. Kubik stated that he never removed any alcohol from the business, but according to the report Patrol Officers watched the security surveillance footage watching him remove the items from the shelves, resulting in \$25,000.00 loss in the form of damages and theft.

Mr. Kubik then, in an interview with investigators reference his state application and city questionnaire where he applied for a restaurant license, but his menu was a handwritten half page items that was not very detailed. According to Mr. Kubik, the restaurant is for families but his listed hours where from 6 am to 2 am, 7 days a week, with pool tables. According to his diagram the was a bar counter with limited seating but stated that there was additional seating, but it was not included in the diagram. Mr. Kubik was then informed that most family restaurants generally closed between 9 to 10 pm weekday and maybe 11pm on the weekends. Mr. Kubik was then told that his diagram needed to include that area as well if he wanted it to be licensed. Mr. Kubik was asked why not start the restaurant first and then apply for the liquor license and he stated that a restaurant would not work without a liquor license unless it is a McDonald's.

As a result of our review. The Phoenix Police Department recommends denial because Mr. Kubik is not capable, qualified and reliable to own and operate a liquor license establishment within the City of Phoenix.

This recommendation for disapproval is submitted by: Det. R. Gokool 7605

SIGNATURES	
Administrative Licensing Investigator	I. Alonge A4289 
Liquor Enforcement Detail Supervisor	Sgt. M. Walter 8360 



*****REQUEST TO WITHDRAW (SEE ATTACHED MEMO)*** Liquor License - Ezbachi**

Request for a liquor license. Arizona State License Application 250641.

Summary

Applicant

Jacqueline Padilla, Agent

License Type

Series 12 - Restaurant

Location

1713 S. Central Ave.

Zoning Classification: C-3

Council District: 8

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption.

The 60-day limit for processing this application is Sept. 17, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Ezbachi (Series 12)

63 E. Congress St., Ste. 121, Tucson

Calls for police service: N/A - not in Phoenix

Liquor license violations: None

Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I have another restaurant located in Tucson which I have a liquor license already. I make sure my staff as well as myself are trained and stay current with liquor laws and are responsible."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"Ezbachi is/will be providing an establishment where the community can come and celebrate special occasions in a newly renovated restaurant that was once an eye sore. Can rest assure that we are fully capable to sell and supply alcohol to our community's expectations and in no way, shape or form abuse this privledge."

Staff Recommendation

Staff recommends disapproval of this application based on a Finance department recommendation for disapproval and noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments

Liquor License Data - Ezbachi

Liquor License Map - Ezbachi

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



City of Phoenix

To: Ginger Spencer
Deputy City Manager

Date: September 1, 2023

From: Denise Archibald
City Clerk

A handwritten signature in black ink, appearing to be 'DA' with a flourish.

Subject: REQUEST TO WITHDRAW ITEM 14, LIQUOR LICENSE -
EZBACHI, FROM THE SEPTEMBER 6, 2023 FORMAL AGENDA

The City Clerk Department requests approval to withdraw Item 14, Liquor License - Ezbach, from the September 6, 2023 formal agenda. The applicant of this liquor license application has withdrawn the application filed at the Arizona Department of Liquor Licenses and Control.

Approved by:

A handwritten signature in black ink, appearing to be 'GS' with a long horizontal line extending to the right.

Ginger Spencer
Deputy City Manager

9/5/2023

Date

Liquor License Data: EZBACHI

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	0
Government	5	1	0
Bar	6	7	0
Beer and Wine Bar	7	1	0
Liquor Store	9	2	0
Beer and Wine Store	10	9	4
Hotel	11	1	0
Restaurant	12	11	3
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	61.49	100.55	144.58
Violent Crimes	11.79	26.96	38.64

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

Property Violation Data

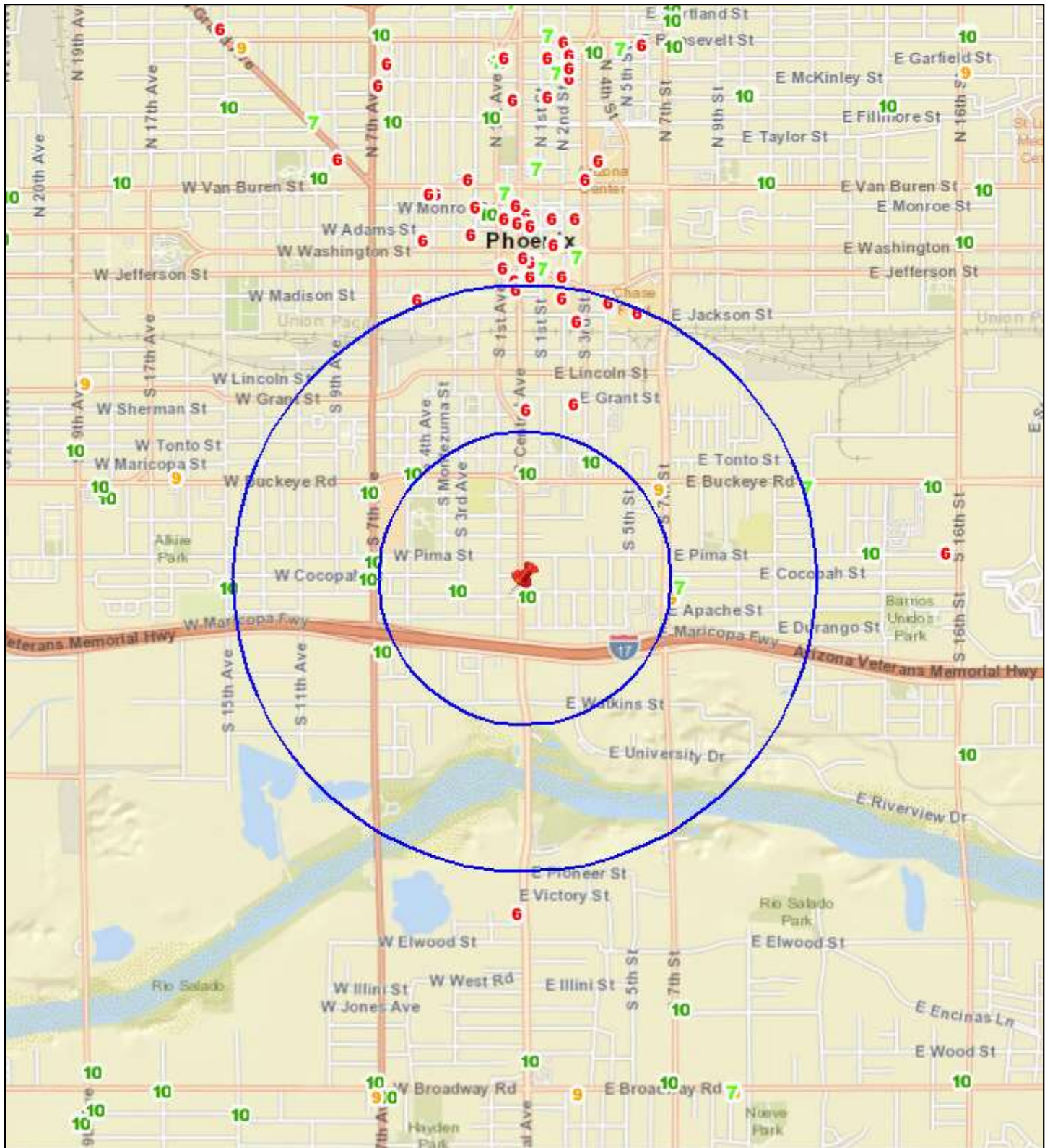
Description	Average	1/2 Mile Average
Parcels w/Violations	49	110
Total Violations	86	181

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1142001	1321	36	22	50
1149001	798	28	13	57
1149002	1742	11	3	68
1172001	823	25	17	70
1172002	851	25	28	20
Average	0	61	13	19

Liquor License Map: EZBACHI

1713 S CENTRAL AVE



Date: 7/21/2023

0 0.2 0.4 0.8 1.2 1.6 mi



Bingo License - Central Park Village Bingo

Request for a Class A Bingo License.

Summary

State law requires City Council approval before a State Bingo License can be issued.

Bingo License Types

Class A - gross receipts shall not exceed \$75,000 per year

Class B - gross receipts shall not exceed \$500,000 per year

Class C - anticipated gross receipts may exceed \$500,000 per year

Applicant

DeAnna Mireau

Location

205 W. Bell Road

Zoning Classification: R-3 SP

Council District: 3

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



PAYMENT ORDINANCE (Ordinance S-50118) (Items 16-22)

Ordinance S-50118 is a request to authorize the City Controller to disburse funds, up to amounts indicated below, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requests continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

16 Bender Associates, Inc.

For \$75,000 in payment authority for a new contract, entered on or about Sept. 1, 2023, for a term of five years, for maintenance and repair services of Fargo ID card printers. The badge printers are located in various Citywide departments and require annual preventative maintenance, repair services and scheduled cleanings based on usage. These services must be performed by an authorized vendor/contractor.

**17 J.E.B. Environmental Services, LLC, Contract - RFQ
23-089**

For \$22,000 in payment authority for a new contract, entered on or about Sept. 15, 2023, for a five-year term for Arizona Task Force 1 training, for affiliated members from the Fire Department. This training is for certification and recertification for three Federal Emergency Management Agency (FEMA) required disciplines including Title 49 of the Code of Federal Regulations (49 CFR) including Department of Transportation Hazardous Materials Handler/Packer/Labeler, Air Force Manual (AFMAN) 24-604, and International Air Transportation Association (IATA) certifications.

18 League of Arizona Cities and Towns

For \$158,000 in payment authority for annual membership dues and assessments for Fiscal Year 2023-24 for the Office of Government Relations. The League of Arizona Cities and Towns provides services and

resources focusing on member representation and interests of cities and towns before the state legislature. The League also provides technical and legal assistance and coordinates shared services, educational conferences and events. This membership ensures that the City's interests are represented and advocated for at the Governor's Office, Arizona State Legislature, and other State of Arizona agencies.

19 **Maricopa Association of Governments**

For \$252,408 in payment authority for annual membership dues and assessments for Fiscal Year 2023-24 for the Office of Government Relations, Public Works, Finance, Water Services and Human Services departments. The Maricopa Association of Governments (MAG) is a council of governments that serves as the regional planning agency for the Phoenix metropolitan area. MAG is the air quality planning agency and Metropolitan Planning Organization for transportation in Maricopa County. This includes the neighboring urbanized area in Pinal County containing the Town of Florence and City of Maricopa. MAG also provides regional planning and guidance on policy decisions in areas of transportation, air quality, water quality, and human services.

20 **National League of Cities**

For \$51,410 in payment authority for Fiscal Year 2023-24 annual membership dues for the City of Phoenix. The National League of Cities (NLC) is an organization focused on strengthening local government. NLC provides training, educational programs and conferences. City officials have access to information and publications on federal regulations, solutions to problems, and future challenges. The City benefits from the NLC's efforts to ensure that local governments have influence in the White House, United States Congress, and other federal agencies.

21 **United States Conference of Mayors**

For \$45,569 in payment authority for Fiscal Year 2023-24 annual membership dues for the City of Phoenix. The United States Conference of Mayors (USCM) is the official non-partisan organization of cities with populations of 30,000 or more. Mayors contribute to development of national urban policy by serving on one or more of the conference's standing committees. USCM develops policy positions adopted by the nation's mayors that are distributed to the President of the United States and Congress. Task forces are also assembled to examine and act on issues like civic innovations, exports, hunger and homelessness. The membership ensures that the City's interests are being represented by USCM.

22 **Arizona Public Service Company dba APS**

For \$220,821 in payment authority to APS for design and installation of conduit work performed in the area bounded by Cave Creek Road to 26th Street, and Marco Polo Road to Angela Drive, for project ST87210022 for the Street Transportation Department.



Request to Amend an Intergovernmental Agreement with Arizona State University (Ordinance S-50151)

Request to authorize the City Manager, or his designee, to amend an Intergovernmental Agreement (IGA) between Volunteer PHX and the Arizona Board of Regents on behalf of Arizona State University (ASU), Edson College of Nursing and Health Innovation to add the College of Health Solutions and Watts College School of Social Work for additional student placements.

Summary

On June 28, 2023, the City Council approved an intergovernmental agreement with Edson College of Nursing and Health Innovation and Volunteer PHX for student placements. This amendment would expand upon the current relationship and include a broader set of student placement opportunities and skills through the addition of the Watts College of Public Service and Community Solutions School of Social Work and the College of Health Solutions.

Each college trains and educates students working towards undergraduate, masters and doctorate degrees in health and health related fields. At all levels of education, placements may be required or available for credit to support student learning and the educational experience. With the City's new Office of Public Health, there is an enhanced focus on opportunities for public health programming. The City of Phoenix offers a unique opportunity and setting for community and clinical placements focused on population and public health through a variety of City departments and offices.

Volunteer PHX coordinates the City's volunteer opportunities, including volunteer placements and internships. Building on existing relationships, Volunteer PHX will work closely with the Office of Public Health and other departments to initiate and coordinate routine opportunities for health-related student placements across programs. This coordination will enhance the capacity of departments to address broad social and population health issues while supporting the education and development of the local workforce.

Examples of routine placements opportunities include:

- Health Education

- Research
- Program evaluation
- Clinical placements (health screening, vaccination, etc.)
- Case management and navigation
- Program planning

Contract Term

The agreement will be valid for five years from the date of execution by all parties.

Financial Impact

There is no cost or financial impact associated with this agreement.

Concurrence/Previous Council Action

The City Council previously approved this request during the June 28, 2023, Formal City Council meeting:

- Intergovernmental Agreement with Arizona State University Edson College of Nursing and Health Innovation.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays, Deputy City Manager Inger Erickson, Volunteer PHX and the Office of Public Health.



**Window Treatment and Associated Services - IFB 18-128 - Amendment
(Ordinance S-50129)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 146976 with Coyote Blind Company, Inc., for the purchase of window treatment and associated services for various City departments. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$200,000.

Summary

This contract will provide all labor, materials, equipment, and transportation to supply and install roller shades, mini-blinds, honeycomb and cellular shades, vertical blinds and exterior sunshades in various facilities Citywide. Additional funds are needed for continued utilization of this contract.

Contract Term

The contract term remains unchanged, ending on Oct. 31, 2024.

Financial Impact

Upon approval of \$200,000 in additional funds, the revised aggregate value of the contract will not exceed \$530,000. Funds are available in various department budgets.

Concurrence/Previous Council Action

The City Council previously approved this request:

- Window Treatment and Associated Services Contract 146976 (Ordinance S-44273) on Feb. 21, 2018;
- Window Treatment and Associated Services Contract 146976 (Ordinance S-49526) on March 22, 2023.

Responsible Department

This item is submitted by City Manager Jeffrey Barton and the Finance Department.



Acceptance of Easements for Drainage, Water and Sewer Purposes (Ordinance S-50132)

Request for the City Council to accept easements for drainage, water and sewer purposes; further ordering the ordinance recorded.

Summary

Accepting the property interest below meets the Planning and Development Department's Single Instrument Dedication process requirement prior to releasing any permits to applicants.

Easement (a)

Applicant: CWS Bronco Butte MF, L.P., its successor and assigns

Purpose: Drainage

Location: 31925 N. 29th Ave.

File: FN 230061

Council District: 2

Easement (b)

Applicant: CWS Bronco Butte MF, L.P., its successor and assigns

Purpose: Water

Location: 31925 N. 29th Ave.

File: FN 230061

Council District: 2

Easement (c)

Applicant: North Gateway Core Acreage Investors, LLC; Hare Investments, LLC; its successor and assigns

Purpose: Sewer

Location: 32600 N. 29th Ave.

File: FN 230021

Council District: 2

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development and Finance departments.



Acceptance and Dedication of Easements for Pedestrian Access, Sidewalk and Public Utility Purposes (Ordinance S-50133)

Request for the City Council to accept and dedicate easements for pedestrian access, sidewalk and public utility purposes; further ordering the ordinance recorded.

Summary

Accepting the property interests below meets the Planning and Development Department's Single Instrument Dedication process requirement prior to releasing any permits to applicants.

Easement (a)

Applicant: CWS Bronco Butte MF L.P., its successor and assigns

Purpose: Pedestrian Access

Location: 31925 N. 29th Ave.

File: FN 230061

Council District: 2

Easement (b)

Applicant: Kyrene Elementary School District No. 28 of Maricopa County, its successor and assigns

Purpose: Sidewalk

Location: 15175 S. 50th St.

File: FN 230054

Council District: 6

Easement (c)

Applicant: Holland Real Estate, LLC, its successor and assigns

Purpose: Public Utility

Location: 3201 E. Wood St.

File: FN 230064

Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development and Finance departments.



Multi-Temporary Staffing Services - Managed Services Provider - ADSPO 17-00006933 - Amendment (Ordinance S-50143)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 148480 with Guidesoft, Inc., dba Knowledge Services, for the purchase of Multi-Temporary Staffing Services for Citywide departments. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$11,275,000.

Summary

This contract will provide information technology professional services through a Managed Service Provider (MSP) for technology projects and initiatives such as project management, system implementation, data conversion, and hardware and software configuration Citywide. Additional funds are needed for the remainder duration of this contract.

Contract Term

The contract term remains unchanged, ending on Aug. 31, 2025.

Financial Impact

Upon approval of \$11,275,000 in additional funds, the revised aggregate value of the contract will not exceed \$23,351,000. Funds are available in various City department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Multi-Temporary Staffing Services - Managed Services Provider Contract 148480 (Ordinance S-44975) on Sept. 5, 2018;
- Multi-Temporary Staffing Services - Managed Services Provider Contract 148480 (Ordinance S-45196) on Dec. 5, 2018;
- Multi-Temporary Staffing Services - Managed Services Provider Contract 148480 (Ordinance S-46189) on Nov. 20, 2019;
- Multi-Temporary Staffing Services - Managed Services Provider Contract 148480 (Ordinance S-47922) on Sept. 8, 2021;
- Multi-Temporary Staffing Services - Managed Services Provider Contract 148480

(Ordinance S-48944) on Aug. 31, 2022;

- Multi-Temporary Staffing Services - Managed Services Provider Contract 148480

(Ordinance S-49970) on June 28, 2023;

Responsible Department

This item is submitted by City Manager Jeffrey Barton and the Finance Department.



Cabling Communication Systems ADSP017-00007125 - Amendment (Ordinance S-50134)

Request to authorize the City Manager, or his designee, to execute amendments to Contracts 146189 with BPG Technologies, LLC; 146210 with Cable Solutions, LLC; 146209 with Corporate Technology Solutions, LLC; 146369 with Fishel Company; 146234 with Graybar Electric Company, Inc.; 146188 with IES Commercial, Inc.; and 146187 with Tel Tech Networks, Inc. to extend the contract term. No additional funds are needed, request to continue using Ordinance S-43955.

Summary

These contracts will provide equipment, installation, testing, and warranty of cabling. Cabling communication systems connect City facilities to the data network and phone system through Internet access, phone lines, and data circuits, allowing connection to email and instant messaging, and access to critical applications such as the City's financial accounting and reporting system and the human resources system. Cabling communication systems enable access to emergency services provided by the Police and Fire Departments, provide public and employee Wi-Fi, critical network infrastructure at Sky Harbor International Airport, and telephone and network services in all City facilities. Without the cabling communication systems, users and devices will not be able to connect to their network and/or back-end systems for operations. The City's cabling communication systems are critical to operations of City departments.

Contract Term

Upon approval the contracts will be extended through April 9, 2024 with an option to extend through Oct. 9, 2024.

Financial Impact

The aggregate value of the contracts will not exceed \$20.7 million and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

Cabling Communication Systems - Contracts 146187, 146188, 146189, 146208, 146209, 146210, 146234, 146369 (Ordinance S-43955) on Oct. 4, 2017.

Cabling Communication Systems - Contracts 146187, 146188, 146189, 146208, 146209, 146210, 146234, 146369 (Ordinance S-49008) on Sept. 21, 2022.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Information Technology Services Department.



Salt River Pima-Maricopa Indian Community Gaming Grant (Ordinance S-50141)

Request to authorize the City Manager, or his designee, to apply for and accept up to \$264,100 in new funding from the Salt River Pima-Maricopa Indian Community under the 2024 funding cycle. Further request authorization for the City Treasurer to accept and the City Controller to disburse funds as directed by the Salt River Pima-Maricopa Indian Community in connection with these grants.

Summary

The Salt River Pima-Maricopa Indian Community 12 Percent Gaming Grant application process is by invitation only. The tribe will select and identify which municipalities and local non-profits to invite to apply for funding consideration. An invitation to apply is not a guarantee that the application will be selected for funding by the tribe. Salt River Pima-Maricopa Indian Community does not consider multi-year capital campaign projects.

If awarded, the funds would be applied, as directed by Salt River Pima-Maricopa Indian Community, towards the following:

City Application

- Parks and Recreation, S'edav Va'aki (formerly Pueblo Grande) Museum: \$164,100 for the S'edav Va'aki Museum Exhibit Elements Installation project, which will guide the creation of the orientation gallery, the O'odham garden extension, renovation of the children's gallery, lighting, flooring, and exhibit case upgrades.

Non-Profit Applications

- Arizona Humane Society: \$75,000 for wrap-around programming to Keeping Pets and People Together program, which will support innovative, wrap-around programs that keep families intact, such as the Pet Resource Center, Veterinary Assistance Fund and Project Home Away from Home Initiative.
- Homeward Bound: \$25,000 for the Shelter and Community Services program, which deliver trauma-informed services and aim to address the varying contributing factors and complex effects of generational poverty. These programs strive to improve long-term self-sufficiency and stability for families who enter their program,

with a focus on the whole family unit.

The gaming compact entered into by the State of Arizona and various tribes calls for 12 percent of gaming revenue to be contributed to cities, towns, and counties for government services that benefit the general public, including public safety, mitigation of impacts of gaming, and promotion of commerce and economic development. The Salt River Pima-Maricopa Indian Community will notify the City, by resolution of the Tribal Council, if it desires to convey to the City or nonprofit a portion of its annual 12 percent local revenue-sharing contribution.

Financial Impact

There is no budgetary impact to the City and no general-purpose funds are required. Entities that receive gaming grants are responsible for the management of those funds.

Responsible Department

This item is submitted by City Manager Jeffrey Barton and the Office of Government Relations.



Tohono O'odam Nation Gaming Grants (Ordinance S-50146)

Request to authorize the City Manager, or his designee, to apply, accept, and if awarded, enter into related agreements for up to \$3,214,638 in new funding from the Tohono O'odham Nation under the 2023 funding cycle. Further request authorization for the City Treasurer to accept, and the City Controller to disburse funds as directed by the Tohono O'odham Nation in connection with these grants.

Summary

If awarded, these monies would be applied, as directed by the Tohono O'odham Nation, towards the following:

City Applications

- Neighborhood Services: \$150,000 for the Financial Empowerment Microbusiness Program, which will launch the program locally in partnership with a trusted nonprofit financial counseling provider, in collaboration with more than a dozen community partners who have expressed interest in this program.
- Sustainability: \$50,000 for the Student Council Sustainability Officer Initiative, which seeks to develop student sustainability leaders, educate secondary students on how to implement community projects on school campuses, and improve civic engagement and embed sustainability on school campuses.
- Parks and Recreation: \$400,000 for the first all-inclusive playground project at Encanto Park. The park will provide a variety of inclusive amenities and equipment for children of all abilities, in inclusive environments.
- Parks and Recreation: \$1,739,864 for the FitPHX Network of FitLot Outdoor Fitness Parks at seven different proposed sites, which will support the planning, organizing, construction and programming of the sites.
- Fire: \$9,774 for the automated traffic scenario simulator, which will support Fire staff's Regional Driver Training Program.
- Planning and Development: \$30,000 for the Rio Reimagined Community Plan, which will develop a community-led planning document that will activate and transform Rio Salado (Salt River) into a local and regional tourist destination.

Non-Profit Applications

- Arizona Forward: \$15,000 for the Emerging Sustainability Leaders program, which will create a fund offering a scholarship to reduce entry barriers in the program and offer more field trips, a year-end project, and program materials.
- Arizona Foundation for Women: \$10,000 for the SHE Leads! program, a leadership development program designed by women, for women.
- Arizona Science Center: \$50,000 for the Focused Field Trips program, which will fund 5,000 students' free admission to participate in field trips in 2024.
- Ballet Arizona: \$10,000 for the Hoop Dance program, which will expand the program to 40 Native American youth residing in Maricopa County, providing access to arts programming that is dedicated to honoring and celebrating Native American traditions, culture, ancestry, and activities.
- Banner Health Foundation: \$100,000 for the creation of Play Zone, a healing area for ill and injured children who come to Banner Health's Diamond Children's Medical Center for care.
- Creighton Community Foundation: \$300,000 for the Native Wetlands Educational Space, which will create a unique one-time marquee project on a 10,000 square foot publicly accessible entrance area of a school campus being fully remodeled as an outdoor learning school.
- Duet Partners in Health: \$15,000 for the Improving Academic Achievement Health and Safety of At-risk Children program, which will improve the health, fitness, safety, academic skills, and well-being of low-income grandchildren being raised by their grandparents.
- Foundation for Senior Living: \$15,000 for the Nutrition program, which is a long-standing program for low-income individuals and families.
- Heard Museum: \$10,000 for the K-12 Free Admissions and School Tours program, which will allow 7,500 students, educators, and chaperones to participate in the program.
- Homeward Bound: \$50,000 for the Shelter and Community Services program, which will assist in operating the program and provide aid to 600 individuals.
- Human Services Campus: \$100,000 for the Respiro Shelter program, which will provide respite and shelter to 500 individuals experiencing homelessness.
- Life More Abundantly: \$15,000 for the Pregnancy and Sexually Transmitted Disease Care programs, which will assist with testing, ultrasound scans, nurse consultants, medical and social service referrals.
- Lights Camera Discover: \$25,000 for the Entrepreneur Workforce Readiness program, which will support a 24-week program for youth ages 17-21.
- Mission of Mercy: \$40,000 for the Access to Care program, which will subsidize care for more than 100 patients.
- Phoenix Indian Center: \$50,000 for the Bridging the Gaps for Indigenous Cultural

Connection, and Direct Assistance programs, which will support language and culture funding and direct emergency support to Indigenous/American Indian youth and families.

- Stand for Children: \$10,000 for the Growing Readers program, which will engage families at partner schools, provide literacy workshops and other learning opportunities that help students develop literacy skills.
- Treasures 4 Teacher (T4T): \$20,000 for the T4T on Wheels program, which will distribute 2,235 hygiene kits to children in need.

The gaming compact entered into by the State of Arizona and various tribes calls for 12 percent of gaming revenue to be contributed to cities, towns and counties for government services that benefit the general public including public safety, mitigation of impacts, and promotion of commerce and economic development. The Tohono O'odham Nation will notify the City, by grant-in-aid agreement, of the Tribal Council's decision, if it desires to convey to the City or local nonprofits a portion of its annual 12 percent local revenue-sharing contribution.

Financial Impact

There is no budgetary impact to the City and no general-purpose funds are required. Entities that receive gaming grants are responsible for the management of those funds.

Responsible Department

This item is submitted by City Manager Jeffrey Barton and the Office of Government Relations.



Fort McDowell Yavapai Nation Gaming Grants (Ordinance S-50147)

Request to authorize the City Manager, or his designee, to accept, and as awarded, to enter into related agreements for up to \$12,708.56 in new funding from the Fort McDowell Yavapai Nation under the 2022 funding cycle. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, funds as directed by the Fort McDowell Yavapai Nation in connection with these grants.

Summary

These monies would be applied, as directed by the Fort McDowell Yavapai Nation towards the following:

Non-Profit Applications

- Hope Community Services: \$6,354.28 for the Specialized Trauma Therapy for Low-Income Children and Youth program, which will provide specialized trauma therapy to low-income children who have experienced ongoing, extreme trauma.
- Ronald McDonald House Charities of Central and Northern Arizona: \$6,354.28 for the Keeping Families Together program, which will support families devastated by their child's medical crisis.

The gaming compact entered into by the State of Arizona and various tribes calls for 12 percent of gaming revenue to be contributed to cities, towns and counties for government services that benefit the general public including public safety, mitigation of impacts, and promotion of commerce and economic development. The Fort McDowell Yavapai Nation will notify the City, by grant-in-aid agreement, of the Tribal Council's decision, if it desires to convey to the City or local nonprofits a portion of its annual 12 percent local revenue-sharing contribution.

Financial Impact

There is no budgetary impact to the City and no general funds are required. Entities that receive gaming grants are responsible for the management of those funds.

Responsible Department

This item is submitted by City Manager Jeffrey Barton and the Office of Government Relations.



Authorization to Enter into a Contract with Masters of Coin and Accept Funds for the City of Phoenix Volunteer Income Tax Assistance Program (Ordinance S-50123)

Request authorization for the City Manager, or his designee, to enter into an agreement and accept funding from Masters of Coin in an amount not to exceed \$350,000 to support the City's volunteer income tax assistance (VITA) services up to a three-year contract term. Further, request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item for the life of the contract.

Summary

In April 2023, Masters of Coin was selected by the Central Arizona VITA Network to apply for the Federal Fiscal Year 2023-24 Internal Revenue Service (IRS) VITA grant on behalf of eight regional partners, including the City. Masters of Coin serves as the fiduciary agent for the City of Phoenix VITA Program to assist with managing operational purchases and grant reporting.

The VITA Program is funded by the IRS, with funding for the Central Arizona VITA Network passing through Master of Coin. The purpose of this program is to provide training and support for volunteers to become IRS Certified and provide free basic income tax return preparation with electronic filing to qualified individuals who are low-to-moderate-income. IRS Certified volunteers provide assistance to Phoenix residents through neighborhood centers, libraries, schools, shopping malls, senior and family services centers, and other convenient locations.

The City of Phoenix VITA Program offers services in-person, virtually and through a hybrid "Do It Yourself" option that allows tax clients to visit a VITA site and prepare their own taxes with the assistance of a nearby volunteer. In addition to assisting clients with electronically filing their taxes for free, volunteers also provide education on tax processes and promote the concept of financial self-sufficiency through saving money.

Contract Term

The contract will begin on or about Oct. 1, 2023, through Sept. 30, 2024, with two, one-year options to extend through Sept. 30, 2026.

Financial Impact

Funding is provided from the IRS, via Master of Coin. There is no impact to the General Fund.

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.



Indoor/Outdoor Sport Court Resurfacing and Repair Services - IFB 21-027 - Amendment (Ordinance S-50145)

Request to authorize the City Manager, or his designee, to execute an amendment to Contracts No. 154058 with Elite Sports Builders, LLC and 154056 with Arizona Gym Floors, LLC to allow additional expenditures to use ARPA funding and add required ARPA language to the contracts. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$1,000,000. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) received from the federal government and is under the Phoenix Parks Improvements program of the strategic plan.

Summary

These contracts will provide resurfacing and repair services for indoor, multi-use wood floors and outdoor concrete sport courts. The Parks and Recreation Department uses these services to resurface and repair indoor/outdoor sport court floors such as tennis, volleyball, pickleball, and basketball courts located at various recreation facilities. The services include, but are not limited to, floor screening, line striping, floor repair, and wood floor refinishing and maintenance. This contract will also be utilized for Parks and Recreation capital improvements serving qualifying census tracts as approved by the City Council in the ARPA Strategic Plan. The ARPA funding being requested is to be used on ARPA projects.

Contract Term

The contract term will expire on March 31, 2026.

Financial Impact

Upon approval of \$1,000,000 in ARPA funds, the revised aggregate value of the contract will not exceed \$2,350,000. No General Funds are requested.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Indoor/Outdoor Sport Court Resurfacing and Repair Services Contracts 154058 & 154056 (Ordinance S-47347) on March 3, 2021.

- City Council approved the ARPA Second Tranche Strategic Plan allocating \$2.9 million for Phoenix Parks Improvements on June 7, 2022.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Parks and Recreation Department.



Apply for U.S. Department of Transportation Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation Grant Opportunity for Federal Fiscal Year 2022-23 - Bipartisan Infrastructure Law Funding (Ordinance S-50148)

Request to retroactively authorize the City Manager, or his designee, to apply for, accept and, if awarded, enter into an agreement for disbursement of Federal funding from the U.S. Department of Transportation (USDOT) through the Federal Fiscal Year 2022-23 Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation grant opportunity. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Funding for this grant opportunity is available through the Federal Bipartisan Infrastructure Law. The total grant funds applied for will not exceed \$6.25 million, and the City would not be required to provide a local match.

Summary

The Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) grant program provides funding for projects that address the climate crisis by improving the resilience of surface transportation systems against natural hazards including climate change, sea level rise, flooding, extreme weather events and other natural disasters. The grant program supports innovative and collaborative approaches to risk reduction, including the use of natural infrastructure. Also called nature-based solutions, these strategies include conservation, restoration or construction of riparian and streambed treatments, marshes, wetlands, native vegetation, stormwater bioswales, breakwaters, reefs, dunes, parks, urban forests and shade trees.

The Federal Fiscal Year (FFY) 2022-23 PROTECT grant specifies that the minimum award amount for urban planning projects must be at least \$100,000 with no award ceiling. The City's grant request will be for the total project cost in the amount of \$6.25 million.

The FFY 2022-23 PROTECT grant submittal deadline was Aug. 18, 2023. Retroactive approval is requested due to the timing of the application deadline, which occurred during Council recess.

PROTECT planning grants are awarded on a competitive basis considering these evaluative criteria:

- Program Alignment
- Schedule and Budget
- Public Engagement, Partnerships and Collaboration
- Innovation

The Parks and Recreation and Street Transportation departments are collaborating on a planning grant submittal for the Laveen Area Conveyance Channel. The purpose of the planning grant is to evaluate and update the design and improve resiliency of a dual-purpose amenity channel that extends 5.5 miles in the Laveen Village of Phoenix, serving to capture and convey local regional drainage while also serving the community as an active transportation corridor. The goal of the planning grant will be to evaluate and make recommendations that would best serve the existing transportation amenity, including but not limited to improvements to the existing channel design and to design a 10-foot multi-use path on the north side, including landscaping, updated irrigation, turf improvements, exercise equipment, improved drainage system equipment, booster pump and well, path lighting and other transportation or green infrastructure appropriate for the surrounding corridor. This planning project will meet the grant criteria for competitiveness.

Financial Impact

The estimated total cost for the project is approximately \$6.25 million. The maximum federal participation rate is 100 percent, with no required local match of the total eligible project cost. If awarded, the federal match would not exceed \$6.25 million (100 percent), with no required local funding match. There is no impact to the General Fund.

Location

The Laveen Area Conveyance Channel is a 5.5 mile multi-use path and drainage channel located in Laveen Village which runs from the intersection of 43rd and Southern avenues to the Salt River.

Council Districts: 7 and 8

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua, Alan Stephenson and Inger Erickson, and the Street Transportation and Parks and Recreation departments.



Report

Agenda Date: 9/6/2023, Item No. 35

Agreement with Arizona Diamondbacks Foundation Inc. (Ordinance S-50149)

Request to authorize the City Manager, or his designee, to grant an exception pursuant to Phoenix City Code 42-18 authorizing indemnification or assumption of liability provisions that otherwise would be prohibited for the agreement with Arizona Diamondbacks Foundation Inc.

Summary

The Arizona Diamondbacks Foundation has committed to sponsor refurbishment of two ballfields at El Oso Park to begin in 2023, with the expected completion by the end of 2023. The generous project sponsorship will include landscape improvements, new field accessories, electrical access and a new scoreboard on each field. The agreement with Arizona Diamondbacks Foundation, which will be presented to the Parks and Recreation Board for approval, contains indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. This authorization allows for mutual indemnification.

Financial Impact

There is no impact to the General Fund, nor a funding request.

Location

3451 N. 75th Ave.
Council District: 5

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Parks and Recreation Department.



Edwards Fire Alarm Services - Requirements Contract - IFB PCC 22-005 Request for Award (Ordinance S-50127)

Request to authorize the City Manager, or his designee, to enter into a contract with ADT Commercial, LLC., to provide testing, inspection, and repair services for the Edwards Fire Life Safety System for the Phoenix Convention Center Department (PCCD). Further request to authorize the City Controller to disburse all funds related to this item. The five-year value of the contract will not exceed \$450,000.

Summary

This contract will provide annual testing, maintenance, and repair of the Edwards Fire Life Safety System in Symphony Hall, Herberger Theatre, Orpheum Theatre, Phoenix Convention Center South Building, Regency Garage, Heritage Garage and East Garage.

Procurement Information

An Invitation for Bid procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Two vendors submitted bids deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendor:

Selected Bidder

ADT Commercial, LLC.: \$90,000 annually

Contract Term

The contract will begin on or about December 1, 2023, for a five-year term with no options to extend.

Financial Impact

The contract value will not exceed \$450,000.

Funding is available in the Phoenix Convention Center Department operating budget.

Responsible Department

This item is submitted by Interim Deputy City Manager John Chan and the Phoenix Convention Center Department.



**Arizona Coliseum and Exposition Center Request for Police Services for 2023
Arizona State Fair (Ordinance S-50121)**

Request to authorize the City Manager, or his designee, to enter into an agreement with the Arizona Coliseum and Exposition Center for the Phoenix Police (PPD) and the Neighborhood Services departments (NSD) to provide traffic enforcement, and vending enforcement. The Arizona Coliseum and Exposition Center will pay \$31,500 for these services. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

Since 1987, PPD and NSD have partnered with the Arizona Coliseum and Exposition Center to provide increased traffic enforcement, perimeter security and proactive patrol in the area surrounding the fair grounds. Services provided by PDD will change to traffic enforcement only this year. The intent of this agreement is to recover costs associated with these services during the State Fair. Additionally, the Finance Department's Tax Enforcement Section receives space at no charge for licensing and collection of taxes from vendors.

Contract Term

Services will occur from Sept. 22, 2023 through Oct. 30, 2023.

Financial Impact

The amount to be recovered is \$19,000 by PPD and \$12,500 by NSD.

Location

The area surrounding the Arizona State Fairgrounds located at 1826 W. McDowell Road.

Council District: 4

Responsible Department

This item is submitted by Assistant City Manager Lori Bays, Deputy City Manager Gina Montes, and the Police and Neighborhood Services departments.



**Authorization to Pay Public Safety Personnel Retirement System for FY2023-24
Police Sworn Cancer Insurance Coverage (Ordinance S-50126)**

Request to authorize the City Manager, or his designee, to make a payment to the Public Safety Personnel Retirement System (PSPRS) in the amount of \$145,300 to purchase cancer insurance for Fiscal Year (FY) 2023-24 for the sworn personnel of the Police Department. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fire Fighter Cancer Insurance Policy Program (FFCIPP) was established in 1997. The FFCIPP offers supplemental cancer insurance for firefighters, helping to offset additional costs if a firefighter is diagnosed with cancer after enrollment. The insurance is administered under the PSPRS. In 2007, HB2268 changed the name of the Fire Fighter Cancer Insurance Policy Program to the Fire Fighter and Peace Officer Cancer Insurance Policy Program and extended coverage to certified peace officers under this program.

Financial Impact

The cost for FY2023-24 is \$50 per peace officer. This item requests authorization to pay up to \$145,300. The payment will provide cancer insurance coverage for Police sworn personnel for FY 2023-24. Funds are available in the Police Department's budget.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Police Department.



Baggage Handling Control System Design, Programming, and Integration Services - IFB 19-007 - Amendment (Ordinance S-50119)

Request to authorize the City Manager, or his designee, to amend Contract 149031 with Quantum Integrated Solutions Inc. for Baggage Handling Control System Design, Programming, and Integration Services by extending the term of the contract. No additional funds are needed and request to continue using ordinances S-45225 and S-49334.

Summary

The contract provides technical support, including design, programming, integration, and architectural controls, of the baggage handling systems (BHS) at Phoenix Sky Harbor International Airport 24 hours-a-day, seven days-a-week, every day of the year. The contract, along with an existing contract for the operation, maintenance, and repair service, are two contracts that impact the BHS. To better meet its operational needs and to achieve service and pricing efficiencies, the Aviation Department will combine both services into one solicitation upon the expiration of both contracts, which will result in one contracted vendor to provide full and comprehensive services and maintenance to the BHS.

Contract Term

Upon approval, the term of the contract will be extended through June 30, 2024.

Financial Impact

The value of the contract will be up to \$2,375,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously approved:

- Baggage Handling Control System Design, Programming and Integration Services Contract (Ordinance S-45225) on Dec. 12, 2018; and
- Purchase of Baggage Handling Control System Design, Programming and Integration (Ordinance S-49334) on Jan. 25, 2023

Location

Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Aviation Department.



Arizona Aviation Partners, LLC Ground Lease at Phoenix Goodyear Airport (Ordinance S-50120)

Request to authorize the City Manager, or his designee, to enter into a ground lease with Arizona Aviation Partners, LLC (AZ Partners) to construct hangars at Phoenix Goodyear Airport (GYR).

Summary

AZ Partners has requested to enter into a ground lease to develop hangars, apron, automobile parking, and an access road on approximately 32 acres at GYR. AZ Partners intends to market the hangars under sublease agreements approved by the City. The hangars and other improvements will be constructed in two phases of approximately 16 acres for each phase. AZ Partners will have 24 months to construct the Phase 1 improvements, and 48 months to construct the Phase 2 improvements. Construction of the hangars will require the relocation of utilities at an estimated cost of \$1.4 million that will be reimbursed to AZ Partners through rent credits.

Contract Term

The primary term of the ground lease will be 30 years, which will be preceded by a 24-month development term to complete the Phase 1 improvements. The development term for the Phase 2 improvements will be 48 months. Provisions of the lease will include an option to extend the term up to 10 years, which may be exercised by the City Manager or designee.

Financial Impact

Rent for the primary term of the Phase 1 parcel is anticipated to be approximately \$252,474 per year. AZ Partners will pay annual rent of \$38,812 on the Phase 2 parcel until construction on the Phase 2 parcel commences, or the 48 month development term expires, whichever occurs first. Upon completion of the Phase 2 development term, AZ Partners will pay rent of \$258,746 per year for the first year. Total revenue over the 30-year lease term and 10-year option will be approximately \$20.5 million. All rents are subject to annual increases based on the Phoenix-Mesa-Scottsdale Consumer Price Index. As an aircraft storage operator, AZ Partners will also be required to enter into a Specialized Aviation Services Operator permit which will require AZ Partners to report and remit a monthly two percent fee on gross sales

derived from hangar subleases with its tenants.

Concurrence/Previous Council Action

The Business and Development Subcommittee recommended approval of this item on May 4, 2023 by a vote of 3-0.

The Phoenix Aviation Advisory Board recommended approval of this item on May 18, 2023 by a vote of 7-0.

Location

Phoenix Goodyear Airport, 1658 South Litchfield Road, Goodyear, Ariz.

District: Out of City

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Aviation Department.



Environmental Remediation Consulting Services Requirements Contract RFP 23-042 - Request for Award (Ordinance S-50125)

Request to authorize the City Manager, or his designee, to enter into a contract with Geosyntec Consultants, Inc. to provide environmental remediation consulting services for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will be up to \$250,000.

Summary

In 2008, the City entered into Contract 124536 with Honeywell International Inc. (Honeywell). The contract sets forth Honeywell's requirements to conduct remediation of fuel released on and beneath City property and includes provisions for the cost recovery for these services. Geosyntec will provide expert level remediation consulting services and support to analyze remediation reports, identify issues of concern to the City, advise the City on remediation progress, and make recommendations to the City as remediation nears completion for the Honeywell 34th Street Facility. The contract is critical as it ensures Honeywell's remediation requirements are met for the purpose of protecting the public health, welfare, environment, and airport facilities.

Procurement Information

A Request for Proposal was processed in accordance with City of Phoenix Administrative Regulation 3.10.

One vendor submitted a proposal and was deemed responsive. An evaluation committee evaluated the offer based on the following criteria with a maximum possible total of 1,000 points.

- Method of Approach (0-325 Points)
- Key Personnel Qualifications and Experience (0-275 Points)
- Firm Qualifications and Experience (0-250 Points)
- Fee Schedule (0-150 Points)

After reaching consensus, the evaluation committee recommended award to the following vendor:

- Geosyntec Consultants, Inc.

Contract Term

The contract will begin on or about Sept. 26, 2023 for a five-year term with no options to extend.

Financial Impact

The contract value will be up to \$250,000 for the five-year term of the contract.

Funding is available in the Aviation Department's budget.

Location

Phoenix Sky Harbor International Airport: 2485 E. Buckeye Road
Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Aviation Department.



**Airport Marking Paints Contract - AVN IFB 23-0101 Request for Award
(Ordinance S-50131)**

Request to authorize the City Manager, or his designee, to enter into a contract with International Coatings Company, Inc. to provide airport marking paints for Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport (Airports). Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will be up to \$2 million over its five-year term.

Summary

The contract will authorize International Coatings Company, Inc. to supply and deliver runway, taxiway, and roadway marking paints on an as-needed basis to support the maintenance activities for the Airports. The paint is required to comply with Federal Aviation Administration regulations and for use in airport operating areas and roadway systems.

Procurement Information

An Invitation for Bid was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Five offerors submitted offers. Four offers were determined to be nonresponsive. The offer from International Coatings Company, Inc. was determined to be responsive to posted specifications and reasonable to provide the required goods based on the market and previous contract pricing.

Contract Term

The term of the contract is five years and will begin on or about Oct. 1, 2023. There are no options to extend the term.

Financial Impact

The contract value is expect to be up to \$2 million over the five-year contract term.

Funding is available in the Aviation Department's Operating budget.

Location

Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.;
Phoenix Deer Valley Airport, 702 W. Deer Valley Road; and
Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz.
Council Districts: 1 and 8, and Out of City

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Aviation Department.



Overhead, Aircraft Hangar, and Automatic Doors/Systems Replacement and Repair Services Contract IFB 23-0129 - Request for Award (Ordinance S-50140)

Request to authorize the City Manager, or his designee, to enter into a contract with D.H. Pace Company, Inc. (D.H. Pace) to provide maintenance, repair, installation, testing, and inspection services for various mechanical doors for the Aviation Department on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will be up to \$1.5 million.

Summary

The contract will provide the services for aircraft hangar doors, overhead doors, dock leveling devices, and automatic doors throughout Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport (Airports). These doors are critical in allowing the Airports to maintain the large array of doors and ensure the safety and security of the traveling public.

Procurement Information

An Invitation for Bid was processed in accordance with City of Phoenix Administrative Regulation 3.10.

One bid was received from D.H. Pace. The bid was evaluated based on the minimum qualifications, price, responsiveness, and responsibility to the posted specifications to provide the required goods and services. The bid from D.H. Pace was deemed fair and reasonable based on the market and previous agreement pricing.

Contract Term

The term of the contract is five years and will begin on or about Oct. 1, 2023. There are no options to extend the term.

Financial Impact

The contract value will be up to \$1.5 million for the five-year term. Funding is available in the Aviation Department's budget.

Location

Phoenix Sky Harbor International Airport, 3400 E. Sky Harbor Blvd.;
Phoenix Deer Valley Airport, 702 W. Deer Valley Road;
Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear Ariz.
Council Districts: 1, 8, Out of City

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Aviation Department.



Facility Condition Assessments Agreements - RFQu 24-FMD-002 (Ordinance S-50122)

Request to authorize the City Manager, or his designee, to establish a qualified vendor list and enter into separate agreements with Arrington Watkins Architects; DLR Group, Inc.; Facility Engineering Associates; FM Solutions Management, LLC; and SmithGroup, Inc. to provide facility condition assessments on City-owned facilities. Further request to authorize the City Controller to disburse all funds related to this item. The value of the agreement will not exceed \$6.1 million.

Summary

The Public Works Department is responsible for assessing the condition of City-owned facilities. Facility condition assessments are essential to monitor and maintain the health and safety of more than 1,500 facilities. Information obtained from the assessments is used to identify areas of immediate need, address maintenance improvements, and verify functional or economic obsolescence. This information allows for planning, budgeting, and prioritizing the necessary maintenance and repairs of each facility. These agreements will also provide assessments for facilities maintained by the Phoenix Convention Center, Housing and Water Services departments.

Procurement Information

Request for Qualifications (RFQu) 24-FMD-002 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received fourteen proposals on March 29, 2023. One proposal was deemed non-responsive. The proposals were evaluated by a panel that included representation from Fire, Phoenix Convention Center, Street Transportation, Water Services and Public Works departments. The proposals were evaluated based on criteria set forth in the RFQu with 1,000 maximum points possible.

Arrington Watkins Architects: 935 points
DLR Group, Inc.: 921 points
ECS Southwest, LLP: 735 points
Facility Engineering Associates: 921 points
FM Solutions Management, LLC: 930 points

GLHN Architects & Engineers, Inc.: 858 points
Kimley-Horn and Associates, Inc.: 890 points
McKinstry Essention, LLC: 875 points
Partner Engineering and Science, Inc.: 888 points
Property Condition Assessments, LLC: 851 points
Sazan Group, Inc.: 895 points
SmithGroup, Inc.: 934 points
Terracon Consulting Engineers & Scientists: 916 points

The evaluation panel recommends the offers from Arrington Watkins Architects; DLR Group, Inc.; Facility Engineering Associates; FM Solutions Management, LLC; and SmithGroup, Inc. to be accepted as the responsive and responsible offers with the highest point value received.

Contract Term

The initial one-year term of the agreements will begin on or about Dec. 1, 2023. The agreements will include four one-year options to extend the term, for a total agreement term of up to five years if all options are exercised.

Financial Impact

The value of the agreements, including all option years, is \$6.1 million, including all applicable taxes. Funding is available in various departments' operating and CIP budgets.

Responsible Department

This item is submitted by Interim Deputy City Manager John Chan, Deputy City Managers Gina Montes, Ginger Spencer and Mario Paniagua, and the Phoenix Convention Center, Housing, Water Services, and Public Works departments.



Chiller Maintenance and Repair Services - IFB 19-FMD-023 - Amendment (Ordinance S-50128)

Request to authorize the City Manager, or his designee, to amend Agreements 149541 with Mesa Energy Systems, Inc. dba Emcor Services Arizona; 149548 with Trane US, Inc.; and 149542 with Pueblo Mechanical & Controls, LLC, to allow additional expenditures for chiller maintenance and repairs in City-owned facilities. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$793,000.

Summary

The Public Works Department is responsible for maintaining and repairing chillers in City-owned facilities. Chillers are necessary in order to maintain temperatures in buildings, and are the primary source of cooling in larger facilities. These full-service agreements provide annual inspections, maintenance, and repairs of these systems. The additional expenditures are necessary and will help maintain chillers citywide to ensure they run efficiently and to help minimize repair costs. This request will also support the facilities maintained by the Water Services Department.

Procurement Information

Invitation for Bid 19-FMD-023 was conducted in accordance with Administrative Regulation 3.10. Five offers were received by the Public Works Department on Jan. 23, 2019. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offers submitted by Mesa Energy Systems, Inc. dba Emcor Services Arizona; Trane US, Inc.; and Pueblo Mechanical & Controls, LLC were deemed fair and reasonable.

Contract Term

The one-year contract terms started on May 1, 2019, with four option years to be exercised in increments of up to one year, with a contract end date of April 30, 2024.

Financial Impact

The initial authorization for these agreement was for an expenditure not-to-exceed \$2,215,000. This request will increase the authorization of the agreements by an

additional \$793,000, for a new not-to-exceed agreement value of \$3,008,000. Funds are available in the Water Services and Public Works departments' budgets.

Concurrence/Previous Council Action

The City Council approved Agreements 149541 with Mesa Energy Systems, Inc. dba Emcor Services Arizona; 149548 with Trane US, Inc.; and 149542 with Pueblo Mechanical & Controls, LLC (Ordinance S-45452) on March 20, 2019.

Responsible Department

This item is submitted by Deputy City Managers Ginger Spencer and Mario Paniagua, and the Water Services and Public Works departments.



Aviation Glass Repair, Replace, and Maintenance Services - IFB 21-003 - Amendment (Ordinance S-50130)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 152953 with True View Windows and Glass, LLC to allow additional expenditures and add the Public Works Department as an authorized user for glass repair, replacement, and maintenance services in City-owned facilities. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$400,000.

Summary

The Public Works Department is responsible for providing glass repair and replacement in facilities citywide. This agreement will provide glass repair, replacement, installation, and maintenance services in City-owned facilities. The agreement also provides frame components, various types of glass for windows, and specialty services, such as glass scratch removal, graffiti protection film, and the replacement of worn or missing seals.

Procurement Information

Invitation for Bid 21-003 was conducted in accordance with Administrative Regulation 3.10. Offers were received by the Aviation Department on July 27, 2020. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offer submitted by True View Windows and Glass, LLC was deemed fair and reasonable.

Contract Term

The five-year contract term will remain unchanged, ending Sept. 30, 2025.

Financial Impact

The initial authorization for this agreement was for an expenditure not-to-exceed \$1 million. This request will increase the authorization of the agreement by an additional \$400,000, for a new not-to-exceed agreement value of \$1.4 million. Funds are available in the Public Works Department's budget.

Concurrence/Previous Council Action

The City Council approved Agreement 152953 with True View Windows and Glass, LLC (Ordinance S-46913) on Sept. 16, 2020.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Aviation and Public Works departments.



**Transmission Main Inspection and Assessment Program - Engineering Services
- WS85500379 (Ordinance S-50124)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Black & Veatch Corporation, to provide Engineering Services that include programming, studies, assessment, inspections, design, and possible construction administration and inspection services for the Transmission Main Inspection and Assessment Program project. Further request to authorize execution of amendments to the agreement, as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for all services will not exceed \$4,981,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to inspect 48 miles of Pre-stressed Concrete Cylinder Pipe (PCCP) transmission mains. Twenty seven of the total pipes will be inspected to determine the stability of distress discovered in previous inspections. For these inspections, plans have been developed that identify the requirements and activities necessary for shutdown inspection and startup of the mains. The remaining twenty one miles will be new inspections and will require development of plans.

Black & Veatch Corporation's services include, but are not limited to: reviewing past assessments; selection and implementation of pertinent inspection methods and tools; assisting with upkeep of the City's PCCP inspection plan; developing detailed inspection plans; assisting in development of scope documents for Job Order Contract

support agreements; prepare construction documents for short-term or capital improvements to facilitate pipeline shutdowns/startups; preparing detailed shutdown plans; assisting with acquisition permits; coordinating shutdowns, inspection, repairs and startup activities including field inspection and contract administration of work performed by the Job Order Contractor; performing condition assessments utilizing appropriate and agreed-upon inspection technologies and techniques; developing construction documents for rapid pipeline reinforcement on an as-needed basis; compiling and reporting inspection results; assisting with importing assessment results into both the City's Computerized Maintenance Management System, Oracle Water Asset Management and Geographical Information System; and updating inspection checklists and guidelines and developing new ones as necessary.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. One firm submitted proposals and are listed below.

Selected Firm

Rank 1: Black & Veatch Corporation

Contract Term

The term of the agreement is three years from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for Black & Veatch Corporation will not exceed \$4,981,000, including all sub-consultant and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Responsible Department

This item is submitted by Deputy City Managers Ginger Spencer and Alan Stephenson, the Water Services Department and the City Engineer.



Phoenix Sky Harbor International Airport Solar Covered Parking Shade Structures - Architectural Services - AV09000101 FAA (Ordinance S-50135)

Request to authorize the City Manager, or his designee, to enter into an agreement with WHPacific, Inc. to provide Architectural Services that include design and possible construction administration and inspection for the Phoenix Sky Harbor International Airport Solar Covered Parking Shade Structures project. Further request to authorize execution of amendments to the agreement, as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$5 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of the project is to increase available renewable electricity at the Airport while reducing reliance on carbon-generated electricity. The project primarily focuses on installing solar covered parking shade structures at the 24th Street and 44th Street Phoenix Sky Train Station parking lots and the Terminal 4 Level 9 parking garage of the Airport. The new solar-covered parking shade structures in the parking areas will result in an annual average CO₂ emissions avoidance, will increase renewable electricity, produce solar renewable energy credits for the City, and lead to electricity cost savings, in addition to providing covered parking areas for airport workers and the traveling public.

WHPacific Inc.'s services include: performing a Federal Aviation Administration (FAA) required glare analysis for each site; providing all services in compliance with

applicable FAA rules, regulations, and grant requirements; optimizing each site for maximum solar production, including battery storage for peak demand savings and resiliency; providing programming to define requirements, alternatives, recommended approach, and associated costs and construction program; providing a design package that includes infrastructure for future electric vehicle charging, system specifications, and anticipated annual solar production report; providing electrical evaluation of existing conditions for each site; providing associated structural, electrical, mechanical, technology, fire/life/safety/security, and civil work as required; participating in pre-construction conference and weekly construction coordination meetings; conducting site visits and preparing field reports and monthly construction progress reports; reviewing and approving requests for information, proposal requests, change orders, and certification of progress payments; preparing and submitting all required federal, state, county, city, and others reports; participating in system commissioning activities; participating in substantial completion walk-through inspections and punch list and in a final acceptance walk-through inspection; providing record drawings, close-out related services and system acceptance testing and documentation; participating in post construction warranty inspection; and other services as needed for a complete project.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. One firm submitted a proposal and is listed below.

Selected Firm

Rank 1: WHPacific, Inc.

Contract Term

The term of the agreement is five years from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for WHPacific, Inc. will not exceed \$5 million, including all subconsultant and reimbursable costs.

Funding is available in the Aviation Department's Capital Improvement Program budget. The Aviation Department anticipates grant funding for a portion of the project. The Budget and Research Department will separately review and approve funding

availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location

24th Street and 44th Street Phoenix Sky Train Station parking lots and Terminal 4 Level 9 parking garage.
Council District: 8

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Alan Stephenson, the Aviation Department and the City Engineer.



Phoenix Sky Harbor International Airport Tracon Demolition and West Hold Bay Expansion - Engineering Services - AV08000089 FAA (Ordinance S-50136)

Request to authorize the City Manager, or his designee, to enter into a contract with TRACE Consulting, LLC to provide engineering services that include design and possible construction administration and inspection services for the Phoenix Sky Harbor International Airport Terminal Radar Approach Control Demolition and West Hold Bay Expansion project. Further request to authorize the City Manager, or his designee, to amend the contract as necessary within the City Council-approved expenditure authority as provided below and for the City Controller to disburse all funds related to this item. The fee for the services will not exceed \$650,000.

Further request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design, and construction of the Project. Utility services include: electrical, water, sewer, natural gas, telecommunication, cable television, and railroads and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to expand the West Hold Bay and demolish a building that was formerly used to provide Federal Aviation Administration (FAA) Terminal Radar Approach Control (TRACON) services at the Airport. A replacement TRACON was co-located with the Airport's control tower in 2006. The West Hold Bay is used for aircraft parking, aircraft staging and other airfield operations. The size of the hold bay will be reduced with the completion of the new Crossfield Taxiway U project, which overlaps with the west end of the hold bay. Demolition of the TRACON building will allow for expansion of the east end of the hold bay to accommodate the space lost to Taxiway U.

TRACE Consulting, LLC's services include: develop phased construction requirements

with existing airport operations; design and prepare project plans and specifications in compliance with applicable Maricopa County and City of Phoenix building codes; provide construction estimates, construction safety plans, and all required documentation to submit for FAA grant compliance; complete the engineers report required for FAA and Airport Improvement Project (AIP) grant compliance; provide bid phase services for the eventual advertisement of construction for the project using the design-bid-build delivery method; assist with bidding and prepare all project addenda; provide construction administration and inspection services per AIP and FAA grant requirements; review contractor shop drawings and submittals; review and approve monthly pay requests; schedule, conduct, and provide documentation for regular progress meetings with client and funding agencies; respond to requests for information; verify compliance with contract documents; issue letter of substantial completion; review contractor's record drawings monthly and prepare final record drawings; prepare daily inspection reports for the Project records detailing construction progress and punch-list development; conduct pre-final and final inspection; and conduct warranty inspection and other services as needed for a complete project.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until a contract is awarded. Three firms submitted proposals and are listed below.

Selected Firm:

Rank 1: TRACE Consulting, LLC

Additional Firm:

Rank 2: Stantec Consulting Services, Inc.

Rank 3: C&S Engineers, Inc.

Contract Term

The term of the agreement is five years from the issuance of the Notice to Proceed. Work scope identified and incorporated into the contract prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The contract value for TRACE Consulting, LLC will not exceed \$650,000, including all subconsultant and reimbursable costs.

Funding is available in the Aviation Department's Capital Improvement Program. The Aviation Department anticipates grant funding for a portion of the project. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location

2485 E. Buckeye Road
Council District: 8

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Alan Stephenson, the Aviation Department and the City Engineer.



Arizona Public Service Trenching Agreement for City of Phoenix Booster Pump Station 5A-B2 - WS85100032 (Ordinance S-50137)

Request to authorize the City Manager, or his designee, to enter into a trenching agreement with Arizona Public Service (APS) to install underground distribution facilities for project WS85100032 5A-B2, Booster Pump Station Replacement. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary

The City is constructing modifications to existing Booster Pump Station 5A-B2 at 20th Street and Greenway Road that will require the installation of new underground electrical facilities. The trenching agreement is required by APS to proceed with electrical design, as well as the installation of necessary facilities to provide power for the City's requested needs.

Contract Term

The term of the agreement will begin on or about Sept. 5, 2023, and expire when the project is completed and accepted.

Financial Impact

There is no financial impact to the City of Phoenix for this agreement.

Location

20th Street and Greenway Road
Council District: 3

Responsible Department

This item is submitted by Deputy City Managers Alan Stephenson and Ginger Spencer, the Water Services Department and the City Engineer.



Arizona Public Service Trenching Agreement for City of Phoenix Booster Pump Station 4F-B1 - WS85400007-7 (Ordinance S-50138)

Request to authorize the City Manager, or his designee, to enter into a Trenching Agreement with Arizona Public Service (APS) to install underground distribution facilities for project WS85400007-7 4F-B1 Booster Pump Upgrade. Further request to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary

The City is constructing upgrades to existing Booster Pump Station 4F-B1 at 15th Avenue and Port au Prince Lane that will require the installation of new underground electrical facilities. The trenching agreement is required by APS to proceed with electrical design, as well as the installation of necessary facilities to provide power for the City's requested needs.

Contract Term

The term of the agreement will begin on or about Sept. 5, 2023, and expire when the project is completed and accepted.

Financial Impact

There is no financial impact to the City of Phoenix for this agreement.

Location

15th Avenue and Port au Prince Lane
Council District: 3

Responsible Department

This item is submitted by Deputy City Managers Alan Stephenson and Ginger Spencer, the Water Services Department and the City Engineer.



Amend Contract 157963-0 Salt River Project Facility Relocation Agreement - Camelback Road and 44th Street - Salt River Project Aesthetics (Ordinance S-50139)

Request the City Council amend Contract 157963-0 to revise Exhibit A, sealed legal descriptions and exhibits for a proposed easement contained in the Salt River Project (SRP) Facility Relocation Agreement at 44th Street and Camelback.

Summary

SRP is converting overhead electrical facilities on 44th Street North of Camelback Road, which will be relocated underground in accordance with an approved SRP Municipal Aesthetics Program project. As part of the conversion, the City entered into Contract 157963-0, a Facility Relocation Agreement on Jan. 25, 2023, (Ordinance S-49373) that contained Exhibit A, legal descriptions and exhibits for an easement needed at 44th Street and Camelback Road. Prior to the start of construction, it was discovered that Exhibit A did not accurately capture the footprint needed for SRP's facilities and was revised accordingly. All other conditions and stipulations previously stated in the Contract and Ordinance will remain the same.

Financial Impact

There is no financial impact to the City of Phoenix.

Location

44th Street north of Camelback Road
Council District: 6

Concurrence/Previous Council Action

The City Council approved the Facility Relocation Agreement with Salt River Project for Electrical Facilities Along 44th Street north of Camelback Road (Ordinance S-49373) on Jan. 25, 2023.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson, the Street Transportation Department and the City Engineer.



Phoenix Sky Harbor International Airport Taxiway A Connectors A3 to A4 Strengthening and Reconstruction - Engineering Services - AV08000088 FAA (Ordinance S-50142)

Request to authorize the City Manager, or his designee, to enter into an agreement with Stantec Consulting Services, Inc. to provide Engineering Services that include design and possible construction administration and inspection for the Phoenix Sky Harbor International Airport Taxiway A Connectors A3 to A4 Strengthening and Reconstruction project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$2 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to reconstruct Taxiway A from A3 to A4 and the A4 connector at Phoenix Sky Harbor International Airport to support Group V aircraft operations. Taxiway A is part of the north airfield of the airport and parallels the north runway. The westernmost end of Taxiway A, from connectors A1 to A3, is made up of concrete pavement and can accommodate Group V aircraft. The remainder of Taxiway A is asphalt paving and can accommodate smaller Group III aircraft. Planned development at the northwest corner of the airfield to support cargo operations and an aircraft isolation pad requires the development of an aircraft isolation pad, accommodations to connect Taxiway A to the planned cargo development, and the reconstruction of the vehicle service road that parallels the taxiway to the north of the airport.

Stantec Consulting Services, Inc.'s services include, but are not limited to: developing phased construction requirements with existing airport operations; designing and preparing project plans and specifications in compliance with applicable Maricopa County and City of Phoenix Building Codes; providing construction estimates, construction safety plans, and all required documentation to submit for Federal Aviation Administration (FAA) grant compliance; completing the engineer's report required for FAA and Airport Improvement Project (AIP) grant compliance; providing bid phase services for the eventual advertisement of construction for the project using the design-bid-build delivery method; assisting with bidding and preparing all project addenda; providing construction administration and inspection services per AIP and FAA grant requirements; reviewing contractor shop drawings and submittals; reviewing and approving monthly pay requests; scheduling, conducting, and providing documentation for regular progress meetings with client and funding agencies; responding to requests for information; verifying compliance with contract documents; issuing letter of substantial completion; reviewing contractor's record drawings monthly and prepare final record drawings; preparing daily inspection reports for the project records detailing construction progress and punch-list development; conducting pre-final and final inspections; and conducting warranty inspection and other services as needed for a complete project.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Six firms submitted proposals and are listed below.

Selected Firm:

Rank 1: Stantec Consulting Services, Inc.

Additional Firms:

Rank 2: HDR Engineers, Inc.

Rank 3: Dibble & Associates Consulting Engineers, Inc.

Rank 4: Kimley-Horn and Associates, Inc.

Rank 5: RS&H, Inc.

Rank 6: C&S Engineers, Inc.

Contract Term

The term of the agreement is five years from issuance of the Notice to Proceed. Work

scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for Stantec Consulting Services, Inc. will not exceed \$2 million, including all subconsultant and reimbursable costs.

Funding is available in the Aviation Department's Capital Improvement Program budget. The Aviation Department anticipates grant funding for a portion of this project. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location

2485 E. Buckeye Road
Council District: 8

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Alan Stephenson, the Aviation Department and the City Engineer.



Phoenix Sky Harbor International Airport Terminal 4 Central Plant Modernization - Engineering Services - AV21000111 FAA (Ordinance S-50144)

Request to authorize the City Manager, or his designee, to enter into an agreement with SmithGroup, Inc. to provide Engineering Services that include condition assessment, design, and possible construction administration and inspection for the Phoenix Sky Harbor International Airport Terminal 4 Central Plant Modernization project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$4.5 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to replace the current Terminal 4 Central Plant and all associated equipment and possible inclusion of the controls systems that provide all cooling capabilities for the Terminal 4 building campus. The Terminal 4 building campus is approximately 1.9M square feet, which includes the main terminal and eight concourses with associated connecting bridges. The Terminal 4 Central Plant and associated equipment is more than 30 years old and has reached or exceeded its useful life. The equipment is outdated, costly to operate and maintain, has become obsolete, and parts are no longer manufactured. The modernization design shall align with the Airport's goals in sustainability, resiliency, and any applicable key performance indicators. The objective of the project is to design a modern and sustainable central plant in Terminal 4. When the project is complete, the new Terminal 4 Central Plant will

provide increased building campus cooling capacity and energy efficiency while simultaneously reducing operation and maintenance costs.

SmithGroup, Inc.'s services include, but are not limited to: conducting onsite assessment and evaluation; inventorying existing equipment and apparatus; coordinating with the City and Construction Manager at Risk during design of the project; designing replacement of electrical services entrance sections, chillers, condensing water pumps, Central Plant piping, heat exchangers, cooling tower, water softening and water treatment systems, Central Plant internal space cooling system, Central Plant control systems, and life safety systems and all associated equipment; providing full system specifications and anticipated production statistics, optimizing the Central Plant for maximum energy savings and resiliency; providing design to include infrastructure for future upgrades where applicable; providing all associated structural, electrical, mechanical, technology, fire/life/safety/security, and civil design work as required; and possible construction administration and inspection services that include participating in pre-construction conference and weekly construction coordination meetings; preparing meeting minutes and responding to requests for information and submittal review and approvals; preparing and submitting of all required federal, state, county, City, and others reports; reviewing and approving monthly pay requests; scheduling, conducting, and providing documentation for regular progress meetings; participating in substantial completion walk-through inspection and final acceptance walk-through inspection; preparing final record drawings and close-out services; and conducting warranty inspection and other services as needed for a complete project.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Nine firms submitted proposals and are listed below.

Selected Firm:

Rank 1: SmithGroup, Inc.

Additional Firms:

Rank 2: Kimley-Horn and Associates, Inc.

Rank 3: The RMH Group, Inc.

Rank 4: IMEG Consultants Corp.

Rank 5: Energy Systems Design, Inc.

Rank 6: Affiliated Engineers, Inc.

Rank 7: Page Southerland Page, Inc.

Rank 8: Arup US, Inc.

Rank 9: Henderson Engineers, Inc.

Contract Term

The term of the agreement is five years from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for SmithGroup, Inc. will not exceed \$4.5 million, including all subconsultant and reimbursable costs.

Funding is available in the Aviation Department's Capital Improvement Program budget. The Aviation Department anticipates grant funding for a portion of the project. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location

3800 E. Sky Harbor Blvd.

Council District: 8

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Alan Stephenson, the Aviation Department and the City Engineer.



Apply for Maricopa Association of Governments Congestion Mitigation and Air Quality Improvement Program for Fiscal Year 2023-24 Federal - Bipartisan Infrastructure Law Funding (Ordinance S-50150)

Request to authorize the City Manager, or his designee, to apply for and accept if awarded and enter into agreements for disbursement of Federal funding from the Maricopa Association of Governments through the Fiscal Year 2023-24 Congestion Mitigation and Air Quality Particulate Matter-10 certified street sweepers grant opportunity funded by the U.S. Department of Transportation. Further request an exemption from the indemnification prohibition set forth in the Phoenix City Code section 42-18 for a governmental entity pursuant to Phoenix City Code section 42-20. If awarded, the funding will be used to replace aging street sweepers. Additionally, request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The City's local match would not exceed \$200,000.

Summary

On Aug. 1, 2023, the Maricopa Association of Governments (MAG) announced a call for projects for federal Congestion Mitigation Air Quality (CMAQ) Improvement Particulate Matter 10 micrometers or smaller (PM-10) certified street sweepers. There is approximately \$1,344,969 in CMAQ funding available under this current call.

The City intends to submit applications for up to two PM-10 certified street sweepers to replace two older sweepers. Obtaining grant funding allows the City to leverage local dollars to design, build, and procure new projects and equipment for the benefit of the community.

The CMAQ PM-10 certified street sweepers grant submittal deadline is Sept. 15, 2023.

Financial Impact

The estimated total cost for the equipment will be determined prior to submittal of the application. The maximum federal participation rate is 94.3 percent with a minimum local match of 5.7 percent of the total eligible equipment costs. The City's costs, including non-eligible costs, would be approximately for a total of \$200,000.

The City would fund the required local match plus any overmatch amount to fund

additional City-required features or specifications that are not eligible for reimbursement under CMAQ.

Funding for the local match is available in the Street Transportation Department's Capital Improvement Program budget. Potential grant funding received is available through the Federal Bipartisan Infrastructure Law, from MAG through the Fiscal Year 2023-24 CMAQ PM-10 grant opportunity funded by the U.S. Department of Transportation.

Responsible Department

This item is submitted by Deputy City Managers Alan Stephenson and Mario Paniagua, and the Street Transportation Department.



Final Plat - Dahlia Village - PLAT 230072 - Northwest Corner of 12th Street and Illini Street

Plat: 230072
Project: 22-2639
Name of Plat: Dahlia Village
Owner: Bonitas Casitas, LLC
Engineer: James M. Williamson, RLS
Request: A One-Lot Commercial Plat
Reviewed by Staff: Aug. 4, 2023
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public.

Location

Generally located at the northwest corner of 12th Street and Illini Street
Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



Amend City Code - Official Supplementary Zoning Map 1248 (Ordinance G-7148)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1248. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-129-06 and the entitlements are fully vested.

Summary

To rezone a parcel located approximately 200 feet north of the northeast corner of 41st Drive and Opportunity Way.

Application No.: Z-129-06

Zoning: C-2 PCD

Owner: 42101 & 42105 N 41st Dr, LLC and K2H Desert North, LLC

Acreage: 9.70

Location

Located approximately 200 feet north of the northeast corner of 41st Drive and Opportunity Way

Address: 42101, 42105, 42201 and 42211 N. 41st Drive

Council District: 1

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

**AN ORDINANCE AMENDING SECTION 601 OF THE CITY OF
PHOENIX ZONING ORDINANCE BY ADOPTING OFFICIAL
SUPPLEMENTARY ZONING MAP 1248.**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as

follows:

**SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is
hereby amended by adopting Official Supplementary Zoning Map 1248, which
accompanies and is annexed to this ordinance and declared a part hereof.**

**PASSED by the Council of the City of Phoenix this 6th day of September,
2023.**

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By: _____

REVIEWED BY:

Jeffrey Barton, City Manager

PL:arm:LF23-1921:9-6-2023

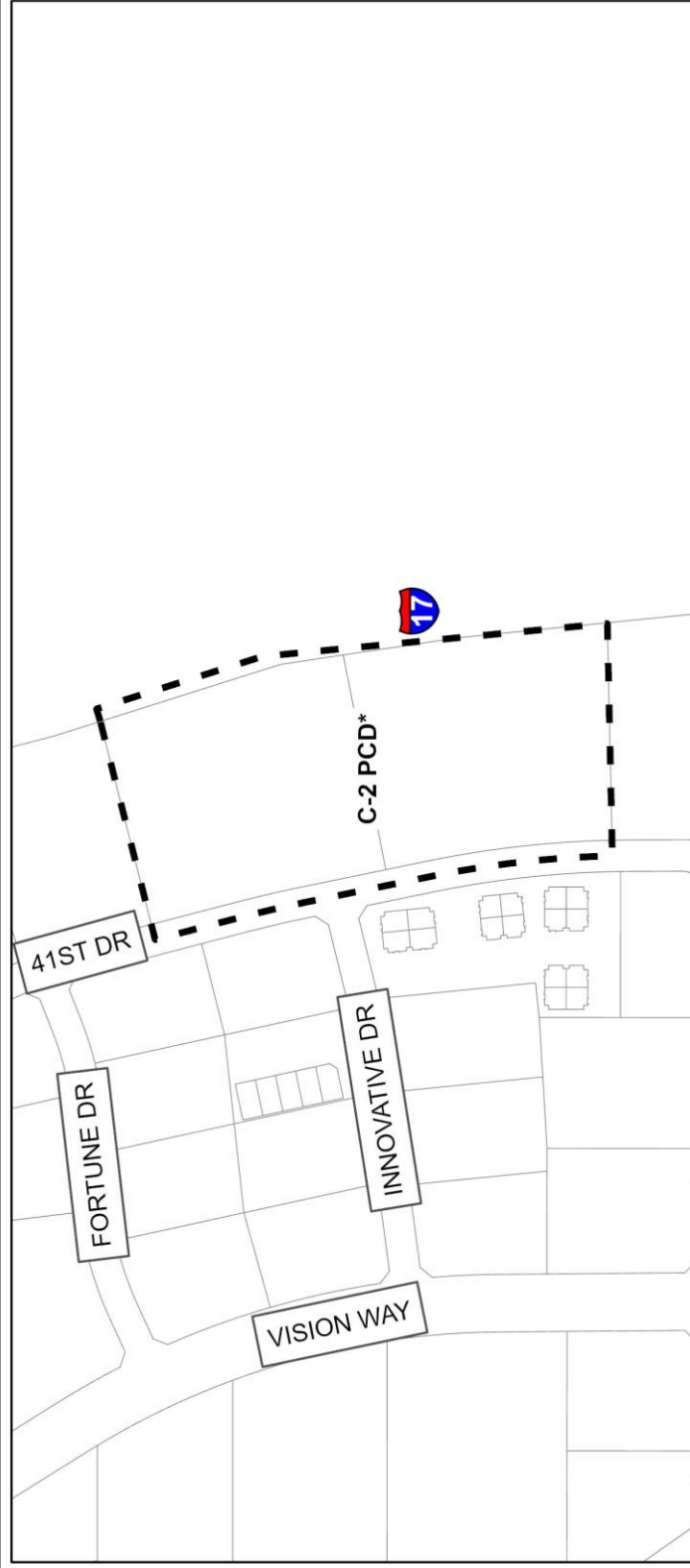
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OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1248

Sheet 1 of 1

ORDINANCE NO. _____ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 6th day of September 2023.



Z-129-06

Drawn by: KS



ZONING SUBJECT TO STIPULATIONS: *
AREA INVOLVED BOUNDED THUS: ■ ■ ■ ■ ■



Amend City Code - Official Supplementary Zoning Map 1251 (Ordinance G-7151)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1251. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-87-06-2 and the entitlements are fully vested.

Summary

To rezone a parcel approximately 290 feet north of the northwest corner of 53rd Street and Dynamite Road.

Application No.: Z-87-06-2

Zoning: R1-10

Owner: Various (Diamond Tree Estates HOA, et al.)

Acreage: 9.50

Location

Approximately 290 feet north of the northwest corner of 53rd Street and Dynamite Road

Address: Various

Council District: 2

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

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ORDINANCE G-

**AN ORDINANCE AMENDING SECTION 601 OF THE CITY OF
PHOENIX ZONING ORDINANCE BY ADOPTING OFFICIAL
SUPPLEMENTARY ZONING MAP 1251.**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as

follows:

**SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is
hereby amended by adopting Official Supplementary Zoning Map 1251, which
accompanies and is annexed to this ordinance and declared a part hereof.**

**PASSED by the Council of the City of Phoenix this 6th day of September,
2023.**

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By: _____

REVIEWED BY:

Jeffrey Barton, City Manager

PL:arm:LF23-1932:9-6-2023

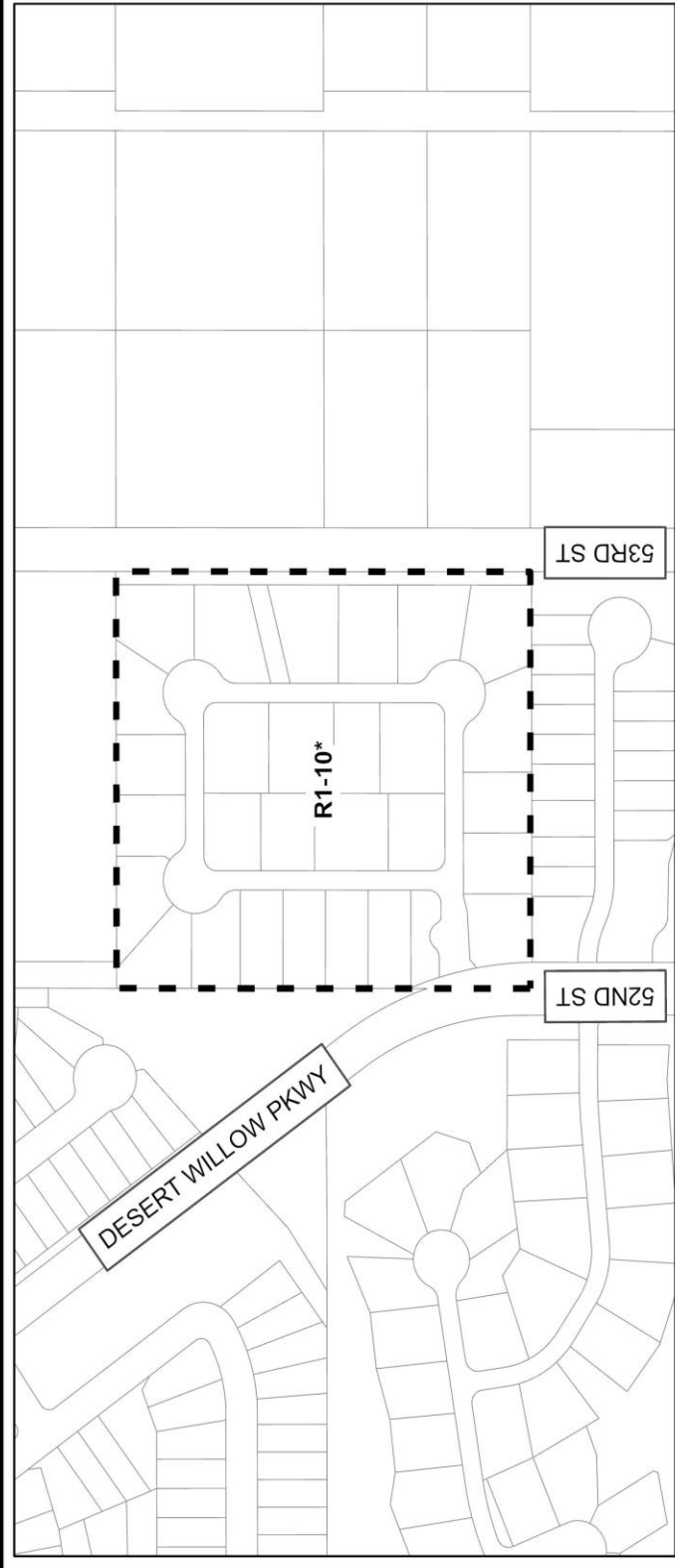
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OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1251

Sheet 1 of 1

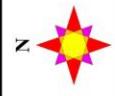
ORDINANCE NO. _____ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this _____ 6th day of September 2023.



Z-87-06

Drawn by: KS



ZONING SUBJECT TO STIPULATIONS: *
AREA INVOLVED BOUNDED THUS: ■■■■■



Amend City Code - Official Supplementary Zoning Map 1249 (Ordinance G-7149)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1249. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-49-06-4 and the entitlements are fully vested.

Summary

To rezone a parcel located approximately 660 feet north of the northeast corner of Thomas Road and State Route-51.

Application No.: Z-49-06-4

Zoning: R-5 H-R

Owner: Greenfield Hotel Investors, LLC

Acreage: 2.64

Location

Address: 2940 N. Greenfield Road

Council District: 4

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

**AN ORDINANCE AMENDING SECTION 601 OF THE CITY OF
PHOENIX ZONING ORDINANCE BY ADOPTING OFFICIAL
SUPPLEMENTARY ZONING MAP 1249.**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as

follows:

**SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is
hereby amended by adopting Official Supplementary Zoning Map 1249, which
accompanies and is annexed to this ordinance and declared a part hereof.**

**PASSED by the Council of the City of Phoenix this 6th day of September,
2023.**

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By: _____

REVIEWED BY:

Jeffrey Barton, City Manager

PL:arm:LF23-1922:9-6-2023

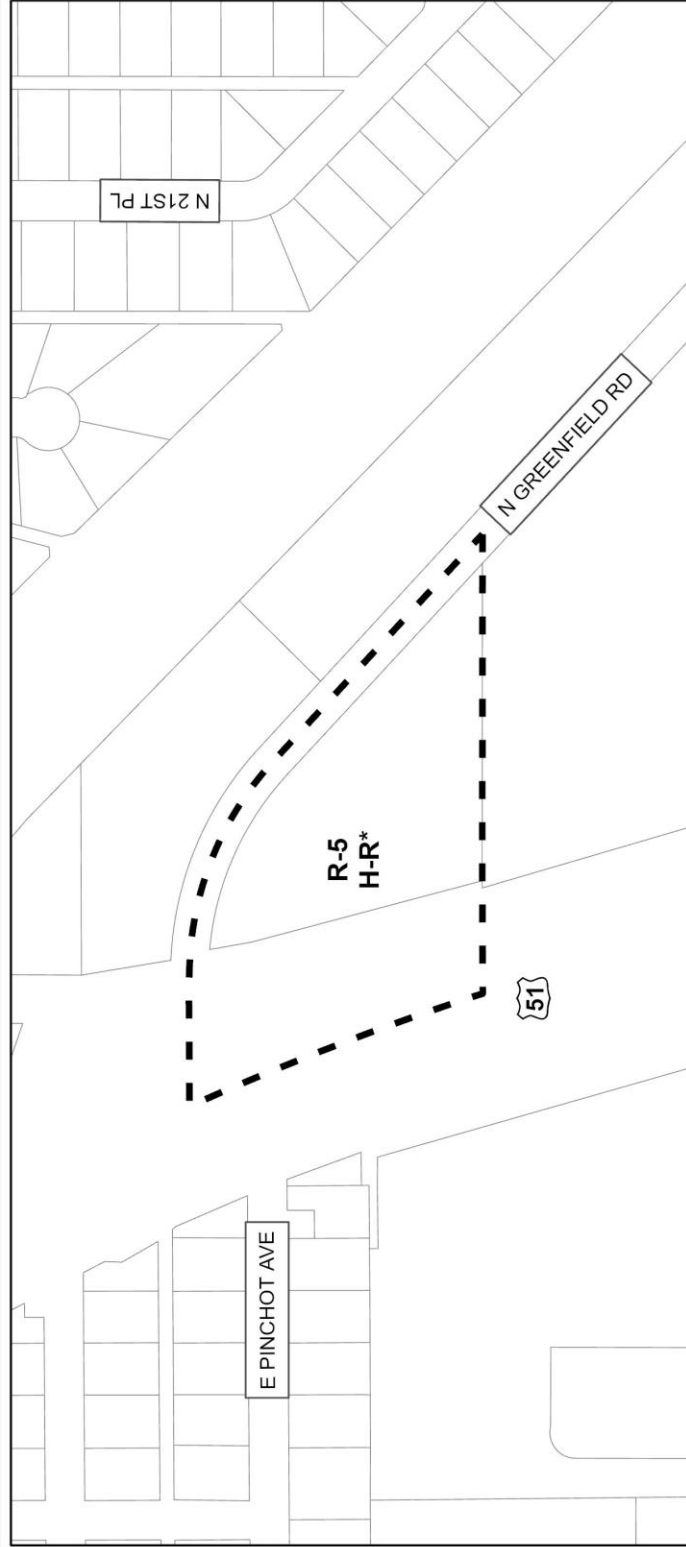
DRAFT

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1249

Sheet 1 of 1

ORDINANCE NO. _____ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 6th day of September 2023.



Z-49-06

Drawn by: KS _____



ZONING SUBJECT TO STIPULATIONS: *
AREA INVOLVED BOUNDED THUS: - - - - -



Amend City Code - Official Supplementary Zoning Map 1250 (Ordinance G-7150)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1250. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-76-06-5 and the entitlements are fully vested.

Summary

To rezone a parcel located at the southeast corner of the Loop 101 Freeway and Camelback Road.

Application No.: Z-76-06-5

Zoning: C-2

Owner: Camelback 101 Development, LLC; Bank of Arizona, N.A.; In-N-Out Burgers; L & L, LLC; and Spirit Master Funding VIII, LLC

Acreage: 12.26

Location

Southeast corner of Loop 101 Freeway and Camelback Road

Address: 9515, 9545, 9555, 9585, 9611 and 9675 W. Camelback Road

Council District: 5

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

**AN ORDINANCE AMENDING SECTION 601 OF THE CITY OF
PHOENIX ZONING ORDINANCE BY ADOPTING OFFICIAL
SUPPLEMENTARY ZONING MAP 1250.**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as

follows:

**SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is
hereby amended by adopting Official Supplementary Zoning Map 1250, which
accompanies and is annexed to this ordinance and declared a part hereof.**

**PASSED by the Council of the City of Phoenix this 6th day of September,
2023.**

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By: _____

REVIEWED BY:

Jeffrey Barton, City Manager

PL:arm:LF23-1930:9-6-2023

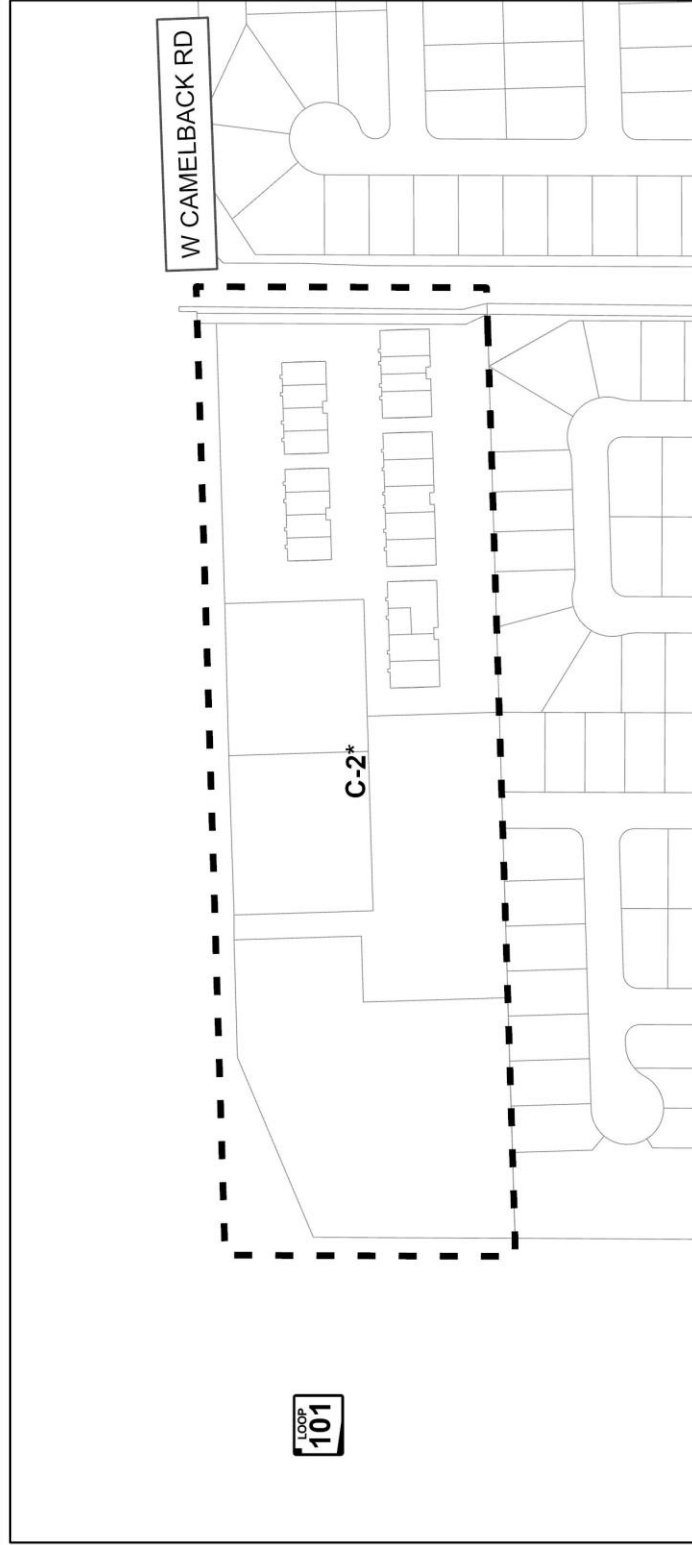
DRAFT

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1250

Sheet 1 of 1

ORDINANCE NO. _____ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 6th day of September 2023.



Z-76-06



ZONING SUBJECT TO STIPULATIONS: *
AREA INVOLVED BOUNDED THUS: ■■■■■

Drawn by: KS _____



Amend City Code - Ordinance Adoption - Rezoning Application Z-21-23-1 - Approximately 325 Feet North of the Northwest Corner of Black Canyon Highway and Deer Valley Road (Ordinance G-7154)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-21-23-1 and rezone the site from C-1 DVAO (Neighborhood Retail, Deer Valley Airport Overlay District) and C-2 HGT/WVR DVAO (Intermediate Commercial, Height Waiver, Deer Valley Airport Overlay District) to A-1 DVAO (Light Industrial District, Deer Valley Airport Overlay District) to allow office and warehouse uses.

Summary

Current Zoning: C-1 DVAO (1.86 acres) and C-2 HGT/WVR DVAO (3.77 acres)

Proposed Zoning: A-1 DVAO

Acreage: 5.63

Proposal: Office and warehouse

Owner: Rockwell Baker Industrial Center, LLC

Applicant/Representative: Cassandra Ayres, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Deer Valley Village Planning Committee was scheduled to hear this case on June 8, 2023; however, there was no quorum.

PC Action: The Planning Commission heard this case on Aug. 3, 2023, and recommended approval, per the staff recommendation, by a vote of 8-0.

Location

Approximately 325 feet north of the northwest corner of Black Canyon Highway and Deer Valley Road

Council District: 1

Parcel Address: 2555 W. Louise Drive

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-21-23-1) FROM C-1 DVAO (NEIGHBORHOOD RETAIL, DEER VALLEY AIRPORT OVERLAY DISTRICT) AND C-2 HGT/WVR DVAO (INTERMEDIATE COMMERCIAL, HEIGHT WAIVER, DEER VALLEY AIRPORT OVERLAY DISTRICT) TO A-1 DVAO (LIGHT INDUSTRIAL DISTRICT, DEER VALLEY AIRPORT OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 5.63-acre site located approximately 325 feet north of the northwest corner of Black Canyon Highway and Deer Valley Road in a portion of Section 13, Township 4 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from 1.86 acres of "C-1 DVAO" (Neighborhood Retail, Deer Valley Airport Overlay District) and 3.77 acres of "C-2 HGT/WVR DVAO" (Intermediate Commercial, Height Waiver, Deer Valley Airport Overlay District), to "A-1 DVAO" (Light Industrial District, Deer Valley Airport Overlay District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An average 9-foot (minimum 5-foot) wide landscape setback shall be provided along the north perimeter of the site (Louise Drive), as approved by the Planning and Development Department.
2. An average 9-foot (minimum 5-foot) wide landscape setback shall be provided along the west perimeter of the site (26th Avenue), as approved by the Planning and Development Department.
3. A minimum of 4 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
4. A minimum of 10% of the required parking spaces shall be EV Ready.
5. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
6. Right-of-way totaling 30 feet shall be dedicated for the east half of 26th Avenue, as approved by the Planning and Development Department.
7. Right-of-way totaling 30 feet for the south half of Louise Drive with a half 50-foot radius cul-de-sac shall be dedicated at its termination, as approved by the Planning and Development Department.
8. An 18-foot x 18-foot right-of-way triangle shall be dedicated at the southeast corner of 26th Avenue and Louise Drive, as approved by the Planning and

Development Department.

9. A sidewalk easement shall be dedicated on the east side of 26th Avenue and south side of Louise Drive, as approved by the Planning and Development Department.
10. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape strip located between the back of curb with minimum 2-inch caliper single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings and sidewalk shall be constructed along 26th Avenue and Louise Drive, as approved by the Planning and Development Department.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

11. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 6th day of September, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

WITHIN A PORTION OF SECTION 13, TOWNSHIP 4 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

APN: 209-04-048C

LOT 46, TOWNSITE OF ADOBE, STATE PLAT NO. 11, ACCORDING TO BOOK 68 OF MAPS, PAGE 45, RECORDS OF MARICOPA COUNTY, ARIZONA; EXCEPT THE WEST 40 FEET THEREOF; AND EXCEPT THAT PART OF SAID LOT 46 LYING SOUTHEASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 4 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, WHICH IS EASTERLY 998.06 FEET FROM THE SOUTHWEST CORNER THEREOF;

THENCE NORTH 33 DEGREES 16 MINUTES 19 SECONDS EAST, A DISTANCE OF 397 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID NORTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER AND THE TERMINUS POINT OF THIS DESCRIPTION; AND ALSO EXCEPT 1/16TH OF ALL GAS, OIL, METAL AND MINERAL RIGHTS AS RESERVED UNTO THE STATE OF ARIZONA IN PATENT TO SAID LAND.

APN: 209-04-051A

PARCEL NO. 1:

ALL OF LOT 49 AND THE WEST 40 FEET OF LOT 46, TOWNSITE OF ADOBE, STATE PLAT NO. 11, ACCORDING TO BOOK 68 OF MAPS, PAGE 45, RECORDS OF MARICOPA COUNTY, ARIZONA.

EXCEPT 1/16 OF ALL GAS, OIL, METAL AND MINERAL RIGHTS AS RESERVED UNTO THE STATE OF ARIZONA IN PATENT TO SAID LAND.

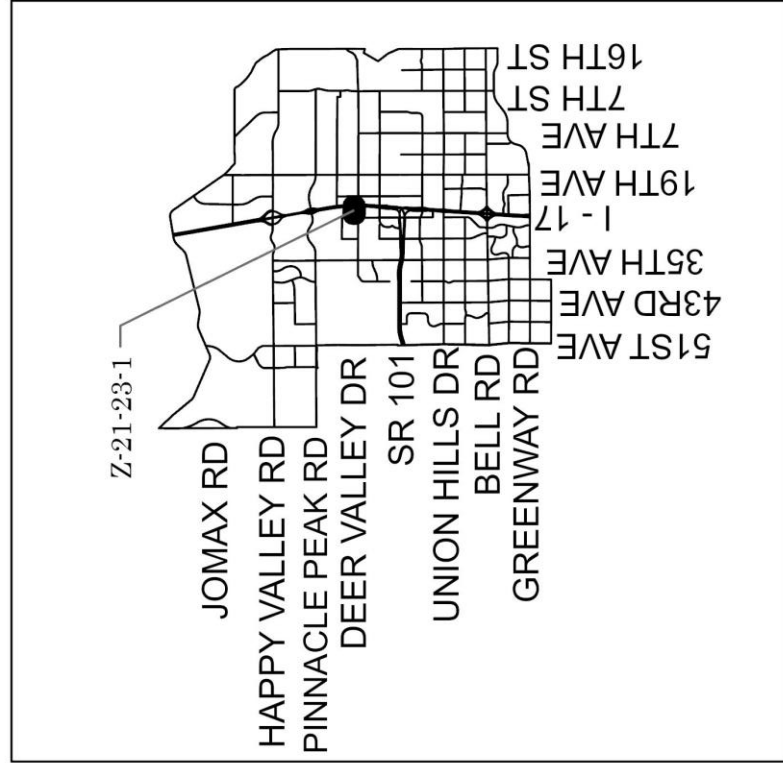
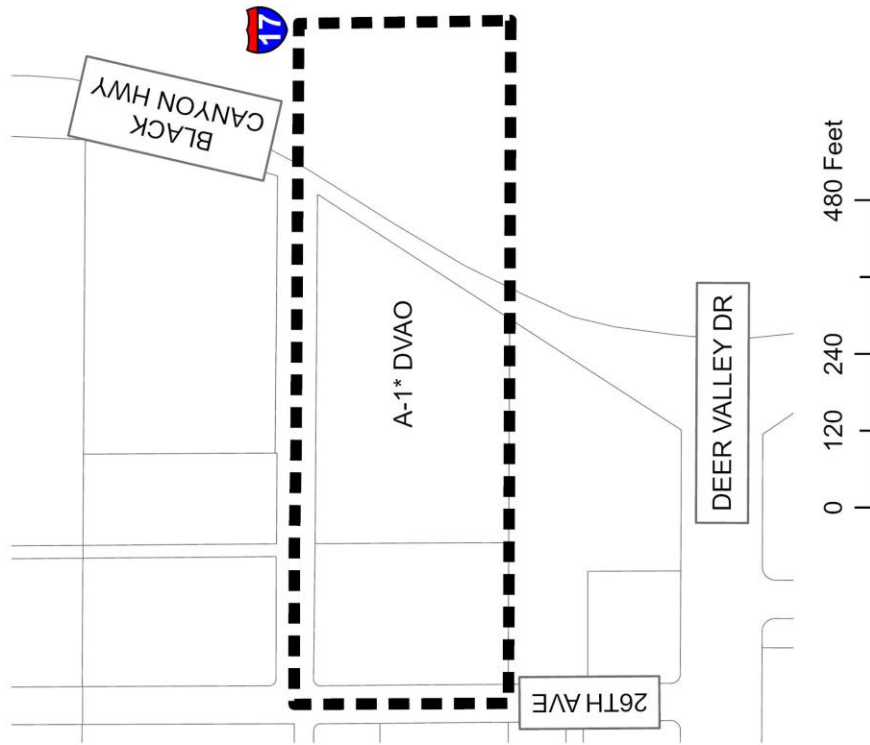
PARCEL NO. 2:

A STRIP OF LAND 20 FEET IN WIDTH, ADJOINING THE EAST LINE OF LOT 49, STATE PLAT NO. 11 TOWNSITE OF ADOBE, ACCORDING TO BOOK 68 OF MAPS, PAGE 45, RECORDS OF MARICOPA COUNTY, ARIZONA, AND LYING BETWEEN THE EASTERLY PROLONGATIONS OF THE NORTH AND SOUTH LINES OF SAID LOT 49, AS SET FORTH IN RESOLUTION 20455 RECORDED IN DOCUMENT NO. 20070072644.

ORDINANCE LOCATION MAP

Zoning Case Number: Z-21-23-1
Zoning Overlay: Deer Valley Airport Overlay District
Planning Village: Deer Valley

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■ ■ ■ ■ ■



NOT TO SCALE



Drawn Date: 7/31/2023



Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-2-23-2 - Approximately 375 Feet South of the Southwest Corner of North Valley Parkway and Sonoran Desert Drive (Ordinance G-7152)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-2-23-2 and rezone the site from C-2 M-R NBCOD (Intermediate Commercial, Mid-Rise District, North Black Canyon Overlay District) to C-2 SP NBCOD (Intermediate Commercial, Special Permit, North Black Canyon Overlay District) to allow a self-service storage warehouse and all other underlying uses.

Summary

Current Zoning: C-2 M-R NBCOD

Proposed Zoning: C-2 SP NBCOD

Acreage: 1.86

Proposal: Self-service storage warehouse and all other underlying uses

Owner: LDR-Sonoran Parkway, LLC

Applicant/Representative: Paul Gilbert, Beus Gilbert McGroder, LLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The North Gateway Village Planning Committee heard this case on June 8, 2023, and recommended denial, by a vote of 3-1-1.

PC Action: The Planning Commission heard this case on Aug. 3, 2023, and recommended approval, per the staff recommendation, by a vote of 5-3.

Location

Approximately 375 feet south of the southwest corner of North Valley Parkway and Sonoran Desert Drive

Council District: 2

Parcel Address: 31200 N. North Valley Parkway

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-SP-2-23-2) FROM C-2 M-R NBCOD (INTERMEDIATE COMMERCIAL, MID-RISE DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT) TO C-2 SP NBCOD (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT, NORTH BLACK CANYON OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 1.86-acre site located approximately 375 feet south of the southwest corner of North Valley Parkway and Sonoran Desert Drive in a portion of Section 24, Township 5 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "C-2 M-R NBCOD" (Intermediate Commercial, Mid-Rise District, North Black Canyon Overlay District) to "C-2 SP NBCOD" (Intermediate Commercial, Special Permit, North Black Canyon Overlay District) to allow a self-service storage warehouse and all other underlying uses.

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan date stamped May 18, 2023, as modified by the following stipulations and as approved by the Planning and Development Department.
2. The development shall be in general conformance with the building elevations date stamped May 18, 2023, with specific regard to the variety and type of materials, variety of colors, articulation, canopies, windows and massing, as modified by the following stipulations and as approved by the Planning and Development Department.
3. The maximum building height shall be three stories and 33 feet above grade.
4. The color and material palette for buildings shall comply with the North Black Canyon Overlay District, with specific regard to colors being muted and blend with, rather than contrast strongly, with the surrounding desert environment, as approved by the Planning and Development Department.
5. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
6. The walkway adjacent to the building shall provide a connection point for a continuous walkway that connects to the future commercial pad to the north, as approved by the Planning and Development Department.
7. All walkways, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum of 75% shade, measured at summer solstice at noon, at maturity, as approved by the Planning and Development Department.
8. A minimum of 15% of the required parking spaces and a minimum of 50% of

the required ADA parking spaces shall include Electric Vehicle (EV) Installed infrastructure, as approved by the Planning and Development Department.

9. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the rental office and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
10. A minimum of two of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
11. A minimum 30-foot-wide landscape setback shall be provided along the west and south perimeter of the site and planted with minimum 3-inch caliper and minimum 4-inch caliper large canopy drought-tolerant shade trees, as depicted on the landscape plan date stamped May 18, 2023, as approved by the Planning and Development Department.
12. A minimum 30-foot-wide landscape setback shall be provided along the east perimeter of the site and planted with minimum 3-inch caliper large canopy drought-tolerant shade trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
13. A minimum 10-foot-wide landscape setback shall be provided along the north perimeter of the site.
14. Landscape setbacks shall be planted with drought-tolerant shrubs, accents and vegetative groundcovers to provide a minimum of 75% live coverage at maturity, as approved by the Planning and Development Department.
15. A minimum 6-foot-wide detached sidewalk and a minimum 10-foot-wide landscape strip between the back of curb and sidewalk shall be constructed along the west side of North Valley Parkway, planted to the following standards and maintained with a watering system, as approved by the Planning and Development Department.
 - a. Minimum 3-inch caliper single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.
 - b. Drought-tolerant shrubs, accents and vegetative groundcovers to achieve a minimum of 75% live coverage at maturity.

Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a

pedestrian environment.

16. A recorded cross-access agreement between the subject site and the parcel to the north shall be provided prior to preliminary site plan approval, as approved by the Planning and Development Department. The agreement shall be reviewed and approved by the Planning and Development Department prior to recordation with Maricopa County.
17. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
18. Prior to preliminary site plan approval, the developer shall record documents that disclose to purchasers of the property within the development the proximity to building heights up to 190 feet to the north of the subject site. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
19. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 6th day of September, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

EXHIBIT A

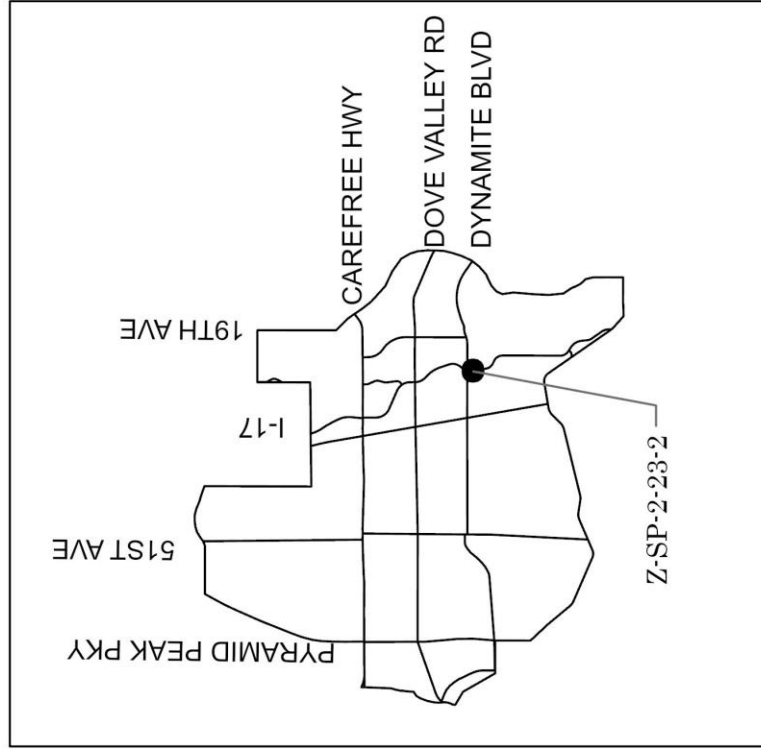
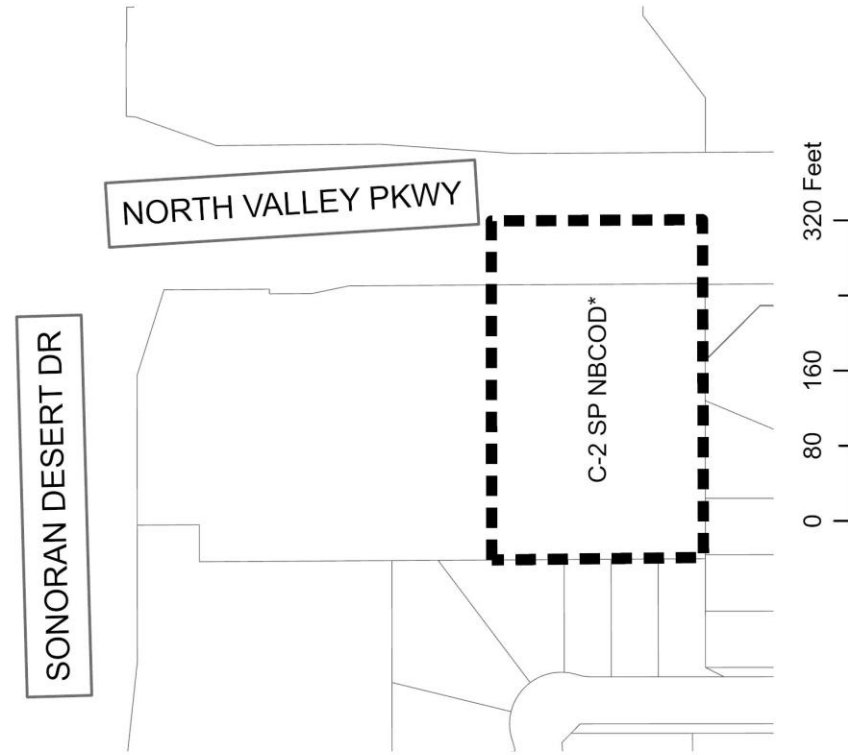
The south 227'4" of Lot 1 of the Final Plat of Sonoran Commons Commercial, located in a portion of the northwest quarter of Section 24, Township 5 North, Range 2 East of the Gila and Salt River Meridian, Maricopa County, Arizona, according to Book 1307, page 37, recorded in the Office of the County Recorder, Maricopa County, Arizona.

DRAFT

ORDINANCE LOCATION MAP

Zoning Case Number: Z-SP-2-23-2
Zoning Overlay: North Black Canyon Corridor
Plan and Overlay District
Planning Village: North Gateway

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■



NOT TO SCALE



Drawn Date: 7/31/2023



*****REQUEST TO WITHDRAW (SEE ATTACHED MEMO)*** Amend City Code - Ordinance Adoption - Rezoning Application Z-19-23-5 - Approximately 500 Feet South of the Southeast Corner of 75th Avenue and Camelback Road (Ordinance G-7155)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-19-23-5 and rezone the site from R1-6 (Single-Family Residence District) to R-3A (Multifamily Residence District) to allow multifamily residential.

Summary

Current Zoning: R1-6

Proposed Zoning: R-3A

Acreage: 6.50

Proposal: Multifamily residential

Owner: Sheri Ranger, Ranger Homes, LLC

Applicant/Representative: Taylor Earl, Earl & Curley, P.C.

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Maryvale Village Planning Committee heard this case on July 12, 2023, and recommended approval, per the staff recommendation, by a vote of 10-1.

PC Action: The Planning Commission heard this case on Aug. 3, 2023, and recommended approval, per the Maryvale Village Planning Committee recommendation, by a vote of 8-0.

Location

Approximately 500 feet south of the southeast corner of 75th Avenue and Camelback Road

Council District: 5

Parcel Address: 4705, 4729, 4735 and 4747 N. 75th Ave.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.




City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: September 1, 2023

From: Joshua Bednarek 
Planning and Development Director

Subject: WITHDRAW ITEM 63 ON THE SEPTEMBER 6, 2023, FORMAL AGENDA –
ORDINANCE ADOPTION - REZONING APPLICATION Z-19-23-5 –
APPROXIMATELY 500 FEET SOUTH OF THE SOUTHEAST CORNER OF
75TH AVENUE AND CAMELBACK ROAD (ORDINANCE G-7155)

Item 63, Rezoning Application Z-19-23-5, is a request to rezone 6.50 acres located approximately 500 feet south of the southeast corner of 75th Avenue and Camelback Road, from R1-6 (Single-Family Residence District) (6.50 acres) to R-3A (Multifamily Residence District) (6.50 acres) to allow multifamily residential.

The applicant requested the item be continued to the October 4, 2023, City Council Formal Meeting as a public hearing item, so they can provide an opportunity to modify the stipulations. The case will need to be withdrawn to be readvertised for a public hearing on the October 4, 2023, City Council Formal agenda.

Staff concurs with this request to withdraw to allow the item to be advertised for a public hearing on the October 4, 2023, City Council Formal agenda.

Approved: _____


Alan Stephenson, Deputy City Manager

Attachment:
Exhibit A – Applicant's request for continuance

Racelle Escolar

From: Taylor Earl <tearl@EarlCurley.com>
Sent: Thursday, August 31, 2023 1:37 PM
To: Racelle Escolar
Subject: Continuance Request - Z-19-23

Ms. Escolar,

On behalf of our client, and as applicant/representative, we would like to request a continuance of Z-19-23 until the October 4th, 2023 City Council agenda. We'll need for this to be advertised as a public hearing to provide opportunity to modify stipulations, if necessary.

Please let me know if you have any questions or if there is an issue with this request.

Sincerely,

Taylor C. Earl
Managing Partner
Earl & Curley
(602) 265-0094
3101 N. Central Avenue
Suite 1000
Phoenix, Arizona 85012
www.earlcurley.com [earlcurley.com]




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City of Phoenix

To: Ginger Spencer
Deputy City Manager

Date: August 29, 2023

From: Alan Stephenson 
Deputy City Manager

Subject: DELEGATION OF AUTHORITY 2023

In accordance with Administrative Regulation 1.51 Ginger Spencer is authorized to act on my behalf and to approve and sign all documents requiring my approval during my absence from the City on Thursday, August 31 through Tuesday, September 5, 2023, or until my return to the office.

C: Executive Team & Secs
Joshua Bednarek
Kini Knudson
Myesha Harris
Nancy Allen
Jauron K. Leefers
Finance Travel FIN
Mailbox City Clerk Department CLK
Adriana Phillips

ATTACHMENT A

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ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-19-23-5) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R-3A (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 6.50-acre site located approximately 500 feet south of the southeast corner of 75th Avenue and Camelback Road in a portion of Section 24, Township 2 North, Range 1 East, as described more specifically in Exhibit “A,” is hereby changed from “R1-6” (Single-Family Residence District) to “R-3A” (Multifamily Residence District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The site shall be limited to no more than a total of 112 dwelling units.
2. Buildings shall be set back an average of 45 feet from the southern property line, but in no case shall a building be closer than 15 feet and in no case shall a building with more than 75 feet of building facade directly facing the southern property line be any closer than 60 feet, as approved by the Planning and Development Department.
3. The site shall maintain common area of at least 10 percent of the gross acreage, which may include both active and passive open space, as approved by the Planning and Development Department.
4. The on-site amenities shall include at least a pool, clubhouse, outdoor BBQ area, tot lot, and dog run, as approved by the Planning and Development Department.
5. The maximum building height shall be 30 feet. Architectural detailing above 30 feet may be added for no more than 25% of any building facade and in no case shall such detailing exceed 33 feet, as approved by the Planning and Development Department.
6. The south landscape setback shall be planted with minimum 2-inch caliper, drought tolerant shade trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
7. Resident bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces, as approved by the Planning and Development Department. These spaces shall be located near building entrances or common areas and may be provided through a combination of inverted U- bicycle racks, artistic style racks, "Secure/Covered Facilities" or "Outdoor/Covered Facilities" as defined in Appendix K or the Comprehensive Bicycle Master Plan.
8. A minimum of 5% of the required parking spaces shall be Electric Vehicle (EV) Capable.
9. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped, or colored concrete, or other pavement treatments (such as striping), as approved by the Planning and Development Department.

10. A minimum of 70 feet of right-of-way shall be dedicated along the east side of 75th Avenue, as approved by the Planning and Development Department.
11. The existing attached sidewalk along 75th Avenue shall be detached to connect to the existing detached sidewalk. The sidewalk shall be minimum 5-foot-wide with a minimum 9-foot-wide landscape area between back of curb and sidewalk to match the existing sidewalk condition on the southwest portion of the site, as approved by the Planning and Development Department.
12. The landscape area within the 75th Avenue right-of-way between the back of curb and sidewalk shall be planted with minimum 2-inch caliper, single trunk, drought tolerant shade trees placed 20 feet on center and near the sidewalk, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
13. A minimum of one 8-foot-wide shaded pedestrian pathway constructed of decorative material such as brick, pavers, or alternative material shall be provided up to the eastern property line to access the Grand Canal Trail, as approved by the Planning and Development Department.
14. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 6th day of September,
2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (3 Pages)
B – Ordinance Location Map (1 Page)

EXHIBIT A

The Land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

PARCEL NO. 1:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 40 FEET EAST AND 33 FEET SOUTH OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST;

THENCE SOUTH ALONG A LINE PARALLEL WITH AND 40 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 532.90 FEET TO THE TRUE POINT OF BEGINNING;

THENCE EAST 508.25 FEET ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID SECTION 24, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL;

THENCE SOUTH 41 DEGREES 56 MINUTES 30 SECONDS EAST, ALONG THE SOUTH RIGHT-OF-WAY OF SAID GRAND CANAL 217.31 FEET TO A POINT;

THENCE WEST PARALLEL WITH THE NORTH SECTION LINE, A DISTANCE OF 656.25 FEET TO A POINT ON THE EAST LINE OF 75TH AVENUE, SAID POINT BEING 40 FEET EAST AND 1877 FEET NORTH OF THE WEST QUARTER CORNER OF SAID SECTION 24;

THENCE NORTH 160.00 FEET ALONG SAID EAST LINE, TO THE TRUE POINT OF BEGINNING.

EXCEPT THE WEST 30 FEET THEREOF.

PARCEL NO. 2:

THE NORTH HALF OF THAT PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 70 FEET EAST AND 33 SOUTH OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST;

THENCE SOUTH ALONG A LINE PARALLEL WITH AND 70 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 532.90 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH A DISTANCE OF 60 FEET POINT;

THENCE EAST 452.96 FEET ALONG A LINE PARALLEL WITH THE NORTH LINE OF SECTION 24 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL;

THENCE SOUTH ALONG THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL TO A POINT BEING THE NORTHEAST CORNER OF THE PROPERTY CONVEYED IN JOINT TENANCY WARRANTY DEED RECORDED AS DOCKET 6900, PAGE 365;

THENCE SOUTH 89 DEGREES 37 MINUTES 50 SECONDS WEST A DISTANCE OF 502.96 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL NO. 3:

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 70.00 FEET EAST AND 33.00 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 24;

THENCE SOUTH, ALONG A LINE PARALLEL TO AND 70.00 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER, 692.90 FEET TO THE POINT OF BEGINNING;

THENCE EAST 656.25 FEET, ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID SECTION 24, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL;

THENCE SOUTH 41 DEGREES 56 MINUTES 30 SECONDS EAST, 237.68 FEET ALONG THE SOUTH RIGHT-OF-WAY OF THE GRAND CANAL;

THENCE WEST, 817.92 FEET TO A POINT ON THE EAST LINE OF 75TH AVENUE, SAID POINT BEING 70.00 FEET EAST AND 1702.00 FEET NORTH OF THE WEST QUARTER CORNER OF SAID SECTION 24;

THENCE NORTH 175.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

PARCEL NO. 4:

THE SOUTH HALF OF THAT PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 70 FEET EAST AND 33 SOUTH OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST;

THENCE SOUTH ALONG A LINE PARALLEL WITH AND 70 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 532.90 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH A DISTANCE OF 60 FEET POINT;

THENCE EAST 452.96 FEET ALONG A LINE PARALLEL WITH THE NORTH LINE OF SECTION 24 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL;

THENCE SOUTH ALONG THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL TO A POINT BEING THE NORTHEAST CORNER OF THE PROPERTY CONVEYED IN JOINT TENANCY WARRANTY DEED RECORDED AS DOCKET 6900, PAGE 365;

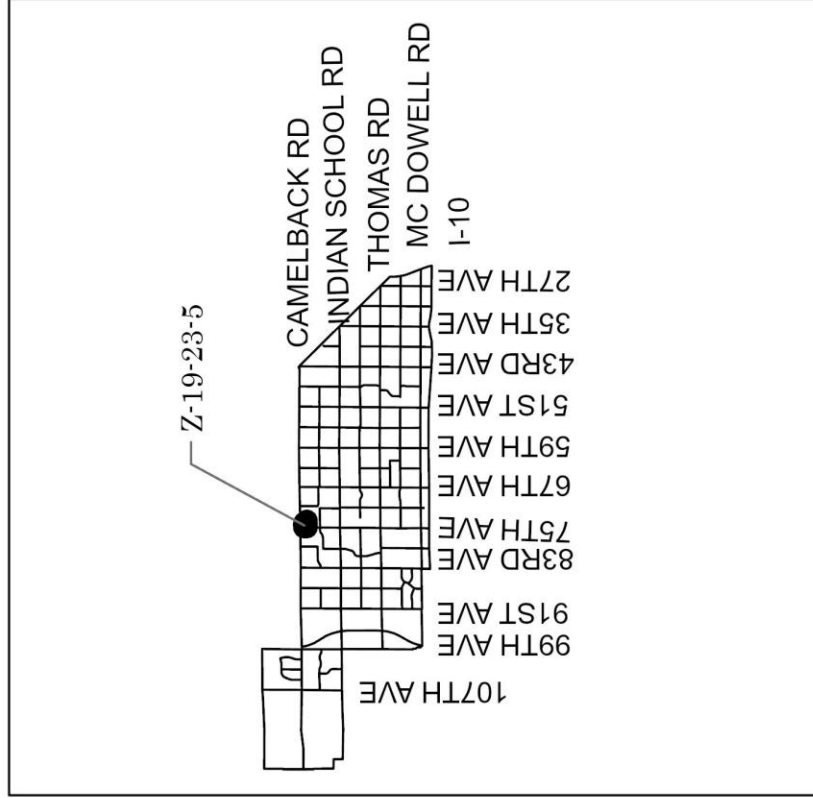
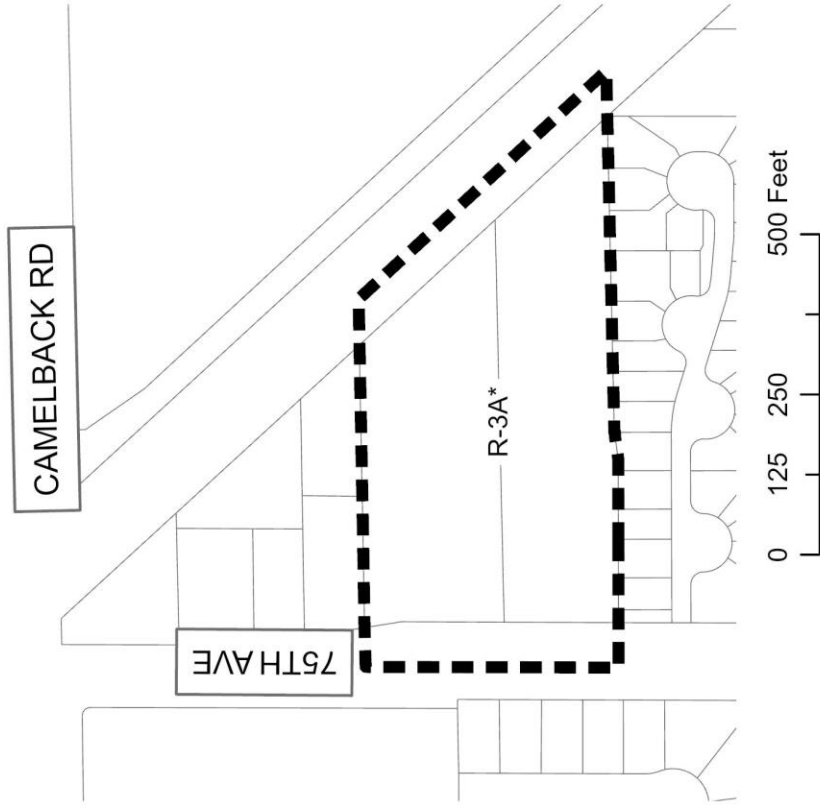
THENCE SOUTH 89 DEGREES 37 MINUTES 50 SECONDS WEST A DISTANCE OF 502.96 FEET TO THE TRUE POINT OF BEGINNING.

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■■■

Zoning Case Number: Z-19-23-5
Zoning Overlay: N/A
Planning Village: Maryvale



NOT TO SCALE



Drawn Date: 7/31/2023



**Amend City Code - Ordinance Adoption - Rezoning Application Z-65-22-6
(Chanen Camelback PUD) - Northwest Corner of 34th Street and Camelback
Road (G-7153)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-65-22-6 and rezone the site from R-4 (Multifamily Residence District) to PUD (Planned Unit Development) to allow office use.

Summary

Current Zoning: R-4

Proposed Zoning: PUD

Acreage: 0.93

Proposal: Office use

Owner: Chanen Construction Company, et al.

Applicant and Representative: Larry S. Lazarus, Lazarus & Silvyn, PC

Staff Recommendation: Approval, subject to stipulations.

VPC Info: The Camelback East Village Planning Committee heard this case on May 2, 2023, for information only.

VPC Action: The Camelback East Village Planning Committee heard this case on July 11, 2023, and recommended approval, per the staff recommendation, with additional stipulations, by a vote of 15-0.

PC Action: The Planning Commission heard this case on Aug. 3, 2023, and recommended approval, per the Addendum A Staff Report, by a vote of 8-0.

Location

Northwest corner of 34th Street and Camelback Road.

Council District: 6

Parcel Address: 3352 E. Camelback Road

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-65-22-6) FROM R-4 (MULTIFAMILY RESIDENCE DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 0.93-acre site located at the northwest corner of 34th Street and Camelback Road in a portion of Section 13, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "R-4" (Multifamily Residence District) to "PUD" (Planned Unit Development).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of

Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Chanen Camelback PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped June 22, 2023 as modified by the following stipulations:
 - a. Front cover: Revise the date information on the cover page to the following:

City Council Adopted: [Add Adoption Date]
 - b. Page 8, Section D: Development Standards, D.1. Development Standards Table: Add the following language above the table:
"Development shall be consistent with the site plan dated June 22, 2023.
 - c. Page 9, Section D: Development Standards, D.6. Lighting: Revise the language to the following: "Lighting standards from Section 704 and Section 507.Tab A.II.8 of the Phoenix Zoning Ordinance and Section 23-100 of the City Code shall apply."
 - d. Page 8, Section D: Development Standards, D.1. Development Standards Table: Update Building Height to "2 stories, 40 feet 8 inches maximum"
 - e. Page 8, Section D: Development Standards, D.1. Development Standards Table: Add "Maximum Building Square Footage" under the Zoning Standard column and "10,176 square feet" under the Development Standards column
2. If the existing building is destroyed, any redevelopment of the site that increases and or modifies 2,000 square feet of building footprint, excluding interior building renovations not affecting the overall size or exterior layout/footprint of the existing structure, a 10-foot-sidewalk easement shall be dedicated and a minimum 6-foot-wide detached sidewalk and minimum 10-foot-wide landscape strip along the north side of Camelback Road shall be constructed, as approved by the Planning and Development Department.
3. If the existing building is destroyed, any redevelopment of the site that increases and or modifies 2,000 square feet of building footprint, excluding interior building renovations not affecting the overall size or exterior layout/footprint of the existing structure, a minimum 5-foot-wide sidewalk shall be constructed along the west side of 34th Street, as approved by the Planning

and Development Department.

4. If the existing building is destroyed, any redevelopment of the site that increases and or modifies 2,000 square feet of building footprint, excluding interior building renovations not affecting the overall size or exterior layout/footprint of the existing structure, a Traffic Impact Study shall be provided to the City. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
5. If development of the site increases and or modifies 2,000 square feet of building footprint, excluding interior building renovations not affecting the overall size or exterior layout/footprint of the existing structure, the developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
6. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
7. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 6th day of September, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By: _____

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

EXHIBIT A

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY. ARIZONA, DESECRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SOUTHEAST QUARTER OF SOUTHEAST QUARTER ONF THE SOUTHWEST QUARTER OF SAID SECTION 13;

THENCE NORTH 0 DEGREES 27 MINUTES 38 SECONDS EAST ALONG THE EAST LING THEREOF, 281,24 FEET TO A POINT;

THENCE WEST ALONG THE LINE WHICH IS PARALLEL WITH AND 281.24 FEET NORTH TO A POINT;

THENCE WEST ALONG THE LINE WHICH IS PARALLEL WITH AND 281.24 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13, 20.00 FEE TO THE TRUE POINT OF BEGINNING.

THENCE CONTINUING WEST ALONGA LINE WHICH IS PARALLEL WITH AND 281.24 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 13, 116,61 FEET TO A POINT;

THENCE SOUTH 0 DEGREES 27 MINUTES 28 SECONDS WEST 226.24 TO A POINT ON A LINE WHICH IS 55 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13;

THENCE EAST ALONG A LINE WHICH IS 55 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13, 116.61 FEET;

THENCE NORTH 0 DEGREES 27 MINUTES 38 SECONDS EAST ALONG A LINE WHICH IS PARALLEWITH AND 30 FEET WEST OF THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13; 226.24 FEET TO THE POINT OR PLACE OF BEGINNING;

EXCEPT THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST 30 FEET OF THE SOUTH 55 FEE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13;

THENCE NORTHLY ALONG THE WEST LING OF THE EAST 30 FEE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 7 FEET;

THENCE SOUTHWESTERLY TO A POINT ON THE NORTH LINE OF THE SOUTH 55 FEET OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER WHICH IS 7 FEET WEST OF THE POINT OF BEGINNING;

THENCE EASTERLY, A DISTANCE OF 7 FEET TO THE POINT OF BEGINNING.

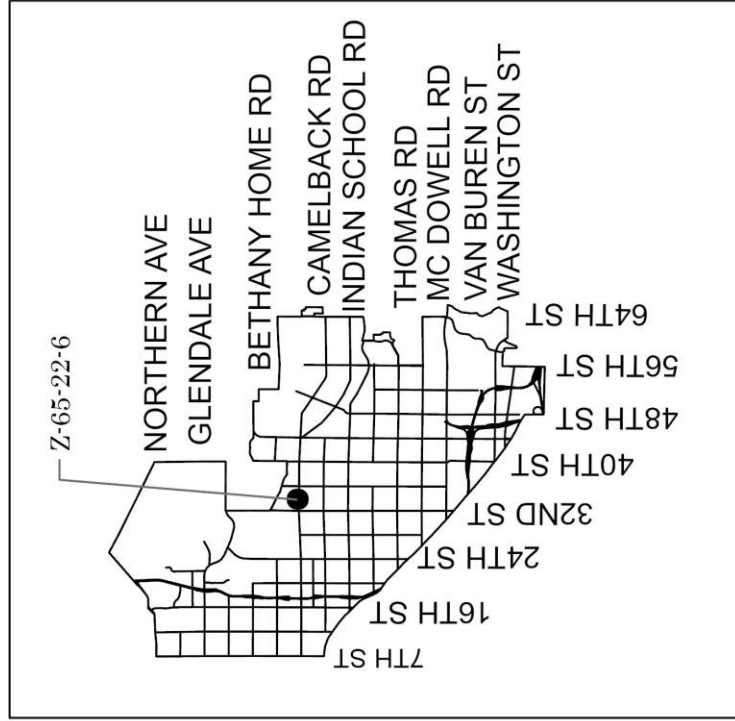
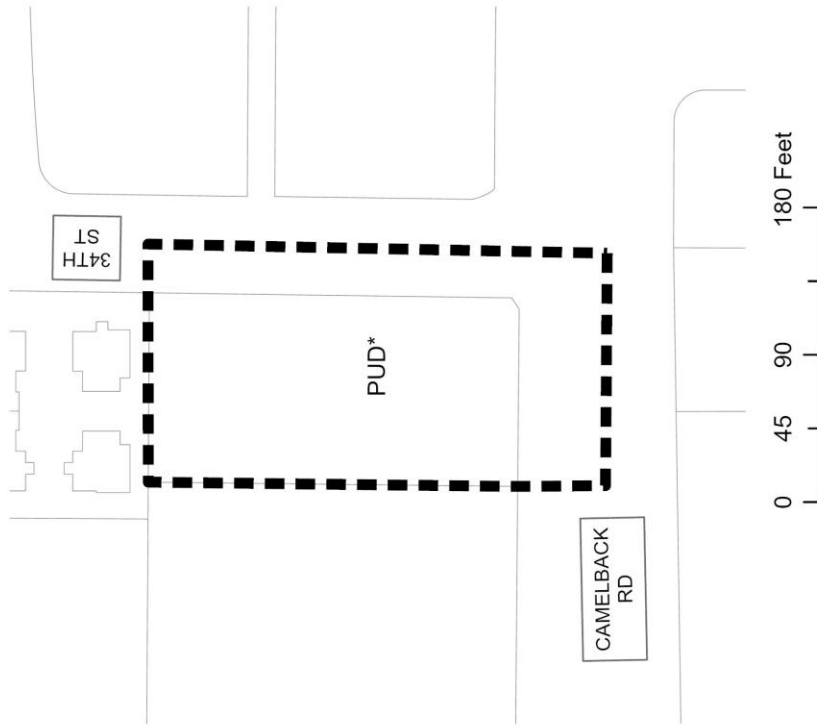
ACCESSOR PARCEL NUMBER: 170-13-029B

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -

Zoning Case Number: Z-65-22-6
Zoning Overlay: N/A
Planning Village: Camelback East



NOT TO SCALE



Drawn Date: 8/11/2023

S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\Supp\Maps_Ord\19-6-23\19-6-23.aprx



Public Hearing and Resolution Adoption - General Plan Amendment GPA-AF-1-23-6 - Approximately 790 Feet North of the Northeast Corner of 48th Street and Frye Road (Resolution 22148)

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 4.60 acres from Public/Quasi-Public and Commerce/Business Park to Residential 15+ dwelling units/acre. This is a companion case to Z-16-23-6 and should be heard first, followed by Z-16-23-6.

Summary

Application: GPA-AF-1-23-6

Current Designation: Public/Quasi-Public (0.17 acres) and Commerce/Business Park (4.43 acres)

Requested Designation: Residential 15+ dwelling units per acre

Acreage: 4.60 acres

Proposed Use: Multifamily residential

Owner: St. Benedict Catholic Parish

Applicant and Representative: Bart Shea, Shea Connelly Development, LLC

Staff Recommendation: Approval.

VPC Action: The Ahwatukee Foothills Village Planning Committee heard this case on July 24, 2023, and recommended approval, per the staff recommendation, by a vote of 8-0.

PC Action: The Planning Commission heard this case on Aug. 3, 2023, and recommended approval, per the Ahwatukee Foothills Village Planning Committee recommendation, by a vote of 8-0.

Location

Approximately 790 feet north of the northeast corner of 48th Street and Frye Road.

Council District: 6

Parcel Address: 16035 and 16223 S. 48th St.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED RESOLUTION**

RESOLUTION

A RESOLUTION ADOPTING AN AMENDMENT TO THE 2015
GENERAL PLAN FOR PHOENIX, APPLICATION GPA-AF-1-23-6,
CHANGING THE LAND USE CLASSIFICATION FOR THE
PARCEL DESCRIBED HEREIN.

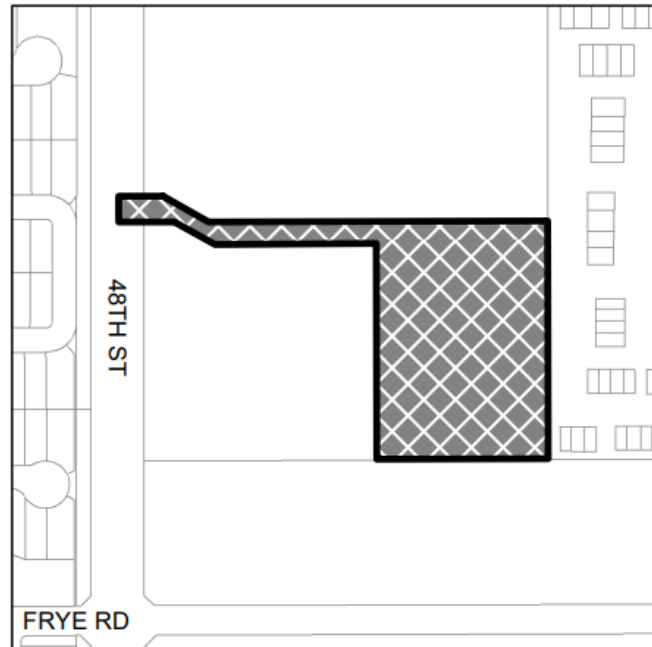
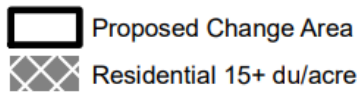
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX, as
follows:

SECTION 1. The 2015 Phoenix General Plan, which was adopted by
Resolution 21307, is hereby amended by adopting GPA-AF-1-23-6. The 4.60 acres of
property located approximately 790 feet north of the northeast corner of 48th Street
and Frye Road is designated as Residential 15+ dwelling units per acre.

SECTION 2. The Planning and Development Director is instructed to
modify the 2015 Phoenix General Plan to reflect this land use classification change as
shown below:

PROPOSED CHANGE:

Residential 15+ du/ac (4.60 +/- Acres)



PASSED by the Council of the City of Phoenix this 6th day of September
2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By: _____

REVIEWED BY:

Jeffrey Barton, City Manager

DRAFT



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

**GENERAL PLAN AMENDMENT
STAFF ANALYSIS**
July 17, 2023

Application: GPA-AF-1-23-6

Owner: St. Benedict Catholic Parish

Applicant/Representative: Bart Shea, Shea Connelly Development, LLC

Location: Approximately 790 feet north of the northeast corner of 48th Street and Frye Road

Acreage: 4.60 acres

Current Plan Designation: [Public/Quasi-Public](#) (0.17 acres) and [Commerce/Business Park](#) (4.43 acres)

Requested Plan Designation: [Residential 15+ dwelling units per acre](#)

Reason for Requested Change: A minor General Plan Amendment to allow multifamily residential

[Ahwatukee Foothills Village Planning Committee](#) Meeting Date: July 24, 2023

Staff Recommendation: Approval

FINDINGS:

- 1) The proposed General Plan Land Use Map designation of Residential 15+ dwelling units per acre would allow higher density attached townhouses, condominiums, or apartments, which are consistent with land uses in the surrounding area.
- 2) The companion rezoning case, Z-16-23-6, proposes a senior housing development, which, as stipulated, protects the character of the surrounding area by providing enhanced landscaping and improvements to the 48th Street streetscape.

- 3) The subject site is appropriate for residential uses at the proposed densities and provides new housing opportunities in this part of the city. Furthermore, the development has adequate street access and provides streetscape improvements that benefit the surrounding area.

BACKGROUND






The subject site is 4.60 acres, located approximately 790 feet north of the northeast corner of 48th Street and Frye Road. The subject site is vacant with a church fronting 48th Street. The current General Plan Land Use Map designation on the site is Commerce/Business Park and Public/Quasi-Public and the zoning is CP/GCP (Commerce Park District, General Commerce Park Option) and RE-35 (Single-Family Residence District). The proposal is to change the land use designation to Residential 15+ dwelling units per acre. The companion rezoning case No. Z-16-23-6 is to rezone the site to R-3A (Multifamily Residence District) to allow multifamily residential.

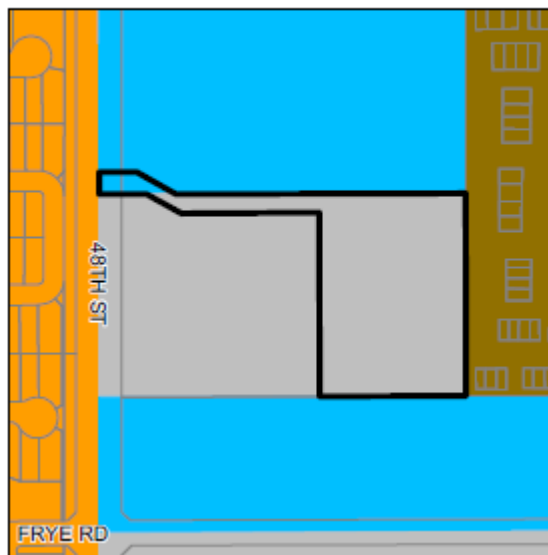
SURROUNDING LAND USES

The current General Plan Land Use Map designation for the site is Commerce / Business Park and Public/Quasi-Public.

EXISTING:

Public/Quasi-Public (0.17 +/- Acres)
Commerce / Business Park (4.43 +/- Acres)

-  Proposed Change Area
-  Residential 5 to 10 du/ac
-  Residential 10 to 15 du/ac
-  Commerce / Business Park
-  Public/Quasi-Public



Existing General Plan Land Use Map designation, Source: Planning and Development Department

North and south of the site has property designated as Public/Quasi-Public, which have schools located on them. To the west of the subject site is designated as Commerce/Business Park containing a church. Further to the west across 48th Street, the General Plan Land Use Map designation is Residential 5 to 10 dwelling units per acre which contains a single-family residential subdivision. To the east is designated

Residential 10 to 15 dwelling units per acre and houses a multifamily residential development.

RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES

CONNECT PEOPLE AND PLACES

- ***OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.***

The proposed minor General Plan Amendment, along with the companion rezoning case, Z-16-23-6, would allow development of an underused site into senior housing, assisted living and memory care facility (subject to a use permit) that are compatible with the surrounding land uses. The subject site is situated between a mix of residential and public/quasi-public land uses and as stipulated, provides enhanced landscaping to be respectful of local conditions.

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS

- ***CERTAINTY & CHARACTER: DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.***

As stipulated in the companion rezoning case, Z-16-23-6, the proposed development will be sensitive to the scale and character of the surrounding area. As stipulated, the development would enhance the streetscape along 48th Street.

- ***DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.***

The proposal would encourage an array of housing types and lifestyles to meet the needs of Phoenix's aging population. The proposed community would be planned and allow for aging residents with the services and resources necessary to sustain and improve quality of life.

BUILD THE SUSTAINABLE DESERT CITY

- ***TREES AND SHADE: DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.***

As stipulated in the companion rezoning case, Z-16-23-6, the proposal is

required to provide larger minimum sized trees and additional live coverage, an architectural porte cochere element which will provide additional shading within the surface parking lots. This will help to provide shade for pedestrians in and around the community and to mitigate the urban heat island effect by shading hard surfaces, thus cooling the micro-climate around the vicinity.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-AF-1-23-6. The proposed land use map designation allows for development that is consistent with the surrounding land uses and provides additional multifamily/senior housing opportunities for the area. The companion rezoning case, Z-16-23-6, as stipulated, will require design features that promote compatibility with the surrounding area.

Writer

Matteo Moric
July 17, 2023

Team Leader

Racelle Escolar

Exhibits

Sketch Maps (2 pages)
Correspondence (64 pages)






GENERAL PLAN AMENDMENT

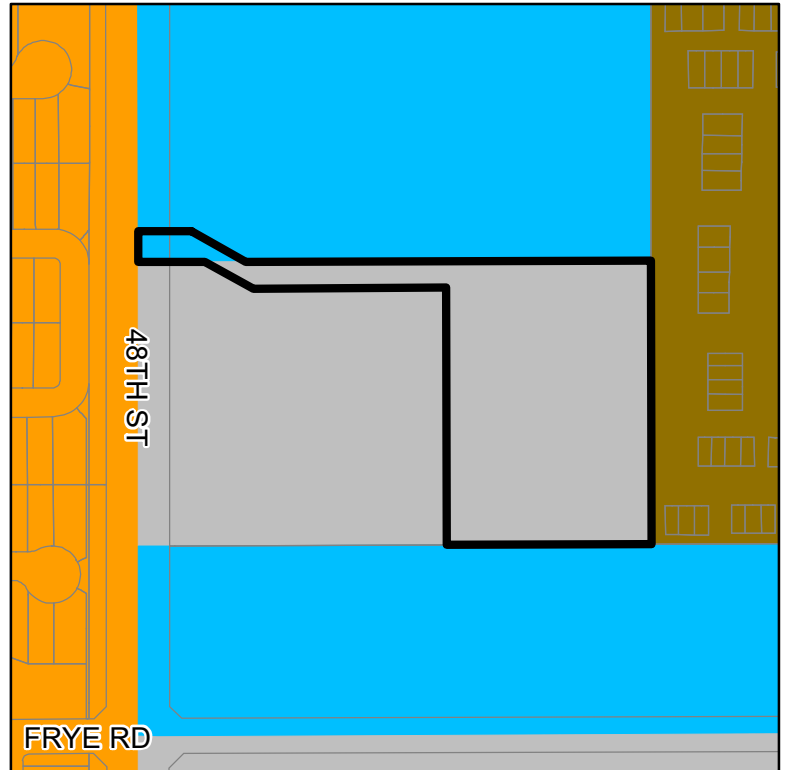
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-AF-1-23-6	ACRES: 4.60 +/-	REVISION DATE:
VILLAGE: Ahwatukee Foothills	COUNCIL DISTRICT: 6	
APPLICANT: Bart Shea		

EXISTING:



Public/Quasi-Public (0.17 +/- Acres)
Commerce / Business Park (4.43 +/- Acres)

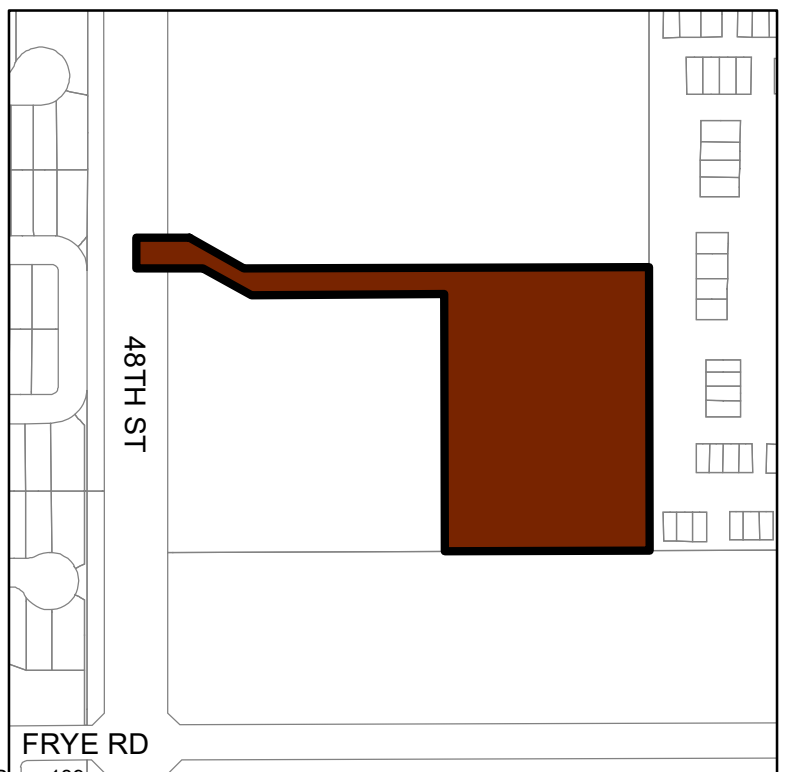
-  Proposed Change Area
-  Residential 5 to 10 du/ac
-  Residential 10 to 15 du/ac
-  Commerce / Business Park
-  Public/Quasi-Public



PROPOSED CHANGE:

Residential 15+ du/ac (4.60 +/- Acres)

-  Proposed Change Area
-  Residential 15+ du/ac








GENERAL PLAN AMENDMENT

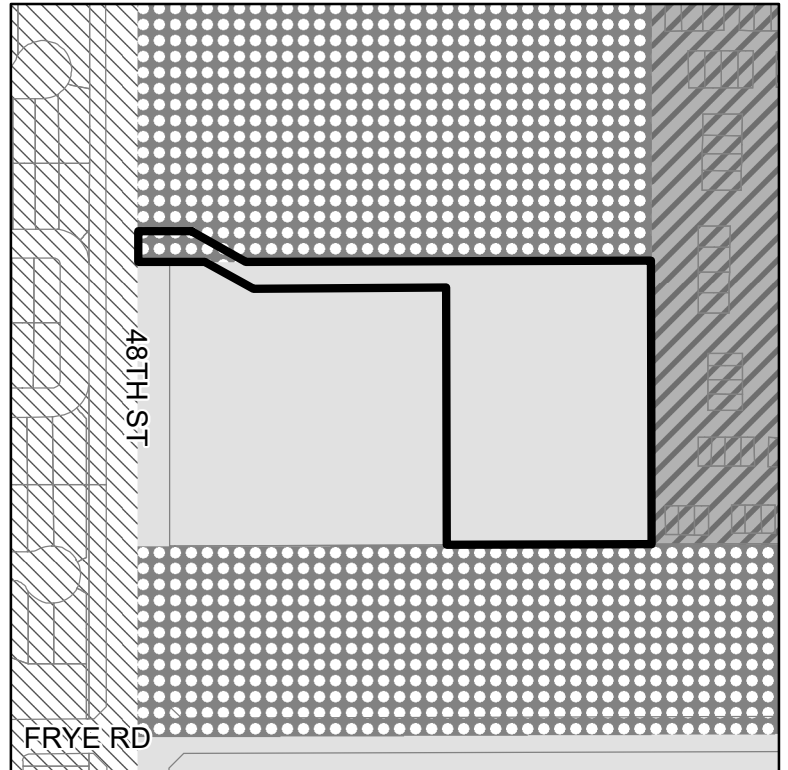
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

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VILLAGE: Ahwatukee Foothills	COUNCIL DISTRICT: 6	
APPLICANT: Bart Shea		

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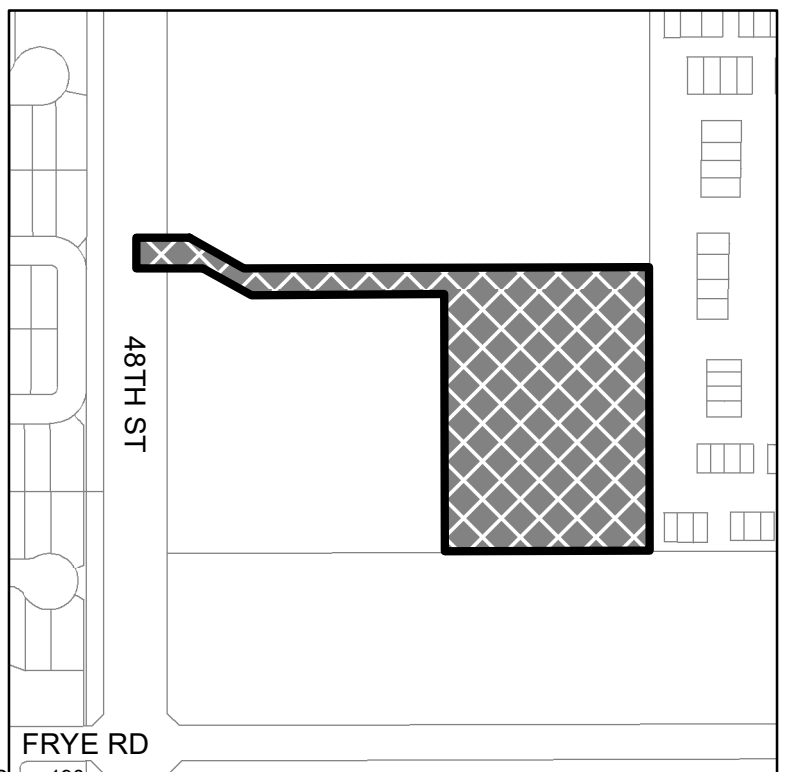
-  Proposed Change Area
-  Residential 5 to 10 du/acre
-  Residential 10 to 15 du/acre
-  Commerce / Business Park
-  Public/Quasi-Public



PROPOSED CHANGE:

Residential 15+ du/ac (4.60 +/- Acres)

-  Proposed Change Area
-  Residential 15+ du/acre



Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

I, the undersigned, am a member of the community and fully supportive of the proposed changes to the City's General Plan and zoning map to allow an Assisted Living Care facility to operate on the St. Benedict Catholic Church campus. Quality senior living facilities are in high demand and providing this type of care on a church campus affords a unique opportunity to serve and support both the medical and spiritual needs of the city's elder community.

Name	Address	Email or Phone	Date
Richard Kunnak	1115 W Salt Lake	480-682-7998	07/02/23
Nancee Brunner	6137 S. 6th AZ	480-430-9357	07/02/23
Lance Correll	800 W 111th CHANDLER AZ 85086	702-860-7475	07-02-23
Jack Knibelsbeys	4902 W. Boston St Chandler AZ 85226	480-323-6945	7-2-23
Martha Sanchez	16609 S. Mountain Stone Rd Phoenix, AZ 85048	(480) 258-9099 Martha.Sanchez19@gmail.com	7-2-23
Karen Ahearn	3934 E. Gifford Glen Plx, AZ 85044	480-499-2575	7-2-23
Stephen Sterkowitz Stephen Sterkowitz	3024 S Bell Pl. Chandler, AZ 85286	480-821-9212	7/2/23
Feri Gomez	19358 W Elm St Litchfield, AZ 85340	602-384-4296	7/2/23

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Name	Address	Email or Phone	Date
Connelius Troop	5042 W. Jupiter Way	CF335@Yahoo.com 480-579-9830	7-2-23
Adam A. Dove	1515 N. Balboa Mesa, AZ 85205	lanifgore@gmail.com 480-600-8610	7-2-23
Alexander Vician	4232 E White Aster Phoenix, AZ 85044	eeotzi@gmail.com 480-213-6706	7-2-23
Katie Savoy	4618 E. Mountain Vista Drive Phoenix, AZ 85048	Katie.Savoy@yahoo.com 602-373-8556	7/2/2023
Jennifer Tighe	2713 E. Cathedral Rock Phoenix AZ 85048	Jennettighe@me.com 480-540-9117	7/2/23
James Tighe	2713 E Cathedral Rock Phoenix AZ 85048	j.tighe904@gmail.com 480-540-5488	7/2/23
Michael Heston	2644 E. Amburnwood Phoenix 85048	—	7/2/23
Mary Ann Hegstad	2644 E. Amburnwood Phoenix, AZ 85048	480-694-2900	7/2/23

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Name	Address	Email or Phone	Date
JAY J. STERNA <i>[Signature]</i>	2939 E. Bighorn Ave	jsterna@cox.net	7/2/23
Geardine Sterna <i>[Signature]</i>	2939 E. Bighorn Ave	gsterna@cox.net	7/2/23
Steve Sanchez <i>[Signature]</i>	237 W Pocan Pl	stvcyus@yahoo.com	7/2/23
Dan Sturica	13023 S. 44 Place	SANSTURICA@GMAIL.COM <i>[Signature]</i>	7-2-23
Margaret A. Don <i>[Signature]</i>	631 N. Maple St	hchicamag@msn.com	7-2-23
Quentin W. Jendrich <i>[Signature]</i>	4182 W. Kent Dr. Chicard, IL 60617	rich2@zawacki.law.com	7/2/27
Tiffany Simpson Vessel	1074 W Todd Dr Tempe AZ	tiffvessel@gmail.com	7/2/23
Violet Byron	4701 E. Tanglemood Dr	VByron7@yahoo.com	7/2/23

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Name	Address	Email or Phone	Date
Louis Schwandt	1228 E. BEA WOOD TERRACE PHOENIX, AZ 85048	602-920-8765	7/2/2023
HOLT FORSETH	3621 WISDENW & CHANDLER AZ 85226	hollg-trine@ jahren.com	7/2/2023
Marie Zawacki	4182 W Kent Dr Chandler AZ 85226	602-524-8395	7/2/2023
Arised Gomez	631 N Maple St Chandler AZ 85226	520-252-9050	7/2/2023
Richard Jasod	1016 E Amberwood Dr Phoenix, AZ 85048	480-246-5775	7/2/23
Melissa Rivas	13622 S. 37th St. Phoenix, AZ 85044		7/2/23
Laura Scheldt	2753 E Rock Wren Rd Phoenix AZ 85048	518-332-4261	7/2/23
Michelle Dixon	450 W Mountain Vista Dr. Phoenix 85045	480-299-9129	7-2-23

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Name	Address	Email or Phone	Date
CATHERINE OLIVERA	2624 E. VERBENA DR PHOENIX AZ 85048	bolvera98@gmail.com	7/2/2023
Tabitno Biggs	14847 S. 27th WAY, PHOENIX, AZ 85048	tabitno.biggs @hotmail.com	7/2/23
Bette Laatsch	4918 E Lake Pointe Cir Phoenix AZ 85044	blaatsch69@gmail.com	7/2/23
Luis Maineria	8062 S Dateland Dr	480-442-1202	7/2/23
Laura Jean Curley	5282 W. Jupiter Way Chandler AZ 85226	602-882-1101	7/2/23
Nancy Keane	15810 S. 1st Ave PHX 85045	480-495-7131	7/2/23
M. Chaffin Curley	1563 W SATTER DRIVE PHX 85045	480-283-1916	7/2/23
Ron Elloré	4250 E. Ponce St Phoenix, 85044	504 994 9175	7/2/23

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Name	Address	Email or Phone	Date
Lourdes Navarrete	1521 E. Windson Dr. Phx. AZ. 85048	lourdesn33@gmail.com	7/2/23
KEVIN JUNE BIGGS	14847 S. 2 TH WAY PHOENIX, AZ 85048	kjbavdm@hotmail.com	7/2/2023
ERICA BIGGS	4661 E. SUMMERHAVEN DR. PHOENIX, AZ 85044	erica.biggs2@gmail.com	7/2/2023
Middle A Turner	4155 E Rockledge Rd Phoenix, AZ 85044	naturner127@gmail.com	7/2/2023
Debbie Gosselen	8637 W Cindy St Chandler 85226	480 239 2859	7-2-2023
Marina D'Sa	41 South Poplar Wy Chandler 480 S 5 TH AVE J. Phoenix, AZ 85045	480-961-4201	7-2-2023
Amy Loomis	14850 S 5 TH AVE Phoenix, AZ 85045	425-495-9899	7/2/2023
Greg Loomis Amy Loomis	14850 S 5 TH AVE Phoenix, AZ 85045	425-492-6913	7/2/2023

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Name	Address	Email or Phone	Date
Jeanette Rosenfield	10049 S. 43rd Ct	jeanette.rosenfield@cox.net	7/2/23
Debra H. Gracida	8060 S. Dateland Dr. Tempe AZ.	elgiasli@aol.com	7/2/23.
Sharon Stupien	13023 S. 44th Ave	sadhstupica@gmail.com	7-2-23
Anna Howard	3828 E. Glenhaven Dr	howardanna@gmail.com	7/2/23
Vai Van Vianen	4232 E. White Aster St	480 213 6700	7/2/23
Theresa Olsson	16646 S. 27th Pl	theresaolsson524@gmail.com	7/2/23
Gene Stoddard	15051 S 43rd Pl	gene.stoddard@gmail.com	7/2/23
Ryan Keeney	1412 E Rock Wren Rd	ryan222@cox.net	7/2/23

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Name	Address	Email or Phone	Date
Maria T. Garcia	PDX AZ 85044 10615 S 43rd Dr.	480-516-7548	7/2/23
Danyella Garcia	PDX 85048 16812 S. 22nd St	480 390 1406	7-2-23
Marilyn P. Dean	6723 W. Larch Ave Ln Chandler AZ 85226	602-568-6498	7/02/23
Lee Maroon	4233 E WINDSONG DR Phoenix AZ 85048	480-236-6289	7/2/23
Kathy Kynasck	1115 W Salt Sage Dr. Phoenix, AZ 85045	480-682-7599	7/2/23
Trabella Mancilla	8002 S Date Land Dr Tempe, AZ 85284	480-321-5811	7/2/23
Lianareed	500 N Coila Springs Blvd Chandler AZ 85226	lianareed@yahoo.com	7/2/23
Sandy Vance Viba	16405 S 30th Ave PDX AZ 97216	Savanglisha@aol.com	7/2/23

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Name	Address	Email or Phone	Date
Daniel Manzo	1626 W. Frye AZ	moconazo390@gmail.com	7/1/23
GREN TEN EYCH	15204 S. 2nd St	DocTenEych@gmail.com	7-1-23
Ray Pfeiffer	5741 W. Keeler, Chandler	pfeiffer@cox.net	7/1/23
John Peterson	1421 E. GLENVIEW AVE PHX	JPeterson@AZ@YAHO.O.COM	7/2/23
Collette Sangston	16433 S. 37th way PHX	eSangstone@ColletteTheSangstons.com	7/2/23
ANITA BUCKEL	6252 W. LINDA LANE CHANDLER, AZ 85046	ABUCKEL@Q.COM	7/2/23
FRANK POLIMENE	541 E. MOUNTAIN SKY PHOENIX, AZ 85048	12 FRANKP@COX.NET	7/2/23
DIANNE POLIMENE	541 E. MOUNTAIN SKY PHOENIX, AZ 85048	KT DIANNEP@COX.NET	7/2/23

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Name	Address	Email or Phone	Date
MYRA CARLOS	7046 W Starelet Dr Chandler 85226	mykac19@gmail.com	7/1/23
John W. Hronski	P.O. Box 50913	602 524-2293	7/1/23
Pat Mandarin	9221 S. 45th Pl.	" "	7/1/23
Delia Rivera	3622 W. Avenida Vista Phoenix AZ 85045	dirivera815@gmail.com	7/2/23
CHINH OANG	2211 E. Granite Way Phx AZ 85048	480 602 200 6325	7/2/23
Larry Pendue	4459 E. Desert Wind Dr Phoenix AZ 85044	602 805-6291	7/2/23
Eusene T. Buckel	6252 W. Linda Lane Chandler, AZ 85226	936-718-5795	7/2/23
Carol A. Tolson	4146 W. Dublin St. Chandler, AZ 85226	480-628-0484	7/2/23

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Name	Address	Email or Phone	Date
Joseph W. Hoffman	626 E Deer Creek Rd Phoenix AZ 85048	Joegrundler@comcast.net	7/2/2023
Joann Grundler	626 E Deer Creek Rd Phoenix AZ 85048	Joann51@comcast.net	7/2/2023
Joseph Hoffman	4729 E Ashurst dr. 85048 Phoenix AZ	butvjoker@gmail.com	7/2/2023
Peggy Perry	16035 S 7th Dr Phoenix, AZ 85045	pegp1946@yahoo.com	7/2/2023
Hadley Huber	729 e night hawk way Phoenix AZ 85048	had.huber@gmail.com	7/2/23
Michael Rossman	14630 S 41 th AVE	MRossman49@gmail.com	7/2/23
William M. Ciccone	11214 S Tonah St. Phoenix, AZ 85044	wmc@amcorpets.com	7/2/23
Maria Ciccone	11214 S Tonah St. Phoenix AZ	marciccone.net	7/2/23

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Name	Address	Email or Phone	Date
Luis Mancilla	8062 S Dadeland Dr Tempe AZ	luis mg 71@ gmail fresh	07-02-23
TOM GIALLANZA	CHANDLER, AZ 6292 W. MEGAN ST.	TLANCER@COX.NET	07-02-23
PAT GIALLANZA	CHANDLER 6292 W. MEGAN ST.	PATG-TWO@GMAIL.COM	07-02-23
Harriet Satorra	1461 W. Courtney Ln, Tempe, AZ 85284	hsvatorra@gmail.com (480) 580-1276	07-02-2023
Debra Trevino	715 W. Stottler Dr Chandler, AZ 85225	915 282 0694 cecilia111074@hotmail.com	07-02-2023
LUIS AGOSTA	3640 W. WHITTIER ST. CHANDLER, AZ 85226	luis agosta 456@yahoo.com	7/2/23
ALAN MAINS	8700 E Thunderhill Rd Phoenix, AZ 85048	ALAN MAINS@USN.COM	7/2/2023
Liz Leuba	2737 E Windmere Dr Phoenix, AZ 85048	markleuba@centurylink.net	7/2/2023

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Name	Address	Email or Phone	Date
Ramon Olmos	16801 S. 24th St Phx AZ 85048	olmosr@hotmail.com	7/2/23
FRANCES BELOUSEK	4950 W. CHANDLER BLVD APT. # 350 CHANDLER AZ 85026	480-489-2680	7/2/23
NATLIE VASQUEZ	4417 E Garythorn St Phx 85044	480-216-0333	7/2/23
NORA PHILLIPS	1744 W. Frye Rd. Phoenix AZ 85043	480-797-6244	7/2/2023
Bethanne Ladley	1331 W. Larena Ln Tempe 85284	4807535959	7/3/23
Edward Ladley	1331 W. Larena Ln Tempe 85284	4807535959	4/3/23
Deb Flynn	16013 S. 1st Ave Phoenix, AZ 85045	480 206-6803	7/2/23
Patricia Flynn	16013 S. 1st Ave PHOENIX, AZ 85045	480-650-0600	7/2/23

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Name	Address	Email or Phone	Date
Sara Dammann	500 N OFLA SPRINGS BLVD Chandler AZ	(480) 689-8043	7/2/23
Ute Chamberlin	1391 West Stacey Ln Tempe AZ 85284	309 288 4568	7/2/23
Kathleen Byrnes	4519 E. Ashurst Dr. Phoenix AZ 85048	480-272-6080	7/2/23
DEWAYNE W BYRNES	4519 E ASHURST DR PHOENIX AZ 85048	1180 784 7964	27 JUL 2023
EMONN AHEARNE	3934 E. GOLDFINCH GT LN PHOENIX, AZ 85044	480 499 2575	7/2/23
Diane Brandon	2534 W ORCHARD LN Chandler AZ 85224	928 230 4731	7/2/23
Lauren Guild	7005 S. 42nd PL PHX AZ	602.622.8743	7/2/23
MaryAnn Dill	1124 E. DUNSTON ST PHX AZ	480-960-4015	8/2/23

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Name	Address	Email or Phone	Date
Judi Davis	3481 E. Liberty Ln Gilbert, AZ 85296	602-481-8632	7/2/23
Rebecca Cooper	14609 S. ALE AVE Phoenix 85041	602-963-9404	7/2/23
Houston McElroy	1735 W Cathedral Road Phoenix	480-435-2464	7/2/23
Luzmaria Bolanos	1151 W. Amanda Ln Tempe, AZ 85284	480-490-3249	7/2/23
Bonnie Webb	11838 S TONOPAH DR PHX AZ 85044	480 626 3556	7/2/23
Thomas Patterson	11838 S Tonopah Dr Phx 85044	480 828-0939	7/2/23
Stanley H. Sebastian	332 W INDIAN DR CHANDLER AZ 85248	703-244-0858	7/2/23
Gordon Hargwood	3271 E. Canyon Creek Dr GILBERT, AZ 85295	480-227-7813	7/2/23

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Name	Address	Email or Phone	Date
Catherine Lasota	1016 E. Amberwood Dr Phoenix AZ 85098	CathyLasota58@gmail.com	7-2-2023
John Garrity	15835 S. 9th St Phoenix AZ 85045		
Carmen Sifuentes	4337 E Woodland Dr Phoenix AZ 85048	JGarrity43@aol.com	7/2/23
Maria Zamora	6122 W. Kenton Phoenix AZ 85048	C.Sifuentes17@gmail.com	7/2/23
Carol Ann Arenas	102 W Glenhaven PHX 85045	m.sambal@gmail.com	7/2/23
Catherine Caly	157 W. Briarwood Tenn. 85045	480 460 4718	7/2/23
Julie Rodriguez	4527 E. White Aster St Phx, AZ 85044	602-821-7780 jstaleyrod@gmail.com	7-2-23
Rose Shekowitz	3024 S. Bell Pl. Chandler, AZ 85386	480-821-9222 shekowitzecox.net	7/2/23

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Name	Address	Email or Phone	Date
Ann Marie Foley	9640 S. Dromedary Dr Tempe, AZ 85284	topalownred@gmail.com	7.2.23
Denise M. Carver	1563 W. SALTAGE DR PHOENIX, AZ 85045	DENISE_CARVER@MSN.COM	7/2/23
MICHAEL GRECO	608 S SADDLE ST GILBERT AZ 85233	MICHAELGRECO@GMAIL.COM	7.2.23
JOHN STIEBER	4447 E. TANGLEWOOD DR PHOENIX AZ. 85048	JFSTIEBER@YAHOO.COM	7-2-23
Rosie Moreno-Stieber	4447 E Tanglewood Dr Phx, AZ 85048	morecake2@yahoo.com	07/02/23
Stephanie Alvarez Moore	2714 E. Windmere Dr Phx AZ 85048	SAMORSVDP@gmail.com	7-2-23
LAWRENCE T. MOORE	2714 E. Windmere Dr Phx AZ 85048	" "	7-2-23

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Name	Address	Email or Phone	Date
MARY SIMPSON	3230 E. HARDY RD. TUCSON AZ 85716	marysims@AOL.com	7-2-23
John P. Cole	157 W. BRARWOOD TER PHOENIX AZ 85045	480-528-7266	7-2-2023
Joe Hickey	16608 S. 15th DR PHX, AZ 85045	Joe Hickey 19@gmail.com 480-686-4280	7-2-2023
Scott SUTERA	1461 W CORNER LN TUCSON, AZ 85724	SSUTERA@GMAIL.COM 602 451 6220	7/2/23
Ervann Kory	491 N Kenneth Pl Charlter AZ 85226	ervann3@yahoo.com	02 Jul 2023
DAVE BOLONSITA	1151 W. Armando Tucson, 85281	602-790-8126	7-2-23
Ed van Vliet	3614 East Windsong Drive Phoenix, AZ 85048-7929	ed@figibbonslaw.com	7/2/23
Veronica Hoffman	4729 E. Ashurst Dr. Phoenix, AZ 85048	480 593 3546	7/2/23

Minor General Plan Amendment Case #CPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

I, the undersigned, am a member of the community and fully supportive of the proposed changes to the City's General Plan and zoning map to allow an Assisted Living Care facility to operate on the St. Benedict Catholic Church campus. Quality senior living facilities are in high demand and providing this type of care on a church campus affords a unique opportunity to serve and support both the medical and spiritual needs of the city's elder community.

Name	Address	Email or Phone	Date
KAREL WARWUS	16218 S. 1st Street	kwarwus@Q.com	7/2/23
GERARD WARWUS	16218 S. 1st St PHX	GWARWUS@Q.com	7/2/23
Michael Feyder	4508 W. Eubankway Candler	480-296-3678	7-2-23
Margola Fabiana	25746 E Amber Bridge Phoenix, AZ 85048	310 525-9672	7/2/23
Amy Farach	614 W. 614th St. Chandler, AZ	satche 87@gmail.com	7/2/23
CATHARINE SANCHEZ	16605 S. Mountain Stone Thru	cath-sanchez@Q.com	7/2/23
Luz Rodriguez-tello	849 W. Duke Dr. tempe - AZ - 85283	Lmrodriguez-13@gmail.com	7/2/23
Marjorie Sterkowitz	2534 W. Orchid Ln Chandler, AZ 85224	480-961-3405	7-2-23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

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Name	Address	Email or Phone	Date
Alicia Schenach	14645 S. 7th Place Phoenix AZ 85048	(714) 345-2260	07-02-23
David Schenach	14645 S. 7th Place Phoenix AZ 85048	714 345 2270	7/2/23
David Schenach Jr.	14645 S. 7th Place Phoenix AZ 85048	714-421-9043	07-02-23
Guadalupe Monter	2738 W Cottonwood Dr PHX		7-2-23
Bernadette Maxwell	13412 S. 4th Pl	602-686-6403	7/2/23
Christina Lytle	3276 E. Franklin Ave Gilbert 85255	480-628-5832	7/2/23
Michele Edison	10144 E. Copper DR Sun Lakes AZ 85248	602-418-8696	7/2/23
Pamela Poggis	2592 W. Ivanhoe St. Chandler, AZ 85224	707-321-8673	7-2-2023

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

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Name	Address	Email or Phone	Date
MELIN SMITH	5331 W. ILLINOIS ST CHANDLER, AZ 85226	480 390 5765	7/1/23
MARILYN NEMECEK	1295 W. LARONA LN TEMPE, AZ 85284	mtn 830@hotmail.com	7/1/23
TOM NEMECEK	1295 W. LARONA TEMPE, AZ	"	7/1/23
Don Reising	4569 E Chumbawala	480 337 4158	7/2/23
Ragnar Dermogian Cortez	3522 E Lorey Lake Rd Phoenix AZ 85048	415-875-1086	7/2/23
Kiana Schenach	1720 W. Cottonwood Ln Phoenix, AZ 85045	657-203-5181	7/2/23
David Forseth	2621 W. Dublin St Chandler AZ 85226	480-284-9440	7/2/23
Ken Garcia	6137 W. ILLINOIS ST Chandler, AZ	480-250-1814	7/2/23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

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Name	Address	Email or Phone	Date
Berkyue Perera	4407 E Windsong Dr Phoenix AZ	6023183726	7/1/2023
Jean Murphy	16234 S. 43rd PL Phoenix AZ 85048	602-689-7443	7/1/2023
Leslie Rober	602-2552846 602-1052846	ROX. DET LESLIE ROBER @	
ELEONORA POLLIO	2424 W. WILDHORSE DR. CHANDLER, AZ 85286	eleonora@ gmail.com	1 July 2023
Susan Zarb-Auntank	1135 W. VERA LN Tempe, AZ 85284	Suzufidlese@yahoo.com	7/1/2023
Edward Gaff	5221 E Tablo Do Pk, AZ 85044	tedgaff2020@outlook.com 6026924674	7/1/2023
Annabel De Mello	14847 S 27th Way Phoenix AZ.	audmki3@kethal.com 480-248-5653	7/2/23
Auburn Campbell	14615 S. 20th St Pux, AZ	elbhiatusous@gmail.com	7/2/2023


Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

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Name	Address	Email or Phone	Date
Maureen Biggs	4321 E. Windborg Drive.	602-3183747 mas-biggs@hotmail.com	1-7-23
Robert Murphy	16234 S. 43 RD PL	peledante@cox.net	7-1-23
Jacqueline Bish	182 W. Jeanine Dr Temple AZ	Jackie@bishgott.com	7-1-23
Gary Thacker	100 S. Sandstone	480-785-6678	7/1/23
Gary Bradley	100 S. Sandstone St	937-207-2156	7-1-23
Pam Pacheco	16014 S. 32 ND PL		7-1-23
Julie Portillo	15002 S. 46 TH PL	480-322-9504	7/1/23
Kathy Waters	2421 E. Supium Way Phoenix,	Katwaters59@gmail.com	7-1-23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

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Name	Address	Email or Phone	Date
Stanley Lindemann	1266 E Del Rio Dr Tempe, AZ 85282	AZ lindemann@gmail.com	7-1-2023
Barbara Koenen	3610 W. Hidden View Dr. Phoenix AZ 85045	zbarblang@hotmail.com	7-1-2023
Jane Green	4421 E. W. Woodward Dr PHX, AZ 85048	jane4green@gmail.com	7-1-2023
Richard Hagen	5602 W. Boss Dr. Chandler, AZ 85226	ORV@aol.com	7-1-23
Greg Holden	452 E. Olney, Phx AZ 85044	grizagreen2@gmail.com	7-1-23
Jane Biggs	3015 E Wundwene Dr Phx, AZ 85048	jabkels@gmail.com	7-1-23
	1366 W. Tarompa Ln Tempe, az 85284	supdrt@aol.com	7-12-23
EDDIE QUINTANA	1135 W VERA LN 85284	QUINTANAAR@PROTON.ME	7/1/23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

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Name	Address	Email or Phone	Date
Kathryn Grey	909 W. Grove Pkwy #2070	kmgrey60@gmail.com	7/1/23
Kelly Chua	3015 E. Windmere Drive	kellychua.cp@yahoo.com	7/1/23
David Fortille	15002 S 46th Place Phoenix 85044	zendad858@gmail.com	7/1/23
Joe Navarro	3721 W Goldfinch Gate LN 85044	jennavarr@cox.net	7/1/23
Michael B. Smith	182 W JEANINE, TEMPE, 85284	MICHAEL@BISNGENTS.COM	7/1/23
Annette Lavea	5311 W. Saragosa St.	anne.lavea@gmail.com	7/1/23
Mile Ruchensky	1275 W. Remington Dr.	L_ruchensky@gmail	7-1-23
Debbie Smith	7649 S. Ash Ave Tempe	dsmith2381@cox.net	7-1-23

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Name	Address	Email or Phone	Date
Rosemary Linderman	1266 E Del Rio Drive Tempe, AZ 85282	azlinderman@gmail.com	July 1, 2023
Lawrence Tomen	3610 W. Hidden View Dr Phoenix AZ 85045	zberblary@gmail.com	7-1-2023
Kathie Hogen	5602 W. Ross Dr. Chandler, AZ 85226	Kaffe52Cad.com	7-1-2023
Bethany	4875 N. Buffalo St Chandler AZ 85226	BethanyGuthrie.net	7-1-2023
RH ONDL CAROL	411 W. STANLEY CHANDLER AZ 85226	rhondlc@attmail.com	7-1-2023
Maria Bryda	41123 E. Tatum Drive Phoenix, AZ 85044	MARIA.BRYDA@GMAIL.COM	7-1-2023
Laura Holden	1752 E. Chney Dr Phoenix, AZ 85044	laura.holden@adison.com	7-1-23
Suzanne Vande Rute	1366 W Laramie Ln Tempe	vzpute@aol.com	

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Name	Address	Email or Phone	Date
MARY ZUZICH	12406 S. Potomac Phx AZ 85044	Mr Zuzich@gmail.com	7/1/2023
TIM WIERING	3547 W Wildwood Dr Phoenix AZ 85045	twiering@gmail.com	7/1/2023
Linda Smith	5331 W. Ivanhoe Ct Chandler AZ 85226	linda_merlin@yahoo.com	7/1/23
Dominic Leslie	43478 West Rio Bravo Dr Phoenix AZ 85138	Dominic.Leslie@gmail.com	7/1/23
Marie Reising	4569 E. Chackwalla Cyn Phx, AZ 85044	eej1919@yahoo.com	7/1/23
Timothy Murphy	1936 N. 128th Dr Avondale, AZ 85342	MurphySean299@gmail.com	7-2-23
KATHY SMITH	4542 W ERIC ST Chandler AZ 85226	KASmith03@cox.net	7/2/23
Allen Smith	4542 W ERIC ST Chandler AZ 85226	absmith4510@cox.net	7-2-23

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Name	Address	Email or Phone	Date
DEBRA S. GOMEZ	9331 S. 55th Pl. Tempe, AZ 85284	dgomez54@yahoo.com	7-1-23
Jeff Stevens	24338 W. FERNWOOD CT. WITTMANN, AZ 85361	brooklynbum46@msk.com	7-1-2023
Jeanne Scanlan	3518 E. Salttrage Dr. Phoenix, AZ 85048	jeanne.scanlan@yahoo.com	7-1-2023
Cathy Schwindt	1228 E. Briarwood Jerran Phoenix, AZ 85048	schwindc@gmail.com	7-2-2023
Suzanne Hanson	4148 E. Rockledge Rd Phoenix, AZ 85044	snwhtcr15@yahoo.com	7-2-23
Cynthia Jarrad	1072 W Courtney Ln Tempe, AZ 85284		7-2-23
CATHERINE AGUIRRE	5181 W Fairview St. Chandler AZ 85226	caguirre16@cox.net	7-2-23
Mary Horvath	4502 E CANTERBURY PARK DIX PHOENIX 85041	drhwtz@hotmail.com	7/2/23

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Name	Address	Email or Phone	Date
Scott Biggs	3015 E Windmere Dr	480 254 9723	7/1/23
Francisco Onkenize	14060 S. 40th ST Phoenix 85044	Onkenizef@yahoo.com	07/01/23
Angie Hawick	4317 E. Benwood Trl Phoenix, 85044	480-209-4206	7/1/23
Elizabeth Loh	1647 W. Glenhaven Dr Phoenix AZ 85045	480-329-2089	7/1/23
Barbara Perry	12843 S. 41st Phoenix AZ 85044	(214) 517-0617	7/1/23
Quiana Smith	16620 S. 48th St Phoenix AZ 85048	(602) 290-3030	7/1/23
Amber Pignatelli	1135 W. Vera Ln 85284	(602) 773-8241	7/1/23
Scott Hansen	4148 E. Rockledge Rd Phoenix 85044	480-200-6548	7/1/23

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Name	Address	Email or Phone	Date
Roseanne Birek	1504 S 20th St Phoenix 85048	gtenevck1@cox.net	7/1/23
Marie Pfeiffer	Chandler AZ 5741 W Kessler St		7/1/23
Kathleen Tierney	132 N Albert Dr Chandler 85226		7/1/23
Lucille Ruchersky	1275 W Remy Court Dr Chandler, AZ 85288	mruckas@stbenedict.org	7-1-23
Laura Arkfeld	15801 So 48th St Phoenix AZ 85048	ARKFAM17@ verizon.net	7-1-23
Jenny Gutierrez	4411 E CHANDLER BLVD #1113 PHOENIX, AZ 85048	562-900-3280	7-2-23
Jesse Jones	4411 E CHANDLER BLVD #1113 PHOENIX, AZ 85048	OSO. Jlyn@GMAIL.COM	7-2-23
Dawn Etsitty	3622 E Long Lake Rd Phoenix, AZ 85046	vikingman1@cox.net	7-02-23

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Name	Address	Email or Phone	Date
Phil Arkfeld	15801 S. 48th Street Phoenix, AZ 85048	Schulca 7@yahoo.com	7-1-23
Jane Sosenborn	4631 E. Mountain Vista	602-326-3666	7-1-23
Andrew Enrico	13650 S 48th St Phx	631-974-5653	7/2/23
Amy Enrico	13650 S. 42nd St. Phx 85044	631-974-5653	7/2/23
Richard Aguirre	5181 W. Fairview St. Chandler AZ 85226	602 885 1575	7/2/23
Diane C. Wray	3853 E. Frye Rd. Phoenix, Az. 85048	480-369-8729	7/2/23
Sue DeBarys	16827 S. 35th St Phx - Az - 85048	480-844-2704	7/2/23
BIENVENIDO PENTADO	15433 S. 44th Pz. Phoenix AZ-85044	707-35-9037	7/2/23

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Name	Address	Email or Phone	Date
Lilia H. Galván	4130 E. Muirwood Dr Phoenix, AZ 85048	lilbucey@aol.com	7/2/2023
Francesca L Galván	" "	lilpanchita5@gmail.com	7/2/2023
Maria D Galván	4130 E. Muirwood Dr Phoenix, AZ 85048	lilfranpan@aol.com	7/2/2023
Luisa I Casillas	" "	lilgalvan15@gmail.com	7/2/2023
Robert H Galván	5775 W. Galveston St Chandler, AZ 85226	finr+robo@aol.com	7/2/2023
Eileen Bailey	4702 E. La Mirada Way Phoenix, AZ 85044	bailyack@gmail.com	7/8/2023
Marlee Gonzales	3927 E SHOMI ST. Phx 85044	marlee.marchinsky@gmail.com	7/8/23
Kim Ferdue	4454 E. Desert Phoenix 85044	kimferdue@aol.com	7/9/23

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Name	Address	Email or Phone	Date
CHRISTOPHER MAREK	4171 W. JASPER DR CHANDLER, AZ 85226	480-980-8688	7/9/2023
Michelle Turner		7168702706	7/9/23
Christine Melendez	4327 E. Ponca St PHX 85044	602) 702-9168	7/9/23
Carly Hartly	1013 W. Indigo Dr Chandler AZ 85248	480-861-2115	7/9/23
Jenna Diaz	4306 E Cottonwood Ln Phoenix, AZ 85048	(480) 766-3055	7/9/23
Peddy Corby	1331 W. Laramie Lane, #2 Phoenix, AZ 85048	480-432-1910	7/9/23
Ennbertchaed	1331 W Laramie Lane Tempe, AZ 85284	732-778-4165	7/9/23
Teresa Tran	2847 E. Windsong Dr. Phoenix, AZ 85048	480-819-3749	7/9/2023

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Name	Address	Email or Phone	Date
Melanie Sala	4205 E. Liberty lane Phoenix AZ 85048	melsala29@gmail.com	7/9/2023
ELIZABETH SMITH	1362 E. Amberwood Dr Phoenix AZ 85048	716-253-5805	7/9/2023
Iselda Avillar	3015 E PARVIEW AVE MESA AZ 85204	TAQUIL@HOTMAIL.COM	7/9/23
DONALD PATTERSON	118385 TONOPAH DR PHX AZ 85044	480 8280939	7/9/23
Michael Ahearn	3934 E. GOLF CIRCLE Phoenix AZ 85044	—	7/9/23
Matthew Ahearn	3934 E. GOLF CIRCLE Phoenix, AZ 85044	—	7/9/23
Mike Rojas	2870 E. CULVER VISA DR. Chandler 85225	—	7/9/23
Bethany Hathaway	3860 S. Nash Way Chandler, AZ 85286	614-353-8737	7/9/23

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Name	Address	Email or Phone	Date
Joy N. Cole	1624 W. Satinwood Dr. Phoenix 85045	joyncole@live.com	7/9/2023
Craig Marshall	13412 S. 47 th PL	Marshall 288 @ Cox.net	7/9/2023
Alyssa Marshall	13412 S. 47 th PL	Marshall 288 @ Cox.net	7/9/2023
Bernadette Marshall	13412 S. 47 th PL	Marshall 288 @ Cox.net	7/9/23
Gwendolyn Autenello-Tee	8044 W. 1099 E. Major St CH 85249	Gwenattee @ Gilbert AZ yahoo.com	7-9-23
Linda W. Whitten	6960 S. WINDSTREAM	EDLINDA @ COX.NET	7/9/23
Doreen Kelly Matusky	9207 S. Kenneth PL Tempe AZ 85284		7/9/23
Colleen Ferris	24446 S Parkside Sun Lakes 85248	colleen.ferris14 @gmail.com	7/9/23

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Name	Address	Email or Phone	Date
William Ciccione	11214 S. TOMAH ST PHOENIX, AZ 85044	480 980 2908	7/2/23
RICK PRETZMAYR	15217 S. 17TH AVE PHOENIX, AZ 85045	(480) 299-7606	7/8/23
Michael Hart	1313 W Indigo Dr Chandler, AZ 85244	480 461 1347	7/9/23
Kevin Gottrich	202 E. South River Dr Phoenix, AZ 85040	602 549 3241	7/9/23
Patricia Lucette	9848 S. 47th St Phoenix AZ 85044	602 697 8713	7/9/23
Catherine Temple	4508 W. EAGLE AVE Chandler, AZ 85226	480-296-3679	7/9/23
Stephanie Templeton	900 S. 94th St Chandler, AZ 85224	480-893-6004	7/9/23
Fayette Gore	1515 N. BELL Mesa, AZ	480-600-8010	7/9/23

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Name	Address	Email or Phone	Date
Elizabeth Janke	16209 S 14 th Dr. Phoenix AZ 85045	lizjanke05@hotmail.com	7/8/23
Robert B. Breen	3520 E. Lantana Dr. Chandler AZ 85226	bob@plavrensite.com	7/8/23
Ruby Began	435 W Thunderhill Dr. Phoenix AZ 85045	rubybegan@psn.com	7/8/23
Cynthia Cole	1624 W Satinwood Dr. Phoenix AZ 85015		7/9/23
Karla Tuzzolino	4623 E Brentwood Ter Phoenix AZ 85048	truzzolino@kula@gmail.com	7/9/23
Sally Van Varen	3614 E. Windsor Dr. Phoenix AZ 85048	Svanvianec@gmail.com	7/9/23
John Templeton	4508 W. Earhart Way Chandler, AZ 85226	jtemple@asu.edu	7/9/23
Dan Pombrowski	16811 S 37 th Pl	602 314 0172	7/9/23

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Name	Address	Email or Phone	Date
Taylor Stachurski	16025 S 50th St Phoenix, AZ	973-567-2180	7/9/23
Brittany Thompson	1759W. TMT Dr Chandler, AZ 85248	480-240-8847	7/9/23
Robert Thompson	1759W. TMT Dr Chandler, AZ 85248	408-201-2470	7/9/23
Dewayne Byrnes	411 N Kyrene Rd, Apt 221 Chandler, AZ 85226	480-784-7361	7/9/23
Travis Hanauer	4212 E Runkle Rd. Phoenix, AZ 85044	815-347-8957	7/11/23
Victi Hamill	12043 S. Hanah Lee Ct PHX, AZ 85044	480.893.1490	7/9/23
Madeline Evansworth	16408 South 30th Ave Phoenix, AZ 85045	602-576-2224	7/9/23
Marcie McCabe	5609 S Hurricane Ct #E Tempe AZ 85283	marciefm@gmail.com	7/9/23

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Name	Address	Email or Phone	Date
Katrina J. Elam	16160 S. 50th St. Apt 245 Phoenix, AZ 85048	calabrea3@gmail.com (602) 677-2431	7/8/2023
Gandi Baehner	4121 E. Liberty Ln	480 213-7761	7/8/23
Norma Mercier	6842 W. Wendhurst	(602) 410-6180	7/8/23
Theresa Lipard	238 W. MYRNA LN	480-730-0267	7/8/23
Cassie Wertzberger	15413 S 26th Place PHX	480-391-2252	7-9-23
Robert Johnston	14034 S 32nd St PHX	480-225-5982	7-9-23
Teris Tomas	8432 S. Drea Ln Tempe 85284	480-313-4158	7/9/23
Joseph Kacubko	4329 E. Winkley Dr Phoenix, AZ	928-637-4652	7/9/23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

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Name	Address	Email or Phone	Date
DAVID VALENZIA	85226 1 N Fairbairn Ave / Chandler	480 600 3283	07/02/23
Hanna Shaker	4411 N Chandler 4411 E Chandler Blvd	586 318 8101	07/02/23
SHAREN KILTS	15403 S. 19TH AVE PHX AZ 85048	480-242-2202	7/8/23
MIKE KILTS	15403 S. 19TH AVE PHX AZ 85048	480-242-2202	7/8/23
Joshua Hager	3830 E Lakewood Pkwy E #1163 Phoenix AZ 85048	360-903-1305	7/8/23
Serge Kalala	16006 S. 30th Pl. Phoenix, AZ 85048	602-632-3829	7/8/23
Tiffany Caglio	2435 E Cathedral Rock Dr Phoenix, AZ 85048	619-920-7484	7/8/23
STEVEN SHAWARD	2442 W. KNOX RD TUMPO 85284	602-334-7483	7/8/23

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Name	Address	Email or Phone	Date
Ronald Thomas	8932 S. DANA LN. TEMPE	JRThomas2@hotmail.com	7-9-23
Vicky Izaguirre	4747 E. CALAVERA LN. PHOENIX, AZ 85044	MAIZAGUI@AMERITECH.NET	7/9/23
Ken Sachersen	14017 S. 1st STREET PHX 85048	KSTACH67@gmail.com	7-9-23
Debra Kaamini	4229 E. WINDSOR DR PHX 85048	princeyphoenix.com	7-9-23
Amy Vaughan	4514 E. TANGLEWOOD DR PHOENIX AZ 85048	602-284-7899	7-9-23
Debbie Stupica	16001 S. 12th PL Phoenix 85048	480-540-1066	7-9-23
Mark A. Francis	15821 S. 48th STREET PHX 85048	(602) 320-8737	7-9-23
Ed Spalding	4210 S. King Street P Chandler AZ	402-573-1354	7-9-23

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Name	Address	Email or Phone	Date
Samantha Stachewski	14617 31st Street	973-580-0770	7-9-23
Edwards Olivera	3345 E Amberwood Dr	480-704-7684	7-9-23
Mike Sheehan	6153 W Dublin Ln	480-213-1509	7-9-23
Jessie Sheehan	6153 W. Dublin Lane Chandler, AZ	480-748-7444	7-9-23
SORTIANO CAMPOS	5437 W. WESTERN BLVD LAVERNE, AZ 85339	sonlandc1980@yahoo.com	7-9-23
Emily Kirchner	1872 E. Jade Pl. Chandler, AZ 85286	602 616 2395	7/9/23
Dave Williams	10144 E. COPPER DR SUN LAKES AZ 85248	(480) 802 7891	7/9/23
William Femi	24446 S Bulkside Sun Lakes, AZ 85288	480 324 1351	7/9/23

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Name	Address	Email or Phone	Date
Marilyn Johnston MARILYN JOHNSTON	14034 S. 32nd St. Phoenix, AZ 85044	mar-johnston1@cox.net	July 9, 2023
Alfonso Izaguirre	4747 E. Lavender Ln Phoenix AZ 85044	122YAF59@gmail.com	7/9/23
Michelle Stachurski	14617 S. 1st Street Phoenix, AZ 85048	mstock8312@gmail.com	7-9-23
Gloria Llana	3345 E Amberwood Dr Phoenix, AZ 85048	gllamaz@gmail.com	07/09/23
Eduardo Olvera	3345 E Amberwood Dr Phoenix, AZ 85048	colerallanna@gmail.com	7/9/23
Samantha Soriano	5437 W. Western Star Laveen, AZ 85339	samsoriano21@gmail	7/9/23
Susan Masigill	4551 E Chuckwalla Ave Phoenix AZ 85044	Smasigill@cox.net	7/9/23
Amy Corcoran	15251 S. 80th St Phoenix 85044	Amycorcoran@cox.net	7/09/23

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Name	Address	Email or Phone	Date
Emilio Fimbres			
Emilio Fimbres	6240 W Post rd	Emilio.Fimbres@gmail	07/8/23
Daniella Fimbres	6240 W Post rd	daniella.r.fimbres@gmail	07/08/2023
BRAD WATSON	4205 E CHEROKEE CARE PHARMACY 4504	brad@wv.com wv@wv.com	4
Aida I Colcin	1421 E Glenhaven Dr Phx AZ 85042	602 410 9433	7/8/23
Alex Luerano	4542 E Carmen Phx AZ 85044	602-931-5000	7-8-23
Luong Nguyen	3117 NE 14 St. Oklahoma City, OK 73117	225-200-1570	7/9/23
Amanda Woodmansee	10415 S. 43rd Pl. Phoenix, AZ 85044	(480) 225-8172	07/09/2023

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Name	Address	Email or Phone	Date
ROBERT S. WEIGEL	3925 E. AMBERWOOD DR PHOENIX, AZ 85048	BOBWEIGEL58@GMAIL.COM	7/9/2023
Darlene Nimmer	4220 E White River St Phoenix, AZ 85044	papai4@cox.net	7/9/2023
Michael Nimmer	4220 E White River St Phoenix, AZ 85044	papai4@cox.net	7/9/23
Michael Tolson	4146 W. DUBLIN ST CHANDLER, AZ	480-634-6636	7/9/23
Roy Fuchs	Chandler, AZ 4700 S. Fulton Rd Phoenix, AZ 85048	634-219-1041	7/9/23
MARGARET BOY	4314 E. Dunlap Ave Phoenix, AZ 85048	486-985-8108	7/9/23
Nancy Demigowski	16811 S. 37th Pl Phoenix, AZ 85048	480-825-6644	7-9-23
Lynn Salazar	4403 E. Glenhurst Dr Phoenix, AZ 85048	74.227-8708	7/9/23

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Name	Address	Email or Phone	Date
Kathleen Harty	5871 W. Orchid Ln Chandler AZ 85226	K'harty5@gmail.com	7/9/23
Dolores Montez	Chandler 4729 W. Talia St Phoenix, AZ 85048	Dolores Montez@gmail.com	7/9/23
Alvaro Diaz	4306 E Cottonwood Ln Phoenix, AZ 85048	alvaro.diaz1978@gmail.com	7/9/23
Keri Sheehan	6153 W Dublin Ln Chandler, AZ 85226	kerisheehan@gmail.com	7/9/23
Diane Fuchs	4700 S. Fulton Ranch Blvd #81	dianefuchs81@gmail.com	7/9/23
Kelly Reynolds	2820 E Carla Vista Dr Chandler AZ 85225	480 688 8534	7-9-23
Mike & Tohri	2744 E. Desert TRUNDELL RD	206-321-5640	7-9-23
Laura Boyd	4327 E Model Dr Phoenix AZ 85044	480 329 5978	7/9/23

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Name	Address	Email or Phone	Date
Julie Ceder	14664 S. 25th Way	602 751 4929	7/2/23
James E. O'Donnell	4229 E. Redwood Lane	602-881-0402	7/2/23
Volanda Najera	4133 E. Bannock St Phoenix AZ 85044	480-729-1900	7/2/23
Michael Low	1078 W LARONA LANE TEMPE AZ 85283	480-200-0585	7/2/23
JOHN JAKE	11209 S 14TH DR PHOENIX AZ 85045	480-284-2802	7/8/23
George Barbera	4121 ELISABETH LN PHOENIX AZ 85048	602-451-0214	7/8/23
DON WILKIN	1186 W. COURTNEY LN TEMPE, AZ 85284	480 493 7394	7/8/23
Patricia Birmingham	4141 N. 36th St Phoenix AZ 85016	480-650-0601	7/9/23

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Name	Address	Email or Phone	Date
Tamara McLane	16614 S. 18th Way, Phoenix, AZ 85048	fmccinnis@gmail.com	7/2/23
Cary Stone	400 E. Foothill Dr #346 Phoenix, AZ 85048	520-632-7103 csumption@hotmail.com	7/8/23
Bridget Vanderzyl	3023 W. Camelback Rd Phoenix, AZ 85015		7/8/23
Kirk Elam	16160 S. 50th St. Apt 245 Phoenix, AZ 85048	(602) 677-2583	7/8/23
Susan Sheard	242 W. Knox Rd 85284		7/8/23
Greg Morgan	2311 W. Genorah Dr. Tempe, AZ 85282		7/9/23
Morgan grego	1715 W Wildwood Dr. Phoenix AZ 85045	gregmorgana@yahoo.com	7/9/23
Brandon Alvarez	1715 W Wildwood Dr. Phoenix AZ 85045	480-240-0681	7/9/23

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Name	Address	Email or Phone	Date
Thomas Pollio	2424 W. WILDHORSE DR. CHANDLER, AZ 85286	623-341-5441	7/12/23
Nolan Pollio	2424 W. Wildhorse Dr Chandler, AZ 85286	623-210-2193	7/12/23
Debra Radway	14630 S 4th Ave Phoenix AZ 85045	773-578-3830	7/12/23
van Cacerich	6328 W. Laredo St Chandler AZ 85226	602-908-9507	7/10
Rich Cacerich	"	"	7/10
Dr. K. K. K.		602-579-1218	7/8/23
Anthony Laylio	2435 CATHEDRAL PARK Phoenix, AZ 85048	623-252-2956	7/8/2023
Micki Stanford	6833 W. Grand Chandler AZ 85226	602-758-4832	7/9/2023

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Name	Address	Email or Phone	Date
RENE JOSE ACOSTA	16032 S. 17TH LN PHOENIX, AZ	480-460-2077	07/02/2023
Albert Macias	2141 E. Cathedral Rock Ln.	macias.albert@yahoo.com	07/02/2023
CHONA GUTIERREZ	3740 E. CATHEDRAL ROCK PHOENIX, AZ 85044	480-286-2434	07/02/23
Marco Siron	6939 W. Branham LN Laveen, AZ 85539	602-463-8296	7/2/23
Mark Loyba	2737 E. Windmere Dr. Phoenix, AZ 85049	markloyba@centurylink.net	7/2/23
Michael Ricard	4307 E. Bighorn Ave Phoenix, AZ 85044	480-704-1861	7/2/23
Maureen Mulligan	5750 W Mercury Way Chandler AZ 85226	602-826-6650	7/08/20
Joseph Cagid	jscagid@gmail.com	602 451-4295	7/09/23

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Name	Address	Email or Phone	Date
MADDIE FLYNN	16013 S 1 st AVE PHOENIX, AZ 85045	480-665-9707	7/2/2023
STEVE HUBERZ	729 E. NIGHTHAWK WAY PHOENIX, AZ 85048	701 799 8950	7/2/23
Christina Lefua	4524 E. Wildwood Dr. Phoenix, AZ 85048	808-699-1343	7/2/23
Juan R. Fimbres	6240 W Post Rd Chandler, Az. 85226	Juan.r.fimbres@gmail.com (480) 593-6193	7/8/23
Guadalupe Arvizu	6240 W Post Rd Chandler, Az. 85226	Popy.arvizu@gmail.com (480) 274,1042	7/8/23
Ernesto Garcia	2213 S 23 rd Place Phoenix, Az 85042	(954) 358-1306	7/8/23
Terri Bauer	3520 E Lantana Dr	480 279-9637	7/8/23
Bob F. Bauer	3520 E Lantana Dr	602 643 3036	7/8/23

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Name	Address	Email or Phone	Date
Heather Mooney	5122 W. Sweet Pea Ter. Phoenix AZ 85339	hmooney@stbenedict.org	7/5/2023
Fr. James Abeyi	4646 E. Mountain Vista Dr Phoenix, AZ 85048	frabeyi@stbenedict.org	7/5/2023
Amy Fletcher	3013 E. Thunderhill Pl. Phoenix, AZ 85048	afletcher@stbenedict.org	7/5/2023
Mary Jane Livens	1033 E Mountain Vista Dr Phoenix AZ 85048	mlivens@stbenedict.org	7/5/2023
Matthew DeLeon	5418 W. Country Garden Ln Phoenix, AZ 85339	mattdelcon2000@gmail.com	7/5/2023
Lisa Sallund	6562 W Linda Ln Chandler Az 85226	sallund@e-jahoo.com	7/10/23
Bill Sallund			7/10/23

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Name	Address	Email or Phone	Date
Michelle Elfrido	1580 S. 48th St Phoenix AZ 85048	480-226-7643	4/19/23
YOLANDA De Leon	1666 S Extension Rd Mesa AZ 85210	512 412 2235	4/9/23
Suan De Leon	1666 S Extension Rd, Mesa AZ 85210	512 412-2234	4/9/23
Damian Fabila	2546 E. Amber Ridge Way	806 346 582	4/9/23
Greg Bedell	1104 N Glenhaven	602 110 4314	7/9/23
Jennife Fordway	1104 W. Glenhaven	312-608-9939	7/9/23
Connor Bedell	1104 Glenhaven Dr	847 830 4314	7/9/23

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Name	Address	Email or Phone	Date
Tim McInnis	Phoenix, AZ 85048 16614 S 18 th Way	timothy.a.mcinnis@gmail.com	7-2-23
Rudy Evangelista	16408 S 30 th Ave Phx, AZ 85045	Rudy.Evan@yahoo.com	7-9-23
Michael Gutierrez	5032 E. Oneida St Phx AZ 85044	mgutierrez@gmail.com	7-9-23
Dana M. Gutierrez	5032 E. Oneida St Phoenix AZ 85044	ICAN@darings50.com	7-9-23
Debra L. Swick	384 E. Stacey Ln. Tempe, AZ 85284	480-940-3689	7-9-23
David M. Swick	629 N. Elm St Chandler, AZ 85226	(480) 215-5662	7/9/23
Alex Gueco	5722 W. Butler Dr. Chandler AZ. 85226	602-793-4159	7-9-23

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Name	Address	Email or Phone	Date
Lean Cho Leh	1633 W Glenhaven Drive Phoenix, AZ 85045	-	7/9/2023
Gwen Bradley	1223 E. Briarwood Ter Phoenix AZ 85048		7/9/2023
PAUL TRAN	2847 E. WINDSONG DR. PHX AZ 85048		7/9/23
MARK HEALY	6229 N. ELMS CHANDLER AZ 85226		7/9/23
Miguel Salinas	5792 W Fairview St Chandler, AZ 85226		7/9/23
JOSE R. REYES	3009 E. WENDELL DR PHX AZ 85048		7/9/23
Nicole Bouragan	4621 E. Gold Papyrus Way Phx, AZ 85044	480 234-1184	7/9/23

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Name	Address	Email or Phone	Date
James Cote	2406 E. Glenhurst Phx AZ 85048	James.cote@gmail.com	7/9
Kristen Zyllar	3303 E. Brookwood Ct Phoenix 85048	dx20005@gmail.com	7-9
Juanita Morales-Castro	15802 S. 26th Place Phoenix, AZ 8504	202-705-3240	07/09/2023
Don Bush	8348 S. Homestead Tempe, AZ 85284	602-309-2649	7/9/23
Montserrat Camacho	3009 E. Verbena Dr. Phoenix, AZ 85048	480-768-8479	7/9/23
Albert Barragán	4621 E. Gold Pappy Way Phx, AZ 85044	480-495-5271	7/9/23

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Name	Address	Email or Phone	Date
LAVRUE LILES	3167 EAST ANGER RIDGE WAY, PHOENIX, AZ 85048	lcliles1011@gmail.com	7/9/2023
Tom Rogers	4334 E. Glendale 8348 S. Homestead Ln Tempe, AZ 85284	880 893-7941 you Phx. sallyb324@aol.com	7/9/2023
Sally Brooks			7/9/23
Joshua Berry	16620 S 48 th St Unit 9	707 364 7898	7/9/23
Myaisha Elloie	4250 E. Ponce St. Phoenix, AZ 85044	504-236-8473	7/9/2023
Gabriella Elloie	4250 E Ponce Street Phoenix AZ 85044	504 236 8473	7/9/2023
Alexandra Elloie	4250 E Ponce St Phoenix AZ 85044	504 236 8473	7/9/2023

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Name	Address	Email or Phone	Date
Ella	Phoenix AZ		7/9/2023,
Roni Hardiman	4018 E. Cholla Canyon Dr	hardiman@cox.net	7/9/2023
Robbie Adams	16415 S. 42nd Phoenix AZ	16415@cox.net	7/9/2023
CHARLES MORENO	4704 E. BIRCHWOOD PHX 85048	charlesldog@gmail.com	7/9/23
Brian Wiscombe	4630 E. MOUNTAIN VISTA DR. PHX 85048	B-WISCOMBE@HOTMAIL.COM	7/9/23
Wanda Wiscombe	4630 E Mountain Vista Dr	Wandantje@gmail.com	7-9-23
Lauren Wiscombe	Phoenix, AZ 85048 4630 E Mountain Vista Dr.	Laurenw@gmail.com	7-9-23

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Name	Address	Email or Phone	Date
Nathan Evangelista	16408 S 30th Ave PHX, 85045	NieVange@Azu.edu	07/09/2023
Felipe G. Castro	15802 S 26th Place Phoenix, AZ 85048	felipegc51@gmail.com	7/9/2023
Roger/Jennifer Villalba	4506 S. GOLF PIPER WY. PHX, AZ 85044	- Coyote550@proton.me	7/9/2023
Eric McKinney	7171 W Chandler Blvd Chandler, AZ 85226	mckinneyeric@AOL.com	7/9/2023
Brennan Wiscombe	4630 E. Mt. Vista Dr.	plasmabrennan@gmail.com	7/9/23

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Name	Address	Email or Phone	Date
Maria Benton	13605 W. Courtney Ln Tempe, AZ 85284	(602) 576-7945	7/9/23
Edward Benton	5426 S. Heather Dr. Tempe, AZ 85284	(480) 316-1419	7/9/23
Carolyn Higgins	14308 S. 4th Dr. Phoenix, AZ 85045	480-628-8247	7/9/23

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Name	Address	Email or Phone	Date
Thomas Rodriguez	4527 E. White Aster St Phx AZ 85044	tom@tjdesigns.com	7/9/23
Greg Cannellini	16604 S. 14th St. PHX, AZ 85048	GCannellini@gmail.com	7/9/23
Alicia Cannellini	" "	Cannellini45@gmail.com	7/9/23
Helen Johns	2744 E. Desert Trumpet Rd, Phx, AZ 85048	hjdms3@hotmail.com	7/9/23
David Johns	5609 S. HURRICANE CT UNIT 2 TRUMPET, AZ	davidjohns45@gmail.com	7/9/23
John Lattanzio	6609 W. Superior LAVEN AZ 85335		7/9
Martha Ochao	826 E Mountain Sage Dr. Phoenix AZ 85048	mochao@phoenixpolice.com	7/9/23
Kurt Richardson	14808 S 4th Dr Phoenix AZ 85045	480-204-2920	7/9/23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

I, the undersigned, am a member of the community and fully supportive of the proposed changes to the City's General Plan and zoning map to allow an Assisted Living Care facility to operate on the St. Benedict Catholic Church campus. Quality senior living facilities are in high demand and providing this type of care on a church campus affords a unique opportunity to serve and support both the medical and spiritual needs of the city's elder community.

Name	Address	Email or Phone	Date
Timothy Cypriani <i>Tim Cypriani</i>	238 W Myrna Ln. Tempe AZ.	480 694 8609	7/9/23
RICHARD S. CURRAN, JR <i>Richard Curran</i>	238 W MYRNA LN TEMPE, AZ 85284	480.202.1060	07/09/2023
Daniel Bish <i>Dan Bish</i>	238 W Myrna Ln 182 W Jeanine Dr. Tempe, AZ 85284	480-703-7283	7/10/23
Jordan Gottwalt <i>Jordan Gottwalt</i>	202 E. Santa Fort Dr. Phoenix, AZ 85048	480-283-1605	7/10/23
Capriana Bish <i>Capriana Bish</i>	182 W. Jeanine Dr. Tempe, AZ 85284	480-273-9245	7/10/23
ELISEN CURTIN <i>Elisen Curtin</i>	5011 E. Summer St Lane Phoenix, Az. 85044	480-621-8007	7/13/23
Mary R. Gardner <i>Mary R. Gardner</i>	11842 S. Tarapha Dr. Phoenix, AZ 85044	480-242-9743	7/13/23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

I, the undersigned, am a member of the community and fully supportive of the proposed changes to the City's General Plan and zoning map to allow an Assisted Living Care facility to operate on the St. Benedict Catholic Church campus. Quality senior living facilities are in high demand and providing this type of care on a church campus affords a unique opportunity to serve and support both the medical and spiritual needs of the city's elder community.

Name	Address	Email or Phone	Date
Teri Pistachio Aguiar	7442 S. Kenwood Lane Tempe, AZ 85283	Taguiar@SJBOSSO.org	7.11.23

From: [Kimberly](#)
To: [PDD Ahwatukee Foothills VPC](#)
Subject: In support of ST Benedict's senior living
Date: Wednesday, July 19, 2023 9:47:03 PM

Hello-

I just read the article in the ahwatukee foothill news about the ST Benedict senior living project concerning the request for a parking variance. I am a resident of Ahwatukee and a supporter of the project. I am also in favor of the parking reform amendment to reduce parking space minimums.

Sincerely,
Kimberly Barua, AICP



Village Planning Committee Meeting Summary

GPA-AF-1-23-6

Date of VPC Meeting	July 24, 2023
Request From	Public/Quasi-Public, Commerce/Business Park
Request To	Residential 15+ dwelling units per acre
Proposal	Minor General Plan Amendment to allow multifamily residential
Location	Approximately 790 feet north of the northeast corner of 48th Street and Frye Road
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	8-0

VPC DISCUSSION:

Item No. 3 (GPA-AF-1-23-6) and Item No. 4 (Z-16-23-6) are companion cases and were heard together.

No members of the public registered to speak on this item.

Staff Presentation:

Matteo Moric, staff, presented an overview of the general plan amendment and the rezoning case associated with the property along 48th Street. Mr. Moric stated these proposals will be heard together but require two separate motions.

Mr. Moric showed the location of the proposal for multifamily residential and identified the staff findings and recommendations. Mr. Moric identified the land uses and zoning of the surrounding properties, showed the proposed site plan, elevations, and noted community input. Mr. Moric stated the proposal included independent living, assisted living and memory care units, provided outdoor seating areas and courtyards. Mr. Moric presented the staff recommended stipulations.

Applicant Presentation:

Peter Furlow introduced himself as the applicant/representative and identified the applicant team present at the meeting. Mr. Furlow added that to the north and east are both 3 story developments and compatible in height with the proposed development, and the single-family residences across 48th Street do not face 48th Street so he did not think there would be negative impacts to the homes. Mr. Furlow mentioned 66 of the units were independent living and 69 were for assisted living and memory care and

added the church would own the entire site. Mr. Furlow said that it will provide full time nursing and caregiver jobs. Mr. Furlow presented a plan which showed vehicular circulation onsite. He identified the support they received and that they agreed to staff stipulations.

Questions from Committee:

Toni Broberg asked how far the setback was to the church and school. **Mr. Furlow** was not sure of the exact numbers. **Clifford Mager** said it was separated by a driveway and a fire lane between the church and the school.

Mr. Mager asked if this was a lease to the memory care to which the applicant stated that was correct.

Chair Andrew Gasparro indicated there was a cross access agreement with the church property and if there was an accident on the north access point this would be a second means of access.

Ms. Broberg asked what delineates the church parking lot from the senior living facility parking lot. **Mr. Furlow** responded a half wall and landscaping.

Mr. Mager said there was an existing use permit for athletic fields and recommended the applicant go to the site when the school is in operation for the beginning and closing of the school. Mr. Mager had concerns with kids getting in and out of school and encouraged moving the circulation route to eliminate in and out conflicts. **Mr. Furlow** said it was all owned by the same owner so they could work through the circulation operation procedures.

Elena Pritchette shared concerns that kids from the Horizon School use the site to exit.

Chair Gasparro said circulation with any project can be pretty complex how it flows with the other pieces, and he felt the applicant did a good job.

Vice Chair Fisher said that due to the nature of the facility he could anticipate an increased need for emergency services, and moving the south entrance would make it impede the traffic pattern.

Chair Gasparro asked if it gets reviewed by the Fire Department. **Mr. Moric** indicated a Fire Plan Reviewer would be reviewing the site plan in the site plan review process.

Public Comments:

None.

Motion:

Clifford Mager motioned to recommend approval of GPA-AF-1-23-6 per the staff recommendation. **Toni Broberg** seconded the motion.

Vote:

8-0, Motion to recommend approval of GPA-AF-1-23-6 per the staff recommendation passed, with Committee Members Broberg, Mager, Maloney, Meier, Pritchette, Sharer, Fisher and Gasparro in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comments.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION August 3, 2023

ITEM NO: 7	
	DISTRICT NO.: 6
SUBJECT:	
Application #:	GPA-AF-1-23-6 (Companion Case Z-16-23-6)
Request:	Map Amendment
Location:	Approximately 790 feet north of the northeast corner of 48th Street and Frye Road
From:	Public/Quasi-Public and Commerce/Business Park
To:	Residential 15+ dwelling units per acre
Acreage:	4.60
Proposal:	Minor General Plan Amendment to allow multifamily residential.
Applicant:	Bart Shea, Shea Connelly Development, LLC
Owner:	St. Benedict Catholic Parish
Representative:	Bart Shea, Shea Connelly Development, LLC

ACTIONS:

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:

Ahwatukee Foothills 7/24/2023 Approval, per the staff recommendation. Vote: 8-0.

Planning Commission Recommendation: Approval, per the Ahwatukee Foothills Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Perez made a MOTION to approve GPA-AF-1-23-6, per the Ahwatukee Foothills Village Planning Committee recommendation.

Maker: Perez
Second: Gorraiz
Vote: 8-0
Absent: Mangum
Opposition Present: No

Findings:

1. The proposed General Plan Land Use Map designation of Residential 15+ dwelling units per acre would allow higher density attached townhouses, condominiums, or apartments, which are consistent with land uses in the surrounding area.
2. The companion rezoning case, Z-16-23-6, proposes a senior housing development, which, as stipulated, protects the character of the surrounding area by providing enhanced landscaping and improvements to the 48th Street streetscape.
3. The subject site is appropriate for residential uses at the proposed densities and provides new housing opportunities in this part of the city. Furthermore, the

development has adequate street access and provides streetscape improvements that benefit the surrounding area.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.



Public Hearing and Ordinance Adoption - Rezoning Application Z-16-23-6 - Approximately 790 Feet North of the Northeast Corner of 48th Street and Frye Road (Ordinance G-7158)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-16-23-6 and rezone the site from RE-35 (Single-Family Residence District) and CP/GCP (Commerce Park District/General Commerce Park Option) to R-3A (Multifamily Residence District) to allow senior housing, assisted living and memory care. This is a companion case and must be heard following GPA-AF-1-23-6.

Summary

Current Zoning: RE-35 (0.17 acres) and CP/GCP (4.43 acres)

Proposed Zoning: R-3A

Acreage: 4.60 acres

Proposal: Senior housing, assisted living and memory care

Owner: St. Benedict Catholic Church

Applicant: Shea Connelly Development, LLC

Representative: Adam Trenk, Rose Law Group

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Ahwatukee Foothills Village Planning Committee heard this case on July 24, 2023, and recommended approval, per the staff recommendation, by a vote 8-0.

PC Action: The Planning Commission heard this case on Aug. 3, 2023, and recommended approval, per the Ahwatukee Foothills Village Planning Committee recommendation, by a vote of 8-0.

Location

Approximately 790 feet north of the northeast corner of 48th Street and Frye Road.

Council District: 6

Parcel Address: 16035 and 16223 S. 48th St.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-16-23-6) FROM RE-35 (SINGLE-FAMILY RESIDENCE DISTRICT) AND CP/GCP (COMMERCE PARK DISTRICT/GENERAL COMMERCE PARK OPTION) TO R-3A (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 4.60 acre site located approximately 790 feet north of the northeast corner of 48th Street and Frye Road in a portion of Section 32, Township 1 South, Range 4 East, as described more specifically in Exhibit "A," is hereby changed from 0.17 acres of "RE-35" (Single-Family Residence District) and 4.43 acres of "CP/GCP" (Commerce Park District/General Commerce Park Option) to "R-3A" (Multifamily District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B".

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the elevations date stamped March 6, 2023, in specific regard to the porte cochere element and the use of varying materials and colors, as approved by the Planning and Development Department.
2. A minimum 40-foot-wide building setback shall be provided along the south property line, as approved by the Planning and Development Department.
3. A minimum 95-foot-wide building setback shall be provided along the north property line, as approved by the Planning and Development Department.
4. A minimum of 25% of the gross site area shall be open space, as approved by the Planning and Development Department.
5. A minimum of 8 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
6. A minimum of 2% of the required parking spaces shall be EV Installed.
7. The required trees within landscape areas shall be a minimum of 2-inch caliper, drought tolerant shade trees as approved by the Planning and Development Department.
8. Landscape areas shall have a minimum 75% live coverage as approved by the Planning and Development Department.
9. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
10. The existing streetscape within the right-of-way shall be replenished along 48th Street adjacent to the subject parcel (Assessor Parcel No. 301-85-243A) for the entire 993-foot street frontage, as approved by Planning and Development Department.

11. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
12. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
13. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
14. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 6th day of September, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:

Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION – LOT 1

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND, SITUATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND BEING MORE COMPLETELY DESCRIBED AS FOLLOWS:
BEGINNING AT A FOUND BRASS CAP IN HANDHOLE; MARKING THE NORTHWEST CORNER OF SECTION 32 TOWNSHIP 1 SOUTH, RANGE 4 EAST;
THENCE SOUTH 00°04'16" EAST, 1322.72 FEET TO A FOUND BRASS CAP FLUSH MARKING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32.
THENCE NORTH 89°32'44" EAST, 55.09 FEET TO A FOUND REBAR MARKING THE NORTHWEST CORNER OF LOT 1 AS RECORDED IN BOOK 702 OF MAPS, PAGE 38 M.C.R.;
THENCE SOUTH 00°07'14" EAST, 442.88 FEET TO THE TRUE POINT OF BEGINNING;
THENCE NORTH 89°32'44" EAST, 38.50 FEET;
THENCE SOUTH 60°45'40" EAST, 109.85 FEET;
THENCE SOUTH 89°32'44" WEST, 134.24 FEET;
THENCE NORTH 0°07'14" WEST, 54.41 FEET TO THE POINT OF BEGINNING;
CONTAINING 4,699.54 SQUARE FEET, (0.1078 AC) MORE OR LESS.

LEGAL DESCRIPTION – LOT 2

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND, SITUATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND BEING MORE COMPLETELY DESCRIBED AS FOLLOWS:
BEGINNING AT A FOUND BRASS CAP IN HANDHOLE; MARKING THE NORTHWEST CORNER OF SECTION 32 TOWNSHIP 1 SOUTH, RANGE 4 EAST;
THENCE SOUTH 00°04'16" EAST, 1322.72 FEET TO A FOUND BRASS CAP FLUSH MARKING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32.
THENCE NORTH 89°32'44" EAST, 55.09 FEET TO A FOUND REBAR MARKING THE NORTHWEST CORNER OF LOT 1 AS RECORDED IN BOOK 702 OF MAPS, PAGE 38 M.C.R.;
THENCE SOUTH 00°07'14" EAST, 497.29 FEET;
THENCE NORTH 89°32'44" EAST, 63.58 FEET TO THE TRUE POINT OF BEGINNING;
THENCE NORTH 89°32'44" EAST, 773.44 FEET;
THENCE SOUTH 0°14'46" EAST, 496.45 FEET;
THENCE SOUTH 89°35'03" WEST, 357.00 FEET;
THENCE NORTH 0°14'46" WEST, 449.47 FEET;
THENCE SOUTH 89°32'35" WEST, 334.30 FEET;
THENCE NORTH 60°45'40" WEST, 94.37 FEET TO THE POINT OF BEGINNING;
CONTAINING 194,732.11 SQUARE FEET, (4.4704 AC) MORE OR LESS.

ORDINANCE LOCATION MAP

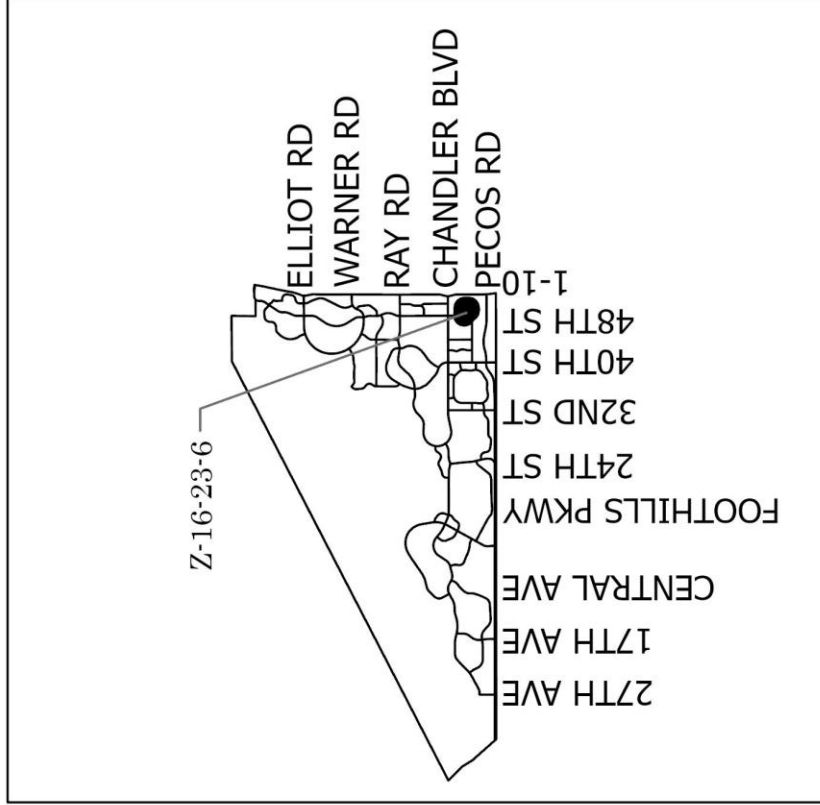
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -

Zoning Case Number: Z-16-23-6
Zoning Overlay: N/A
Planning Village: Ahwatukee Foothills



NOT TO SCALE



Drawn Date: 7/31/2023

ATTACHMENT B



City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-16-23-6 July 21, 2023

Ahwatukee Foothills [Village Planning Committee](#) Meeting Date: July 24, 2023

[Planning Commission](#) Hearing Date: August 3, 2023

Request From: [RE-35](#) (Single-Family Residence District) (0.17 acres) and [CP/GCP](#) (Commerce Park District, General Commerce Park Option) (4.43 acres)

Request To: [R-3A](#) (Multifamily Residence District) (4.60 acres)

Proposal: Senior Housing, Assisted Living and Memory Care

Location: Approximately 790 feet north of the northeast corner of 48th Street and Frye Road

Owner: St. Benedict Catholic Church

Applicant: Shea Connelly Development, LLC

Representative: Adam Trenk, Rose Law Group

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Current: Public/Quasi-Public (0.17 acres) and Commerce/Business Park (4.43 acres) Proposed GPA-AF-1-23-6: Residential 15+ dwelling units per acre (4.60 acres)	
Street Map Classification	48th Street	Arterial	55-foot east half street
CELEBRATE OUR DIVERSE COMMUNITY AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.			

The requested R-3A zoning district will allow for senior housing and supportive uses which will allow for a mix of housing types in the village, which is appropriately located along an arterial street.

CONNECT PEOPLE AND PLACES CORE VALUES; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The proposal will allow development of an underused site into a multifamily residential community that is compatible with the surrounding area and respectful of local conditions. The proposed development incorporates large setbacks, enhanced landscaping around the perimeter, and additional open space to be compatible with the adjacent neighborhood.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal, as stipulated and as required by the Phoenix Zoning Ordinance, will provide enhanced planting standards for landscape areas. This will help to provide shade for pedestrians and bicyclists in and around the community and will help to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the vicinity.

Applicable Plans, Overlays, and Initiatives

[Housing Phoenix Plan](#) – See Background Item No. 7.

[Tree and Shade Master Plan](#) – See Background Item No. 8.

[Complete Streets Guiding Principles](#) – See Background Item No. 9.

[Comprehensive Bicycle Master Plan](#) – See Background Item No. 10.

[Transportation Electrification Action Plan](#) – See Background Item No. 11.

[Zero Waste PHX](#) – See Background Item No. 12.

Surrounding Land Uses and Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant	CP/GCP, RE-35
North	School	RE-35
South	School	CP/GCP, RE-35
East	Multifamily residential	R-3
West	Church, single-family residential	CP/GCP, R1-6

R-3A Planned Residential Development Option		
<u>Standards</u>	<u>Requirements</u>	<u>Proposed Site Plan</u>
Gross Acreage	-	4.60
Maximum Density (dwelling units per acre)	23.1; 26.4 with bonus	23.1 (Met)
Maximum Units	106, 121 with bonus	66 Independent Units, 40 Assisted Living Units, and 29 Memory Care Units (106 Residential Units) (Met)
Maximum Lot Coverage	45% (25% for community residence center)	23.5 percent (Met)
Maximum Building Height	3 stories or 40 feet for 150 feet; 1 foot in 5-foot increase to 48 feet, 4-story maximum	3 stories or 36 feet 7 inches tallest parapet (Met)
<i>Minimum Building Setbacks</i>		
West (Adjacent to 48th Street)	20 feet	559 feet (Met)
North (Adjacent to property line)	15 feet	95 feet (Met)
South (Adjacent to property line)	15 feet	41 feet (Met)
East (Adjacent to property line)	15 feet	79 feet (Met)
<i>Minimum Landscape and Open Space Standards</i>		
Adjacent to a Public Street	20 feet	Not depicted

Not Adjacent to Streets	5 feet	North – Not depicted North (drive) – 0 feet (Not Met)* West (adjacent to church) – Not depicted South – Not depicted East – Not depicted
Usable Outdoor Open Space	Minimum of 100 square feet per bed shall be provided. (8,200 square feet required)	50,329 square feet (Met)
Minimum Common Open Space	Minimum 5% of gross site area	25 percent (Met)
Minimum Parking	138 spaces required 1.3 spaces (16 spaces) per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit; (81 spaces); 1 space per 2 resident/patient beds (41 spaces).	150 spaces provided (Met)

*Variance or site plan modification required

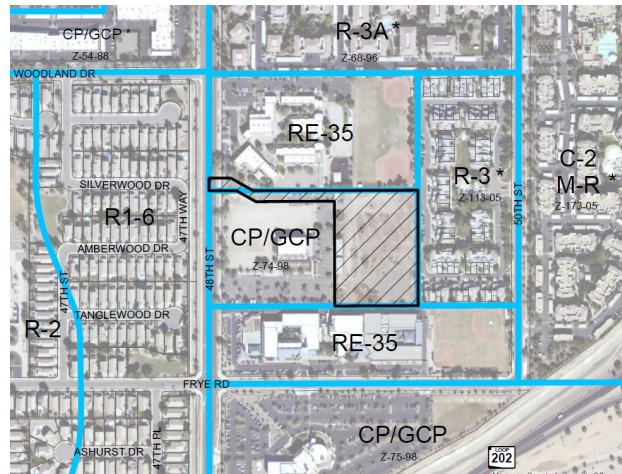
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 4.60 acres located approximately 790 feet north of the northeast corner of 48th Street and Frye Road from RE-35 (Single-Family Residence District) and CP/GCP (Commerce Park District, General Commerce Park Option) to R-3A (Multifamily Residence District) for 66 independent units, 40 assisted living units, and 29 memory care units for a total of 135 units, with 106 of them proposed to have kitchens. This later would become a registered Community Residence Center. The subject site is currently vacant.

SURROUNDING LAND USES AND ZONING

2. The requested R-3A rezoning will support a new housing type with supportive services that is located along 48th Street which is near the I-10 and Loop 202 freeway interchange within the Ahwatukee Foothills Village. The areas to the north and south are zoned RE-35 with schools on both sites. To the west is the church site which is zoned CP/GCP and the single-family residential neighborhood across 48th Street zoned R1-6 (Single-Family Residence District). To the east is multifamily residential zoned R-3.



Existing Zoning Aerial Map

Source: Planning and Development Department

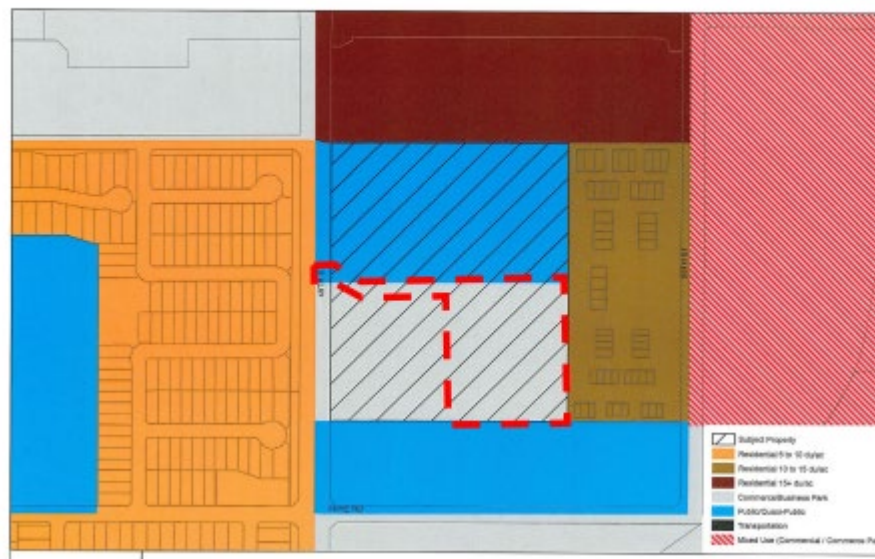
GENERAL PLAN LAND USE MAP DESIGNATION

3. Most of the subject site is designated Commerce/Business Park with the proposed access strip along the northwestern edge designated Public/Quasi-Public. To the west, across 48th Street, the designation is Residential 5 to 10 du/acre. To the east the designation is Residential 10 to 15 du/acre. The designation to the north and south are Public/Quasi-Public.

To ensure consistency with the General Plan, a concurrent General Plan Land Use Map amendment, GPA-AF-1-23-6, is proposed to change the land use map designation to Residential 15+ dwelling units per acre.

The requested zoning is consistent with the proposed General Plan Land Use Map designation.

EXISTING GENERAL PLAN
Commerce/Business Park & Public/Quasi-Public



General Plan Land Use Map

Source: City of Phoenix Planning and Development Department

PROPOSAL

4. Site Plan

The conceptual site plan depicts a three-story building around three courtyards which will house multifamily residences including an assisted living and memory care facility. This proposal includes 66 independent living units, 40 assisted living units, and 29 memory care units for a total of 135 units, with 106 of the units to have kitchens.

The conceptual site plan also depicts a porte cochere providing a shaded area at the building entry. There are two internally oriented courtyards for the assisted living portion of the development and a memory care courtyard along the northern edge of the proposed building. Staff recommends Stipulation Nos. 2 through 4 to ensure the site develops as proposed, including additional building setbacks and open space areas.

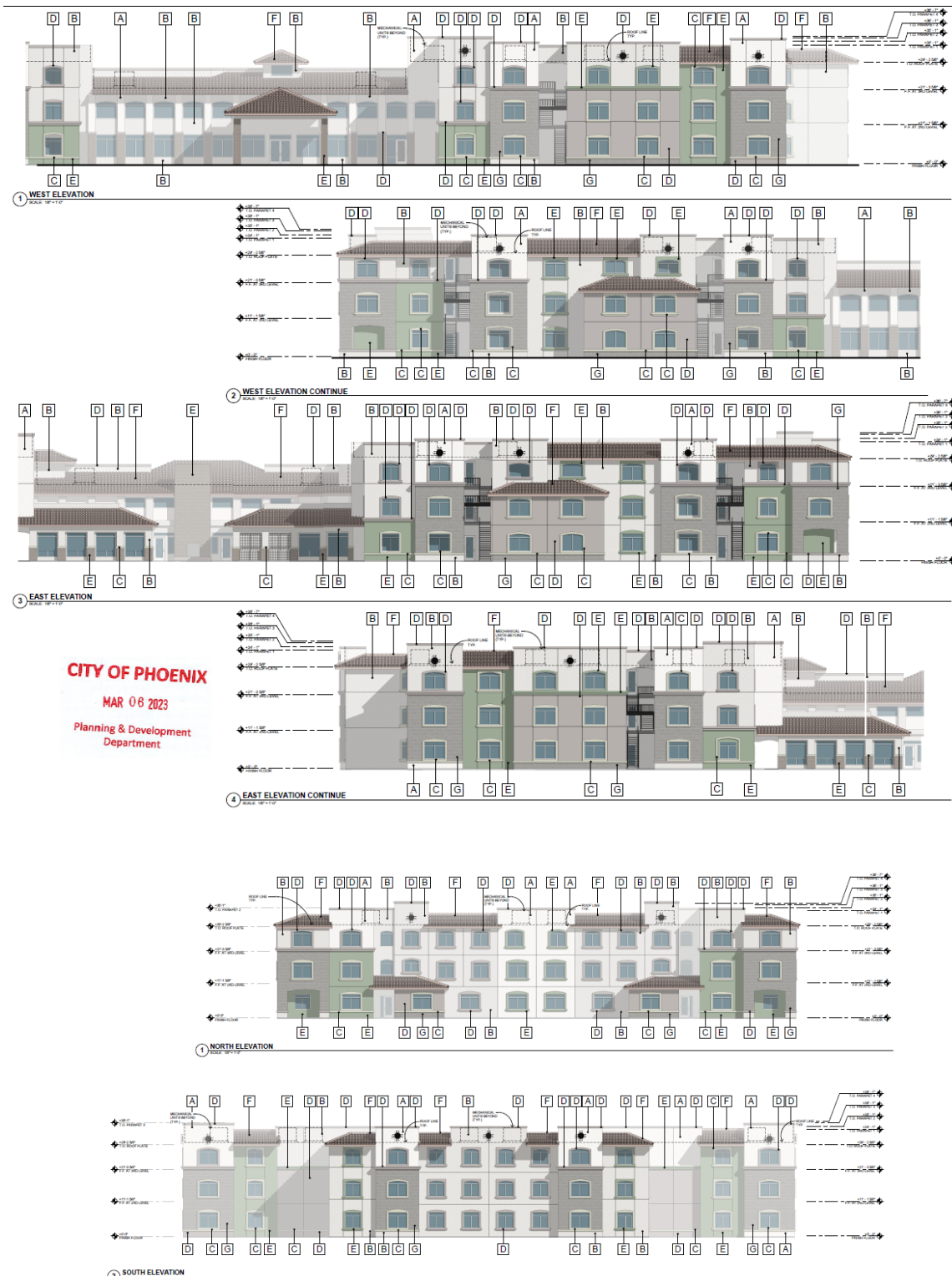
Site access is provided from an arterial street. Stipulation No. 9 requires street improvements adjacent to the development which shall comply with all ADA accessibility standards.

The proposed land use, as stipulated, will provide enhanced landscaping so that the proposal is compatible with the surrounding land uses. The proposal is for both a multifamily project and a Community Residence Center, which is the land use defined by the Phoenix Zoning Ordinance that the proposed senior housing

5. Elevations

Page 274

Planning and Development Department (Stipulation No. 1).



Conceptual Building Elevations
Source: Landmark Design.

6. **Open Space**

The conceptual site plan depicts three main courtyard areas, with landscaping and outdoor seating. The proposed open space is 25 percent of the gross site area (Stipulation No. 4). This will provide outdoor areas for assisted living, memory care patients and residents of the facility, and is above the minimum requirements of the Phoenix Zoning Ordinance.

STUDIES AND POLICIES

7. **Housing Phoenix Plan**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using underutilized land in a more sustainable fashion.

8. **Tree and Shade Master Plan**

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect for pedestrians and residents on site.

Staff is recommending stipulations designed to provide larger trees and enhance live vegetation coverage within the development.

- The required trees within landscape areas shall be a minimum of 2-inch caliper, drought tolerant shade trees as approved by the Planning and Development Department (Stipulation No. 7).
- Landscape areas shall have a minimum 75% live coverage as approved by the Planning and Development Department (Stipulation No. 8).

There also is a stipulation to replenish the existing streetscape within the right-of-way along 48th Street (Stipulation 10). This will enhance the streetscape appearance and add shade along the sidewalk.

9. **Complete Streets Guidelines Principles**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles.

There is a bicycle lane along 48th Street and as a way to encourage alternative transportation to and from the site bicycle parking is required per Stipulation No. 5. In addition, any street improvements shall be done to City of Phoenix and ADA standards. This is addressed in Stipulations No. 9.

10. **Comprehensive Bicycle Master Plan**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. Stipulation No. 5 requires bicycle parking on site for residents and visitors.

11. **Transportation Electrification Action Plan**

In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. Stipulation No. 6 provides requirements for electric vehicle parking.

12. **Zero Waste PHX:**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. As stated in the application materials, the project will incorporate recycling. Recycling will include oversized trash enclosures for trash, recycling material, and organic waste. Landscaping maintenance contractors will

also be required to recycle yard waste.

COMMUNITY INPUT SUMMARY

13. As of the writing of this report, staff has received a petition with 479 members of the community in support, a letter of support and no correspondence in opposition.

INTERDEPARTMENTAL COMMENTS

14. The Street Transportation Department requested that the landscaping be replenished along 48th Street and that all street improvements are done to city and ADA standards. These are addressed in Stipulation Nos. 9 and 10.
15. The City of Phoenix Water Services Department has noted the property has existing water and sewer mains that can potentially serve the proposed development, however, water capacity is a dynamic condition that can change over time due to a variety of factors.

OTHER

16. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulations No. 11 through 13.
17. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 14.
18. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. As stipulated, the proposal will include design elements such as enhanced architecture, landscaping, and open space to create a development that is compatible with the surrounding area.
2. The proposal will redevelop an underutilized property and provide a senior living facility which will help alleviate the housing shortage in Phoenix.
3. The stipulated landscaping and planting standards are above the required minimum standards and will make the proposal compatible with the neighboring area.

Stipulations

1. The development shall be in general conformance with the elevations date stamped March 6, 2023, in specific regard to the porte cochere element and the use of varying materials and colors, as approved by the Planning and Development Department.
2. A minimum 40-foot-wide building setback shall be provided along the south property line, as approved by the Planning and Development Department.
3. A minimum 95-foot-wide building setback shall be provided along the north property line, as approved by the Planning and Development Department.
4. A minimum of 25% of the gross site area shall be open space, as approved by the Planning and Development Department.
5. A minimum of 8 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
6. A minimum of 2% of the required parking spaces shall be EV Installed.
7. The required trees within landscape areas shall be a minimum of 2-inch caliper, drought tolerant shade trees as approved by the Planning and Development Department.
8. Landscape areas shall have a minimum 75% live coverage as approved by the Planning and Development Department.

9. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
10. The existing streetscape within the right-of-way shall be replenished along 48th Street adjacent to the subject parcel (Assessor Parcel No. 301-85-243A) for the entire 993-foot street frontage, as approved by Planning and Development Department.
11. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
12. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
13. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
14. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Writer

Matteo Moric

July 21, 2023

Team Leader

Racelle Escolar

Exhibits

Zoning sketch map

Aerial sketch map

Staff Report: Z-16-23-6

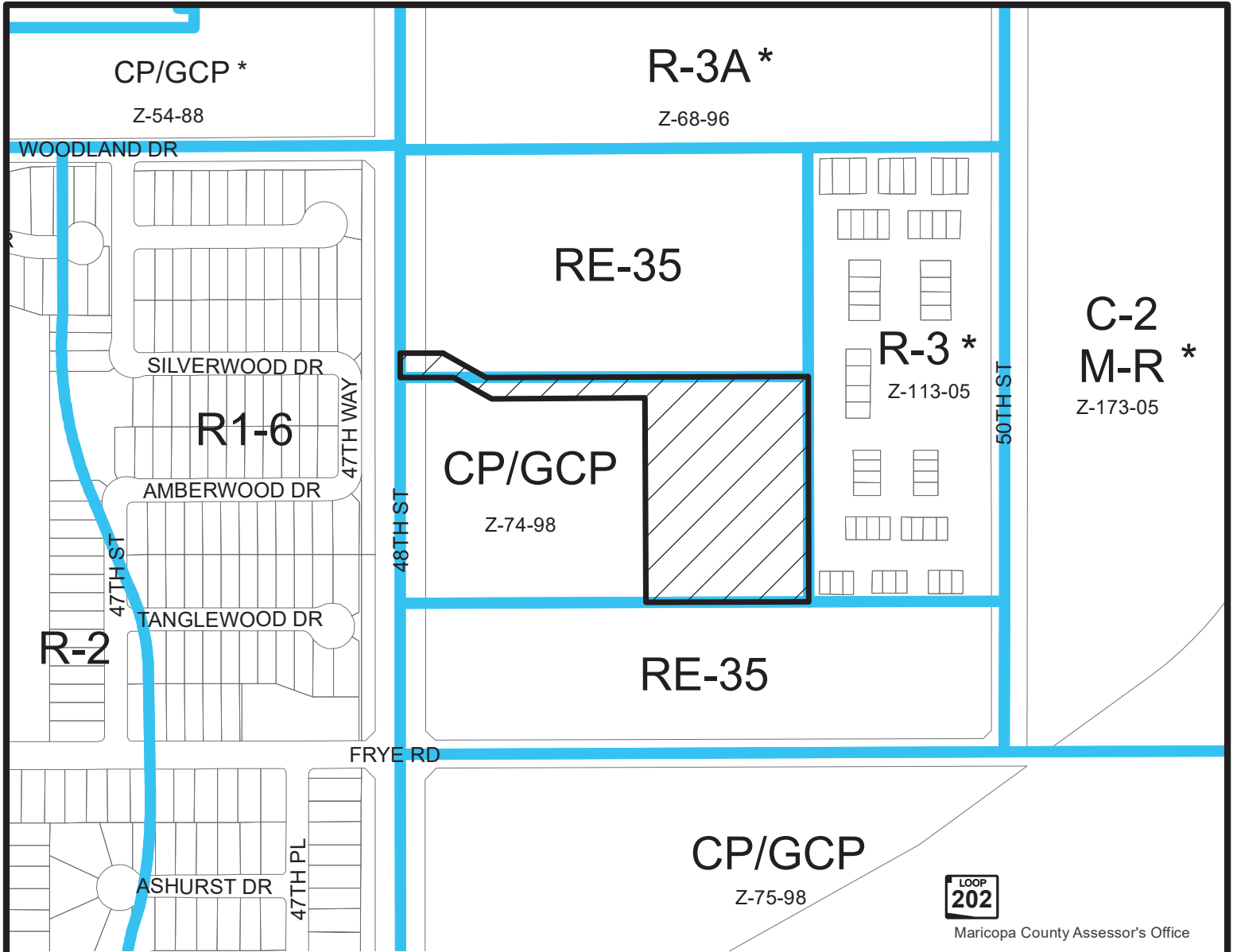
July 21, 2023

Page 14 of 14

Conceptual Site Plan date stamped July 13, 2023

Conceptual Elevations date stamped March 6, 2023

Community Correspondence (64 pages)



AHWATUKEE FOOTHILLS VILLAGE
CITY COUNCIL DISTRICT: 6

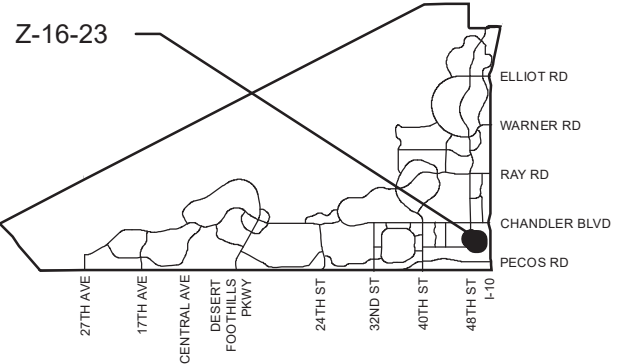


City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

CP/GCP
Z-75-98

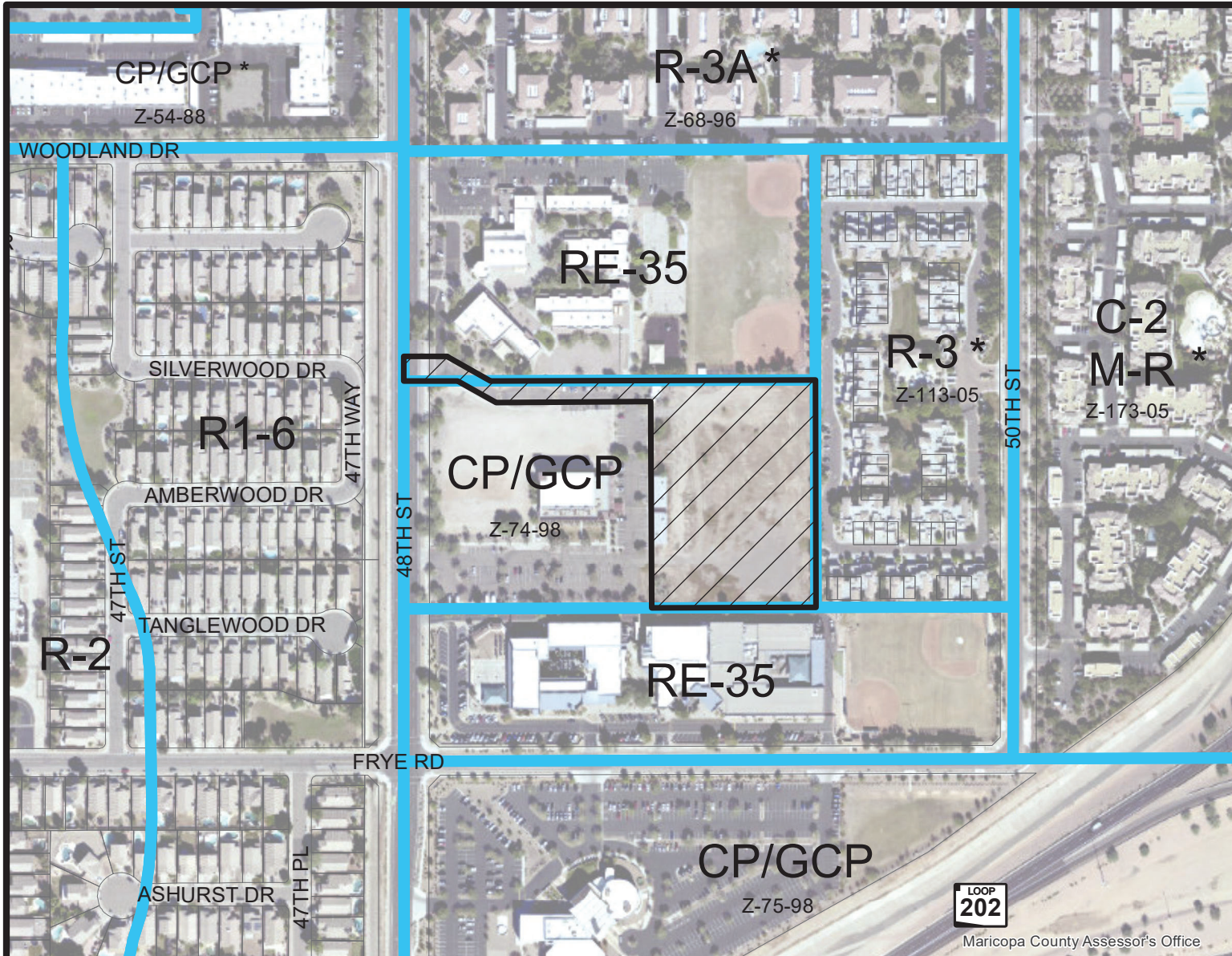


Maricopa County Assessor's Office



APPLICANT'S NAME: Shea Connelly Development, LLC		REQUESTED CHANGE:	
APPLICATION NO. Z-16-23	DATE: 4/25/2023 REVISION DATES:	FROM: RE-35 (0.17 a.c.) CP/GCP (4.43 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 4.60 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 011-39	ZONING MAP A-11	TO: R-3A (4.60 a.c.)
MULTIPLES PERMITTED RE-35, CP/GCP R-3A	CONVENTIONAL OPTION N/A, N/A 101		* UNITS P.R.D. OPTION N/A, N/A 121

* Maximum Units Allowed with P.R.D. Bonus



Miles

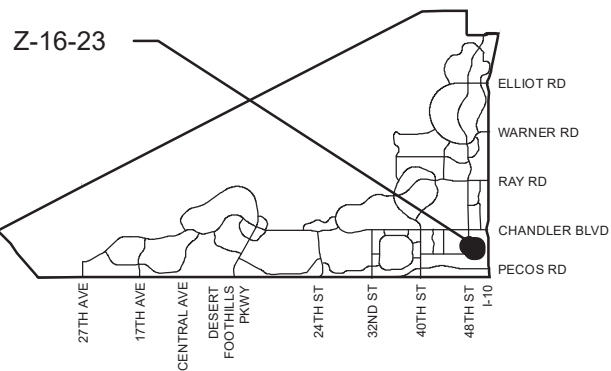
0.06 0.03 0 0.06

AHWATUKEE FOOTHILLS VILLAGE

CITY COUNCIL DISTRICT: 6



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: **Shea Connelly Development, LLC**

APPLICATION NO. **Z-16-23**

GROSS AREA INCLUDING 1/2 STREET
AND ALLEY DEDICATION IS APPROX.

4.60 Acres

DATE: **4/25/2023**
REVISION DATES:

AERIAL PHOTO &
QUARTER SEC. NO.
QS 011-39

ZONING MAP
A-11

REQUESTED CHANGE:

FROM: **RE-35 (0.17 a.c.)
CP/GCP (4.43 a.c.)**

TO: **R-3A (4.60 a.c.)**

MULTIPLES PERMITTED

**RE-35, CP/GCP
R-3A**

CONVENTIONAL OPTION

**N/A, N/A
101**

* UNITS P.R.D. OPTION

**N/A, N/A
121**

* Maximum Units Allowed with P.R.D. Bonus

DATE	REVISIONS

MATERIAL & COLORS



A. PAINT COLOR:
DUNN EDWARDS
DENHAM GREEN
LRV 49



B. PAINT COLOR:
DUNN EDWARDS
DENHAM GRAY
LRV 74



C. PAINT COLOR:
DUNN EDWARDS
WARMTH WELL
LRV 58



D. PAINT COLOR:
DUNN EDWARDS
CALICO ROCK
LRV 28



E. PAINT COLOR:
DUNN EDWARDS
DENHAM GREEN
LRV 74



F. ROOF TILE:
MANUFACTURED / CULTURED STONE
BOOSTED FINISH
GRAY BROWN HAZE
LRV 51



G. MANUFACTURED / CULTURED STONE
BOOSTED FINISH
GRAY BROWN HAZE
LRV 51



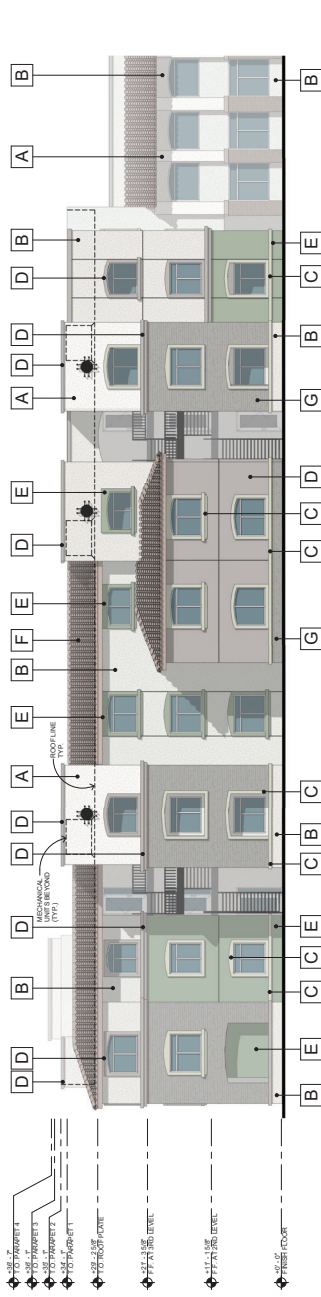
LANDMARK
design

St. Benedict's
Senior Living
PHOENIX, ARIZONA

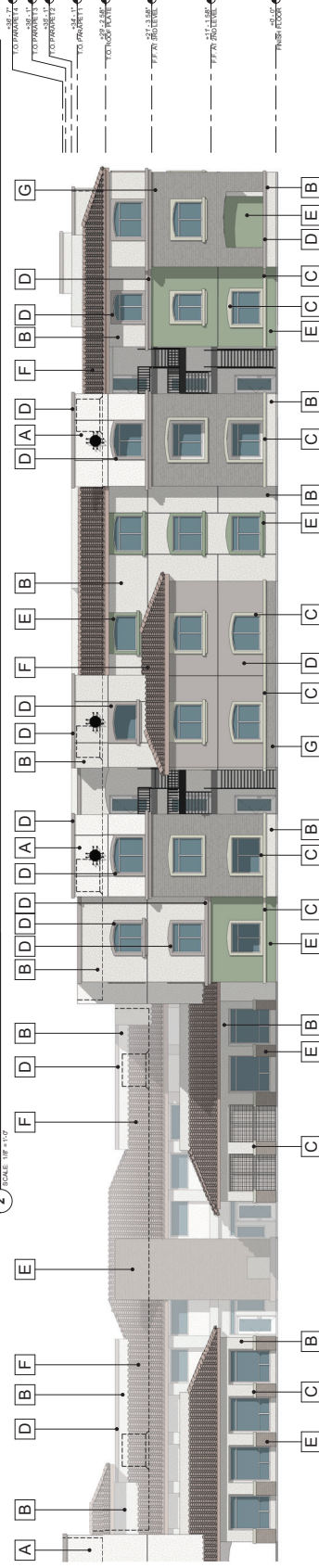
2024 21-301 DATE: JUNE 16, 2021 REVISION: A301



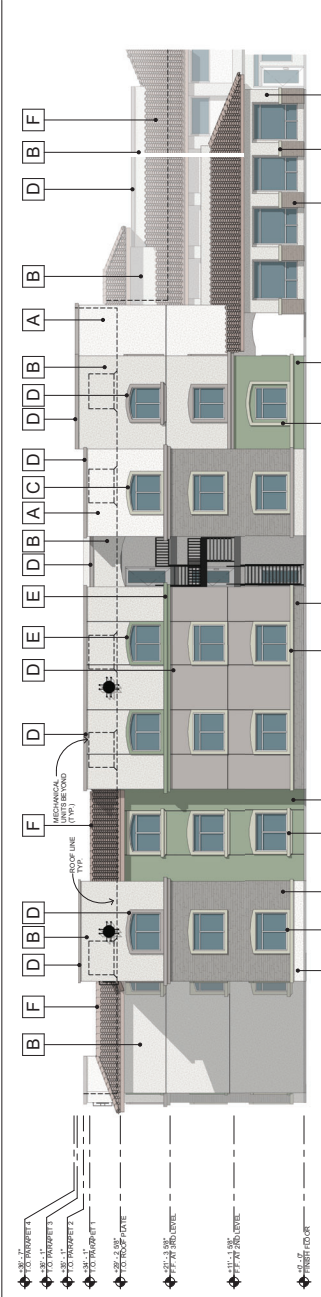
1 WEST ELEVATION
SCALE: 1/8" = 1'-0"



2 WEST ELEVATION CONTINUE
SCALE: 1/8" = 1'-0"



3 EAST ELEVATION
SCALE: 1/8" = 1'-0"



4 EAST ELEVATION CONTINUE
SCALE: 1/8" = 1'-0"

CITY OF PHOENIX

MAR 06 2023

Planning & Development
Department

DATE	REVISIONS

MATERIAL & COLORS



A. PAINT COLOR:
DUNN EDWARDS
DERVISH
LRV 74



B. PAINT COLOR:
DUNN EDWARDS
DERVISH
LRV 74



C. PAINT COLOR:
DUNN EDWARDS
DERVISH
LRV 74



D. PAINT COLOR:
DUNN EDWARDS
DERVISH
LRV 74



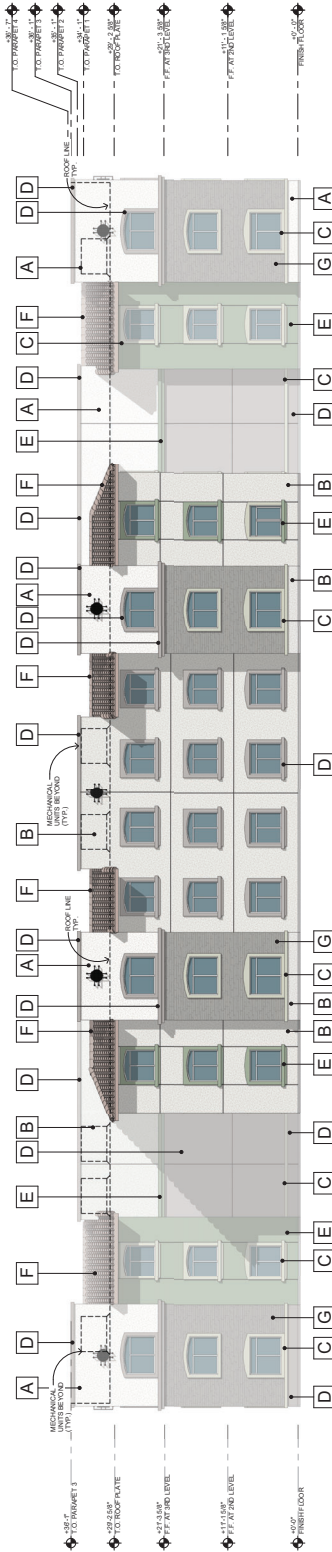
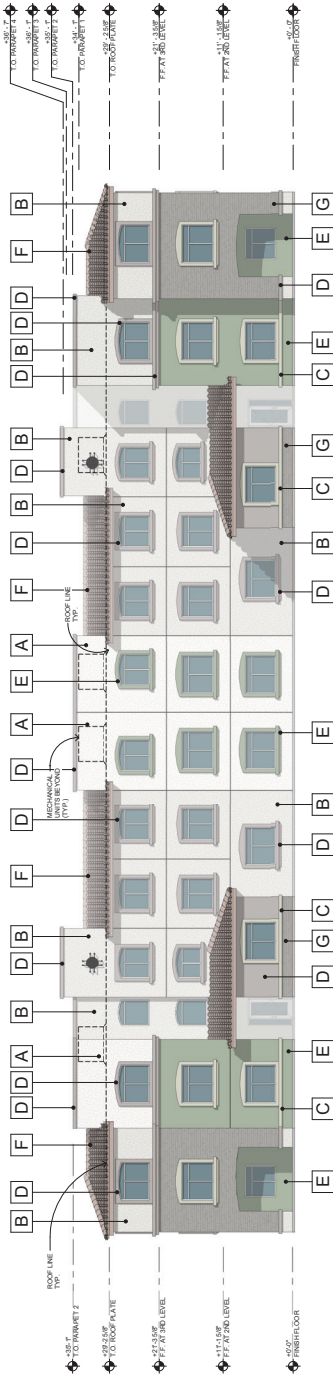
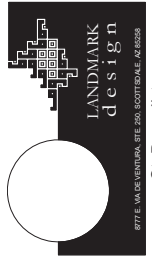
E. PAINT COLOR:
DUNN EDWARDS
DERVISH
LRV 74



F. ROOF TILE:
MANUFACTURED CULTURED STONE
EL DORADO, RUSTIC LEDGE
LRV 51



G. MANUFACTURED CULTURED STONE:
EL DORADO, RUSTIC LEDGE
LRV 51



CITY OF PHOENIX

MAR 06 2023

Planning & Development
Department

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

I, the undersigned, am a member of the community and fully supportive of the proposed changes to the City's General Plan and zoning map to allow an Assisted Living Care facility to operate on the St. Benedict Catholic Church campus. Quality senior living facilities are in high demand and providing this type of care on a church campus affords a unique opportunity to serve and support both the medical and spiritual needs of the city's elder community.

Name	Address	Email or Phone	Date
Richard Kuna	1115 W Salt Lake	480-682-7998	07/02/23
Nancee Brunner	6137 S. 6th AZ	480-430-9357	07/02/23
Lance Correll	800 W 111th CHANDLER AZ 85086	702-860-7475	07-02-23
Jack Knibelsbeys	4902 W. Boston St Chandler AZ 85226	480-323-6945	7-2-23
Martha Sanchez	16609 S. Mountain Stone Rd Phoenix, AZ 85048	(480) 258-9099 martha.sanchez19@gmail.com	7-2-23
Karen Ahearn	3934 E. Gadsden Rd Phoenix, AZ 85044	480-499-2575	7-2-23
Stephen Sterkowitz Stephen Sterkowitz	3024 S Bell Pl. Chandler, AZ 85286	480-821-9212	7/2/23
Feri Gomez	19358 W Elm St Litchfield, AZ 85340	602-384-4296	7/2/23

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Name	Address	Email or Phone	Date
Cornelius Troop	5042 W. Jupiter Way	CF335@Yahoo.com 480-579-9830	7-2-23
Arline A Gore	1515 N. Balboa Mesa, Az 85205	lanifgore@gmail.com 480-600-8610	7-2-23
Alexander Vicini	4232 E White Aster Phoenix, AZ 85044	eeotzi@gmail.com 480-213-6706	7-2-23
Katie Savoy	4618 E. Mountain Vista Drive Phoenix, AZ 85048	Katie.Savoy@yahoo.com 602-373-8556	7/2/2023
Jennifer Tighe	2713 E. Cathedral Rock Phoenix AZ 85048	Jennigtighe@me.com 480-540-9117	7/2/23
James Tighe	2713 E Cathedral Rock Phoenix AZ 85048	j.tighe904@gmail.com 480-540-5488	7/2/23
Michael Heston	2644 E Amberwood Phoenix 85048	_____	7/2/23
Mary Ann Hegstad	2644 E. Amberwood Phoenix, AZ 85048	480-694-2900	7/2/23

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Name	Address	Email or Phone	Date
JAY J. STERNA <i>[Signature]</i>	2939 E. Bighorn Ave	jsterna@cox.net	7/2/23
Geardine Sterna <i>[Signature]</i>	2939 E. Bighorn Ave	gsterna@cox.net	7/2/23
Steve Sanchez <i>[Signature]</i>	237 W Pocan Pl	stvcyus@yahoo.com	7/2/23
Dan SURICA	13023 S. 44 PLACE	SANHSURICA@GMAIL.COM <i>[Signature]</i>	7-2-23
Margaret A. Don <i>[Signature]</i>	631 N. Maple St	hchicamag@msn.com	7-2-23
Quiana W. Jendrich <i>[Signature]</i>	4182 W. Kent Dr. Chicagoland, IL 60617	rich2@zawacki.law.com	7/2/27
Tiffany Simpson Vessel	1074 W Todd Dr Tempe AZ	tiffvassel@gmail.com	7/2/23
Violet Byron	4701 E. Tanglemood Dr	VByron7@yahoo.com	7/2/23

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Name	Address	Email or Phone	Date
Louis Schwandt	1228 E. BEA WOOD TERRACE PHOENIX, AZ 85048	602-920-8765	7/2/2023
HOLT FORSETH	3621 WISDENW & CHANDLER AZ 85226	hollg-trine@ jahren.com	7/2/2023
Marie Zawacki	4182 W Kent Dr Chandler AZ 85226	602-524-8395	7/2/2023
Arised Gomez	631 N Maple St Chandler AZ 85226	520-252-9050	7/2/2023
Richard Jasod	1016 E Amberwood Dr Phoenix, AZ 85048	480-246-5775	7/2/23
Melissa Rivas	13622 S. 37th St. Phoenix, AZ 85044		7/2/23
Laura Scheldt	2753 E Rock Wren Rd Phoenix AZ 85048	518-332-4261	7/2/23
Michelle Dixon	450 W Mountain Vista Dr. Phoenix 85045	480-299-9129	7-2-23

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Name	Address	Email or Phone	Date
CATHERINE OLIVERA	2624 E. VERBENA DR PHOENIX AZ 85048	bolvera98@gmail.com	7/2/2023
Tabitno Biggs	14847 S. 27th WAY, PHOENIX, AZ 85048	tabitno.biggs @hotmail.com	7/2/23
Bette Laatsch	4918 E Lake Pointe Cir Phoenix AZ 85044	blaatsch69@gmail.com	7/2/23
Luis Mainerua	8062 S Dateland Dr	480-442-1202	7/2/23
Laura Jean Curley	5282 W. Jupiter Ways Chandler AZ 85226	602-882-1101	7/2/23
Nancy Keane	15810 S. 1st Ave PHX 85045	480-495-7131	7/2/23
M. Chaffin CIRVAL	1563 W SATTERSTON DRIVE PHX 85045	480-283-1916	7/2/23
Ron Elloré	4250 E. Ponce St Phoenix, 85044	504 994 9175	7/2/23

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Name	Address	Email or Phone	Date
Lourdes Navarrete	1521 E. Windson Dr. Phx. AZ. 85048	lourdesn33@gmail.com	7/2/23
KEVIN JUNE BIGGS	14847 S. 2 TH WAY PHOENIX, AZ 85048	kjbavdm@hotmail.com	7/2/2023
ERICA BIGGS	4661 E. SUMMERHAVEN DR. PHOENIX, AZ 85044	erica.biggs2@gmail.com	7/2/2023
Middle A Turner	4155 E Rockledge Rd Phoenix, AZ 85044	naturner127@gmail.com	7/2/2023
Debbie Gosselen	8637 W Cindy St Chandler 85226	480 239 2859	7-2-2023
Marina D'Sa	41 South Poplar Wy Chandler 480 55th Ave	480-961-4201	7-2-2023
Amy Loomis	Phoenix, AZ 85045	425-495-9899	7/2/2023
Greg Loomis Amy Loomis	14850 S 5th Ave Phoenix, AZ 85045	425-492-6913	7/2/2023

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Name	Address	Email or Phone	Date
Jeanette Rosenfield	10049 S. 43rd Ct	jeanette.rosenfield@cox.net	7/2/23
Debra H. Gracida	8060 S. Dateland Dr. Tempe AZ.	elgiasli@aol.com	7/2/23.
Sharon Stupien	13023 S. 44th Ave	sadhstupa@gmail.com	7-2-23
Anna Howard	3828 E. Glenhaven Dr	howardanna@gmail.com	7/2/23
Vai Van Vianen	4232 E. White Aster St	480 213 6700	7/2/23
Theresa Olsson	16646 S. 27th Pl	theresaolsson52@gmail.com	7/2/23
Gene Stoddard	15051 S 43rd Pl	gene.stoddard@gmail.com	7/2/23
Ryan Kelley	1412 E Rock Wren Rd	ryan222@cox.net	7/2/23

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Name	Address	Email or Phone	Date
Maria T. Garcia	PDX AZ 85044 10615 S 43rd Dr.	480-516-7548	7/2/23
Danyella Garcia	PDX 85048 16812 S. 22nd St	480 390 1406	7-2-23
Marilyn P. Dean	6723 W. Larch Ave Ln Chandler AZ 85226	602-568-6498	7/02/23
Lee Maroon	4233 E WINDSONG DR Phoenix AZ 85048	480-236-6289	7/2/23
Kathy Kynasck	1115 W Salt Sage Dr. Phoenix, AZ 85045	480-682-7599	7/2/23
Trabella Mancilla	8002 S Date Land Dr Tempe, AZ 85284	480-321-5811	7/2/23
Lianareed	500 N Coila Springs Blvd Chandler AZ 85226	lianareed@yahoo.com	7/2/23
Sandy Vance Vasa	16405 S 30th Ave PDX AZ 97216	Savanglisha@aol.com	7/2/23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

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Name	Address	Email or Phone	Date
Daniel Manzo	1626 W. Frye Rd	moconazo390@gmail.com	7/1/23
GREN TEN EYCH	15204 S. 2nd St	DocTenEych@gmail.com	7-1-23
Ray Pfeiffer	5741 W. Keeler, Chandler	pfeiffer@cox.net	7/1/23
John Peterson	1421 E. Greenway Ave, Phoenix	JPeterson@az.com	7/2/23
Collette Sangston	16433 S. 37th way, Phoenix	eSangstone@colletteSangstons.com	7/2/23
ANITA BUCKEL	6252 W. LINDA LANE, CHANDLER, AZ 85046	ABUCKEL@Q.COM	7/2/23
FRANK POLIMENE	541 E. MOUNTAIN SKY, PHOENIX, AZ 85048	12 FRANKP@COX.NET	7/2/23
DIANNE POLIMENE	541 E. MOUNTAIN SKY, PHOENIX, AZ 85048	KT DIANNEP@COX.NET	7/2/23

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Name	Address	Email or Phone	Date
MYRA CARLOS	7046 W Starelet Dr Chandler 85226	mykac19@gmail.com	7/1/23
John W. Hronski	P.O. Box 50913	602 524-2293	7/1/23
Pat Mandarin	9221 S. 45th Pl.	" "	7/1/23
Delia Rivera	3622 W. Avenida Vista Phoenix AZ 85045	dirivera815@gmail.com	7/2/23
CHINH OANG	2211 E. Granite Way Phx AZ 85048	480 602 200-6325	7/2/23
Larry Pendue	4459 E. Desert Wind Dr Phoenix AZ 85044	602 805-6241	7/2/23
Eusene T. Buckel	6252 W. Linda Lane Chandler, AZ 85226	936-718-5795	7/2/23
Carol A. Tolson	4146 W. Dublin St. Chandler, AZ 85226	480-628-0484	7/2/23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

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Name	Address	Email or Phone	Date
Joseph W. Hoffman	626 E Deer Creek Rd Phoenix AZ 85048	Joegrundler@comcast.net	8/7/2023
Joann Grundler	626 E Deer Creek Rd Phoenix AZ 85048	Joann51@comcast.net	7/2/2023
Joseph Hoffman	4729 E Ashurst dr. 85048 Phoenix AZ	butvjoker@gmail.com	7/2/2023
Peggy Perry	16035 S 7th Dr Phoenix, AZ 85045	pegp1946@yahoo.com	7/2/2023
Hadley Huber	729 e night hawk way Phoenix AZ 85048	had.huber@gmail.com	7/2/23
Michael Rossman	14630 S 41 th AVE	MRossman49@gmail.com	7/2/23
William M. Ciccone	11214 S Tonah St. Phoenix, AZ 85044	wmc@amcorcarpets.com	7/2/23
Maria Ciccone	11214 S Tonah St. Phoenix AZ	maria.ciccone.net	7/2/23

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Name	Address	Email or Phone	Date
Luis Mancilla	8062 S Datsland Dr Tempe AZ	luis mg 71@ gmail fish	07-02-23
TOM GIALLANZA	CHANDLER, AZ 6292 W. MEGAN ST.	TLANCER@COX.NET	07-02-23
PAT GIALLANZA	CHANDLER 6292 W. MEGAN ST.	PATG-TWO@GMAIL.COM	07-02-23
Harriet Satorra	1461 W. Courtney Ln, Tempe, AZ 85284	hsvatorra@gmail.com (480) 580-1276	07-02-2023
Debra Trent	715 W. Stottler Dr Chandler, AZ 85225	915 282 0694 cecilia111074@hotmail.com	07-02-2023
LUIS AGOSTA	3640 W. WHITTIER ST. CHANDLER, AZ 85226	luis agosta 456@yahoo.com	7/2/23
ALAN MAINS	8700 E Thunderhill Rd Phoenix, AZ 85048	ALAN MAINS@USN.COM	7/2/2023
LIZ LEYBA	2737 E Windmere Dr Phoenix, AZ 85048	markleyba@centurylink.net	7/2/2023

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Name	Address	Email or Phone	Date
Ramon Olmos	16801 S. 24th St Phx AZ 85048	olmosr@hotmail.com	7/2/23
FRANCES BELOUSEK	4950 W. CHANDLER BLVD APT. # 350 CHANDLER AZ 85026	480-489-2680	7/2/23
NATLIE VASQUEZ	4417 E Garythorn St Phx 85044	480-216-0333	7/2/23
NORA PHILLIPS	1744 W. Frye Rd. Phoenix AZ 85043	480-797-6244	7/2/2023
Bethanne Ladley	1331 W. Larena Ln Tempe 85284	4807535959	7/3/23
Edward Ladley	1331 W. Larena Ln Tempe 85284	4807535959	4/3/23
Deb Flynn	16013 S. 1st Ave Phoenix, AZ 85045	480 206-6803	7/2/23
Patricia Flynn	16013 S. 1ST AVE PHOENIX, AZ 85045	480-650-0600	7/2/23

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Name	Address	Email or Phone	Date
Sara Dammann	500 N OFLA SPRINGS BLVD Chandler AZ	(480) 689-8043	7/2/23
Ute Chamberlin	1391 West Stacey Ln Tempe AZ 85284	309 288 4568	7/2/23
Kathleen Byrnes	4519 E. Ashurst Dr. Phoenix AZ 85048	480-272-6080	7/2/23
DEWAYNE W BYRNES	4519 E ASHURST DR PHOENIX AZ 85048	1180 784 7964	27 JUL 2023
EMONN AHEARNE	3934 E. GOLDFINCH GT LN PHOENIX, AZ 85044	480 499 2575	7/2/23
Diane Brandon	2534 W ORCHARD LN Chandler AZ 85224	928 230 4731	7/2/23
Lauren Guild	7005 S. 42nd PL PHX AZ	602.622.8743	7/2/23
Mary Ann Dill	1124 E. DUNSTON ST PHX AZ	480-960-4015	8/2/23

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Name	Address	Email or Phone	Date
Judi Davis	3481 E. Liberty Ln Gilbert, AZ 85296	602-481-8632	7/2/23
Rebecca Cooper	14609 S. ALE AVE Phoenix 85041	602-963-9404	7/2/23
Houston McElroy	1735 W Cathedral Road Phoenix	480-435-2464	7/2/23
Luzmaria Bolanos	1151 W. Amanda Ln Tempe, AZ 85284	480-490-3249	7/2/23
Bonnie Webb	11838 S TONOPAH DR PHX AZ 85044	480 626 3556	7/2/23
Thomas Patterson	11838 S Tonopah Dr Phx 85044	480 828-0939	7/2/23
Stanley H. Sebastian	332 W INDIAN DR CHANDLER AZ 85248	703-244-0858	7/2/23
Gordon Hargwood	3271 E. Canyon Creek Dr GILBERT, AZ 85295	480-227-7813	7/2/23

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Name	Address	Email or Phone	Date
Catherine Lasota	1016 E. Amberwood Dr Phoenix AZ 85098	CathyLasota58@gmail.com	7-2-2023
John Garrity	15835 S. 9th St Phoenix AZ 85045		
Carmen Sifuentes	4337 E Woodland Dr Phoenix AZ 85048	JGarrity43@aol.com	7/2/23
Maria Zamora	6122 W. Kenton St Phoenix AZ 85048	C.Sifuentes17@gmail.com	7/2/23
Carol Ann Arenas	102 W Glenhaven PHX 85045	m.sambal@gmail.com	7/2/23
Catherine Caly	157 W. Briarwood Tenn. 85045	480 460 4718	7/2/23
Julie Rodriguez	4527 E. White Aster St Phx, AZ 85044	602-821-7780 jstaleyrod@gmail.com	7-2-23
Rose Shekowitz	3024 S. Bell Pl. Chandler, AZ 85386	480-821-9222 shekowitzecox.net	7/2/23

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Name	Address	Email or Phone	Date
Ann Marie Foley	9640 S. Dromedary Dr Tempe, AZ 85284	topalownred@gmail.com	7.2.2023
Denise M. Carver	1563 W. SALTAGE DR PHOENIX, AZ 85045	DENISE_CARVER@MSN.COM	7/2/23
MICHAEL GRECO	608 S SADDLE ST GILBERT AZ 85233	MICHAELGRECO@GMAIL.COM	7.2.23
JOHN STIEBER	4447 E. TANGLEWOOD DR PHOENIX AZ. 85048	JFSTIEBER@YAHOO.COM	7-2-23
Rosie Moreno-Stieber	4447 E Tanglewood Dr Phx, AZ 85048	morecake2@yahoo.com	07/02/23
Stephanie Alvarez Moore	2714 E. Windmere Dr Phx AZ 85048	SAMORSVDP@gmail.com	7-2-23
LAWRENCE T. MOORE	2714 E. Windmere Dr Phx AZ 85048	" "	7-2-23

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Name	Address	Email or Phone	Date
MARY SIMPSON	3230 E. HARDY RD. TUCSON AZ 85716	marysims@AOL.com	7-2-23
John D. Edy	157 W. BRARWOOD TER PHOENIX AZ 85045	480-528-7266	7-2-2023
Joe Hickey	16608 S. 15th DR PHX, AZ 85045	Joe Hickey 19@gmail.com 480-686-4280	7-2-2023
Scott SUTERA	1461 W CORNER LN TUCSON, AZ 85724	SSUTERA@GMAIL.COM 602 451 6220	7/2/23
Ervann Kory	491 N Kenneth Pl Charlter AZ 85226	ervann3@yahoo.com	02 Jul 2023
DAVE BOLONSITA	1151 W. Armando Tucson, 85281	602-790-8126	7-2-23
Ed van Vliet	3614 East Windsong Drive Phoenix, AZ 85048-7929	ed@figibbonslaw.com	7/2/23
Veronica Hoffman	4729 E. Ashurst Dr. Phoenix, AZ 85048	480 593 3546	7/2/23

Minor General Plan Amendment Case #CPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

I, the undersigned, am a member of the community and fully supportive of the proposed changes to the City's General Plan and zoning map to allow an Assisted Living Care facility to operate on the St. Benedict Catholic Church campus. Quality senior living facilities are in high demand and providing this type of care on a church campus affords a unique opportunity to serve and support both the medical and spiritual needs of the city's elder community.

Name	Address	Email or Phone	Date
KAREL WARWUS	16218 S. 1st Street	kwarwus@Q.com	7/2/23
GERARD WARWUS	16218 S. 1st St PHX	GWARWUS@Q.com	7/2/23
Michael Feyder	4508 W. Eubankway Candler	480-296-3678	7-2-23
Margola Fabiana	25746 E Amber Bridge Phoenix, AZ 85048	310 525-9672	7/2/23
Amy Farach	614 W. 614th St. Chandler, AZ	satche 87@gmail.com	7/2/23
CATHARINE SANCHEZ	16605 S. Mountain Stone Thru	colin.sanchez@q.com	7/2/23
Luz Rodriguez-tello	849 W. Duke Dr. tempe - AZ - 85283	Lmrodriguez-13@gmail.com	7/2/23
Marjorie Sterkowitz	2534 W. Orchid Ln Chandler, AZ 85224	480-961-3405	7-2-23

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Name	Address	Email or Phone	Date
Alicia Schenach	14645 S. 7th Place Phoenix AZ 85048	(714) 345-2260	07-02-23
David Schenach	14645 S. 7th Place Phoenix AZ 85048	714 345 2270	7/2/23
David Schenach Jr.	14645 S. 7th Place Phoenix AZ 85048	714-421-9043	07-02-23
Guadalupe Monter	2738 W Cottonwood Ln PHX		7-2-23
Bernadette Nurrell	13412 S. 4th Pl	602-686-6403	7/2/23
Christina Bytke	3276 E. Franklin Ave Gilbert 85255	480-628-5832	7/2/23
Michele Edison	10144 E. Copper DR Sun Lakes AZ 85248	602-418-8696	7/2/23
Pamela Poggis	2592 W. Ivanhoe St. Chandler, AZ 85224	707-321-8673	7-2-2023

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Name	Address	Email or Phone	Date
MELLEN SMITH	5331 W. ILMONHOE CT CHANDLER, AZ 85226	480 390 5765	7/1/23
MARILYN NEMECEK	1295 W. LARONA LN TEMPE, AZ 85284	mtn 830 hotmail.com	7/1/23
TOM NEMECEK	1295 W. LARONA TEMPE, AZ	"	7/1/23
Don Reising	4569 E Chamberlaine	480 337 4158	7/2/23
Rogina Dermate-Corfees	3522 E Long Lake Rd Phoenix AZ 85048	415-875-1086	7/02/23
Kiana Schenach	1720 W. Cottonwood Ln Phoenix, AZ 85045	657-203-5181	7/02/23
David Forseth	2621 W. Dublin St. Chandler AZ 85226	480-284-9440	7/2/23
Ken CARLIN	6137 W. ILMONHOE ST Chandler, AZ	480-250-1814	7/2/23

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Name	Address	Email or Phone	Date
Berkyue Perera	4407 E Windsong Dr Phoenix AZ	6023183726	7/1/2023
Jean Murphy	16234 S. 43rd PL Phoenix AZ 85048	602-689-7443	7/1/2023
Leslie Rober	602- 2552846 602-1052846	ROX. DET LESLIE ROBER @	
ELEONORA POLLIO	2424 W. WILDHORSE DR. CHANDLER, AZ 85286	eleonora@ gmail.com	1 July 2023
Susan Zarb-Auntank	1135 W. VERA LN Tempe, AZ 85284	Suzufidlese@yahoo.com	7/1/2023
Edward Gaff	5221 E Tablo Do Pk, AZ 85044	tedgaff2020@outlook.com 6026924674	7/1/2023
Annabel De Mello	14847 S 27th Way Phoenix AZ.	audmki3@kethal.com 480-248-5653	7/2/23
Auburn Campbell	14615 S. 20th St Pux, AZ	elbhiatus@sous@gmail.com	7/2/2023


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Name	Address	Email or Phone	Date
Maureen Biggs	4321 E. Windborg Drive.	602-3183747 mas-biggs@hotmail.com	1-7-23
Robert Murphy	16234 S. 43 RD PL	peledante@cox.net	7-1-23
Jacqueline Bish	182 W. Jeanine Dr Temple AZ	Jackie@bishgott.com	7-1-23
Gary Thacker	100 S. Sandstone	480-785-6678	7/1/23
Gary Bradley	100 S. Sandstone St	937-207-2156	7-1-23
Pam Pachon	16014 S. 32 ND PL		7-1-23
Julie Portillo	15002 S. 46 TH PL	480-322-9504	7/1/23
Kathy Waters	2421 E. Supium Way Phoenix,	Katwaters59@gmail.com	7-1-23

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Name	Address	Email or Phone	Date
Stanley Lindemann	1266 E Del Rio Dr Tempe, AZ 85282	AZ lindemann@gmail.com	7-1-2023
Barbara Koenen	3610 W. Hidden View Dr. Phoenix AZ 85045	zbarblang@hotmail.com	7-1-2023
Jane Green	4421 E. W. Woodward Dr PHX, AZ 85048	jane4green@gmail.com	7-1-2023
Richard Hagen	5602 W. Boss Dr. Chandler, AZ 85226	ORV@aol.com	7-1-23
Greg Holden	452 E. Olympia Phx AZ 85044	grizagreen2@gmail.com	7-1-23
Jane Biggs	3015 E Wundwene Dr Phx, AZ 85048	jabkels@gmail.com	7-1-23
	1366 W. Tarompa Ln Tempe, az 85284	supdrt@aol.com	7-12-23
EDDIE QUINTANA	1135 W VERA LN 85284	QUINTANAAR@PROTON.ME	7/1/23

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Name	Address	Email or Phone	Date
Kathryn Grey	909 W. Grove Pkwy #2070	kmgrey60@gmail.com	7/1/23
Kelly Chua	3015 E. Windmere Drive	kellychua.cp@yahoo.com	7/1/23
David Fortille	15002 S 46th Place Phoenix 85044	zendad858@gmail.com	7/1/23
Joe Navarro	3721 W Goldfinch Gate LN 85044	jennavarr@cox.net	7/1/23
Michael B. Smith	182 W JEANINE, TEMPE, 85284	MICHAEL@BISNGENTS.COM	7/1/23
Annette Lavea	5311 W. Savagosa St.	anne.lavea@gmail.com	7/1/23
Mile Ruchensky	1275 W. Remington Dr.	L_ruchensky@gmail	7-1-23
Debbie Smith	7649 S. Ash Ave Tempe	dsmith2381@cox.net	7-1-23

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Name	Address	Email or Phone	Date
Rosemary Linderman	1266 E Del Rio Drive Tempe, AZ 85282	azlinderman@gmail.com	July 1, 2023
Lawrence Tolonen	3610 W. Hidden View Dr Phoenix AZ 85045	zberblary@gmail.com	7-1-2023
Kathie Hogen	5602 W. Ross Dr. Chandler, AZ 85226	Kaffe52Cad.com	7-1-2023
Bethany	4875 N. Buffalo St Chandler AZ 85226	BethanyGuthrie.net	7-1-2023
RH ONDU CAROL	411 W. STANLEY CHANDLER AZ 85226	rhondu@attmail.com	7-1-2023
Maria Bryda	41123 E. Tatum Drive Phoenix, AZ 85044	MARIA.BRYDA@GMAIL.COM	7-1-2023
Laura Holden	1752 E. Chney Dr Phoenix, AZ 85044	laura.holden@cox.net	7-1-23
Suzanne Vande Putte	1366 W Laramie Ln Tempe	vzputte@aol.com	

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Name	Address	Email or Phone	Date
MARY ZUZICH	12406 S. Potomac Phx AZ 85044	Mr Zuzich@gmail.com	7/1/2023
TIM WIERING	3547 W Wildwood Dr Phoenix AZ 85045	twiering@gmail.com	7/1/2023
Linda Smith	5331 W. Ivanhoe Ct Chandler AZ 85226	linda_merlin@yahoo.com	7/1/23
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Marie Reising	4569 E. Chackwalla Cyn Phx, AZ 85044	eej1919@yahoo.com	7/1/23
Timothy Murphy	1936 N. 128th Dr Avondale, AZ 85342	MurphySean299@gmail.com	7-2-23
KATHY SMITH	4542 W ERIC ST Chandler AZ 85226	KASmith03@cox.net	7/2/23
Allen Smith	4542 W ERIC ST Chandler AZ 85226	absmith4510@cox.net	7-2-23

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Name	Address	Email or Phone	Date
DEBRA S. GOMEZ	9331 S. 55th Pl. Tempe, AZ 85284	dgomez54@yahoo.com	7-1-23
Jeff Stevens	24338 W. FERNWOOD CT. WITTMANN, AZ 85361	brooklynbum46@gmail.com	7-1-2023
Jeanne Scanlan	3518 E. Salttrage Dr. Phoenix, AZ 85048	jeanne.scanlan@yahoo.com	7-1-2023
Cathy Schwindt	1228 E. Briarwood Jerran Phoenix, AZ 85048	cschwindt@gmail.com	7-2-2023
Suzanne Hanson	4148 E. Rockledge Rd Phoenix, AZ 85044	snwhtcr15@yahoo.com	7-2-23
Cynthia Jarrod	1072 W Courtney Ln Tempe, AZ 85284		7-2-23
CATHERINE AGUIRRE	5181 W Fairview St. Chandler AZ 85226	caguirre16@cox.net	7-2-23
Mary Horvath	4502 E CANTERBURY PARK DIX PHOENIX 85041	drhwtz@hotmail.com	7/2/23

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Name	Address	Email or Phone	Date
Scott Biggs	3015 E Windmere Dr	480 254 9723	7/1/23
Francisco Onkenize	14060 S. 40th ST Phoenix 85044	Onkenizef@yahoo.com	07/01/23
Angie Hawick	4317 E. Benwood Trl Phoenix, 85044	480-209-4236	7/1/23
Elizabeth Loh	1647 W. Glenhaven Dr Phoenix AZ 85045	480-329-2089	7/1/23
Barbara Perry	12843 S. 41st Phoenix AZ 85044	(214) 517-0617	7/1/23
Quiana Smith	16620 S. 48th St Phoenix AZ 85048	(602) 290-3030	7/1/23
Amber Pignatelli	1135 W. Vera Ln 85284	(602)-773-8241	7/1/23
Scott Hansen	4148 E. Rockledge Rd Phoenix 85044	480-200-6548	7/1/23

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Name	Address	Email or Phone	Date
Roseanne Birek	1504 S 20th St Phoenix 85048	gtenevck1@cox.net	7/1/23
Marie Pfeiffer	Chandler AZ 5741 W Kesler St		7/1/23
Kathleen Tierney	132 N Albert Dr Chandler 85226		7/1/23
Lucille Ruchersky	1275 W Remy Court Dr Chandler, AZ 85288	mruckas@stbenedict.org	7-1-23
Laura Arkfeld	15801 So 48th St Phoenix AZ 85048	ARKFAM17@ verizon.net	7-1-23
Jenny Gutierrez	4411 E CHANDLER BLVD #1113 PHOENIX, AZ 85048	562-900-3280	7-2-23
Jesse Jones	4411 E CHANDLER BLVD #1113 PHOENIX, AZ 85048	OSO. Jlyn@GMAIL.COM	7-2-23
Dawn Etsitty	3622 E Long Lake Rd Phoenix, AZ 85046	vikingman1@cox.net	7-02-23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

I, the undersigned, am a member of the community and fully supportive of the proposed changes to the City's General Plan and zoning map to allow an Assisted Living Care facility to operate on the St. Benedict Catholic Church campus. Quality senior living facilities are in high demand and providing this type of care on a church campus affords a unique opportunity to serve and support both the medical and spiritual needs of the city's elder community.

Name	Address	Email or Phone	Date
Phil Arkfeld	15801 S. 48th Street Phoenix, AZ 85048	Schulca 7@yahoo.com	7-1-23
Jane Sosenborn	4631 E. Mountain Vista	602-326-3666	7-1-23
Andrew Enrico	13650 S 48th St Phx	631-974-5653	7/2/23
Amy Enrico	13650 S. 42nd St. Phx 85044	631-974-5653	7/2/23
Richard Aguirre	5181 W. Fairview St. Chandler AZ 85226	602 885 1575	7/2/23
Diane C. Wray	3853 E. Frye Rd. Phoenix, Az. 85048	480-369-8729	7/2/23
Sue DeBarys	16827 S. 35th St Phx - Az - 85048	480-844-2704	7/2/23
BIENVENIDO PENTADO	15433 S. 44th Pz. Phoenix AZ-85044	707-35-9037	7/2/23

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Name	Address	Email or Phone	Date
Lilia H. Galván	4130 E. Muirwood Dr Phoenix, AZ 85048	lilbocey@aol.com	7/2/2023
Francesca L Galván	" "	lilpanchita5@gmail.com	7/2/2023
Maria D Galván	4130 E. Muirwood Dr Phoenix, AZ 85048	lilfranpan@aol.com	7/2/2023
Luisa I Casillas	" "	lilgalvan15@gmail.com	7/2/2023
Robert H Galván	5775 W. Galveston St Chandler, AZ 85226	finr+robo@aol.com	7/2/2023
Eileen Bailey	4702 E. La Mirada Way Phoenix, AZ 85044	bailyack@gmail.com	7/8/2023
Marlee Gonzales	3927 E SHOMI ST. PHX 85044	marlee.marchinsky@gmail.com	7/8/23
Kim Ferdue	4454 E. Desert Phoenix 85044	kimferdue@aol.com	7/9/23

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Name	Address	Email or Phone	Date
CHRISTOPHER MAREK	4171 W. JASPER DR CHANDLER, AZ 85226	480-980-8688	7/9/2023
Michelle Turner		7168702706	7/9/23
Christine Melendez	4327 E. Ponca St PHX 85044	602) 722-9168	7/9/23
Carly Hartly	1213 W. Indigo Dr Chandler AZ 85248	480-861-2115	7/9/23
Jenna Diaz	4306 E Cottonwood Ln Phoenix, AZ 85048	(480) 766-3055	7/9/23
Teddy Colby	1331 W. Laramie Lane, Tempe, AZ 85284	480-432-1910	7/9/23
Erin Huchard	1331 W Laramie Lane Tempe, AZ 85284	732-778-4165	7/9/23
Teresa Tran	2847 E. Windson Dr. Phoenix, AZ 85048	480-819-3749	7/9/2023

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Name	Address	Email or Phone	Date
Melanie Sala	4205 E. Liberty lane Phoenix AZ 85048	melsala29@gmail.com	7/9/2023
ELIZABETH SMITH	1362 E. Amberwood Dr Phoenix AZ 85048	716-253-5805	7/9/2023
Iselda Avillar	3015 E PARVIEW AVE Mesa AZ 85204	TAQUA@HOTMAIL.COM	7/9/23
DONALD PATTERSON	118385 TONOPAH DR PHX AZ 85044	480 8280939	7/9/23
Michael Ahearn	3934 E. Goldfield Ct Phoenix 85044	—	7/9/23
Matthew Ahearn	3934 E. Goldfield Ct Phoenix, 85044.	—	7/9/23
Mike Rojas	2870 E. Cula Vista Dr. Chandler 85225	—	7/9/23
Bethany Hathaway	3860 S. Nash Way Chandler, AZ 85286	614-353-8737	7/9/23

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Name	Address	Email or Phone	Date
Joy N. Cole	1624 W. Satinwood Dr. Phoenix 85045	joyncole@live.com	7/9/2023
Craig Marshall	13412 S. 47 th PL	Marshall 288 @ Cox.net	7/9/2023
Arlene Marshall	13412 S. 47 th PL	Marshall 288 @ Cox.net	7/9/2023
Bernadette Marshall	13412 S. 47 th PL	Marshall 288 @ Cox.net	7/9/23
Gwendolyn Autenello-Tee	8044 W. 1099 E. Major St CH 85249	Gwenattee @ Gilbert AZ yahoo.com	7-9-23
Linda W. Whitten	6960 S. WINDSTRATHM	EDLINDA @ COX.NET	7/9/23
Doreen Kelly Matusky	9207 S. Kenneth PL Tempe AZ 85284		7/9/23
Colleen Ferris	24446 S Parkside Sun Lakes 85248	colleen.ferris14 @gmail.com	7/9/23

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Name	Address	Email or Phone	Date
William Ciccione	11214 S. TOMAH ST PHOENIX, AZ 85044	480 980 2908	7/2/23
RICK PRETZMAYER	15217 S. 17TH AVE PHOENIX, AZ 85045	(480) 299-7606	7/8/23
Michael Hart	1313 W Indigo Dr Chandler, AZ 85244	480 461 1314	7/9/23
Kevin Gotwals	202 E. South River Dr Phoenix, AZ 85008	602 549 3241	7/9/23
Patricia Lucette	9848 S. 47th St Phoenix AZ 85044	602 697 8713	7/9/23
Catherine Temple	4508 W. EAGLE AVE Chandler, AZ 85226	480-296-3679	7/9/23
Stephanie Templeton	900 S. 94th St Chandler, AZ 85224	480-893-6004	7/9/23
Fayette Gore	1515 N. BELL Mesa, AZ	480-600-8010	7/9/23

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Name	Address	Email or Phone	Date
Elizabeth Janke	16209 S 14 th Dr. Phoenix AZ 85045	lizjanke05@hotmail.com	7/8/23
Robert B. Breen	3520 E. Lantana Dr. Chandler AZ 85226	bob@plavrensite.com	7/8/23
Ruby Began	435 W Thunderhill Dr. Phoenix AZ 85045	rubybegan@psn.com	7/8/23
Cynthia Cole	1624 W Satinwood Dr. Phoenix AZ 85015		7/9/23
Karla Tuzolino	4623 E Brentwood Ter Phoenix AZ 85048	tr22olinkarla@gmail.com	7/9/23
Sally Van Vliet	3614 E. Windsor Dr. Phoenix AZ 85048	Svanvianec@gmail.com	7/9/23
John Templeton	4508 W. Earhart Way Chandler, AZ 85226	jntemple@asu.edu	7/9/23
Dan Pombrowski	16811 S 37 th Pl	602 319 0172	7/9/23

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Name	Address	Email or Phone	Date
Taylor Stacherski	16025 S 50th St Phoenix, AZ	973-567-2180	7/9/23
Brittany Thompson	1759W. TMTD DR Chandler, AZ 85248	480-240-8847	7/9/23
Robert Thompson	1759W. TMTD DR Chandler, AZ 85248	408-201-2470	7/9/23
Dewayne Byrnes	411 N Kyrene Rd, Apt 221 Chandler, AZ 85226	480-784-7361	7/9/23
Travis Hanauer	4212 E Runkle Rd. Phoenix, AZ 85044	815-347-8957	7/11/23
Victi Hamill	12043 S. Hanah Lee Ct PHX, AZ 85044	480.893.1490	7/9/23
Madeline Evensen	16408 South 30th Ave Phoenix, AZ 85045	602-576-2774	7/9/23
Marcie McCabe	5609 S Hurricane Ct #E Tempe AZ 85283	marciefm@gmail.com	7/9/23

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Name	Address	Email or Phone	Date
Katrina J. Elam	16160 S. 50th St. Apt 245 Phoenix, AZ 85048	calabrea3@gmail.com (602) 677-2431	7/8/2023
Gandi Baehner	4121 E. Liberty Ln	480 213-7761	7/8/23
Norma Mercier	6842 W. Wendhurst	(602) 410-6180	7/8/23
Theresa Lipard	238 W. MYRNA LN	480-730-0267	7/8/23
Cassie Wertzberger	15413 S 26th Place PHX	480-391-2252	7-9-23
Robert Johnston	14034 S 32nd St PHX	480-225-5982	7-9-23
Teris Tomas	8432 S. Drea Ln Tempe 85284	480-313-4158	7/9/23
Joseph Kacurko	4329 E. Winkley Dr Phoenix, AZ	928-637-4652	7/9/23

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Name	Address	Email or Phone	Date
DAVID VALENZIA	1 N H. A. H. St. Ave #1163 85226	480 600 3283	07/02/23
Hanaa Shaker	4411 E Chandler Blvd 4411 E Chandler Blvd	586 318 8101	07/02/23
SHARON KILTS	15403 S. 19TH AVE PHX AZ 85048	480-242-2202	7/8/23
MIKE KILTS	15403 S. 19TH AVE PHX AZ 85048	480-242-2202	7/8/23
Joshua Hager	3830 E Lakewood Pkwy E #1163 Phoenix AZ 85048	360-903-1305	7/8/23
Serge Kalala	16006 S. 30th Pl. Phoenix, AZ 85048	602-632-3829	7/8/23
Tiffany Caglio	2435 E Cathedral Rock Dr Phoenix, AZ 85048	619-920-7484	7/8/23
STEVE SHAND	242 W. Knox Rd Tempe 85284	602-334-7483	7/8/23

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Name	Address	Email or Phone	Date
Ronald Thomas	8932 S. DANA LN. TEMPE	JRThomas2@hotmail.com	7-9-23
Vicky Izaguirre	4747 E. CALAVERA LN. PHOENIX, AZ 85044	MAIZAGUI@AMERITECH.NET	7/9/23
Ken Sachersich	14017 S. 1st STREET PHX 85048	KSTACH67@gmail.com	7-9-23
Debra Kaamind	4229 E. WINDSOR DR PHX 85048	princeyphoenix.com	7-9-23
Amy Vaughan	4514 E. TANGLEWOOD DR PHOENIX AZ 85048	602-284-7899	7-9-23
Debbie Stupica	16001 S. 12th PL Phoenix 85048	480-540-1066	7-9-23
Mark A. Francis	15821 S. 48th STREET PHX 85048	(602) 320-8737	7-9-23
SP Spalding	4210 S. King Street P Chandler AZ	402-573-1354	7-9-23

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Name	Address	Email or Phone	Date
Samantha Stachewski	14617 31st Street	973-580-0770	7-9-23
Edwards Olivera	3345 E Amberwood Dr	480-704-7684	7-9-23
Mike Sheehan	6153 W Dublin Ln	480-213-1509	7-9-23
Jessie Sheehan	6153 W. Dublin Lane Chandler, AZ	480-748-7444	7-9-23
SORTIANO CAMPOS	5437 W. WESTERN BLVD LAJEN, AZ 85339	sonlandc1980@yahoo.com	7-9-23
Emily Kircher	1872 E. Jade Pl. Chandler, AZ 85286	602 616 2395	7/9/23
Dave Williams	10144 E. COPPER DR SUN LAKES AZ 85248	(480) 802 7891	7/9/23
William Femi	24446 S Bulkside Sun Lakes, AZ 85288	480 324 1351	7/9/23

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Name	Address	Email or Phone	Date
Marilyn Johnston MARILYN JOHNSTON	14034 S. 32nd St. Phoenix, AZ 85044	mar-johnston1@cox.net	July 9, 2023
Alfonso Izaguirre	4747 E. Lavender Ln Phoenix AZ 85044	122YAF59@gmail.com	7/9/23
Michelle Stachurski	14617 S. 1st Street Phoenix, AZ 85048	mstock8312@gmail.com	7-9-23
Gloria Llana	3345 E Amberwood Dr Phoenix, AZ 85048	gllamaz@gmail.com	07/09/23
Eduardo Olvera	3345 E Amberwood Dr Phoenix, AZ 85048	colerallanna@gmail.com	7/9/23
Samantha Soriano	5437 W. Western Star Laveen, AZ 85339	samsoriano21@gmail	7/9/23
Susan Masigill	4551 E Chuckwalla Ave Phoenix AZ 85044	Smasigill@cox.net	7/9/23
Amy Cover	15251 S. 80th St Phoenix 85044	Amycover@cox.net	7/09/23

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Name	Address	Email or Phone	Date
Emilio Fimbres			
Emilio Fimbres	6240 W Post rd	Emilio.Fimbres@gmail	07/8/23
Daniella Fimbres	6240 W Post rd	daniella.r.fimbres@gmail	07/08/2023
BRAD WATSON	4205 E CHEROKEE CARE PHARMACY 4504	brad@wv.com wv@wv.com	4
Aida I Colcin	1421 E Glenhaven Dr Phx AZ 85042	602 410 9433	7/8/23
Alex Luerano	4542 E Carmen Phx AZ 85044	602-931-5000	7-8-23
Luong Nguyen	3117 NE 14 St. Oklahoma City, OK 73117	225-200-1570	7/9/23
Amanda Woodmansee	10415 S. 43rd Pl. Phoenix, AZ 85044	(480) 225-8172	07/09/2023

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Name	Address	Email or Phone	Date
ROBERT S. WEIGEL	3925 E. AMBERWOOD DR PHOENIX, AZ 85048	BOBWEIGEL58@GMAIL.COM	7/9/2023
Darlene Nimmer	4220 E White River St Phoenix, AZ 85044	papai4@cox.net	7/9/2023
Michael Nimmer	4220 E White River St Phoenix, AZ 85044	papai4@cox.net	7/9/23
Michael Tolson	4146 W. DUBLIN ST CHANDLER, AZ	480-634-6636	7/9/23
Roy Fuchs	4700 S. Fulton Rd Chandler, AZ 85228	634-219-1041	7/9/23
MARGARET BOY	4314 E. Dunlap Ave Phoenix, AZ 85048	486-985-8108	7/9/23
Nancy Demigowski	16811 S. 37th Pl Phoenix, AZ 85048	480-825-6644	7-9-23
Lynn Salazar	4403 E. Glenhurst Dr Phoenix, AZ 85048	74.227-8708	7/9/23

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Name	Address	Email or Phone	Date
Kathleen Harty	5871 W. Orchid Ln Chandler AZ 85226	K'harty5@gmail.com	7/9/23
Dolores Montez	Chandler 4729 W. Talia St Phoenix, AZ 85048	Dolores Montez@gmail.com	7/9/23
Alvaro Diaz	4306 E Cottonwood Ln Phoenix, AZ 85048	alvaro.diaz1978@gmail.com	7/9/23
Keri Sheehan	6153 W Dublin Ln Chandler, AZ 85226	kerisheehan@gmail.com	7/9/23
Diane Fuchs	4700 S. Fulton Ranch Blvd #81	dianefuchs81@gmail.com	7/9/23
Kelly Reynolds	2820 E Carla Vista Dr Chandler AZ 85225	480 688 8534	7-9-23
Mike & Tohri	2744 E. Desert TRUNDELL RD	206-321-5640	2-2-23
Laura Boyd	4327 E Model Dr Phoenix AZ 85044	480 329 5978	7/9/23

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Name	Address	Email or Phone	Date
Julie Ceder	14664 S. 25th Way	602 751 4929	7/2/23
James E. O'Donnell	4229 E. Redwood Lane	602-881-0402	7/2/23
Yolanda Najera	4133 E. Bannock St Phoenix AZ 85044	480-729-1900	7/2/23
Michael Low	1078 W LARONA LANE TEMPE AZ 85283	480-200-0585	7/2/23
JOHN JAKE	11209 S 14TH DR PHOENIX AZ 85045	480-284-2802	7/8/23
George Barbera	4121 ELISABETH LN PHOENIX AZ 85048	602-451-0214	7/8/23
DON WILMINK	1186 W. COURTNEY LN TEMPE, AZ 85284	480 493 7394	7/8/23
Patricia Birmingham	4141 N 36th St Phoenix AZ 85016	480-650-0601	7/9/23

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Name	Address	Email or Phone	Date
Tamara McLean	16614 S. 18th Way, Phoenix, AZ 85048	fmccinnis@gmail.com	7/2/23
Cary Stone	400 E. Foothill Dr #346 Phoenix, AZ 85048	520-632-7103 csunption@hotmail.com	7/8/23
Bridget Vanderzyl	3023 W. Camelback Rd Phoenix, AZ 85018		7/8/23
Kirk Elam	16160 S. 50th St. Apt 245 Phoenix, AZ 85048	(602) 677-2583	7/8/23
Susan Sheard	242 W. Knox Rd 85284		7/8/23
Greg Morgan	2311 W. Glenmont Dr. Tempe, AZ 85282		7/9/23
Morgan grego	1715 W Wildwood Dr. Phoenix AZ 85045	gregmorgana@yahoo.com	7/9/23
Brandona Alvarez	1715 W Wildwood Dr. Phoenix AZ 85045	480-240-0681	7/9/23

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Name	Address	Email or Phone	Date
Thomas Pollio	2424 W. WILDHORSE DR. CHANDLER, AZ 85286	623-341-5441	7/12/23
Nolan Pollio	2424 W. Wildhorse Dr Chandler, AZ, 85286	623-210-2193	7/12/23
Debra Radway	14630 S 4th Ave Phoenix AZ 85045	773-578-3830	7/12/23
van Cacerich	6328 W. Laredo St Chandler AZ 85226	602-908-9507	7/10
Rich Cacerich	"	"	7/10
Dr. K. K. K.		602-579-1218	7/18/23
Anthony Laylio	2435 CATHEDRAL PARK Phoenix, AZ 85048	623-252-2956	7/18/2023
Michelle Stanford	6833 W. Grand Ave Chandler AZ 85226	602-758-4832	7/9/2023

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Name	Address	Email or Phone	Date
RENE JOSE ACOSSA	16032 S. 17TH LN PHOENIX, AZ	480-460-2077	07/02/2023
Albert Macias	2141 E. Cathedral Rock Ln.	macias.albert@yahoo.com	07/02/2023
CHONA GUTIERREZ	3740 E. CATHEDRAL ROCK PHOENIX, AZ 85044	480-286-2434	07/02/23
Marco Siron	6939 W. Branham LN Laveen, AZ 85539	602-463-8296	7/2/23
Mark Loyba	2737 E. Windmere Dr. Phoenix, AZ 85049	markloyba@centurylink.net	7/2/23
Michael Ricard	4307 E. Bighorn Ave Phoenix, AZ 85044	480-704-1861	7/2/23
Maureen Mulligan	5750 W Mercury Way Chandler AZ 85226	602-826-6650	7/08/20
Joseph Caglin	jscaglin@gmail.com	602 451-4295	7/09/23

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Name	Address	Email or Phone	Date
MADDIE FLYNN	16013 S 1 st AVE PHOENIX, AZ 85045	480-665-9707	7/2/2023
STEVE HUBERZ	729 E. NIGHTHAWK WAY PHOENIX, AZ 85048	701 799 8950	7/2/23
Christina Lefua	4524 E. Wildwood Dr. Phoenix, AZ 85048	808-699-1343	7/2/23
Juan R. Fimbres	6240 W Post Rd Chandler, Az. 85226	Juan.r.fimbres@gmail.com (480) 593-6193	7/8/23
Guadalupe Arvizu	6240 W Post Rd Chandler, Az. 85226	Popy.arvizu@gmail.com (480) 274,1042	7/8/23
Ernesto Garcia	2213 S 23 rd Place Phoenix, Az 85042	(954) 358-1306	7/8/23
Terri Bauer	3520 E Lantana Dr	480 279-9637	7/8/23
Bob F. Bauer	3520 E Lantana Dr	602 643 3036	7/8/23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

I, the undersigned, am a member of the community and fully supportive of the proposed changes to the City's General Plan and zoning map to allow an Assisted Living Care facility to operate on the St. Benedict Catholic Church campus. Quality senior living facilities are in high demand and providing this type of care on a church campus affords a unique opportunity to serve and support both the medical and spiritual needs of the city's elder community.

Name	Address	Email or Phone	Date
Heather Mooney	5122 W. Sweet Pea Ter. Phoenix AZ 85339	hmooney@stbenedict.org	7/5/2023
Fr. James Abeyi	4646 E. Mountain Vista Dr Phoenix, AZ 85048	frabeyi@stbenedict.org	7/5/2023
Amy Fletcher	3013 E. Thunderhill Pl. Phoenix, AZ 85048	afletcher@stbenedict.org	7/5/2023
Mary Jane Livens	1033 E Mountain Vista Dr Phoenix AZ 85048	mlivens@stbenedict.org	7/5/2023
Matthew DeLeon	5418 W. Country Garden Ln Phoenix, AZ 85339	mattdelcon2000@gmail.com	7/5/2023
Lisa Sallundry	6562 W Linda Ln Chandler Az 85226	sallundry@yahoo.com	7/10/23
Bill Sallundry			7/10/23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

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Name	Address	Email or Phone	Date
Michelle Elfrido	1580 S. 48th St Phoenix AZ 85048	480-226-7643	4/19/23
YOLANDA De Leon	1666 S Extension Rd Mesa AZ 85210	512 412 2235	4/9/23
Suan De Leon	1666 S Extension Rd, Mesa AZ 85210	512 412 - 2234	4/9/23
Damian Fabila	2546 E. Amber Ridge Way	806 346 582	4/9/23
Greg Bedell	1104 N Glenhaven	602 110 4314	7/9/23
Jennife Fordway	1104 W. Glenhaven	312-608-9939	7/9/23
Connor Bedell	1104 Glenhaven Dr	847 830 4314	7/9/23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

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Name	Address	Email or Phone	Date
Tim McInnis	Phoenix, AZ 85048 16614 S 18 th Way	timothy.a.mcinnis@gmail.com	7-2-23
Rudy Evangelista	16408 S 30 th Ave Phx, AZ 85045	Rudy.Evan@yahoo.com	7-9-23
Michael Gutierrez	5032 E. Oneida St Phx AZ 85044	mgutierrez@gmail.com	7-9-23
Dana M. Gutierrez	5032 E. Oneida St Phoenix AZ 85044	ICAN@darings50.com	7-9-23
Debra L. Swick	384 E. Stacey Ln. Tempe, AZ 85284	480-940-3689	7-9-23
David M. Swick	629 N. Elm St Chandler, AZ 85226	(480) 215-5662	7/9/23
Alex Gueco	5722 W. Butler Dr. Chandler AZ. 85226	602-793-4159	7-9-23

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Name	Address	Email or Phone	Date
Lean Cho Leh	1633 W Glenhaven Drive Phoenix, AZ 85045	-	7/9/2023
Gwen Bradley	1223 E. Briarwood Ter Phoenix AZ 85048		7/9/2023
PAUL TRAN	2847 E. WINDSONG DR. PHX AZ 85048		7/9/23
MARK HEALY	6229 N. Elm St CHANDLER AZ 85226		7/9/23
Miguel Salinas	5792 W Fairview St Chandler, AZ 85226		7/9/23
JOSE R. REYES	3009 E. WENDELL DR PHX AZ 85048		7/9/23
Nicole Bouragan	4621 E. Gold Papyrus Way Phx, AZ 85044	480 234-1184	7/9/23

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Name	Address	Email or Phone	Date
James Cote	2406 E Glenview Phx AZ 85048	James.cote@gmail.com	7/9
Kristen Zyllar	3303 E. Brookwood Ct Phoenix 85048	dx20005@gmail.com	7-9
Juanita Morales-Castro	15802 S. 26th Place Phoenix, AZ 8504	202-705-3240	07/09/2023
Don Bush	8348 S. Homestead Tempe, AZ 85284	602-309-2649	7/9/23
Montserrat Camacho	3009 E. Verbena Dr. Phoenix, AZ 85048	480-768-8479	7/9/23
Albert Barragán	4621 E. Gold Pappy Way Phx, AZ 85044	480-495-5271	7/9/23

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Name	Address	Email or Phone	Date
LAVRUE LILES	3167 EAST ANGER RIDGE WAY, PHOENIX, AZ 85048	lcliles1011@gmail.com	7/9/2023
Tom Rogers	4334 E. Glendale 8348 S. Homestead Ln Tempe, AZ 85284	880 893-7941 you Phx. sallyb324@aol.com	7/9/2023
Sally Brooks			7/9/23
Joshua Berry	16620 S 48 th St Unit 9	707 364 7898	7/9/23
Myaisha Elloie	4250 E. Ponce St. Phoenix, AZ 85044	504-236-8473	7/9/2023
Gabriella Elloie	4250 E Ponce Street Phoenix AZ 85044	504 236 8473	7/9/2023
Alexandra Elloie	4250 E Ponce St Phoenix AZ 85044	504 236 8473	7/9/2023

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Name	Address	Email or Phone	Date
Ella	Phoenix AZ		7/9/2023,
Roni Hardiman	4018 E. Cholla Canyon Dr	hardiman@cox.net	7/9/2023
Robbie Adams	16415 S. 42nd Phoenix AZ	16415@cox.net	7/9/2023
CHARLES MORENO	4704 E. BIRCHWOOD PHX 85048	charlesldog@gmail.com	7/9/23
Brian Wiscombe	4630 E. MOUNTAIN VISTA DR. PHX 85048	B-WISCOMBE@HOTMAIL.COM	7/9/23
Wanda Wiscombe	4630 E Mountain Vista Dr	Wandantje@gmail.com	7-9-23
Lauren Wiscombe	Phoenix, AZ 85048 4630 E Mountain Vista Dr.	Laurenw@gmail.com	7-9-23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

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Name	Address	Email or Phone	Date
Nathan Evangelista	16408 S 30th Ave PHX, 85045	NieVange@Azu.edu	07/09/2023
Felipe G. Castro	15802 S 26th Place Phoenix, AZ 85048	felipegc51@gmail.com	7/9/2023
Roger/Jennifer Villalba	4506 S. GOLF PIPER WY. PHX, AZ 85044	- Coyote550@proton.me	7/9/2023
Eric McKinney	7171 W Chandler Blvd Chandler, AZ 85226	mckinneyeric@AOL.com	7/9/2023
Brennan Wiscombe	4630 E. Mt. Vista Dr.	plasmabrennan@gmail.com	7/9/23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

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Name	Address	Email or Phone	Date
Maria Benton	13605 W. Courtney Ln Tempe, AZ 85284	(602) 576-7945	7/9/23
Edward Benton	5426 S. Heather Dr. Tempe, AZ 85284	(480) 316-1419	7/9/23
Carolyn Higgins	14308 S. 4th Dr. Phoenix, AZ 85045	480-628-8247	7/9/23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

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Name	Address	Email or Phone	Date
Thomas Rodriguez	4527 E. White Aster St Phx AZ 85044	tom@tjdesigns.com	7/9/23
Greg Cannellini	16604 S. 14th St. PHX, AZ 85048	GCannellini@Gmail.com	7/9/23
Alicia Cannellini	" "	Cannellini@usn.com	7/9/23
Helen Johns	2744 E. Desert Trumpet Rd, Phx, AZ 85048	hjdms3@hotmail.com	7/9/23
David Johns	5609 S. HURRICANE CT UNIT 2 TRUMP, AZ	davidjohns@comcast.net	7/9/23
John Lattanzio	6609 W. Superior LAVEN AZ 85335		7/9
Martha Ochoa	826 E Mountain Sage Dr. Phoenix AZ 85048	mchoa@phoenixpolice.com	7/9/23
Kurt Richardson	14808 S 4th Dr Phoenix AZ 85045	480-204-2920	7/9/23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

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Name	Address	Email or Phone	Date
Timothy Cypriani <i>Tim Cypriani</i>	238 W Myrna Ln. Tempe AZ	480 694 8609	7/9/23
RICHARD S. CURRAN, JR <i>Richard Curran</i>	238 W MYRNA LN TEMPE, AZ 85284	480.202.1060	07/09/2023
Daniel Bish <i>Dan Bish</i>	238 W Myrna Ln 182 W Jeanine Dr. Tempe, AZ 85284	480-703-7283	7/10/23
Jordan Gottwalt <i>Jordan Gottwalt</i>	202 E. Santa Fort Dr. Phoenix, AZ 85048	480-283-1605	7/10/23
Capriana Bish <i>Capriana Bish</i>	182 W. Jeanine Dr. Tempe, AZ 85284	480-273-9245	7/10/23
ELISEN CURTIN <i>Elisen Curtin</i>	5011 E. Summer St Lane Phoenix, Az. 85044	480-621-8007	7/13/23
Mary R. Gardner <i>Mary R. Gardner</i>	11842 S. Tarapha Dr. Phoenix, AZ 85044	480-242-9743	7/13/23

Minor General Plan Amendment Case #GPA-AF-1-23-6 and Rezoning Case #Z-16-23-6

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Name	Address	Email or Phone	Date
Teri Pistachio Aguiar	7442 S. Kenwood Lane Tempe, AZ 85283	Taguiar@SJBOSSO.org	7.11.23

From: [Kimberly](#)
To: [PDD Ahwatukee Foothills VPC](#)
Subject: In support of ST Benedict's senior living
Date: Wednesday, July 19, 2023 9:47:03 PM

Hello-

I just read the article in the ahwatukee foothill news about the ST Benedict senior living project concerning the request for a parking variance. I am a resident of Ahwatukee and a supporter of the project. I am also in favor of the parking reform amendment to reduce parking space minimums.

Sincerely,
Kimberly Barua, AICP



Village Planning Committee Meeting Summary Z-16-23-6

Date of VPC Meeting	July 24, 2023
Request From	RE-35 and CP/GCP
Request To	R-3A
Proposal	Multifamily residential
Location	Approximately 790 feet north of the northeast corner of 48th Street and Frye Road
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	8-0

VPC DISCUSSION:

Item No. 3 (GPA-AF-1-23-6) and Item No. 4 (Z-16-23-6) are companion cases and were heard together.

No members of the public registered to speak on this item.

Staff Presentation:

Matteo Moric, staff, presented an overview of the general plan amendment and the rezoning case associated with the property along 48th Street. Mr. Moric stated these proposals will be heard together but require two separate motions.

Mr. Moric showed the location of the proposal for multifamily residential and identified the staff findings and recommendations. Mr. Moric identified the land uses and zoning of the surrounding properties, showed the proposed site plan, elevations, and noted community input. Mr. Moric stated the proposal included independent living, assisted living and memory care units, provided outdoor seating areas and courtyards. Mr. Moric presented the staff recommended stipulations.

Applicant Presentation:

Peter Furlow introduced himself as the applicant/representative and identified the applicant team present at the meeting. Mr. Furlow added that to the north and east are both 3 story developments and compatible in height with the proposed development, and the single-family residences across 48th Street do not face 48th Street so he did not think there would be negative impacts to the homes. Mr. Furlow mentioned 66 of the units were independent living and 69 were for assisted living and memory care and added the church would own the entire site. Mr. Furlow said that it will provide full time nursing and caregiver jobs. Mr. Furlow presented a plan which

showed vehicular circulation onsite. He identified the support they received and that they agreed to staff stipulations.

Questions from Committee:

Toni Broberg asked how far the setback was to the church and school. **Mr. Furlow** was not sure of the exact numbers. **Clifford Mager** said it was separated by a driveway and a fire lane between the church and the school.

Mr. Mager asked if this was a lease to the memory care to which the applicant stated that was correct.

Chair Andrew Gasparro indicated there was a cross access agreement with the church property and if there was an accident on the north access point this would be a second means of access.

Ms. Broberg asked what delineates the church parking lot from the senior living facility parking lot. **Mr. Furlow** responded a half wall and landscaping.

Mr. Mager said there was an existing use permit for athletic fields and recommended the applicant go to the site when the school is in operation for the beginning and closing of the school. Mr. Mager had concerns with kids getting in and out of school and encouraged moving the circulation route to eliminate in and out conflicts. **Mr. Furlow** said it was all owned by the same owner so they could work through the circulation operation procedures.

Elena Pritchette shared concerns that kids from the Horizon School use the site to exit.

Chair Gasparro said circulation with any project can be pretty complex how it flows with the other pieces, and he felt the applicant did a good job.

Vice Chair Fisher said that due to the nature of the facility he could anticipate an increased need for emergency services, and moving the south entrance would make it impede the traffic pattern.

Chair Gasparro asked if it gets reviewed by the Fire Department. **Mr. Moric** indicated a Fire Plan Reviewer would be reviewing the site plan in the site plan review process.

Public Comments:

None.

Motion:

Suzanne Sharer motioned to recommend approval of Z-16-23-6 per the staff recommendation. **Toni Broberg** seconded the motion.

Vote:

8-0, Motion to recommend approval of Z-16-23-6 per the staff recommendation passed, with Committee Members Broberg, Mager, Maloney, Meier, Pritchette, Sharer, Fisher and Gasparro in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comments.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION August 3, 2023

ITEM NO: 8	
	DISTRICT NO.: 6
SUBJECT:	
Application #:	Z-16-23-6 (Companion Case GPA-AF-1-23-6)
Location:	Approximately 790 feet north of the northeast corner of 48th Street and Frye Road
From:	RE-35 and CP/GCP
To:	R-3A
Acreage:	4.60
Proposal:	Senior Housing, Assisted Living, and Memory Care
Applicant:	Shea Connelly Development, LLC
Owner:	St. Benedict Catholic Church
Representative:	Adam Trenk, Rose Law Group

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Ahwatukee Foothills 7/24/2023 Approval, per the staff recommendation. Vote: 8-0.

Planning Commission Recommendation: Approval, per the Ahwatukee Foothills Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Perez made a MOTION to approve Z-16-23-6, per the Ahwatukee Foothills Village Planning Committee recommendation.

Maker: Perez
Second: Gorraiz
Vote: 8-0
Absent: Mangum
Opposition Present: No

Findings:

1. As stipulated, the proposal will include design elements, such as enhanced architecture, landscaping, and open space to create a pleasant environment for its residents and the surrounding uses.
2. The proposal will redevelop an underutilized property and provide a senior living facility which will help alleviate the housing shortage in Phoenix.
3. The stipulated landscaping and planting standards are above the required minimum standards and will make the proposal compatible with the neighboring area.

Stipulations:

1. The development shall be in general conformance with the elevations date stamped March 6, 2023, in specific regard to the porte cochere element and the use of varying materials and colors, as approved by the Planning and Development Department.
2. A minimum 40-foot-wide building setback shall be provided along the south property line, as approved by the Planning and Development Department.
3. A minimum 95-foot-wide building setback shall be provided along the north property line, as approved by the Planning and Development Department.
4. A minimum of 25% of the gross site area shall be open space, as approved by the Planning and Development Department.
5. A minimum of 8 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
6. A minimum of 2% of the required parking spaces shall be EV Installed.
7. The required trees within landscape areas shall be a minimum of 2-inch caliper, drought tolerant shade trees as approved by the Planning and Development Department.
8. Landscape areas shall have a minimum 75% live coverage as approved by the Planning and Development Department.
9. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
10. The existing streetscape within the right-of-way shall be replenished along 48th Street adjacent to the subject parcel (Assessor Parcel No. 301-85-243A) for the entire 993-foot street frontage, as approved by Planning and Development Department.
11. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
12. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
13. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

14. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.



**Public Hearing and Ordinance Adoption - Rezoning Application Z-9-22-4
(Forty600 PUD) - Southwest Corner of Central Avenue and Coolidge Street
(Ordinance G-7159)**

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-9-22-4 and rezone the site from C-2 TOD-1 (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One) to PUD (Planned Unit Development) to allow mixed use multifamily residential.

Summary

Current Zoning: C-2 TOD-1

Proposed Zoning: PUD

Acreage: 1.71 acres

Proposal: Mixed use multifamily residential

Owner: Forty600, LP

Applicant: RAS Developments, Inc.

Representative: Benjamin Tate, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Info: The Alhambra Village Planning Committee heard this case on Aug. 23, 2022, for information only.

VPC Action: The Alhambra Village Planning Committee heard this case on June 27, 2023, and recommended approval, per the staff recommendation, by a vote of 8-5.

PC Action: The Planning Commission heard this case on Aug. 3, 2023, and recommended approval, per the Alhambra Village Planning Committee recommendation, by a vote of 8-0.

The Planning Commission recommendation was appealed for a public hearing by a community member on Aug. 7, 2023.

Location

Southwest corner of Central Avenue and Coolidge Street.

Council District: 4

Parcel Address: 4600 N. Central Ave.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-9-22-4) FROM C-2 TOD-1 (INTERMEDIATE COMMERCIAL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 1.71 acre property located at the southwest corner of Central Avenue and Coolidge Street in a portion of Section 20, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "C-2 TOD-1" (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One) to "PUD" (Planned Unit Development).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Forty600 PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped May 25, 2023, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: May 25, 2023; City Council adopted: [Add adoption date].
 - b. Page 11, Development Standards, Parking: Add the following language to this section: A minimum of 9 parking spaces shall include EV Installed infrastructure.
 - c. Page 13, Design Guidelines, B. Landscape: Add the following language to this section: A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
2. The developer and the City must agree to enter into an agreement wherein the developer will make a single \$250,000 donation to the City of Phoenix Developer Deposit Account prior to final site plan approval to construct improvements along the Grand Canal between Central Avenue and 3rd Avenue, as approved by the Planning and Development Department.

If it is not possible for the City to reach an agreement with the necessary jurisdictional partners such as the Salt River Project after 5 years from the date of deposit, the funds shall be transferred to the Housing Department to fund the development of affordable housing in the District 4 City Council District.
3. The applicant shall submit a Traffic Impact Study/Statement to the City for this development. The developer shall be responsible for cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.

4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
5. A minimum of 25 feet of right-of-way shall be dedicated along the south half of Coolidge Street, as approved by the Planning and Development Department.
6. Detached sidewalk streetscapes must be located within right-of-way or an appropriate sidewalk easement, as approved by the Street Transportation Department.
7. The developer shall underground existing electrical utilities within the public right-of-way that are impacted or, to be relocated as part of this project. Coordinate with the affected utilities company for their review and permitting.
8. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:
 - a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
 - b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.
 - c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.
9. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
10. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

11. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
12. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.
13. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 6th day of September, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 20,
TOWNSHIP 2 NORTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER
BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS
FOLLOWS:

BEGINNING AT THE INTERSECTION OF NORTH CENTRAL AVENUE AND
COOLIDGE STREET, AS SHOWN ON THE FINAL PLAT OF SUBURBAN
ACRES, BOOK 13 OF MAPS, PAGE 22, MARICOPA COUNTY RECORDS;

THENCE SOUTH $00^{\circ}14'54''$ WEST (BASIS OF BEARINGS), ALONG THE
CENTERLINE OF SAID NORTH CENTRAL AVENUE, A DISTANCE OF
271.69 FEET TO A POINT ON THE EASTERLY PROJECTION OF A LINE
THAT IS PARALLEL WITH AND 25 FEET SOUTH OF, AS MEASURED BY
RIGHT ANGLES, THE SOUTH LINE OF LOT 1 OF SAID SUBURBAN
ACRES;

THENCE NORTH $85^{\circ}05'23''$ WEST, ALONG SAID PARALLEL LINE AND
ITS EASTERLY PROJECTION, A DISTANCE OF 286.24 FEET TO A POINT
ON THE SOUTHERLY AND NORTHERLY PROJECTION OF THE EAST
LINE OF THE WEST 50 FEET OF LOTS 1 AND 2 OF SAID SUBURBAN
ACRES;

THENCE NORTH $00^{\circ}14'54''$ EAST, ALONG SAID EAST LINE AND
ITS SOUTHERLY AND NORTHERLY PROJECTION, A DISTANCE
OF 249.95 FEET TO THE CENTERLINE OF SAID COOLIDGE
STREET;

THENCE SOUTH $89^{\circ}26'38''$ EAST, ALONG THE CENTERLINE OF SAID
COOLIDGE STREET, A DISTANCE OF
285.30 FEET TO THE POINT OF BEGINNING.

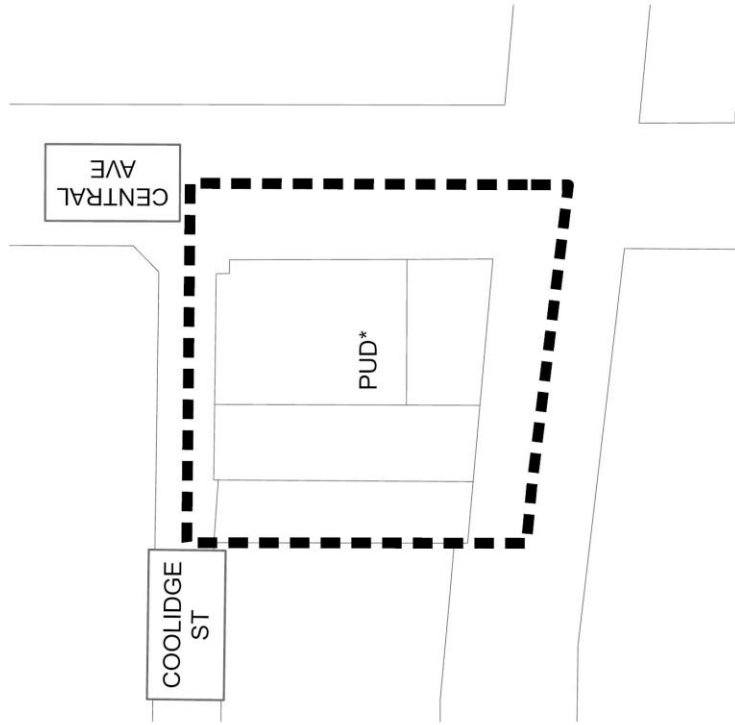
CONTAINING 74,411 SQ.FT. OR 1.7082 ACRES,
MORE OR LESS.

ORDINANCE LOCATION MAP

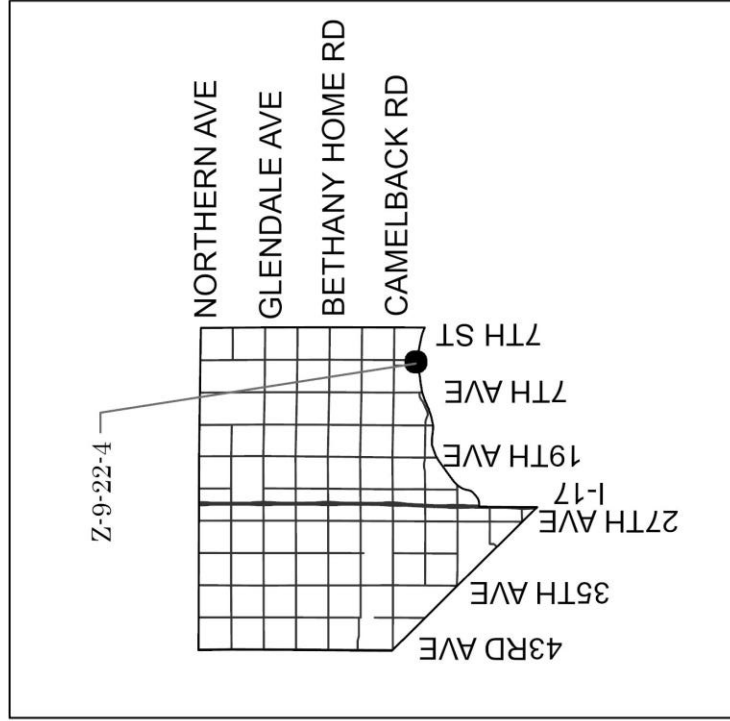
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -

Zoning Case Number: Z-9-22-4
Zoning Overlay: N/A
Planning Village: Alhambra



0 55 110 220 Feet



NOT TO SCALE



Drawn Date: 8/11/2023

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\Supp\Maps_Ord\9-6-23\9-6-23.aprx



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-9-22-4

Forty600 PUD

June 15, 2023

Alhambra Village Planning Committee

June 27, 2023

Meeting Date:

Planning Commission Hearing Date:

August 3, 2023

Request From:

C-2 TOD-1 (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One) (1.71 acres)

Request To:

PUD (Planned Unit Development) (1.71 acres)

Proposal:

PUD to allow mixed use multifamily residential

Location:

Southwest corner of Central Avenue and Coolidge Street

Owner:

Forty600, LP

Applicant:

RAS Developments, Inc

Representative:

Benjamin Tate, Withey Morris Baugh, PLC

Staff Recommendation:

Approval, subject to stipulations

General Plan Conformity

<u>General Plan Land Use Map Designation</u>		Commercial	
<u>Street Map Classification</u>	Central Avenue	Arterial (Light Rail)	60-foot west half street
	Coolidge Street	Local	20-foot south half street

CONNECT PEOPLE AND PLACES CORE VALUE; TRANSIT ORIENTED DEVELOPMENT; LAND USE PRINCIPLE; Encourage high-density housing and high intensity employment uses to locate adjacent or close to transit stations per adopted transit district plans.

The subject site is approximately 0.15 miles from the Campbell/Central Avenue light rail station and approximately 0.30 miles from the Camelback/Central Avenue light rail station. The proposal will support the vitality of Uptown Phoenix by adding housing units near light rail, major employment and educational facilities, the Phoenix Sonoran

Bikeway, and the Grand Canalscape Trail. The proposal will activate the Grand Canal in a manner consistent with the vision contained in the Uptown Transit Oriented Development Policy Plan.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLE: Establish design standards and guidelines for parking lots and structures, setback and build-to lines, blank wall space, shade, and other elements affecting pedestrians, to encourage pedestrian activity and identify options for providing pedestrian-oriented design in different types of development.

The proposal includes design and development standards to encourage walking, bicycling, and transit use. These standards include ground floor commercial, a shaded streetscape, units fronting onto the public sidewalk, parking situated away from the public street, and on-site amenities.

CONNECT PEOPLE AND PLACES CORE VALUE; BICYCLES; DESIGN PRINCIPLE: Development should include convenient bicycle parking.

The proposal includes bicycle facilities to encourage bicycling and transit use to become a way of life by leveraging its proximity to the nearby light rail station, the Phoenix Sonoran Bikeway on 3rd Avenue, and the Grand Canalscape Trail. Features include secure bicycle parking for residents, convenient racks for guests, and a bicycle repair station for residents.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal includes robust tree plantings that will provide shade along Central Avenue, along Coolidge Street, and along the Grand Canal. These improvements will create pedestrian environments with shade and a separation from vehicular traffic that will comfortably convey pedestrians to the nearby light rail, along the Grand Canal Trail, and to the Phoenix Sonoran Bikeway on 3rd Avenue.

Applicable Plans, Overlays, and Initiatives

[Transit Oriented Development Strategic Policy Framework](#): Background Item No.

4.

[Uptown Transit Oriented Development Policy Plan](#): Background Item No. 5.

[Tree and Shade Master Plan](#): Background Item No. 13.

[Complete Streets Guidelines](#): Background Item No. 14.

[Housing Phoenix](#): Background Item No. 15.

[Zero Waste PHX](#): Background Item No. 16.

[Transportation Electrification Action Plan](#): Background Item No. 17.

[Monarch Butterfly Pledge](#): Background Item No. 18.

Surrounding Land Uses and Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant	C-2 TOD-1
West	Multifamily residential	C-2 TOD-1, R-5
North (across Coolidge Street)	Multifamily residential	PUD TOD-1
East (across Central Avenue)	School	R1-6
South (across the Grand Canal)	Multifamily residential	R-4

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 1.71 acres located at the southwest corner of Central Avenue and Coolidge Street from C-2 TOD-1 (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One) to PUD (Planned Unit Development District) to allow mixed use multifamily residential.

SURROUNDING LAND USES AND ZONING

2. The subject site is currently vacant and was previously occupied by the Hinkley's Lighting Store prior to its demolition in 2023. The Zoning Sketch Map, included as an exhibit, depicts zoning entitlements for the subject site and the surrounding area.

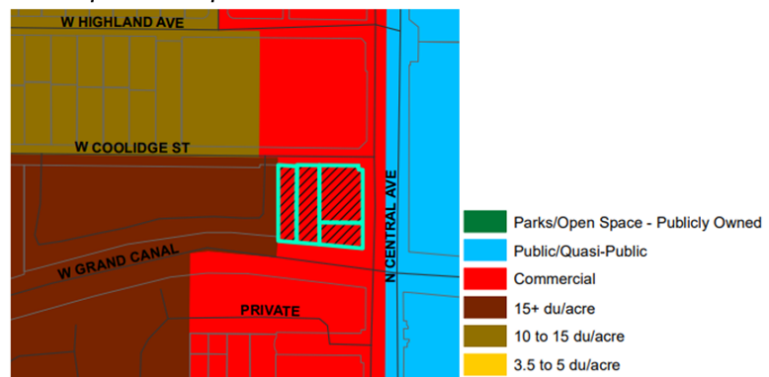
To the north, west, and south of the subject site are multifamily residential developments. The multifamily residential development to the north is zoned PUD TOD-1 (Planned Unit Development, Interim Transit-Oriented Zoning Overlay District One) and is constructed to a height of four stories. The

multifamily residential development to the west is zoned C-2 TOD-1 (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One) and R-5 (Multifamily Residential), is constructed to a height of three stories, and the zoning allows a maximum height of four stories and 48 feet. The multifamily residential development to the south across the Grand Canal is zoned R-4 (Multifamily Residence District) and is constructed to a height of two stories. To the east of the subject site across Central Avenue is Brophy College Preparatory School which is zoned R1-6 (Single-Family Residence District).

GENERAL PLAN LAND USE MAP

3. The General Plan Land Use Map depicts a designation of Commercial. The commercial land use category accommodates office, retail, and multifamily residential development at varying scales and uses. The proposed mix of commercial and residential uses is

General Plan Land Use Map; Source: Planning and Development Department



consistent with this designation. To the west of the subject site is a Residential 15+ dwelling unit per acre designation. To the north and south of the subject site are commercial designations. To the east of the subject site is designated as Public/Quasi-Public.

4. **Transit Oriented Development Strategic Policy Framework:**

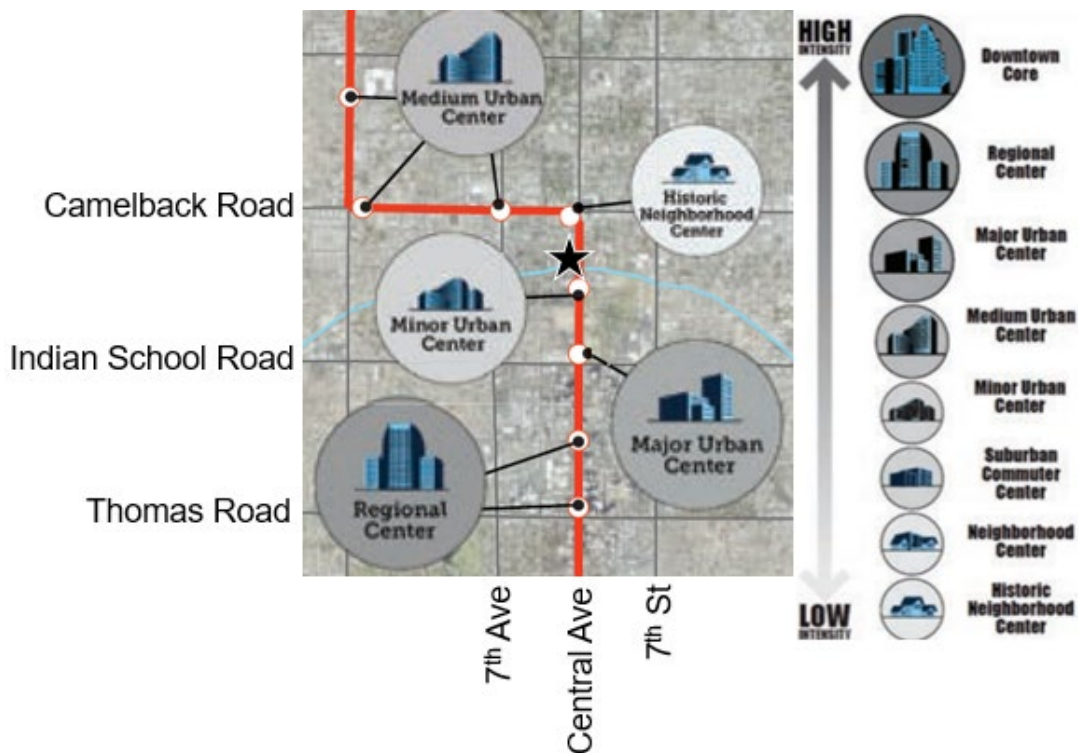
The Transit Oriented Development (TOD) Strategic Policy Framework is part of the City's General Plan. The framework identifies planning typologies to describe urban environments.

The subject site is located within 0.15 miles from the light rail station located at Campbell Avenue which is identified as a Minor Urban Center Place Type.

The Minor Urban Center Place Type is characterized by medium to low intensity with building heights typically from two to five stories with incentive heights of up to seven stories when certain bonus criteria are met. The proposal is for seven stories and is consistent with the incentive height envisioned by the Minor Urban Center Place Type. Staff is recommending Stipulation No. 2 to fulfil the incentive bonus by requiring the developer deposit money into the City of Phoenix

Developer Deposit Account for improvements to the Grand Canal. If it is not possible to reach an agreement between the City and necessary jurisdictional partners within five years of the deposit date, the funds shall be utilized for affordable housing in the City Council District 4.

Transit Oriented Development Strategic Policy Framework; Source: Planning and Development Department



5. **Uptown TOD Policy Plan:**

The site is located within the Uptown TOD Planning Area which is bound by 7th Street on the east, Indian School Road on the south, Missouri Avenue on the north, and a western boundary that follows 15th Avenue south to the Grand Canal and then 7th Avenue to Indian School Road. The policy plan for the Uptown TOD District provides a blueprint for fully achieving the transformative potential of light rail in a sustainable manner.

Changes advocated in the plan can lower transportation costs for residents, create new business opportunities, encourage active, healthy lifestyles, ensure Phoenix increases its competitive advantage in the global marketplace, and improve prosperity by growing the economy in locations with existing infrastructure and public services.

The Uptown TOD Policy Plan projects a shortfall of 10,888 housing units by 2035 and articulates a goal for more housing and employment in proximity to high-capacity transit. The proposed project will produce 155 housing units close to light rail, adjacent to existing multifamily residential development, adjacent to the Grand Canal Trail, near the Phoenix Sonoran Bikeway on 3rd Avenue, and nearby to major employers and destinations.

The Uptown TOD Plan identifies the Grand Canalscape as a “master plan” and includes a rendering of the subject site and how it may be positioned to activate the canal. The proposal includes upper story residential and ground floor commercial that is envisioned as a restaurant that will be oriented onto the canal. The Development Narrative requires a minimum 2,000 square feet of commercial space and includes additional development standards to require these treatments.

Furthermore, staff is recommending Stipulation No. 2 to require monies be put into the City of Phoenix Developer Deposit Account for improvements to the Grand Canal. Canal improvements may include items such as shade structures, art, and a gateway arch.

The subject site is identified on the Conceptual Zoning Plan in the Uptown TOD Policy Plan as being appropriate for WU Code Transect 5:5. The applicant is

Uptown TOD Policy Plan, Master Plan for Central Avenue and the Grand Canal; Source: Planning and Development Department



proposing a PUD that utilizes WU Code Transect 5:6 with modifications therefrom. While the proposed development standards exceed the recommended transect, the TOD Strategic Policy Framework contains a mechanism for achieving bonus points to warrant additional intensity.



To exceed the recommended transect contained in the Policy Plan, a project must be “mixed-use”, must comply with the Phoenix Green Construction Code in addition to achieving one of the following options: provide a minimum 30 percent of units are dedicated to long term affordability, provide a minimum 30 percent of gross site area is dedicated as public open space, a deed of conservation easement is dedicated for an eligible historic property, or provide a proportionate in-lieu fee (if a program is available) for affordable housing, parks, public parking, or other infrastructure. Staff is recommending Stipulation No. 2 to require the applicant allocate funds for improvements to the Grand Canal between Central Avenue and 3rd Avenue.

PROPOSAL

6. The proposal was developed utilizing the PUD zoning district. The Planned Unit Development (PUD) is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant authors and proposes standards and guidelines that are tailored to the context of a site on a case by case basis. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.

The Development Narrative proposes standards for the redevelopment of the site including enhanced standards to activate the canal, to activate Central Avenue, and architecture including a step-back from the Grand Canal.

7. Site Plan

The proposal is for 155 units of multifamily residential with ground floor commercial on Central Avenue and Coolidge Street, and a restaurant space with outdoor seating oriented towards the Grand Canal on the southeast corner of the subject site. The site plan depicts vehicle ingress/egress from Central Avenue and pedestrian entrances on the south, east, and north sides of the structure. Detached sidewalks are provided on both street frontages with a minimum sidewalk width of eight feet and a minimum landscape width of 13 feet between the back of curb and sidewalk on Central Avenue and a minimum sidewalk width of five feet and a minimum landscape width of five feet on Coolidge Street. Additionally, the site plan depicts an urban plaza on the southwest corner of the site that will be constructed with a stone floor, benches, and landscape shrubs.



8. Conceptual Building Elevations

The applicant is proposing a seven-story mixed-use development that provides a step-back design along the canal frontage and outdoor terraces on levels three, five, and seven. Commercial spaces are proposed to be provided on the north, east, and west sides of the development.

Conceptual Renderings, RAS Development, LLC



9. **Land Use:**

The PUD proposes a mixed-use development with ground floor commercial and multifamily residential on the upper floors. The PUD allows for all uses allowed in the Walkable Urban Code, Transect T5:6.

10. **Development Standards:**

The development narrative utilizes the development standards contained in the Walkable Urban Code, Transect T5:6 as the foundation for this PUD. The PUD proposes a minimum of 2,000 square feet of ground floor commercial and multifamily residential on floors two through seven. The development is proposed to be a maximum of 80 feet in height and does not have a maximum density. A minimum of 20 percent of the gross site area will be open space with outdoor terraces on levels three, five, and seven. Parking for residents and guests will be provided on site in a parking structure which will be screened by the building. The development will provide an indoor secured bicycle parking room with a bicycle repair station and guest bicycle parking near building entrances.

The project site has two street frontages along its northern and eastern perimeters and is bordered by the Grand Canal to the south. The PUD proposes pedestrian-friendly design standards such as a ground-floor “live/work” residential units on the canal (south) frontage, and shaded detached sidewalks and landscaped setbacks with enhanced shading standards along both street frontages. The frontage along the canal and Coolidge Street shall provide the Common Entry, Storefront, Arcade, Gallery, or Patio frontage types and the frontage along Central Avenue shall provide the Common Entry, Storefront, Arcade, or Gallery frontage types.

Below is a summary of the key development standards set forth in the narrative.

<u>Development Standards</u>	
<u>Standard</u>	<u>Proposed</u>
<i>Density</i>	No maximum
<i>Maximum Building Height</i>	80 feet
<i>Minimum Open Space</i>	20 percent
<i>Maximum Lot Coverage</i>	100 percent
<i>Building Setbacks</i>	
<i>North (Coolidge Street)</i>	10 foot maximum
<i>East (Central Avenue)</i>	12 foot maximum
<i>South (Canal)</i>	0 foot minimum
<i>West (Interior Lot Line)</i>	0 foot minimum
<i>Minimum Landscape Setbacks</i>	

<i>North (Coolidge Street)</i>	5 feet
<i>East (Central Avenue)</i>	5 feet
<i>South (Canal)</i>	0 feet
<i>West (Interior Lot Line)</i>	0 feet
<i>Streetscape Standards</i>	
<i>Coolidge Street</i>	Minimum sidewalk width: 5 feet Minimum landscape width: 5 feet between back of curb and sidewalk
<i>Central Avenue</i>	Minimum sidewalk width: 8 feet Minimum landscape width: 13 feet between back of curb and sidewalk
<i>Ground Floor Uses</i>	Minimum 2,000 square feet of ground floor space for commercial uses Minimum three ground floor “live/work” units on the canal frontage

11. **Landscape and Shade Standards:**

The PUD sets forth standards to activate the canal frontage and two street frontages (Coolidge Street and Central Avenue) with pedestrian-oriented design and a minimum of three “live/work” units oriented towards the canal. Along Central Avenue a minimum 13 foot landscape area shall be provided and along Coolidge Street a minimum five foot landscape area shall be provided. Additionally, a five foot landscape setback shall be provided on both street frontages between the building and the sidewalk.

The public sidewalks along Central Avenue and Coolidge Street shall be shaded to a minimum of 75 percent and all walks, amenity spaces, and gathering spaces along the Grand Canal shall be shaded a minimum of 50 percent. Additionally, a minimum 10 percent of the net site area shall be landscaped.

12. **Design Guidelines:**

The PUD proposes enhanced design guidelines to prioritize the pedestrian and to ensure the building is compatible with the surrounding area. The PUD sets forth requirements to activate the canal frontage with a step-backed building design, a minimum 500 square-foot urban plaza consisting of a stone floor, seating area, and landscaping in the southwest corner of the development, and a minimum of three ground floor “live/work” units with private patio spaces and direct pedestrian access to the Grand Canal.

STUDIES AND POLICIES

13. **Tree and Shade Master Plan:**

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect.

The proposal aligns with the Tree and Shade Master Plan in the following ways. First, the Development Narrative references the Walkable Urban Code requirement that all public sidewalks be shaded to a minimum of 75 percent at maturity. Second, as required by the PUD narrative, all walks, amenity spaces, and gathering spaces along the Grand Canal shall be shaded a minimum of 50 percent

14. **Complete Streets Guidelines:**

The City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles.

The Walkable Urban Code is designed to facilitate pedestrian, bicycle, and transit-oriented development and includes provisions to advance the goals of the policy guide. Further, the applicant will be required to construct improvements along Central Avenue and Coolidge Street which add landscape areas for shade trees and vegetation which will further buffer the detached sidewalks from vehicular traffic and add thermal comfort to the street environment. Additionally, as required by the PUD narrative, the applicant will provide bicycle facilities on the site that include secure parking and a bicycle repair station (fix-it station); the purpose of these amenities are to encourage residents to utilize a bicycle for recreation and transportation including along the Grand Canal, for multimodal trips on the light rail, and others.

15. **Housing Phoenix:**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with the vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing.

The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant or underutilized land in a more sustainable fashion.

16. **Zero Waste Phoenix PHX:**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs.

Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed-use developments meeting certain criteria. The PUD Narrative states that a recycling program will be provided for residences and office/common areas.

17. **Transportation Electrification Action Plan:**

In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. This is addressed in Stipulation No. 1b which requires a minimum of nine parking spaces to be EV installed.

18. **Monarch Butterfly Pledge:**

In April 2021, Mayor Kate Gallego signed the National Wildlife Federation's Mayor's Monarch Pledge. This pledge commits the city to take action to support the monarch butterfly population. In the United States, loss of milkweed habitat is a major factor in the decline of the monarchs. Arizona has at least 29 species of milkweed native to the state. Adult monarchs feed on the nectar of many flowers, but they breed only where milkweeds are found. To support the monarch butterfly population, Stipulation No.1c addresses the planting of milkweed shrubs, or other native nectar plant species, on the subject site.

COMMUNITY CORRESPONDENCE

19. As of the writing of this report, staff has received one letter of opposition. Concerns raised were regarding traffic impacts on Central Avenue to Campbell Avenue.

INTERDEPARTMENTAL COMMENTS

20. The Street Transportation Department has indicated that the developer will be required to underground existing electrical utilities within the public right-of-way as well as all irrigation facilities and requires that all street improvement be made to City and ADA standards. Furthermore, the Street Transportation Department is requiring that the developer dedicate 25 feet and construct the south half of Coolidge Street, that all sidewalks and streetscape areas are within right-of-way or a sidewalk easement, and submit a Traffic Impact Study for the proposed development. This is addressed in Stipulation Nos. 3 through 7.
21. The Public Works Department, Floodplain Management Division determined the site is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The Public Works Department provided Stipulation No. 8 to require the applicant follow and document all necessary processes and improvements.
22. The Aviation Department requires the existence and operational characteristics of Phoenix Sky Harbor Airport be disclosed to future owners and tenants. This is addressed in Stipulation No. 9.
23. The Fire Department commented that the site plan and fire hydrants must comply with the Phoenix Fire Code. Further, the Department commented that they do not know the water supply at this site and recommended the installation of an Emergency Responder Radio Coverage System.

OTHER

24. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the

City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulations Nos. 10 through 12.

25. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 13.
26. Development and use of the site are subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments may be required.

Findings

1. The development is consistent with the General Plan Land Use Map designation of Commercial.
2. The proposal advances the vision and recommendations contained in the Uptown Transit Oriented Development Policy Plan and will create strong pedestrian environments along Central Avenue, Coolidge Street, and the Grand Canal with the provision of commercial space, shaded and detached sidewalks along Central Avenue and Coolidge Street, and ground floor residential oriented towards the Grand Canal.
3. The proposal will create additional housing options in line with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030.

Stipulations

1. An updated Development Narrative for the Forty600 PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped May 25, 2023, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: May 25, 2023; City Council adopted: [Add adoption date].

- b. Page 11, Development Standards, Parking: Add the following language to this section: A minimum of 9 parking spaces shall include EV Installed infrastructure.
 - c. Page 13, Design Guidelines, B. Landscape: Add the following language to this section: A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
2. The developer and the City must agree to enter into an agreement wherein the developer will make a single \$250,000 donation to the City of Phoenix Developer Deposit Account prior to final site plan approval to construct improvements along the Grand Canal between Central Avenue and 3rd Avenue, as approved by the Planning and Development Department.
- If it is not possible for the City to reach an agreement with the necessary jurisdictional partners such as the Salt River Project after 5 years from the date of deposit, the funds shall be transferred to the Housing Department to fund the development of affordable housing in the District 4 City Council District.
3. The applicant shall submit a Traffic Impact Study/Statement to the City for this development. The developer shall be responsible for cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
5. A minimum of 25 feet of right-of-way shall be dedicated along the south half of Coolidge Street, as approved by the Planning and Development Department.
6. Detached sidewalk streetscapes must be located within right-of-way or an appropriate sidewalk easement, as approved by the Street Transportation Department.
7. The developer shall underground existing electrical utilities within the public right-of-way that are impacted or, to be relocated as part of this project. Coordinate with the affected utilities company for their review and permitting.

8. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:
 - a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
 - b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.
 - c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.
9. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
10. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
11. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
12. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

13. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Writer

Nick Klimek

Samuel Rogers

June 15, 2023

Team Leader

Racelle Escolar

Exhibits

Zoning sketch map

Aerial sketch map

Conceptual Site Plan date stamped May 31, 2023

Conceptual Building Elevations date stamped May 31, 2023 (2 pages)

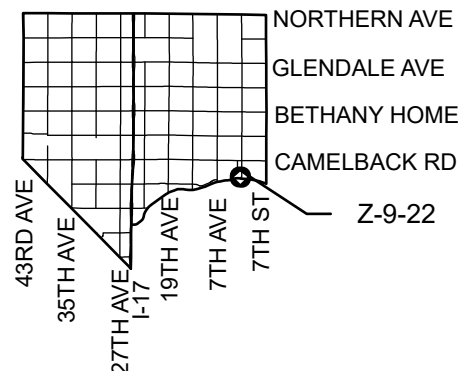
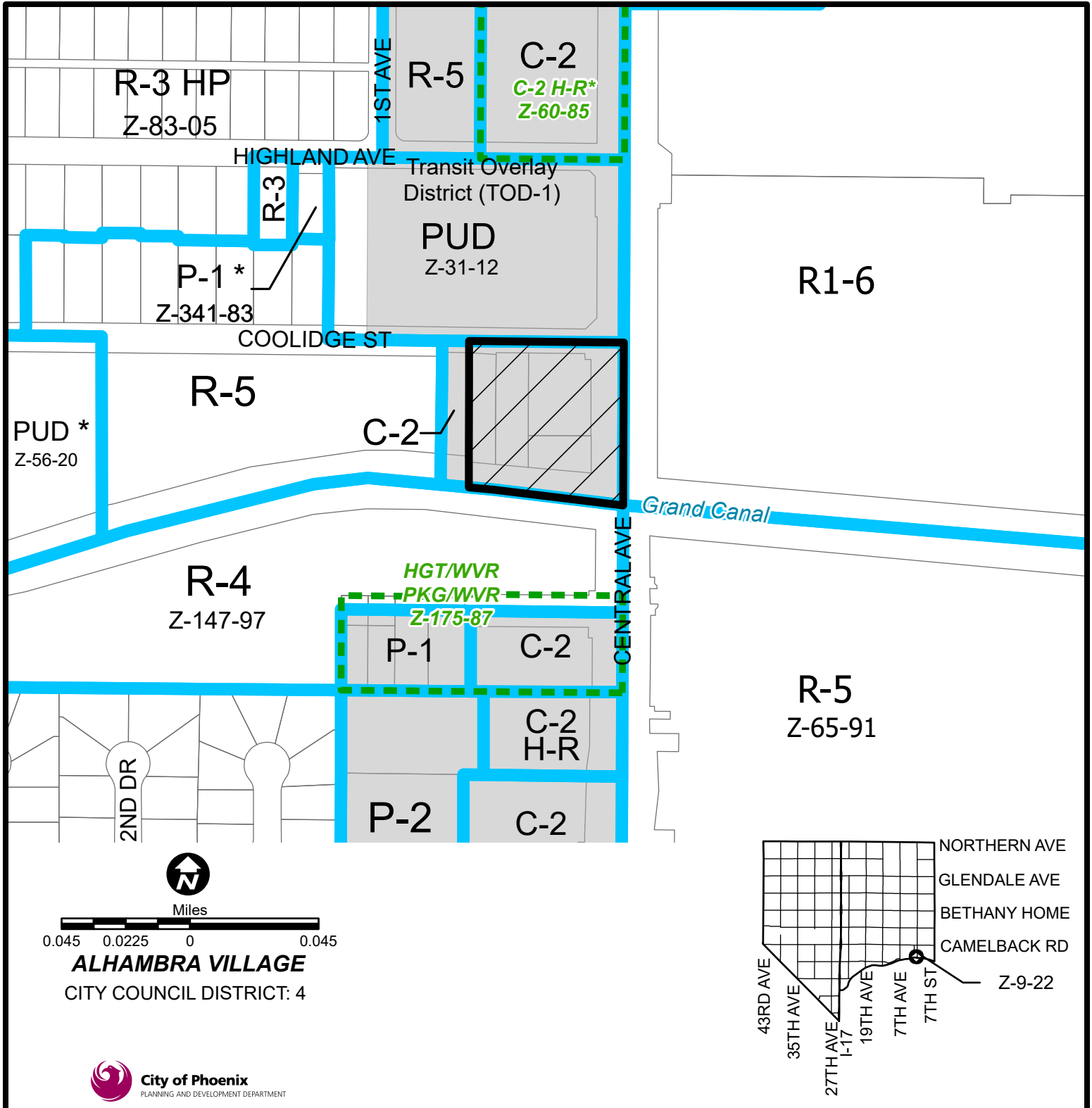
Conceptual Renderings date stamped May 31, 2023 (3 pages)

Conceptual Landscape Plan date stamped May 31, 2023

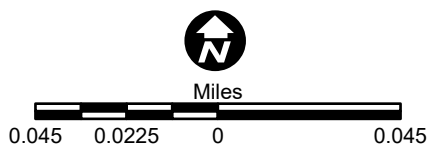
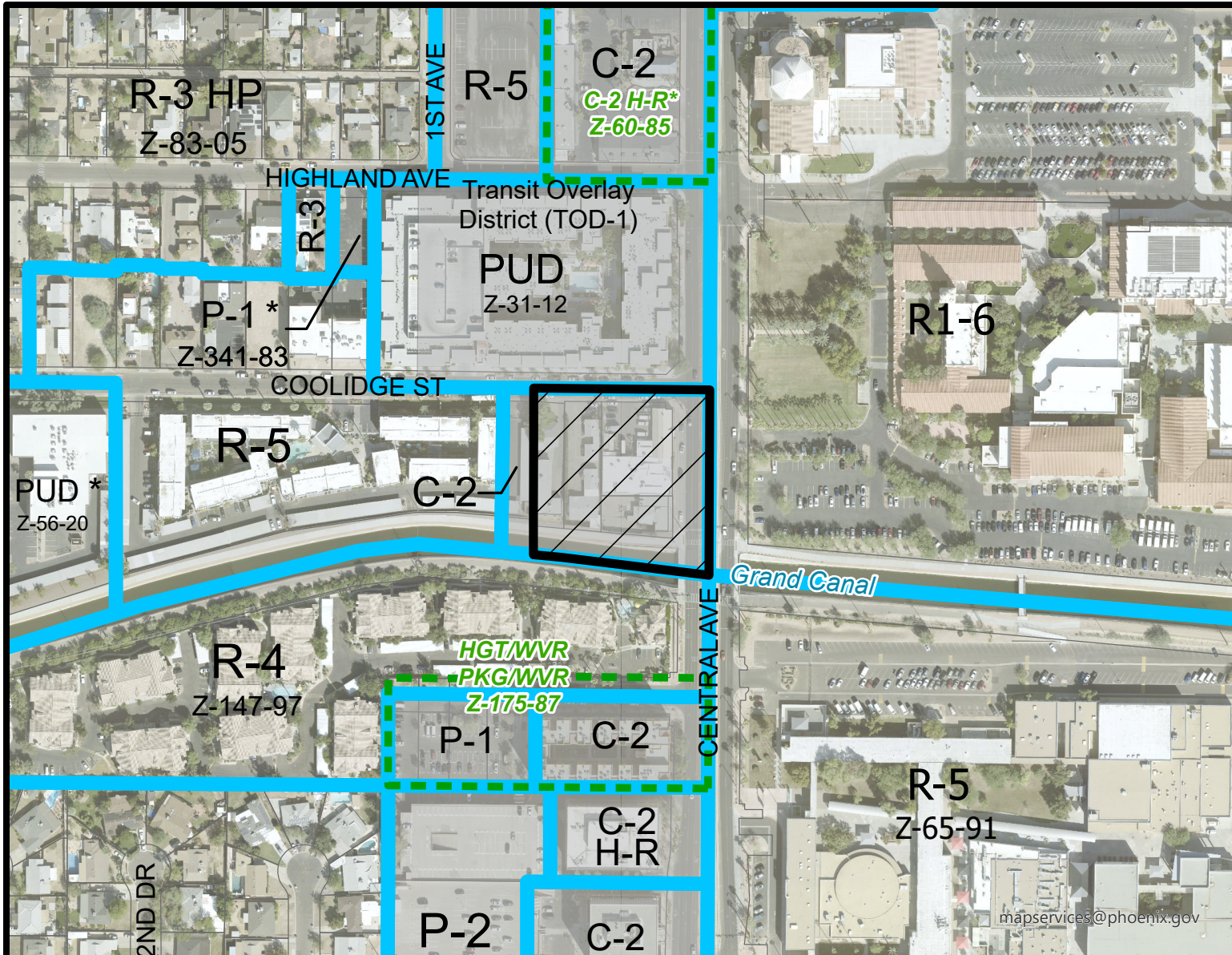
Conceptual Canal Stepback Exhibit date stamped May 31, 2023

Community Correspondence (2 pages)

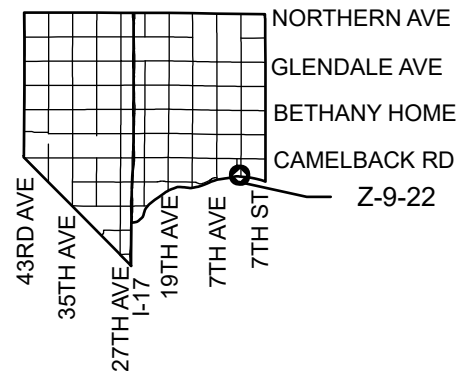
[Forty600 PUD](#) development narrative date stamped May 31, 2023



APPLICANT'S NAME: RAS Developments, Inc		REQUESTED CHANGE:	
APPLICATION NO. Z-9-22		FROM: C-2 TOD-1 (1.71 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.		TO: PUD (1.71 a.c.)	
1.71 Acres		DATE: 3/2/2022 REVISION DATES: 6/14/2023	
AERIAL PHOTO & QUARTER SEC. NO. QS 18-27		ZONING MAP H-8	
MULTIPLES PERMITTED		CONVENTIONAL OPTION	
C-2 TOD-1 PUD		25 No Maximum	
* Maximum Units Allowed with P.R.D. Bonus		* UNITS P.R.D. OPTION	
29 N/A		29 N/A	



ALHAMBRA VILLAGE
CITY COUNCIL DISTRICT: 4



APPLICANT'S NAME: RAS Developments, Inc

APPLICATION NO. Z-9-22

DATE: 3/2/2022
REVISION DATES:

6/14/2023

GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.

1.71 Acres

AERIAL PHOTO &
QUARTER SEC. NO.
QS 18-27

ZONING MAP
H-8

REQUESTED CHANGE:

FROM: C-2 TOD-1 (1.71 a.c.)

TO: PUD (1.71 a.c.)

MULTIPLES PERMITTED

C-2 TOD-1
PUD

CONVENTIONAL OPTION

25
No Maximum

* UNITS P.R.D. OPTION

29
N/A

* Maximum Units Allowed with P.R.D. Bonus



CITY OF PHOENIX
MAY 3 1 2023
Planning & Development
Department

RAS Development, LLC
AND ASSOCIATES, L.L.C.
FORTY600 MULTIFAMILY

PROJECT NO. 230-000
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EXTERIOR ELEVATIONS

A401



CITY OF PHOENIX
MAY 31 2023
Planning & Development
Department

RAS Development, LLC
FORTY600 MULTIFAMILY



PROJECT NO.	230-000
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DATE	05/01/2023
BY	MM
CHECKED BY	MM
APPROVED BY	MM

EXTERIOR
ELEVATIONS
A402



BUILDING ELEVATION 1
1/8" = 1'-0"



BUILDING ELEVATION 2
1/8" = 1'-0"

MATERIAL LEGEND

- SC 1 EPS SOFT ACRYL
- SC 2 EPS WHITE SAND
- GL 1 NON-REFLECTIVE SOLAR CONTROL LOW E
- MT 1 METAL FLAT PANEL - BRONZE
- MT 2 METAL PANEL FLUTED - ANTIQUE BRONZE
- MT 3 MEDIUM-GRADE SCREEN METAL PANELS - CHAMCO
- MT 4 METAL PANEL FLAT - AMBER
- MT 5 CUSTOM DECORATIVE METAL SCREEN PANELS
- CT 1 CONCRETE - DARK GREY
- CT 2 TEXTURED CONCRETE - DARK GREY

CITY OF PHOENIX

MAY 31 2023

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CITY OF PHOENIX

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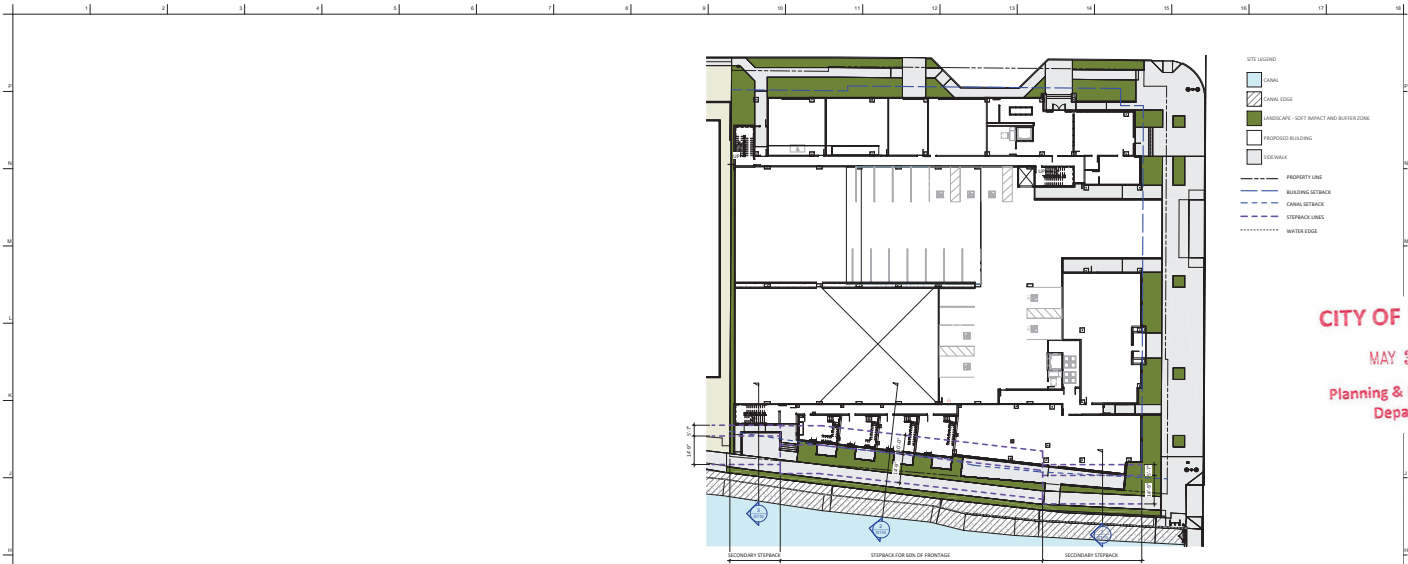


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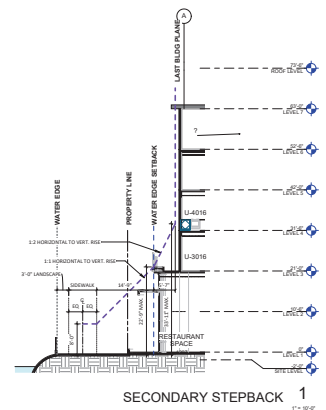
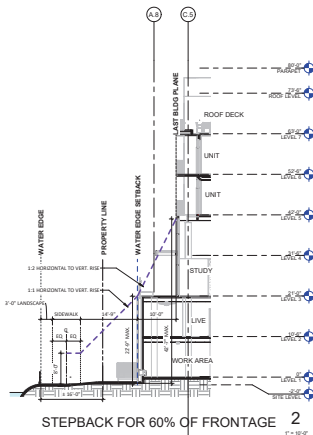
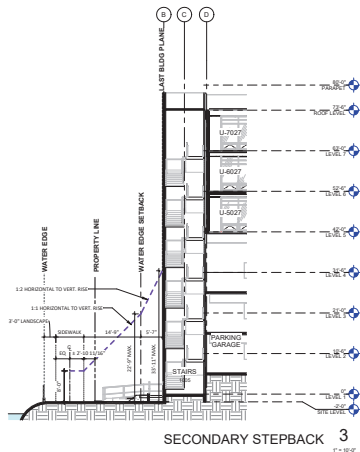
MAY 31 2023

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CITY OF PHOENIX
MAY 31 2023
Planning & Development
Department



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mergeaz.com

FORTY600 MULTIFAMILY

CANAL STEPBACK STUDY

G110

From: [Jeremy Thacker](#)
To: [Edward.Hermes@gmail.com](#); [sc@champion-pr.com](#); [nrrphx@gmail.com](#); [Nick Klimek](#); [Council District 4](#); [DIANE L MIHALSKY](#); [Dillon Hall](#); [Kristin Lisson](#)
Subject: Forty600 Central Development
Date: Monday, March 14, 2022 6:58:35 PM

Councilmember Pastor, Neighbors, and Friends,

I just attended the community meeting for Forty600 Central Ave presented by Ben Tate at Withey Morris. The development is proposed on the property located at Hinkley Lighting's location. It's a 7 story tower with retail on the bottom and luxury apartments above.

They are seeking a zoning of PUD as WUC is too restrictive. Overall, the project is a decent representation of what is planned along Central with one MAJOR CAVEAT.

They've offered no plan to help with the overall traffic along Central. Additionally, the specific traffic of the development is being redirected from Peirson Place to Carnation via Campbell.

Learning from the 3rd Ave & Canal disaster, this development will have only one entrance and exit both located on Central. Ben described this as a positive for all Pierson Place residents stating no increased traffic on Coolidge as all traffic will turn south and then wherever they are headed from there.

Much like the Ben Stiller movie where Jack Black created a spray that made dog poop disappear, just because you can't see the poop anymore doesn't mean it disappeared. Roughly half of the traffic leaving the development will be heading north or west, forcing them to u-turn or turn right on Campbell, neither of which is an acceptable scenario under current conditions. Proposing to alleviate traffic of Peirson Place and Coolidge by dumping it on Campbell and Carnation is not a solution of any kind. It's just moving the dog poop from their yards to ours.

In fairness, you can't blame the scorpion for being a scorpion. The real issue lies at the City who is responsible for a whole-istic look at development effects on traffic and Livability. While this development reasonably meets the TOD plans, the missing component is the upgrades streets and transportation Infrastructure promised. The original approved plan had 3rd St continuing around the park offering through to 7th St, drop off for Central High School and alternative routes for local traffic.

As it stands today, intersections on Central at Indian School and Camelback are rated 'F' by traffic studies. As of today, around 4000 units are at some stage of development between those 3 streets and 3rd Ave. This will effectively triple the amount of residents in this half mile block. What grade is 3x worse than an 'F'?

6000 students attend school within a half mile of Indian School Park. We are setting ourselves up for a disaster that nobody will be able to say they didn't see coming.

Ben described the issues we are facing as "growing pains". I respectfully disagree as growing pains implies growing out of the pain. The likely outcome of believing this will naturally fix itself is permanent dysfunction and affliction.

Due to the disparate and segmented neighborhoods being broken into tiny sections divided among districts, villages, and and subcommittees, we have no singular voice like Encanto or Coronado despite our community having significantly more development under way than either. We don't have a single member on the Encanto Village Planning Committee.

Right now is the last chance we have to ensure Uptown is not just filled with developments but livable and desirable for decades to come. We can't allow the fate of our homes and lives be dictated by the desires of developers. If we do, none of should be surprised by the scars left by the scorpions.

Due to the disparate and segmented neighborhoods being broken into tiny sections divided among districts, villages, and and subcommittees, we have no singular voice like Encanto or Coronado despite our community having significantly more development under way than either. We don't have a single member on the Encanto Village Planning Committee.

I'd love to hear others ideas on how we can solve this. I'll propose a couple of issues before we even look at actual solutions.

1) EVPC Representation - We should have, at least, 2 members from our neighborhood considering 7 vacancies exist.

2) Uptown United - We need all of the dozen or so smaller groups impacted by intersections at Central and Indian School and Camelback (7th to 7th and Clarendon to Missouri) to become one unified voice that is able to be heard rather than a bunch of small whispers.

Once we've got representation and access to leadership, we can then begin discussions on how to solve these issues. It's not my intention to be overly dramatic as I realize these are first world problems. With that said, it's our world and if we don't protect it, others will destroy it.

P.S. I don't think Ben Tate is a scorpion. He's always been nice to me and responsive. Just didn't have a better analogy.

Jeremy Thacker
(480) 410-1923



Village Planning Committee Meeting Summary

Z-9-22-4

INFORMATION ONLY

Date of VPC Meeting	August 23, 2022
Request From	C-2 TOD-1
Request To	PUD
Proposed Use	PUD to allow mixed use multifamily
Location	Southwest corner of Central Avenue and Coolidge Street

VPC DISCUSSION

One virtual speaker card was received from an individual opposed and wishing to speak.

Mr. Nick Klimek, staff, provided an overview of the PUD process including the purpose of this information only hearing being to solicit directive input from the Alhambra Village Planning Committee.

APPLICANT PRESENTATION

Mr. Benjamin Tate introduced himself as the applicant's representative. The subject site is small with only 1.09 net acres located at the southwest corner of Central Avenue and Coolidge Street. The site is surrounded by multifamily to the north, west, and south across the Grand Canal. The request is for Transect 5:6 which would allow a height of 80 feet which is one step more intense than the Transect 5:5 which is identified in the Uptown TOD Policy Plan. While more intense than recommended, this additional intensity comes with enhancements that are aligned with the vision for canal adjacent development contained in the Uptown TOD Policy Plan.

The development team is proposing ground floor commercial and 150 residential units in a seven story configuration with a wrapped parking structure. The project activates the canal with a food/beverage suite, live/work units, and form with multiple elevated amenity decks oriented to the canal where the building steps back from the canal. The proposal contains all of its required parking within the parking structure which is accessed from Central Avenue only. The approach to vehicular circulation and parking is in response to concerns from the Pierson Place neighborhood regarding cut-through traffic. The proposal includes many sustainability elements and may even include geothermal energy.

The traffic impact statement and trip generation model show that the traffic impact for the site will be insignificant at approximately 67 per hour at peak times.

QUESTIONS FROM COMMITTEE

Committee Member Bonilla asked who is designing and constructing the project. **Mr. Tate** responded that Merge Architecture is the designer, and that RAS Development is the developer at this time. **Committee Member Bonilla** asked if RAS had done any projects of this scale and type before. **Mr. Tate** Responded that they have not. **Committee Member Bonilla** stated that the amenity deck above the food/beverage suite will allow the restaurant to be vented properly. He expressed support for the project.

Committee Member Keyser stated that it is nice to have an applicant come early. He expressed support by describing it as the right project, in the right place, at the right time.

Committee Member Adams asked if there was neighborhood support for the project, specifically to its height. **Mr. Tate** responded that Withey Morris also represented the applicant for Z-56-20-4 which was located west on Coolidge Street and, in that case, traffic was a central issue and the neighborhood was clear that height and intensity belongs along Central Avenue and key leaders have held to that position. He added that cut-through traffic and on-street parking are major issues in the Pierson Place neighborhood and that their design eliminates those as potential issues.

Committee Member Adams asked for how the 67 vehicles per hour at peak time was calculated. **Mr. Tate** responded by explaining the internationally accepted methodology and regularly updated ITE Trip Generation Manual.

Committee Member Adams asked why the canal is a central feature of the project because they are glamorized in the renderings and are not actually very nice. **Mr. Tate** responded that the Uptown TOD Policy Plan sets that vision for the canal.

Committee Member Harris expressed support for the project and stated that the architecture looks nice. She asked if the project will include detached sidewalks. She also asked if the parking for the commercial spaces will be located within the parking structure, noting that can be confusing for prospective customers. **Mr. Tate responded** that the sidewalks along Central Avenue will not be detached but will instead function as a wider pedestrian thoroughfare as required by the "Central Avenue Development Standards." He stated that all parking is located within the parking structure in order to respond to the concerns from the Pierson Place neighborhood.

Committee Member McCabe stated that he is a fan of the Canalscape Vision and feels this project can be a model for other projects. He stated that he was originally reluctant to have the only access from Central Avenue but sees that it is in response to neighborhood concerns.

Vice Chair Bryck stated that this site is rendered in the Uptown TOD Plan and recommended the developer incorporate elements to further align the project with that vision. **Mr. Tate** thanked Vice Chair Bryck for the comments and stated that the biggest alignment in the current proposal is the food/beverage suite along the canal that is envisioned as a destination for canal users.

PUBLIC COMMENTS

Mr. Jeremy Thacker expressed concern that the project will send traffic south on Central Avenue will cut-through traffic going westbound on Campbell Avenue which has more than 600 pedestrian crossings per day. The placement of all driveways on Central Avenue advantage Pierson Place and disadvantage the Carnation Neighborhood to the south. He alleged that Committee Member Jones has conflicts of interest on both Z-56-20-4 at the southwest corner of 3rd Avenue and Coolidge Street and on the Forty600 PUD as a former owner. He expressed concern over the proposed 100 percent lot coverage as being inconsistent with the Uptown TOD Policy Plan. He stated that the developer should engage with the Carnation Neighborhood regarding the project because it will impact them most severely. He added that he obtained review comments from the City of Phoenix which identify the many problems with the project.

Committee Member Jones responded by stating that he had divested himself of the parcel and that there is no conflict of interest. He stated that there was a complaint filed for conflict of interest for Z-56-20-4 but that he was quickly cleared by the City of Phoenix.

Committee Member Malkoon stated that there should be engagement to the Carnation Neighborhood.

Committee discussion regarding traffic in Central Phoenix.

APPLICANT RESPONSE

Mr. Tate reiterated that the projected traffic impact of this project is negligible and that the project is located within the Pierson Place neighborhood and those residents have therefore been prioritized to reduce impact on their neighborhood.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION

Committee discussion regarding traffic in Central Phoenix.

Village Planning Committee Meeting Summary Z-9-22-4

Date of VPC Meeting	June 27, 2023
Request From	C-2 TOD-1
Request To	PUD
Proposal	PUD to allow mixed use multifamily
Location	Southwest corner of Central Avenue and Coolidge Street
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	8-5

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Three members of the public registered to speak on the item.

STAFF PRESENTATION

Samuel Rogers, staff, reviewed the surrounding land uses, zoning designations, and site context. Mr. Rogers displayed the proposed site plan, elevations, recommended stipulations, and concluded with staff findings.

APPLICANT PRESENTATION

Benjamin Tate, with Withey Morris Baugh, PLC, described the subject site location and surrounding land uses, details about the proposal, and presented the elevation renderings, site plan, and landscape plan. Mr. Tate described the project's features, how the project would make enhancements to the Grand Canalscape, a \$250,000 donation to the City of Phoenix for canalscape improvements, how the proposal is incorporating sustainability, and concluded with a summary of the proposal.

QUESTIONS FROM THE COMMITTEE

Committee Member Adams asked how the development addresses shaded sidewalks, what the species of milkweed shrubs will be required, and how the development will mitigate the negative impact of the canal when it is drained and cleaned. **Mr. Tate**

explained that the PUD requires the sidewalks on Coolidge Street and Central Avenue be 75% shaded at tree maturity and 50% shaded along the Grand Canal. Mr. Tate explained that the shading along the Grand Canal is limited by only being able to provide trees and shade structures within the development's property lines. **Mr. Rogers** stated he would follow up with the milkweed species names. Mr. Tate explained that the Grand Canal must be cleaned once a year and it is something that the development will need to deal with.

Committee Member Christian Solorio stated that the City of Phoenix is in an affordable housing crisis, and he is happy to hear Councilperson Pastor brought up housing affordability as one of her top priorities. Committee Member Solorio explained that in the 2023 Low Income Housing Tax Credit awards the average cost of an affordable housing unit was \$380,000 and stated that there seems to be a disconnect between the amount that would have been donated for affordable housing and the \$250,000 that will be donated for improvements to the Grand Canal. **Mr. Tate** explained that the donation amount was calculated by using a previous zoning case in 2018 where an in-lieu housing contribution was calculated on a square foot basis. Mr. Tate stated that the inflation adjusted donation amount for the in-lieu housing contribution would have been \$237,000 for this project, so the \$250,000 canalscape donation is greater than the amount the in-lieu fee would have been. Committee Member Solorio stated that a better precedent should be set.

Committee Member Pamela Fitzgerald asked if any restaurants are currently interested in occupying the canal-oriented restaurant. **Mr. Tate** stated that the developer is in talks with a user but that information has not been made public. Committee Member Fitzgerald asked how optimistic the development team is about cooperation with the Salt River Project (SRP). Mr. Tate stated he is somewhat optimistic because the south side of the canal has a service road which should satisfy SRP's maintenance needs and because SRP has worked with Scottsdale and allowed them to make canalscape improvements.

Committee Member Jim DeGraffenreid asked about traffic that will cut through neighborhoods, asked if there is sufficient light rail capacity, and stated he would like the committee to consider having the \$250,000 donation go directly to low-income housing now rather than to affordable housing in five years if an agreement between the City of Phoenix and SRP cannot be made regarding canalscape improvements. **Mr. Tate** stated that traffic impact analysis found that 150 additional units will not have a significant impact on an arterial street such as Central Avenue and stated there is sufficient light rail capacity.

Committee Member Jak Keyser stated that traffic along Central Avenue will get better once the area reaches a critical mass of mixed-use development and residents have the ability to live, work, and play in the area. Committee Member Keyser stated he worked on affordable housing between 2006 and 2016 in his area around 27th Avenue and had also worked with the Bureau of Reclamation and SRP to do canalscape improvements.

Committee Member Keyser stated that some of the fees the City of Phoenix will charge the development will go towards art.

Committee Member Elizabeth Sanchez asked for confirmation that no affordable housing is proposed as part of the development and stated that some of the development surrounding light rail and transit should be affordable. **Mr. Tate** stated that the absence of affordable housing is a result of high land cost and construction costs, not because the development team does not want to build affordable units.

Committee Member Pamela Fitzgerald stated that there are many affordable housing complexes along Camelback Road from Central to 19th and up 17th and 18th.

Committee Member Melisa Camp asked how many luxury multifamily developments are in the area, asked what type of construction will be used, will water be recaptured, and is there enough water. **Mr. Tate** stated that land cost, construction costs, and interest rates cause developers to have to build luxury developments, explained that development would be concrete on the first two stories and wood frame construction on the upper five stories and stated that water recapturing has not been discussed, but sustainability is important to the developer and the development team is open to continuing the conversation after the meeting. **Mr. Tate** stated that there is enough water to supply the development and stated that multifamily is the most water efficient form of housing. Committee Member Camp asked how and if the development will use solar and geothermal energy and asked how many basic needs will be provided in the commercial spaces. **Lorne Wallace**, the developer, explained he has had difficulty researching geothermal power because there is not much precedent for geothermal power in Arizona, and stated he is looking into solar power, but the development is restricted by the amount of available roof space. **Mr. Tate** explained that the commercial spaces have not been leased, but any use allowed in the Walkable Urban Code would be allowed. Committee Member Camp asked if the live/work units and leasing office are included in the 7,100 square feet of commercial space and if the developer is planning to sell or hold the property. **Mr. Tate** stated that the first floor of live/work units and the leasing office are counted toward the total square footage of commercial space. **Mr. Wallace** stated that he is planning to hold the property.

Committee Member Keyser stated that affordable housing does not make sense on Central Avenue because of the price per square foot and because the State of Arizona does not provide subsidies for the construction of affordable housing. Committee Member Keyser stated the development will also have to pay impact fees and asked about the fee amount that will go towards art and the total project cost. **Mr. Tate** stated that he does know the exact amount, but stated it is a lot of money.

Committee Member Jamaar Williams asked how large the area is where the \$250,000 donation towards canalscape improvements will be spent. **Mr. Tate** stated that the decision of where the \$250,000 donation is spent will be up to the City of Phoenix and added that it is in the development's best interest to have the funds spent along the stipulated stretch of canal frontage rather than only in front of the

development's frontage. Committee Member Williams asked how hopeful the development team is that SRP will allow the City of Phoenix to make improvements along the Grand Canal and asked if any other Council Members other than Councilperson Pastor had been involved in discussion with SRP. Mr. Tate stated that he thought SRP was interested in working with the City on the canalscape improvements, but SRP was not incentivized to move quickly. Mr. Tate explained that the donation funds will be spent in Councilperson Pastor's district between 7th Street and 7th Avenue, so only Councilperson Pastor had been involved in discussions with SRP.

Committee Member DeGraffenreid reiterated that he believed that the donation funds should be used for affordable housing now, rather than for canalscape improvements and explained that with land prices rising, \$250,000 will not be much money for affordable housing in five years.

Committee Member Keyser stated he does not think the citywide burden of funding affordable housing should be placed on one developer and explained that the City of Phoenix needs fund from everywhere. Mr. Keyser added that wealthy people need places to live as well, stated that wealthy people coming to Phoenix is good for the economy, and explained that if there is more money in the economy, there will be higher tax revenues that can be spent of affordable housing.

PUBLIC COMMENTS

Jeremy Thacker explained that the half mile between Central to 7th and between Indian School to Camelback will triple in population to become the densest neighborhood in the City of Phoenix with 4,500 multifamily luxury units coming into the area. Mr. Thacker explained that in these new developments there is 0% affordable-housing, 1% commercial, and 2,000 parking spaces. Mr. Thacker explained that the light rail causes all traffic leaving the development to turn south onto Central Avenue towards Mr. Thacker's neighborhood, the Carnation Neighborhood. Mr. Thacker asked why all traffic is being directed away from Coolidge Street and towards his neighborhood. Mr. Thacker stated that 2,500 square feet of commercial is not enough and explained that the restaurant space should be where the commercial is indoors, and the proposed location of the restaurant should be a patio. Mr. Thacker stated the policy framework provides height incentives if 30% of open space or affordable housing is provided and explained that to receive the height incentive the development should have to donate the equivalent cost of providing 30% open space towards improving the canalscape. Mr. Thacker stated that 30% of the \$2.5 million land cost is \$750,000, so \$750,000 should have been donated to improve the canalscape for the development to receive the height incentive. Mr. Thacker stated that paid parking should be implemented to reduce rents and encourage transit usage.

Ken Waters stated that the Uptown TOD Policy Plan states that this site calls for Transect T5, while the proposal is for Transect T6 to get an additional 24 feet in height. Mr. Waters stated that this is a good project but proposed three items that should be different. First, there should be more patio space, second the live/work units should be

converted to commercial, and third the leasing office should be moved off Central Avenue.

Ron Szematowicz stated he would be in favor of the project if the traffic stays on Central Avenue, explained multifamily developments are causing traffic issues in the area, and stated it is dangerous to turn onto Central Avenue from Coolidge Street due to the abundance of cars parked along Coolidge Street.

APPLICANT RESPONSE

Mr. Tate thanked members of the public for their comments and stated that he hopes members of the committee and the public can see the thought, effort, and patience that went into addressing community concerns. Mr. Tate stated that there are trade off with shuffling the first-floor commercial space and explained that if the restaurant is moved inside, commercial space will be lost. Mr. Tate referenced concerns about approximately 4,000 new units coming into the area and stated that the staff report references the Uptown TOD Policy Plan which projects a shortfall of approximately 10,000 housing units in the Central corridor alone. Mr. Tate asked where density should go if not near light rail and in a location designated for density in City of Phoenix policy plans. Mr. Tate stated that the Traffic Impact Analysis showed that the development will not have a significant impact on surrounding neighborhoods such as the Carnation Neighborhood. Mr. Tate stated that Mr. Waters had expressed a desire for the entirety of the project frontage along the Grand Canal to be commercial and explained that the developer is already taking a great risk by providing a restaurant with no street frontage.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

Committee Member Maurita Harris asked if the committee is able to alter the amount of the donation. **Mr. Rogers** stated that the committee may make a motion to alter any of the stipulations. Committee Member Harris stated that she would like to make a motion to increase the donation amount to \$500,000 and reduce the time frame before funds are transferred to the Housing Department to three years.

Committee Member Solorio stated that the time limit for the City of Phoenix and the Salt River Project to reach an agreement before funds are transferred to the Housing Department should be decreased to zero years.

Committee Member Harris asked if the funds are given to the Housing Department will the developer still make improvements along the Grand Canal. **Chair Bryck** asked Mr. Tate to respond to Committee Member Harris' question. **Mr. Wallace** stated that donating to the Housing Department and making canalscape improvements had not been discussed. **Mr. Tate** stated that the canal is owned by SRP and not by the developer, so improvements should be made by the City of Phoenix through cooperation with SRP. Chair Bryck summarized Mr. Tate's comment that in the current proposal either affordable housing will be funded or canal improvements somewhere

along the Grand Canal. **Mr. Rogers** clarified that, per Stipulation No. 2, canalscape improvements are required to be made between Central Avenue and 3rd Avenue.

Committee Member Harris asked where the money will go if it is given for affordable housing. **Mr. Rogers** stated that funds are required to be spent on affordable housing within Council District 4.

MOTION

Committee Member Harris made a motion to recommend approval of Z-9-22-4 per the staff recommendation with modifications to Stipulation No. 2 to increase the donation amount from \$250,000 to \$500,000 and to decrease the time limit for the City of Phoenix and the Salt River Project to reach an agreement before funds are transferred to the Housing Department from five years to zero years. **Committee Member DeGraffenreid** seconded the motion.

DISCUSSION

Committee Member Keyser stated that the proposed motion will not get past Planning Commission or City Council and stated that the committee is looking a gift horse in the mouth as the developer is offering \$250,000. Committee Member Keyser stated that the proper way to provide affordable housing should be a City Ordinance that requires a fee to be assessed on new developments that shall be used for affordable housing.

Committee Member Harris stated that she thinks the committee should still try to pass the motion even if it will not get past Planning Commission and City Council.

Committee Member Solorio stated that Committee Member Keyser was describing Mandatory Inclusionary Zoning which is illegal in Arizona. **Committee Member DeGraffenreid** stated that whether the proposed motion will get past Planning Commission and City Council, it is the responsibility of the committee to push on the City of Phoenix.

Committee Member Dina Smith asked how to the Housing Department can spend the funds if they receive them. **Mr. Rogers** stated that the fund must be used for affordable housing in Council District 4.

Committee Member Keyser stated that improving the canalscape will be good for the City and stated he would like to increase the donation amount and reduce the time frame before funds are transferred to the Housing Department to three years.

Chair Bryck stated that he was excited for the project as a former member of the ReinventPhx committee where there was a huge push towards canalscape improvements. Chair Bryck explained that this project represents a test case for canal development and stated he was hopeful that this project would catalyze canal development across the City.

Committee Member Keith Ender asked who funded other improvements along the Grand Canal. **Committee Member Keyser** stated that in Scottsdale the City of Scottsdale and the Maricopa Association of Governments funded canalscape

improvements. Committee Member Keyser echoed Chair Bryck's hopes that this development will catalyze canalscape improvements in other developments.

Committee Member Harris asked if the committee could require a total donation of \$500,000 with \$250,000 going towards canalscape improvements and \$250,000 for affordable housing. **Mr. Rogers** stated that the committee can modify or add stipulations as they see fit.

Committee Member Harris stated that she would like to make a friendly amendment to her motion to modify Stipulation No. 2 to reduce the time frame before funds are transferred to the Housing Department to three years and to require an additional \$250,000 to be donated directly to housing department. **Committee Member DeGraffenreid** accepted the friendly amendment.

Committee Member Ender stated that the developer's donation of \$250,000 is generous and stated this is not the right venue to be debating for affordable housing.

Committee Member Adams stated that increased landscaping along the canal will draw in more development that can potentially fund affordable housing.

Committee Member Solorio stated that the developer is receiving height allowances for providing the donation, so the Village Planning Committee is where the stipulations should be debated.

VOTE

4-9, motion to recommend approval of Z-9-22-4 per the staff recommendation with modifications fails with committee members DeGraffenreid, Harris, Solorio, and Williams in favor and committee members Adams, Camp, Ender, Fitzgerald, Keyser, Sanchez, Smith, Shore, and Bryck opposed.

MOTION

Committee Member Adams made a motion to recommend approval of Z-9-22-4 per the staff recommendation. **Committee Member Fitzgerald** seconded the motion.

VOTE

8-5, motion to recommend approval of Z-9-22-4 per the staff recommendation passes with committee members Adams, Ender, Fitzgerald, Keyser, Smith, Solorio, Shore, and Bryck in favor and committee members Camp, DeGraffenreid, Harris, Sanchez, and Williams opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comment.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION August 3, 2023

ITEM NO: 9	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-9-22-4 (Forty600 PUD)
Location:	Southwest corner of Central Avenue and Coolidge Street
From:	C-2 TOD-1
To:	PUD
Acreage:	1.71
Proposal:	Planned Unit Development to allow mixed use multifamily.
Applicant:	RAS Developments, Inc.
Owner:	Forty600, LP
Representative:	Benjamin Tate, Withey Morris Baugh, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Alhambra 8/23/2022 Information only.

Alhambra 6/27/2023 Approval, per staff recommendation. Vote: 8-5.

Planning Commission Recommendation: Approval, per the Alhambra Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Boyd made a MOTION to approve Z-9-22-4, per the Alhambra Village Planning Committee recommendation.

Maker: Boyd
Second: Simon
Vote: 8-0
Absent: Mangum
Opposition Present: Yes

Findings:

1. The development is consistent with the General Plan Land Use Map designation of Commercial.
2. The proposal advances the vision and recommendations contained in the Uptown Transit Oriented Development Policy Plan and will create strong pedestrian environments along Central Avenue, Coolidge Street, and the Grand Canal with the provision of commercial space, shaded and detached sidewalks along Central Avenue and Coolidge Street, and ground floor residential oriented towards the Grand Canal.
3. The proposal will create additional housing options in line with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030.

Stipulations:

1. An updated Development Narrative for the Forty600 PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped May 25, 2023, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: May 25, 2023; City Council adopted: [Add adoption date].
 - b. Page 11, Development Standards, Parking: Add the following language to this section: A minimum of 9 parking spaces shall include EV Installed infrastructure.
 - c. Page 13, Design Guidelines, B. Landscape: Add the following language to this section: A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.

2. The developer and the City must agree to enter into an agreement wherein the developer will make a single \$250,000 donation to the City of Phoenix Developer Deposit Account prior to final site plan approval to construct improvements along the Grand Canal between Central Avenue and 3rd Avenue, as approved by the Planning and Development Department.

If it is not possible for the City to reach an agreement with the necessary jurisdictional partners such as the Salt River Project after 5 years from the date of deposit, the funds shall be transferred to the Housing Department to fund the development of affordable housing in the District 4 City Council District.

3. The applicant shall submit a Traffic Impact Study/Statement to the City for this development. The developer shall be responsible for cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
5. A minimum of 25 feet of right-of-way shall be dedicated along the south half of Coolidge Street, as approved by the Planning and Development Department.
6. Detached sidewalk streetscapes must be located within right-of-way or an appropriate sidewalk easement, as approved by the Street Transportation Department.
7. The developer shall underground existing electrical utilities within the public right-of-way that are impacted or, to be relocated as part of this project. Coordinate with the affected utilities company for their review and permitting.

8. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:
 - a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
 - b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.
 - c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.
9. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
10. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
11. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
12. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.
13. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-50652, TTY use 7-1-1.

ATTACHMENT E

CITY OF PHOENIX PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:			
APPLICATION NO/ LOCATION	Z-9-22-4 (Forty 600 PUD) Southwest corner of Central Avenue and Coolidge Street	(SIGNATURE ON ORIGINAL IN FILE)	
		opposition	x
APPEALED FROM:	PC 8/3/2023	126 West Pierson Street Phoenix, AZ 85013	
	<i>PC DATE</i>	<i>STREET/ADDRESS/CITY/STATE/ZIP</i>	
TO PC/CC HEARING	CC 9/6/2023	Ken Waters 602-373-1902 Kennywaters602@gmail.com	
	<i>CC DATE</i>	<i>NAME / PHONE / EMAIL</i>	
REASON FOR REQUEST: The project leaves much to be desired on how it utilizes its premier location on the TOD and canalscape. More and better commercial/retail is called for and far more patio space.			
RECEIVED BY:	Greg Harmon	RECEIVED ON:	8/7/2023

Alan Stephenson
 Joshua Bednarek
 Tricia Gomes
 Racelle Escolar
 Stephanie Vasquez
 Diana Hernandez
 Heather Klotz
 Vikki Cipolla-Murillo

Greg Harmon
 Paul M. Li
 Village Planner
 GIS
 Applicant
 Byron Easton (for PHO Appeals)

AUG 07 2023



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development
Department

The **PLANNING COMMISSION** agenda for **August 3, 2023** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **August 10, 2023.**

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **August 10, 2023.**

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **August 10, 2023.**

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **August 17, 2023.**

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

2-9-22-4 (Forty600 PUD) SWC Central & Coolidge St.
APPLICATION NO. LOCATION OF APPLICATION SITE
Aug 3RD 2023
DATE APPEALED FROM ☒ OPPOSITION
☐ APPLICANT PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Ken Waters
PRINTED NAME OF PERSON APPEALING
126 W. Pierson St
STREET ADDRESS
Phoenix AZ 85013
CITY, STATE & ZIP CODE
KennyWaters602@gmail.com
EMAIL ADDRESS

Ken Waters
SIGNATURE
Aug 7th 2023
DATE OF SIGNATURE
602 373-1902
TELEPHONE NO.

REASON FOR REQUEST

The Project leaves much to be desired on how it utilizes its premier location on the TOD & Canalscape. More and better commercial/retail is called for. And far more patio space.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

ATTACHMENT F

Sam Rogers
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Forty600 PUD – Z-9-22-4

I am writing to express my support for Forty600, the proposed mixed-use development at the southwest corner of Central Avenue and Coolidge Street in Uptown Phoenix. The proposed development is exactly the kind of urban-oriented, multi-modal, high-quality development that the Uptown TOD plan envisions for and is needed in the Central Corridor.

I've had the opportunity to speak with the development team, review the plans, and have my questions answered. Forty600 makes full use of this infill site with mixed-use vertical development that offers ground-floor commercial and retail spaces, activation along both street frontages and the Arizona Grand Canal, and new residential opportunities under a single roof. The development will include a first-of-its-kind canal-oriented restaurant space that will serve as an amenity for one of the busiest bike and pedestrian thoroughfares in the Valley. The applicant is also making a significant contribution to future canalscape improvements along the Arizona Grand Canal, providing a regional community benefit that will help make Uptown Phoenix a bike and pedestrian destination.

Forty600 is the type of urban-focused investment and development in the Central Corridor that the City of Phoenix needs, and I am in full support of this application.

Sincerely,



Steve Lopez
340 W. Highland Avenue
Phoenix, AZ

CITY OF PHOENIX

JUN 27 2023

**Planning & Development
Department**

Sam Rogers
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Forty600 PUD – Z-9-22-4

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Forty600 is the type of urban-focused investment and development in the Central Corridor that the City of Phoenix needs, and I am in full support of this application.

Sincerely,



Name: Daniele Biswas & Lisa Schantz
Address: 1205 E Meadowbrook Ave, Phoenix, AZ 85014

CITY OF PHOENIX

JUN 27 2023

**Planning & Development
Department**

Sam Rogers
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington St.
Phoenix, AZ 85003

Dear Chair and members of the Alhambra Village Planning Committee,

Subject: Support for the Forty600 Project

I am writing to express my wholehearted support for the Forty600 Project, a groundbreaking mid-rise mixed-use development located in the vibrant Uptown Central Phoenix, at the junction of Central Avenue and Coolidge Street. This commendable initiative embodies the very essence of sustainable and inclusive urban development, promising to significantly enhance the quality of life for residents and invigorate the local economy.

Forty600 stands as a testament to the value of community engagement, meticulous planning, and innovative design. The development team has demonstrated remarkable commitment by actively seeking feedback from neighbors, stakeholders, and the City of Phoenix. The end result is a harmonious design that is compatible with the surrounding community and reflects the needs and aspirations of its residents.

The development exhibits exceptional urban design features that prioritize the pedestrian experience. The two-story storefront glazing, generous shading, and landscaping, as well as seating opportunities along Central Avenue, Coolidge Street, and the Arizona Grand Canal, not only create a welcoming atmosphere but also contribute to the visual appeal and identity of Uptown Phoenix.

Importantly, Forty600 is in alignment with the city's objectives as set out in the Uptown TOD Plan, promoting an urban and vibrant light rail corridor while encouraging pedestrian and bicycle-friendly spaces. The synergy between this project and the city's broader goals can propel Uptown Phoenix towards sustainable development, fostering community well-being and economic prosperity.

I respectfully urge the Village to recognize the immense potential of the Forty600 Project and provide it with the support and encouragement it deserves. This project represents an opportunity to make a long-lasting positive impact on the Uptown Central Phoenix community and the city as a whole.

Thank you for your time and consideration.

Sincerely,

Massimo Sommacampagna
- 13814 N. Burning Tree Pl. Phoenix, AZ 85022

CITY OF PHOENIX

JUN 27 2023

**Planning & Development
Department**

Sam Rogers
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Forty600 PUD – Z-9-22-4

I am writing to express my support for Forty600, the proposed mixed-use development at the southwest corner of Central Avenue and Coolidge Street in Uptown Phoenix. The proposed development is appropriate for that very small location and will be a high-quality development that the Uptown TOD plan envisions.

I've had the opportunity to speak with the development team, review the plans, and have my questions answered. Forty600 makes full use of a very challenging site and the ground-floor commercial and retail spaces will be attractive and interesting. The development will include a first-of-its-kind canal-oriented restaurant space that will serve as an amenity for one of the busiest bike and pedestrian thoroughfares in the Valley. The applicant is also making a significant contribution to future canalscape improvements along the Arizona Grand Canal, providing a regional community benefit that will help make Uptown Phoenix a bike and pedestrian destination.

Forty600 is the type of urban-focused investment and development in the Central Corridor that the City of Phoenix needs, and I am in full support of this application.

Sincerely,

Michael W. Freret
225 East Oregon Ave
Phoenix, AZ 85012

CITY OF PHOENIX

JUN 27 2023

**Planning & Development
Department**

Sam Rogers
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Forty600 PUD – Z-9-22-4

I would like to register my strong support for the proposed Forty600 development at the southwest corner of Central Avenue and Coolidge Street. This project represents a true archetype for the kind of urban-oriented, multi-modal, high-quality development that the Uptown TOD plan envisions for and is needed in the Central Corridor.

As a resident of nearby Midtown along the Central Avenue light rail corridor, I have witnessed the tremendous impact that smart infill development like this can have in stabilizing and enhancing neighborhoods while creating new housing opportunities and driving activity along formerly neglected commercial thoroughfares.

Forty600 is the checks all the boxes for the City's and neighborhoods needs from focused urban infill, and I am in full support of this application.

Sincerely,

Justin Graham

Name: Justin Graham
Address: 35 East Hoover Avenue
Phoenix, AZ 85004

CITY OF PHOENIX

JUN 27 2023

**Planning & Development
Department**

Sam Rogers
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
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Forty600 makes full use of this infill site with mixed-use vertical development that offers ground-floor commercial and retail spaces, activation along both street frontages and the Arizona Grand Canal, and new residential opportunities under a single roof. The development will include a first-of-its-kind canal-oriented restaurant space that will serve as an amenity for one of the busiest bike and pedestrian thoroughfares in the Valley. The applicant is also making a significant contribution to future canalscape improvements along the Arizona Grand Canal, providing a regional community benefit that will help make Uptown Phoenix a bike and pedestrian destination.

Forty600 is the type of urban-focused investment and development in the Central Corridor that the City of Phoenix needs, and I am in full support of this application.

Sincerely,



Jake Miller
2555 East Camelback Road, Suite 300
Phoenix, Arizona 85016

CITY OF PHOENIX

JUN 27 2023

**Planning & Development
Department**

Sam Rogers
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

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Forty600 is the type of urban-focused investment and development in the Central Corridor that the City of Phoenix needs, and I am in full support of this application.

Sincerely,



Name: Brian Rosella
Address: 2525 E Camelback Rd., Ste 210
Phoenix, AZ 85016

CITY OF PHOENIX

JUN 27 2023

**Planning & Development
Department**

Sam Rogers
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

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Sincerely,



Name: *Andy Smith*
Address:

*5110 N 32nd St #417
Phoenix, AZ
85018*

CITY OF PHOENIX

JUN 27 2023

**Planning & Development
Department**

Sam Rogers
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Forty600 PUD – Z-9-22-4

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Forty600 is the type of urban-focused investment and development in the Central Corridor that the City of Phoenix needs, and I am in full support of this application.

Sincerely,



Name: Adam Billmeyer

4617 E Evans Dr, Phoenix AZ

CITY OF PHOENIX

JUN 27 2023

**Planning & Development
Department**

Sam Rogers
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

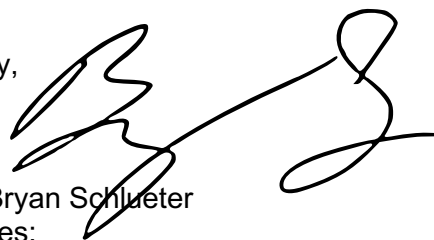
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Forty600 is the type of urban-focused investment and development in the Central Corridor that the City of Phoenix needs, and I am in full support of this application.

Sincerely,



Name: Bryan Schlueter
Addresses:

1425 E Hoover Ave
Phoenix AZ 85006

2200 E Camelback Rd Ste 213
Phoenix AZ 85016

CITY OF PHOENIX

JUN 27 2023

**Planning & Development
Department**

Sam Rogers
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

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Forty600 is the type of urban-focused investment and development in the Central Corridor that the City of Phoenix needs, and I am in full support of this application.

Sincerely,



Name: Alex Pollack

Address: 1841 E Montecito Ave Phoenix,
AZ 85016

CITY OF PHOENIX

JUN 27 2023

**Planning & Development
Department**

Sam Rogers
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

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Forty600 is the type of urban-focused investment and development in the Central Corridor that the City of Phoenix needs, and I am in full support of this application.

Sincerely,

Salvatore DeMuro

Name: Salvatore DeMuro

Address: 902 W. Hazelwood St., Phoenix, AZ 85013

CITY OF PHOENIX

JUN 27 2023

**Planning & Development
Department**



Sam Rogers
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Forty600 PUD – Z-9-22-4

I am writing to express my support for Forty600, the proposed mixed-use development at the southwest corner of Central Avenue and Coolidge Street in Uptown Phoenix. The proposed development is exactly the kind of urban-oriented, multi-modal, high-quality development that the Uptown TOD plan envisions for and is needed in the Central Corridor.

Forty600 makes full use of this infill site with mixed-use vertical development that offers ground-floor commercial and retail spaces, activation along both street frontages and the Arizona Grand Canal, and new residential opportunities under a single roof. The development will include a first-of-its-kind canal-oriented restaurant space that will serve as an amenity for one of the busiest bike and pedestrian thoroughfares in the Valley. The applicant is also making a significant contribution to future canalscape improvements along the Arizona Grand Canal, providing a regional community benefit that will help make Uptown Phoenix a bike and pedestrian destination.

Forty600 is the type of urban-focused investment and development in the Central Corridor that the City of Phoenix needs, and I am in full support of this application.

Sincerely,

Regional Vice President of Development
Arizona

CITY OF PHOENIX

JUN 27 2023

**Planning & Development
Department**



777 West Putnam Ave. Greenwich, CT 06830 O. 203.869.0900 |
C. 602.800.0300 www.therichmangroup.com

Sam Rogers
Alhambra Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: Forty600 PUD – Z-9-22-4

I am writing to express my support for Forty600, the proposed mixed-use development at the southwest corner of Central Avenue and Coolidge Street in Uptown Phoenix. The proposed development is exactly the kind of urban-oriented, multi-modal, high-quality development that the Uptown TOD plan envisions for and is needed in the Central Corridor.

Forty600 makes full use of this infill site with mixed-use vertical development that offers ground-floor commercial and retail spaces, activation along both street frontages and the Arizona Grand Canal, and new residential opportunities under a single roof. The development will include a first-of-its-kind canal-oriented restaurant space that will serve as an amenity for one of the busiest bike and pedestrian thoroughfares in the Valley. The applicant has also demonstrated that they will also be making a significant contribution to future canalscape improvements along the Arizona Grand Canal, providing a regional community benefit that will help make Uptown Phoenix a bike and pedestrian destination.

Forty600 is the type of urban-focused investment and development in the Central Corridor that the City of Phoenix needs, and I am in full support of this application.

Sincerely,

William Whittington

7333 E Doubletree Ranch Road Suite #140, Scottsdale, AZ

CITY OF PHOENIX

JUN 27 2023

**Planning & Development
Department**



Public Hearing and Ordinance Adoption - Rezoning Application Z-17-22-4 - Northwest Corner of Central Avenue and Glenrosa Avenue (Ordinance G-7157)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-17-22-4 and rezone the site from R1-6 TOD-1 (Approved C-2 H-R HGT/WVR TOD-1) (Single-Family Residence District, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One), R-3 TOD-1 (Approved C-2 H-R HGT/WVR TOD-1) (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One), R-3 TOD-1 (Approved C-2 H-R TOD-1) (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High Rise Incentive District, Interim Transit-Oriented Zoning Overlay District One), R-5 TOD-1 (Approved C-2 H-R HGT/WVR TOD-1) (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One), C-2 TOD-1 (Approved C-2 H-R HGT/WVR TOD-1) (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One), and C-2 TOD-1 (Approved C-2 H-R TOD-1) (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Interim Transit-Oriented Zoning Overlay District One) to WU Code T4:3 UT (Walkable Urban Code, Transect 4:3, Transit Uptown Character Area), WU Code T5:5 UT (Walkable Urban Code, Transect 5:5, Transit Uptown Character Area), and WU Code T6:22 UT (Walkable Urban Code, Transect 6:22, Transit Uptown Character Area) to allow mixed use and multifamily residential.

Summary

Current Zoning: R1-6 TOD-1 (Approved C-2 H-R HGT/WVR TOD-1) (1.83 acres), R-3 TOD-1 (Approved C-2 H-R HGT/WVR TOD-1) (7.59 acres), R-3 TOD-1 (Approved C-2 H-R TOD-1) (0.23 acres), R-5 TOD-1 (Approved C-2 H-R HGT/WVR TOD-1) (0.50 acres), C-2 TOD-1 (Approved C-2 H-R HGT/WVR TOD-1) (4.68 acres), C-2 TOD-1 (Approved C-2 H-R TOD-1) (0.78 acres)

Proposed Zoning: WU Code T4:3 UT (1.03 acres), WU Code T5:5 UT (2.35 acres),
WU Code T6:22 UT (12.23 acres)

Acreage: 15.61

Proposal: Mixed use and multifamily residential

Owner: Central & Turney Properties, Inc.

Applicant: Petree Development

Representative: Wendy Riddell, Berry Riddell, LLC

Staff Recommendation: Approval subject to stipulations.

VPC Action: The Encanto Village Planning Committee heard this case on June 5, 2023, and recommended approval, per the staff recommendation, with modifications, additional stipulations, and direction, by a vote of 10-2.

PC Action: The Planning Commission heard this case on Aug. 3, 2023, and recommended approval, per the Encanto Village Planning Committee recommendation, by a vote of 8-0.

The Planning Commission recommendation was appealed for a public hearing by a community member on Aug. 7, 2023.

Location

Northwest corner of Central Avenue and Glenrosa Avenue

Council District: 4

Parcel Address: 4242, 4300, 4302, 4324, 4340, 4342, 4346, 4352 and 4358 N. Central Ave.; 4301, 4305, 4311, 4315, 4321, 4325, 4329 and 4335 N. 2nd Ave.; 14, 18, 102, 108, 114, 120, 124 and 128 W. Glenrosa Ave.; and 9, 19, 21, 35, 105, 107, 109, 109, 129 and 133 W. Turney Ave.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-17-22-4) FROM R1-6 TOD-1 (APPROVED C-2 H-R HGT/WVR TOD-1) (SINGLE-FAMILY RESIDENCE DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, APPROVED INTERMEDIATE COMMERCIAL, HIGH-RISE INCENTIVE DISTRICT, HEIGHT WAIVER, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE), R-3 TOD-1 (APPROVED C-2 H-R HGT/WVR TOD-1) (MULTIFAMILY RESIDENCE DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, APPROVED INTERMEDIATE COMMERCIAL, HIGH-RISE INCENTIVE DISTRICT, HEIGHT WAIVER, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE), R-3 TOD-1 (APPROVED C-2 H-R TOD-1) (MULTIFAMILY RESIDENCE DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, APPROVED INTERMEDIATE COMMERCIAL, HIGH RISE INCENTIVE DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE), R-5 TOD-1 (APPROVED C-2 H-R HGT/WVR TOD-1) (MULTIFAMILY RESIDENCE DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, APPROVED INTERMEDIATE COMMERCIAL, HIGH-RISE INCENTIVE DISTRICT, HEIGHT WAIVER, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE), C-2 TOD-1 (APPROVED C-2 H-R HGT/WVR TOD-1) (INTERMEDIATE COMMERCIAL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, APPROVED INTERMEDIATE COMMERCIAL, HIGH-RISE INCENTIVE DISTRICT, HEIGHT WAIVER, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE), AND C-2 TOD-1 (APPROVED C-2 H-R TOD-1) (INTERMEDIATE COMMERCIAL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, APPROVED INTERMEDIATE COMMERCIAL, HIGH-RISE INCENTIVE DISTRICT, INTERIM

TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) TO WU CODE T4:3 UT (WALKABLE URBAN CODE, TRANSECT 4:3, TRANSIT UPTOWN CHARACTER AREA), WU CODE T5:5 UT (WALKABLE URBAN CODE, TRANSECT 5:5, TRANSIT UPTOWN CHARACTER AREA), AND WU CODE T6:22 UT (WALKABLE URBAN CODE, TRANSECT 6:22, TRANSIT UPTOWN CHARACTER AREA).

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

SECTION 1. The zoning of a 15.61-acre site located at the northwest corner of Central Avenue and Glenrosa Avenue in a portion of Section 20, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 1.83 acres of "R1-6 TOD-1 (Approved C-2 H-R HGT/WVR TOD-1)" (Single-Family Residence District, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One), 7.59 acres of "R-3 TOD-1 (Approved C-2 H-R HGT/WVR TOD-1)" (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One), 0.23-acres of "R-3 TOD-1 (Approved C-2 H-R TOD-1)" (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High Rise Incentive District, Interim Transit-Oriented Zoning Overlay District One), 0.50-acres of "R-5 TOD-1 (Approved C-2 H-R HGT/WVR TOD-1)" (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive

District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One), 4.68 acres of “C-2 TOD-1 (Approved C-2 H-R HGT/WVR TOD-1)” (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One), and 0.78-acres of “C-2 TOD-1 (Approved C-2 H-R TOD-1)” (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Interim Transit-Oriented Zoning Overlay District One) to 1.03 acres of “WU Code T4:3 UT” (Walkable Urban Code, Transect 4:3, Transit Uptown Character Area), 2.35 acres of “WU Code T5:5 UT” (Walkable Urban Code, Transect 5:5, Transit Uptown Character Area), and 12.23 acres of “WU Code T6:22 UT” (Walkable Urban Code, Transect 6:22, Transit Uptown Character Area).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. Conceptual site plans and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary plan approval for Parcels 2 through 4 as depicted on the Conceptual Site Plans date stamped June 1, 2023, with specific regard to the inclusion of the below elements. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.
 - a. The development shall include ground floor activation such as the

programming of building spaces adjacent to Central Avenue that may include retail or commercial uses, the choice and mix of frontage types, and the presence of indoor or outdoor public amenities that may include open spaces, and community gathering spaces.

- (1) Gray shell (finished slab, fire suppression system, store front, stubbed utilities, and 200-amp electrical panel for every 1,200 square feet) space shall be provided for all commercial and retail designated spaces.
 - b. On Parcel 2, the ground floor shall include a minimum of 10,000 square feet (for a total of 20,000 square feet) of non-residential uses. Non-residential uses shall not include lobby, exercise, reception areas, or other similar uses intended for exclusive use by residents. All required non-residential uses shall have some frontage on Central Avenue right-of-way.
 - c. On Parcel 2, the development shall utilize a continuous storefront frontage per the requirements of Section 1305.b. for a minimum of 120 linear feet along Central Avenue.
 - d. On Parcel 4, the ground floor shall include a minimum 10,000 square feet (for a total of 20,000 square feet) of non-residential uses. Non-residential uses shall not include lobby, exercise, reception areas, or other similar uses intended for exclusive use by residents. All required non-residential uses shall have some frontage on Central Avenue right-of-way.
 - e. On Parcel 4, the development shall utilize a continuous storefront frontage per the requirements of Section 1305.b. for a minimum of 120 linear feet along Central Avenue.
 - f. The building elevations for Parcels 2 through 4 shall contain a minimum of 10 percent premium materials such as brick, stone, metal, or other comparable materials on all four sides of each building.
2. The applicant shall return to the Encanto Village Planning Committee to present the site plan and elevations for Parcel 1 for review and comment prior to preliminary site plan approval.
 3. The building elevations for Parcel 1 shall contain a minimum of 10 percent premium materials such as brick, stone, metal, or other comparable materials on all four sides of each building, as approved by the Planning and Development Department.
 4. All private streets within the subject site shall be constructed with the first phase of the development as depicted on the Conceptual Phasing Plan date stamped

June 1, 2023 and be open to the public prior to the issuance of a Certificate of Occupancy, as approved by the Planning and Development Department.

5. The developer shall provide a minimum five percent of the gross site area as open space that is available to the public, as described below and as approved or modified by the Planning and Development Department.
 - a. Each open space area shall follow the guidelines established in Section 1310 of the Phoenix Zoning Ordinance.
 - b. Each open space area shall provide at a minimum seating, a drinking fountain for people and pets, art, and shade elements.
 - c. A minimum of 15,000 square feet of publicly accessible open space shall be constructed with the development of Parcel 1 as depicted on the Conceptual Site Plans date stamped June 1, 2023.
 - d. One open space node shall be provided near the intersection of the private Montecito Avenue alignment and 2nd Avenue which shall include public facing art and a minimum of one higher-order amenity such as lawn games, gardens, picnic tables, or shade canopies, or a combination of several complementary amenities.
 - e. All units adjacent to the public open space located along 2nd Avenue shall have direct unit entries and compliant frontage types as described in Table 1305.1 and there shall be a minimum of two common entries to provide direct pedestrian access from upper and interior units to adjacent sidewalks.
6. A minimum of 10 percent of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
7. The applicant shall return to the Encanto Village Planning Committee to present the stipulated public-facing art generally located at 2nd Avenue and the Montecito Avenue alignment for review and comment prior to the issuance of a Certificate of Occupancy for the first phase of development, as approved by the Planning and Development Department.
8. For the portion of the subject site zoned WU Code T5:5, the building height shall not exceed 30 feet within 35 feet of the west property line and 40 feet within 60 feet of the west property line, as approved by the Planning and Development Department.
9. For the portions of the subject site zoned WU T5:5 and T6:22, all public and private street frontages shall include a minimum of two “common entry” frontage type to provide direct pedestrian access from upper and interior units to adjacent sidewalks, as approved or modified by the Planning and

Development Department.

10. The portion of the subject site located along Glenrosa Avenue and between the centerline of the 1st Avenue alignment on the east and the 2nd Avenue alignment on the west (the western terminus of the T4:3 portion), shall be restricted to a maximum height of 30 feet within 30 feet of the south property line, as approved by the Planning and Development Department.
11. The developer shall provide corner enhancements at the intersections of Central Avenue and all public and private streets to denote the prominence of the space and shall feature enhanced landscape and/or hardscape treatments with public-facing art, as approved by the Planning and Development Department.
12. The developer shall comply with the design standards of the Central Avenue Image Enhancement guidelines. The detached sidewalk, landscape area width, and shade requirements shall comply with the Transit Uptown Character Area requirements for arterial roadways adjacent to Light Rail Corridor, as approved or modified by the Planning and Development Department.
13. The public sidewalk along Turney Avenue shall be constructed to a minimum width of 8 feet and detached from the back of curb by a minimum 5-foot-wide landscape area planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
 - a. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings.
 - b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
 - c. Drought tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
14. The existing overhead utility lines adjacent to Turney Avenue shall be relocated underground for the entirety of its frontage, as approved by the Planning and Development Department.
15. The public sidewalk along 2nd Avenue shall be constructed to a minimum width of 8 feet and detached from the back of curb by a minimum 7-foot-wide landscape area planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.

- a. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings.
- b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
- c. Drought tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.

The above described improvements shall be installed prior to the issuance of a Certificate of Occupancy for the first phase of development, as approved by the Planning and Development Department.

16. All public street frontages on 2nd Avenue shall require a landscape area between the back of sidewalk and building front that shall be planted with minimum 3-inch caliper, single trunk, shade trees planted a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

The above described improvements shall be installed prior to the issuance of a Certificate of Occupancy for the first phase of development, as approved by the Planning and Development Department.

17. The public sidewalk along Glenrosa Avenue shall be constructed to a minimum width of 6 feet and detached from the back of curb by a minimum 5-foot-wide landscape area planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.

- a. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings.
- b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
- c. Drought tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.

18. All private streets shall be overlain with dedicated public pedestrian accessway easements connecting to the public rights-of-way and the private streets shall provide the following non-vehicular pathways, amenities, and features, as approved or modified by the Planning and Development Department.

- a. Access to/from 2nd Avenue from the private street on the Montecito Avenue alignment shall be restricted to emergency vehicles, bicycles,

and pedestrians.

- b. One side of each private street shall comply with the standards contained in Section 1304.H. of the Phoenix Zoning Ordinance and be detached from the back of curb by a landscape area an average of 5 feet in width that shall be planted with minimum three-inch caliper, single trunk, shade trees planted a minimum of 20 feet on center or in equivalent groupings.
 - c. One side of each private street shall comply with the standards contained in Section 1312.D.1.c. of the Phoenix Zoning Ordinance and the landscape area shall be planted with minimum three-inch caliper, single trunk, shade trees planted a minimum of 20 feet on center or in equivalent groupings.
 - d. Where outside of public rights-of-way, intersections shall feature pedestrian enhancements such as speed tables, elevated crosswalks, and/or bulb-outs.
 - e. Include on-site bicycle routes that connect the internal streets to 2nd Avenue, Turney Avenue, and Glenrosa Avenue. The applicant shall consult with the Active Transportation Coordinator from the Street Transportation Department on the design of the bicycle facilities.
19. An internal vehicular and pedestrian circulation plan shall be provided to address ingress and egress to and from the site, vehicle loading, pick up and drop off locations, pedestrian connections to existing light rail stations. The developer shall be responsible for all cost and construction of improvements. No preliminary approval of plans shall be granted until the internal vehicular and pedestrian circulation plan has been reviewed and approved by the Street Transportation and Planning and Development Departments. This plan shall be updated, if needed, for all phases of development.
20. Along 2nd Avenue, no vehicular access shall be provided including no driveways, no private streets, and no ingress/egress to parking structures. Emergency vehicles may access the site from 2nd Avenue.
21. All refuse collection, loading, unloading, food and package delivery areas shall be accessed only from the private streets on the site.
22. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.
- a. The TIS shall analyze the offset intersection of Central Avenue and Glenrosa Avenue. The TIS shall include the necessary geometric design, tapers and dedications to align the east/west legs of the intersection to operate under a non-split phased signal. The developer

shall be responsible for all cost and construction of improvements, as approved by the Street Transportation Department.

23. Vehicular access onto Turney Avenue shall be limited to right-in/right-out, as approved by the Street Transportation Department.
24. The developer shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
 - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 75 required spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
 - c. A minimum of 20 percent of the required bicycle parking for nonresidential uses shall be secured.
 - d. A minimum of four bicycle repair stations ("fix it stations") shall be provided and maintained in areas of high visibility and near secure bicycle parking areas. At minimum, two shall be directly accessible from the public sidewalk.
 - e. Standard electrical receptacles shall be installed for a minimum of 10% of the required bicycle parking spaces for electric bicycle charging capabilities.
 - f. All nonresidential uses over 5,000 square feet of floor area shall provide one bicycle space per 25 vehicle parking spaces, with a maximum of 50 spaces.
25. Electric vehicle infrastructure shall be provided for the required parking spaces as follows: Minimum 10 percent EV Installed.
26. The developer shall dedicate a sidewalk easement for any streetscape area that falls outside of dedicated right-of-way, as approved by the Planning and Development Department.
27. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
28. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of

Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

29. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the FAA and a "NO Hazard Determination" obtained prior to the construction start date.
30. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
31. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
32. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
33. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.
34. Second Avenue, Minimum Setback:
Subject to approval of a variance, the setback from the western 2nd Avenue alignment shall be a minimum of 50 feet, subject to review and approval by the Planning and Development Department.
35. Central Avenue and Glenrosa Avenue Intersection:
The development shall modify the northwest corner the Central Avenue and Glenrosa Avenue intersection to align the east and west legs and corresponding signal modifications, as approved by the Street Transportation Department.
36. Traffic Mitigation:
 - a. The ultimate design is subject to approval from the Street Transportation Department.
 - b. The developer shall be required to complete a private maintenance agreement for all traffic calming features in the right-of-way.

- c. Within 60 days of City Council approval, the developer shall prepare the required petition application documents in coordination with the Carnation Association of Neighbors in accordance with the city standard petitioning process, as required by the Traffic Services Division, for the following traffic calming infrastructure:

(1) Install intersection traffic calming infrastructure. Locations include:

- 2nd Avenue and Campbell Avenue
- 3rd Avenue and Campbell Avenue
- 3rd Avenue and Turney Avenue
- 3rd Avenue and Glenrosa Avenue
- 3rd Avenue and Monterosa Street
- 5th Avenue and Turney Avenue

(2) Install “neckdown neighborhood gateway” curb line bump outs to narrow the street to 20 feet maximum. Locations include:

- 2nd Avenue and Turney Avenue, west side of intersection
- 1st Avenue and Glenrosa Avenue, west side of intersection

(3) Install mini roundabout at the following intersections:

- 2nd Avenue and Turney Avenue, west of neckdown neighborhood gateway
- 2nd Avenue and Glenrosa Avenue

(4) Install sidewalks at the following locations:

- Glenrosa Avenue, between 3rd Avenue and 7th Avenue
- The south side of Turney Avenue, between 2nd Avenue and 3rd Avenue

The developer shall be responsible for all funding of and construction of the approved traffic calming infrastructure and sidewalks, subject to the petition of support being provided to the Street Transportation Department within 180 days of the of the finalized petition being provided to the Carnation Association of Neighbors.

37. Traffic Mitigation:

The developer shall install a stop sign at the intersection of 2nd Avenue and Glenrosa Avenue, subject to review and approval by the Street Transportation Department.

38. Light Rail Pass:

The developer shall provide a paid 60-day light rail pass to all new residents.

39. Interim Construction Mitigation:
Various mitigation efforts including video monitoring cameras, fencing and screening, and dust proof surfaces shall be utilized to minimize impacts to the existing neighborhood, and consistent with the Interim Beautification Plan date stamped June 1, 2023.
40. Material Delivery:
Material delivery will be required to enter and exit from Central Avenue.
41. Construction Parking:
All parking for construction worker vehicles shall be on-site of in a pre-arranged off-site location.
42. No Speakers:
No outside speakers or amplified music will be permitted during construction.
43. Contact Information:
The applicant's current contact information shall be provided to the president of the Carnation Association of Neighbors.
44. Density:
A maximum unit count of 1,500 units shall be provided on the overall site, with a maximum of 375 units on Parcel 1.
45. Interim Beautification Plan:
Prior to the issuance of a Certificate of Occupancy for any building at any phase, the vacant/undeveloped sites shall be maintained in general conformance to the Interim Beautification Plan date stamped June 1, 2023, with specific regard to the following elements, as approved or modified by the Planning and Development Department.
- a. The vacant/undeveloped sites shall be maintained free of vegetation.
 - b. The vacant/undeveloped sites shall be maintained in a dust-controlled condition.
 - c. The vacant/undeveloped sites shall be enclosed by a view fence on all sides with maintenance gates only located on private streets.
46. Noise Mitigation:
Anywhere a pool is visible to a public street, the developed shall provide a sound attenuating wall.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the

decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 6th day of
September 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

EXHIBIT A

BEING WEST OF CENTRAL AVENUE, NORTH OF GLENROSA AVENUE, EAST OF 2ND AVENUE, AND SOUTH OF TURNEY AVENUE IN THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION, LOCATED AT CAMPBELL AVENUE AND CENTRAL AVENUE AS REFERENCED IN RECORDED DOCUMENT 2009-0003295;

THENCE SOUTH 00 DEGREES 15 MINUTES 41 SECONDS WEST, ALONG THE MONUMENT LINE OF CENTRAL AVENUE, A DISTANCE OF 659.32 FEET TO THE INTERSECTION OF TURNEY AVENUE AND CENTRAL AVENUE, BEING THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00 DEGREES 15 MINUTES 41 SECONDS WEST, ALONG THE MONUMENT LINE OF CENTRAL AVENUE, A DISTANCE OF 831.07 FEET TO THE MONUMENT LINE OF GLENROSA AVENUE;

THENCE NORTH 89 DEGREES 25 MINUTES 48 SECONDS WEST, ALONG THE MONUMENT LINE OF SAID GLENROSA AVENUE, A DISTANCE OF 734.08 FEET TO A 1" IRON PIPE IN HANDHOLE AT THE INTERSECTION OF 2ND AVENUE;

THENCE NORTH 00 DEGREES 15 MINUTES 12 SECONDS EAST, ALONG THE MONUMENT LINE OF SAID 2ND AVENUE, A DISTANCE OF 172.01 FEET TO A 1" IRON PIPE IN HANDHOLE AT THE INTERSECTION OF GLENROSA AVENUE;

THENCE NORTH 89 DEGREES 25 MINUTES 18 SECONDS WEST, ALONG THE MONUMENT LINE OF SAID GLENROSA AVENUE, A DISTANCE OF 108.31 FEET 1" IRON PIPE IN HANDHOLE AT THE INTERSECTION OF 2ND AVENUE;

THENCE NORTH 00 DEGREES 34 MINUTES 04 SECONDS EAST, ALONG THE CENTERLINE OF SAID 2ND AVENUE, A DISTANCE OF 658.45 FEET TO A 1" IRON PIPE IN HANDHOLE AT THE INTERSECTION OF TURNEY AVENUE;

THENCE SOUTH 89 DEGREES 28 MINUTES 13 SECONDS EAST, ALONG THE MONUMENT LINE OF SAID TURNEY AVENUE, A DISTANCE OF 838.89 FEET TO THE POINT OF BEGINNING.

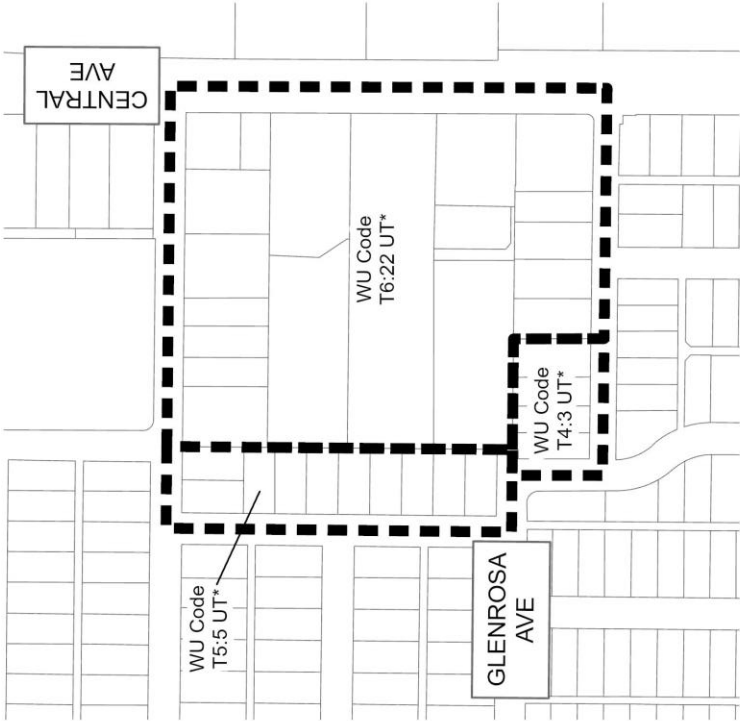
SAID PARCEL CONTAINS 680,052 SQUARE FEET OR 15.612 ACRES, MORE OR LESS.

ORDINANCE LOCATION MAP

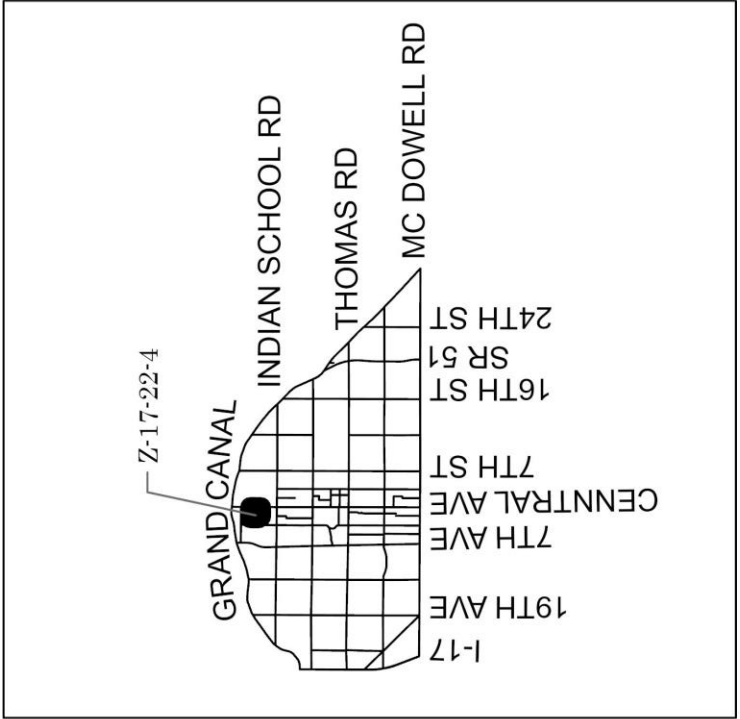
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -

Zoning Case Number: Z-17-22-4
Zoning Overlay: N/A
Planning Village: Encanto



NOT TO SCALE



Drawn Date: 8/15/2023

ATTACHMENT B



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-17-22-4

June 1, 2023

Encanto [Village Planning Committee](#) June 5, 2023

Meeting Date:

[Planning Commission](#) Hearing Date: August 3, 2023

Request From:

[R1-6 TOD-1](#) (Approved [C-2 H-R H/W TOD-1](#)) (Single-Family Residence District, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One) (1.83 acres), [R-3 TOD-1](#) (Approved [C-2 H-R H/W TOD-1](#)) (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One) (7.59 acres), [R-3 TOD-1](#) (Approved [C-2 H-R TOD-1](#)) (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High Rise Incentive District, Interim Transit-Oriented Zoning Overlay District One) (0.23 acres), [R-5 TOD-1](#) (Approved [C-2 H-R H/W TOD-1](#)) (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One) (0.50 acres), [C-2 TOD-1](#) (Approved [C-2 H-R H/W TOD-1](#)) (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One) (4.68 acres), [C-2 TOD-1](#) (Approved [C-2 H-R TOD-1](#)) (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Interim Transit-Oriented Zoning Overlay District One) (0.78 acres)

Request To:

[WU Code T4:3 UT](#) (Walkable Urban Code, Transect 4:3, Transit Uptown Character Area) (1.03 acres), [WU Code T5:5 UT](#) (Walkable Urban Code, Transect 5:5, Transit Uptown Character Area) (2.35 acres), [WU Code T6:22 UT](#) (Walkable Urban Code, Transect 6:22, Transit Uptown Character Area) (12.23 acres)

Proposed Use:

Mixed use and multifamily residential

Location:

Northwest corner of Central Avenue and Glenrosa Avenue

Owner:

Central & Turney Properties, Inc.

Applicant:

Petree Development

Representative:

Wendy Riddell, Berry Riddell, LLC

Staff Recommendation:

Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Commercial	
Street Map Classification	Central Avenue	Arterial Street (Light Rail)	50 foot west half street
	Turney Avenue	Local Street	30 foot south half street
	Glenrosa Avenue	Local Street	25 to 30 foot north half street
	2nd Avenue	Local Street	30 foot east half street
<p>CONNECT PEOPLE AND PLACES; TRANSIT ORIENTED DEVELOPMENT CORE VALUE; LAND USE PRINCIPLE: <i>Encourage high-density housing and high intensity employment uses to locate adjacent or close to transit stations per adopted transit district plans.</i></p> <p>The proposal will place approximately 1,600 dwelling units on an underutilized site directly adjacent to light rail, near two light rail stations, and implement the recommended transects identified on the Uptown Transit Oriented Development Policy Plan. The proposal, as stipulated, will promote transit oriented development through relatively small blocks, shaded and detached sidewalks along all public and private streets, the provision of pedestrian and bicyclist amenities, and a mix of land uses. Additionally, the site layout meets the standards outlined in the WU Code.</p>			

CONNECT PEOPLE AND PLACES; TRANSIT ORIENTED DEVELOPMENT CORE VALUE; LAND USE PRINCIPLE: *Support compact, small block, mixed use development in appropriate locations.*

The proposal, as stipulated, will develop the subject site at a gross density of 102 dwelling units per acre, in four relatively small blocks, and with a mix of ground floor residential and non-residential spaces. Additionally, the proposal will utilize the 25 percent by-right parking reduction allowed by the Walkable Urban Code due to its proximity to light rail and encourage walking, bicycling, and transit-use through well shaded and engaging streetscape environments.

CONNECT PEOPLE AND PLACES; TRANSIT ORIENTED DEVELOPMENT CORE VALUE; LAND USE PRINCIPLE: *DESIGN PRINCIPLE: Design public infrastructure to include pedestrian and bicycle amenities.*

The proposal includes both pedestrian and bicycle oriented design to encourage alternative transportation modes for future residents and patrons of the development but also the greater community. Pedestrian features, as stipulated, include relatively small blocks, a mix of land uses, engaging building fronts, and streetscape plazas along Central Avenue. Bicycle features, as stipulated include secure bicycle parking for residents, convenient bicycle parking for guests, and multiple bicycle repair stations that will complement the nearby Phoenix Sonoran Bikeway (3rd Avenue) and nearby high-capacity transit lines by promoting multimodal trips.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLE: *Establish design standards and guidelines for parking lots and structures, setback and build-to lines, blank wall space, shade, and other elements affecting pedestrians, to encourage pedestrian activity and identify options for providing pedestrian-oriented design in different types of development.*

The proposal utilizes the Walkable Urban Code which includes design guidelines and development standards to encourage walking, bicycling, and transit use. These standards include shaded streetscapes, units fronting onto the public sidewalk, parking situated away from the public street, and on-site amenities for both residents of the site and residents of the surrounding neighborhood.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; DESIGN PRINCIPLE: *Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.*

The proposal includes robust tree plantings between the back of curb and the building fronts including a detached sidewalk that will be shaded to 75 percent with shade trees. These improvements will serve not only the residents of the development but will also make the walk more comfortable from the adjacent neighborhood to the light rail and other nearby amenities such as Steele Indian School Park.

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.

The proposal will introduce new housing opportunities in Central Phoenix with close access to two light rail stations, a major community park, and the Encanto Village Core. These additional housing opportunities supports goals contained in the Housing Phoenix Plan to preserve and create 50,000 units by 2030.

CONNECT PEOPLE AND PLACES CORE VALUE; INFILL DEVELOPMENT; LAND USE PRINCIPLE: Promote and encourage compatible infill development with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.

The proposal will activate a site that has been vacant and underutilized since 1986 and, as stipulated, includes compatibility features such as deeper build-to lines to allow for a stronger tree canopy that will act as a transition to the surrounding neighborhood. Additionally, as stipulated, the development will create housing opportunities within the North Central Employment Center.

Applicable Plans, Overlays, and Initiatives

[Uptown Transit Oriented Development Policy Plan](#): Background Item No. 5.

[Transit Oriented Development Strategic Policy Framework](#): Background Item No. 7.

[Encanto Village Character Plan](#): Background Item No. 8.

[Tree and Shade Master Plan](#): Background Item No. 19.

[Complete Streets Guidelines](#): Background Item No. 20.

[Comprehensive Bicycle Master Plan](#): Background Item No. 21.


[Housing Phoenix](#): Background Item No. 22.

[Zero Waste PHX](#): Background Item No. 23.

[Monarch Butterfly](#): Background Item No. 24

[Transportation Electrification Action Plan](#): Background Item No. 25

Surrounding Land Uses and Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant / undeveloped	Various
West (across 2nd Avenue, north of Glenrosa Avenue)	Single-family residences	R1-6 (Single-family Residence District) and R-3 (Multifamily Residence District)
West (across 2nd Avenue, south of Glenrosa Avenue)	Single-family residences	R-3 (Multifamily Residence District)
North (across Turney Avenue, east of 2nd Avenue)	Multifamily residences	R-4A TOD-1 (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District - One)
	Commercial building	C-2 TOD-1 (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District - One)
North (across Turney Avenue, west of 2nd Avenue)	Single-family residences	R-3 (Multifamily Residence District)
South (across Glenrosa Avenue, east of 1st Avenue)	Commercial building	C-3 TOD-1 (General Commercial, Interim Transit-Oriented Zoning Overlay District - One)
	Parking	P-1 TOD-1 (Passenger Parking, Limited, Interim Transit-Oriented Zoning Overlay District - One)
South (across Glenrosa Avenue, east of 1st Avenue)	Single-family residences	R1-6 (Single-family Residence District)
East (across Central Avenue)	Steele Indian School Park	R-5 TOD-1 (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District - One)
	Vacant land	UR TOD-1 (Urban Residential, Interim Transit-Oriented Zoning Overlay District - One)
	Commercial building	C-2 TOD-1 (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District - One)
	High School Athletic Fields	R-5 (Multifamily Residence District)

Walkable Urban Code Standards of General Applicability to the Subject Site		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed site Plan</u>
Density	No maximum	102 dwelling units per acre
Parking Structure	Cannot exceed building height	Met
Building Height		
T4:3	40 foot maximum height	40 feet (Met)
T5:5	56 foot maximum height	56 feet (Met)
T6:22	250 foot maximum height	240 feet (Met)
Parking Due to proximity to light rail, multifamily allows a 25% by-right reduction and commercial allows a 20% by-right reduction.	Per Applicant: 1,783 minimum parking spaces required; 1,905 spaces provided	1,905 spaces provided (Met).
Public Open Space	5% minimum of gross area	4.34% provided (Not Met)
Streetscapes		
Central Avenue	Per adopted plans.	No detail provided
Glenrosa Avenue	Per Section 1312.C.1.c. for Minor Collectors and Local Streets: Minimum sidewalk width of five feet; Minimum landscape width of five feet (if no public utility conflict).	Detached sidewalks. Not dimensioned.
Turney Avenue		
2nd Avenue		
Internal Streets	No standard for private streets	
Primary and Secondary Frontage Assignments (Conceptual)		
Preliminary frontage assignments will be refined in site plan review. <ul style="list-style-type: none"> <u>Vehicular access</u>. Only permitted on Secondary Frontages. <u>Percent Building Frontage</u>: More building frontage required on Primary Frontage. <u>Build-to Lines and Parking Setbacks</u>: Slightly larger on Primary Frontage. <u>Projections into Right-of-Way</u>: Larger in Primary Frontage. <u>Loading and unloading</u>. Only permitted on a Secondary Frontage. 		
*Variance or administrative adjustment required.		

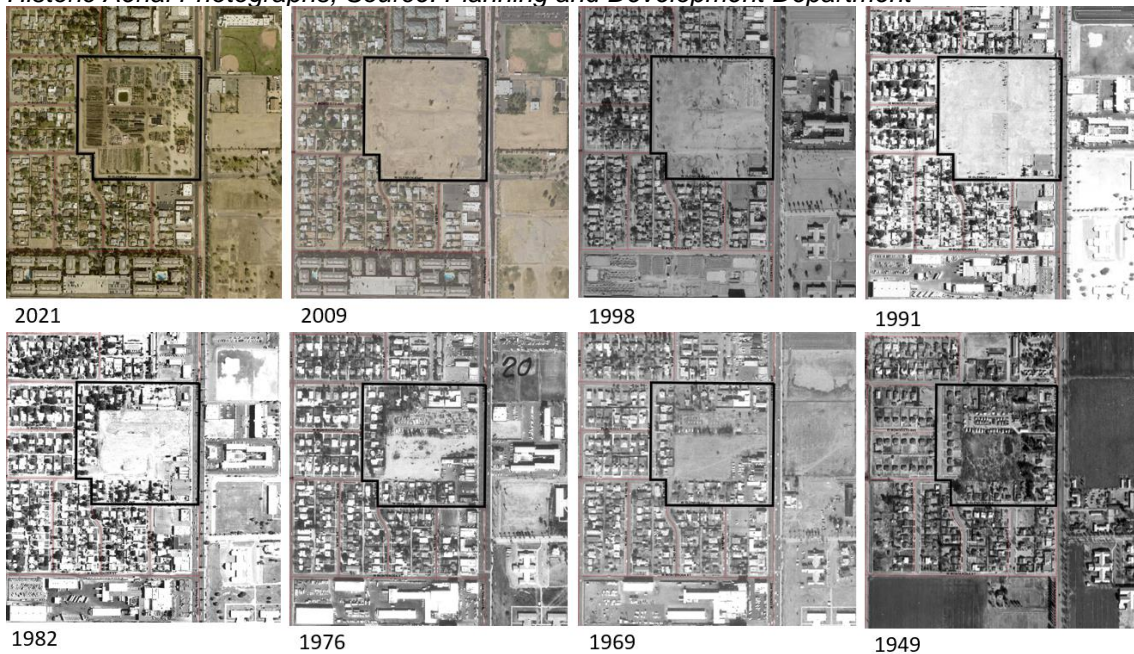
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 15.61 acres located at the northwest corner of Central Avenue and Glenrosa Avenue from R1-6 TOD-1 (Approved C-2 H-R H/W TOD-1), R-3 TOD-1 (Approved C-2 H-R H/W TOD-1), R-3 TOD-1 (Approved C-2 H-R TOD-1), R-5 TOD-1 (Approved C-2 H-R H/W TOD-1), C-2 TOD-1 (Approved C-2 H-R H/W TOD-1), and C-2 TOD-1 (Approved C-2 H-R TOD-1) to WU Code T4:3 UT, WU Code T5:5 UT, and WU Code T6:22 UT for the purpose of mixed use and multifamily residential.

The subject has been entirely vacant and undeveloped since 1986 but was temporarily used as a plant nursery and community garden from 2016 to 2021. Prior to that time, there were a variety of uses on the site on historic aerial photographs including single-family residences along the north, south, and western perimeters of the site, commercial along Central Avenue, and uses of a more intense agricultural character at the interior of the site.

Historic Aerial Photographs; Source: Planning and Development Department



There have been multiple development proposals for the subject site over the past decades including several that resulted in zoning entitlements for significant height and intensity. Most notably, the site received zoning approval in 1984 through Rezoning Case Nos. 344-83 and Z-91-84 to allow a height of 500 feet on the entire site, subject to stipulations.

Existing Entitlements, Rendering; Source: Berry Riddell



In 2003, the City of Phoenix adopted Interim Transit-Oriented Zoning Overlay District – One (TOD-1) which was applied to the entire subject site and many others throughout the areas that would be served by the first phase of light rail construction. Broadly, the TOD-1 prohibits auto-oriented uses, supersedes auto-oriented development standards such as broad setbacks and walled complexes, and is intended to support a compact pattern of development more conducive to walking, bicycling, and transit use. The TOD-1 was specifically intended to be replaced by the WU Code through the rezoning process which provides more robust transit oriented development standards. The adoption of the TOD-1 represented a policy shift for areas adjacent to light rail regarding the form of development appropriate near light rail.

Whereas previous entitlements may have permitted or required broad setbacks, the TOD-1 established minimum build-to lines and streetscape standards like those that what would later be adopted in the WU Code. While the current zoning approvals permit a significant amount of intensity, the approvals were subject to a variety of development standards and stipulations which reflected common practices of the era that are not consistent with the requirements of the TOD-1 nor the vision contained in the Uptown TOD Policy Plan for walkable and transit-oriented development. Examples of incompatible stipulations include 1) a requirement for a vehicular bridge on 3rd Avenue across the Grand Canal and 2) a requirement that the development be constructed in substantial conformance to the 1984 site plan, including the building heights and the location of a parking structure situated at the northwest corner of the site.

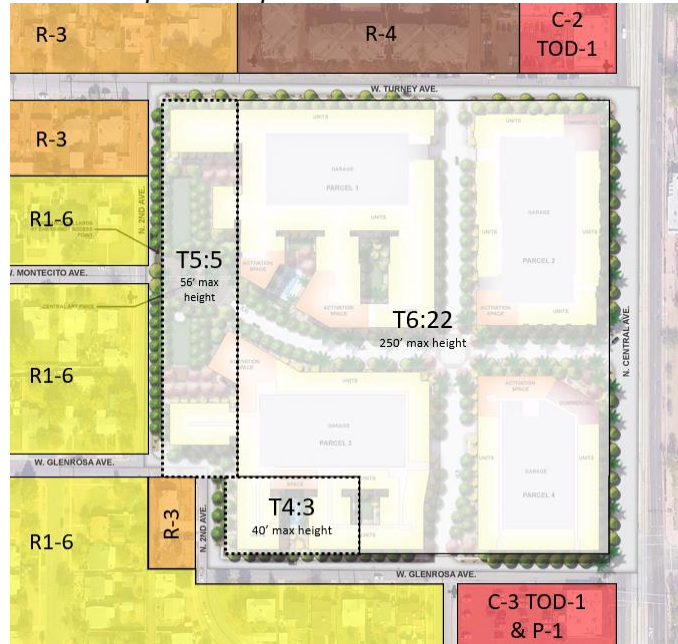
SURROUNDING LAND USES AND ZONING

2. The subject site is currently vacant and undeveloped and, aside from a brief activation as a plant nursery and community garden, has been mostly vacant since 1986.

North, across Turney Avenue:

Of the frontage adjacent to the subject site beginning east to west: a portion is developed as commercial and zoned C-2 TOD-1, a portion is developed as multifamily residence district with R-4A zoning, and the remainder is developed as single-family residences with R-3 zoning.

Proposed Zoning and Adjacent Zoning; Source: Planning and Development Department.



South, across Glenrosa Avenue: Of the frontage adjacent to the subject site beginning east to west: a portion is developed as commercial and zoned C-3 TOD-1 and an associated parcel is developed as surface parking and zoned P-1 TOD-1, a portion is developed as single-family residences and zoned R1-6, and a small portion is developed as a single-family residence and zoned R-3.

West, across 2nd Avenue: Of the frontage adjacent to the subject site beginning south to north: a small portion is developed as a single-family residence and zoned R-3, the majority is developed as single-family residences and zoned R1-6, and another small portion is developed as a single-family residence and zoned R-3.

East, across Central Avenue: Of the frontage adjacent to the subject site beginning south to north: a small portion is a public park and zoned R5 TOD-1, a portion is vacant and zoned U-R TOD-1 for multifamily residential, a portion is newly vacant and zoned C-2 TOD-1, and the remainder is zoned R-5 and developed as athletic fields for a public school.

GENERAL PLAN LAND USE MAP

3. The General Plan Land Use Map depicts a designation of Commercial for the subject site and the proposal for commercial and multifamily is consistent with the designation.

West of Central Avenue: The subject site is adjacent to land with General Plan Land Use Map designations of Residential 15+ dwelling units per acre to the north, to Residential 3.5 to 5 dwelling units per acre to the west, southwest, and northwest, and to Commercial on the south.

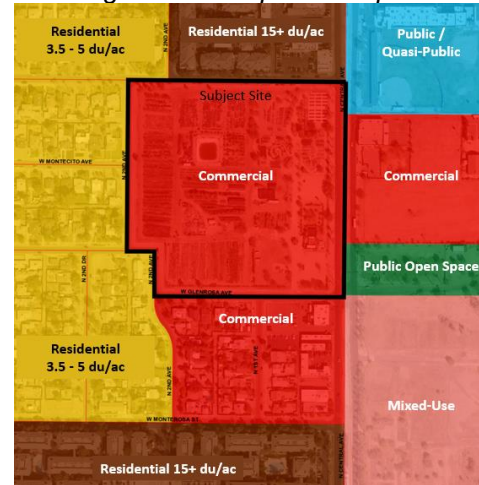
Across Central Avenue: The subject site is adjacent to land with General Plan Land Use Map designations of Parks /Open Space, Commercial, and Public/Quasi-Public.

The subject site is also located within the study areas for the Transit Oriented Strategic Policy Framework, the Uptown Transit Oriented Development Policy Plan areas which supplement the General Plan, and within a quarter mile from the Encanto Village Core.

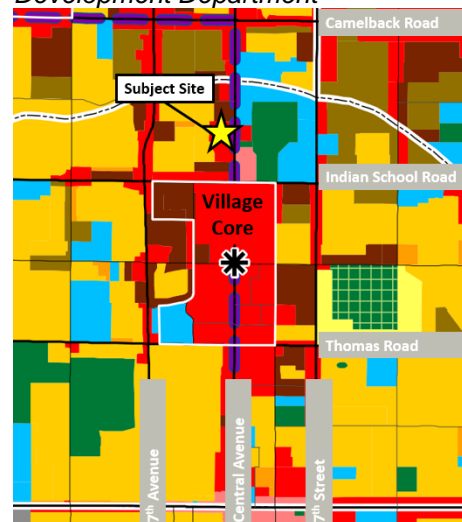
4. The subject site is located within a quarter mile of the Encanto Village Core which is located immediately south of Indian School Road from approximately 7th Avenue on the west, to 3rd Avenue on the east, and Thomas Road on the south. Since the 1980s, the village cores were where the greatest intensity was envisioned in these villages and this concept remains central to the Connected Oasis vision contained in the 2015 Phoenix General Plan.

While outside the formal boundary of the Encanto Village Core, the proposal is within a short walk, a short bike ride via Central Avenue or 3rd Avenue (the Phoenix Sonoran Bikeway), or a single light rail stop. The proposal is designed in a manner that complements the vision for Uptown Phoenix as articulated through adopted policies, described in this staff report.

General Plan Land Use Map; Source: Planning and Development Department



Encanto Village Core, General Plan Land Use Map; Source: Planning and Development Department



5. **Uptown TOD Policy Plan:**

The site is located within the Uptown TOD Planning Area, which is bound by Missouri Avenue on the north, 7th Street on the east, Indian School Road on the south, and the western edge is generally 7th Avenue south of the Grand Canal and 15th Avenue north of the Grand Canal.

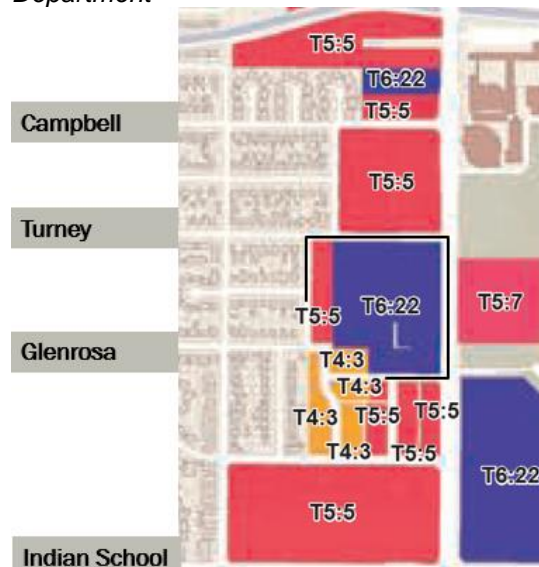
The policy plan for the Uptown TOD District provides a blueprint for fully achieving the transformative potential of light rail in a sustainable manner. Changes advocated in the plan can lower transportation costs for residents, create new business opportunities, encourage active, healthy lifestyles, ensure Phoenix increases its competitive advantage in the global marketplace, and improve prosperity by growing the economy in locations with existing infrastructure and public services.

The plan projects a shortfall of 10,888 housing units by 2035 and articulates a goal for more housing and employment in proximity to high-capacity transit. The proposal would add approximately 1,600 dwelling units near light rail, major employers such as the Carl T. Hayden VA Medical Center that employs more than 2,400, educational facilities including four high schools, and the 74-acre Steele Indian School Park.

With specific regard to the subject site, the Uptown TOD District Plan provides the following guidance:

Uptown TOD Policy Plan, Conceptual Zoning Plan; Source: Planning and Development Department

The site is depicted on the Conceptual Zoning Plan with recommended Transects of 4:3, 5:5, and 6:22. The plan depicts: much of the site as Transect 6:22 which allows a maximum height of 250 feet, Transect 5:5 along 2nd Avenue north of Glenrosa which allows a maximum height of 56 feet, and Transect 4:3 which allows a maximum height of 40 feet along a portion of Glenrosa Avenue. The applicant's proposal is consistent with the Conceptual Zoning Plan.



6. The subject site is also depicted within the Illustrative Master Plan which is intended to “to help identify opportunity sites, address areas needing urban “repair”, propose a system of open spaces, illustrate the scale and type of development, and to provide guidance for the Walkable Urban form based code.”

For the subject site, the plan contains the following description: “An infill development is proposed that restores the street network and transitions from higher density development along Central Avenue to smaller scale building types facing the existing neighborhood.

Uptown TOD Policy Plan, Illustrative Master Plan for Steele Indian School Park; Source: Planning and Development Department

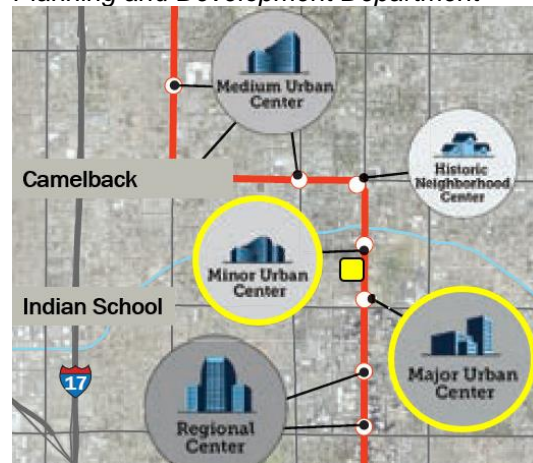


The proposal, as stipulated, is consistent with this Illustrative Master Plan in that it restores the street network on the Montecito alignment and the 1st Avenue alignment, places the greatest intensity along Central Avenue, transitions to lower intensity as it approaches 2nd Avenue on the west and the western portion of Glenrosa Avenue, and integrates publicly accessible open space.

7. **Transit Oriented Development Strategic Policy Framework:**

The Transit Oriented Development Strategic Policy Framework is part of the City’s General Plan. The framework identifies planning typologies to describe urban environments for the 42 station areas within the current and future light rail system. The subject site is located within a quarter mile of two light rail stations including Campbell Road which is identified as a Minor Urban Center Place Type and Indian School Road which is identified as a Major Urban Center Place Type.

Transit Oriented Development Strategic Policy Framework, Place Type Map Excerpt; Source: Planning and Development Department



The Minor Urban Center Place Type is characterized by medium-low intensity with building heights typically from two to five stories with incentive heights of up to 7 stories. The Major Urban Center Place Type is characterized by medium-

high intensity with heights typically from four to eight stories with incentive heights up to 15 stories. The development proposal contains elements that are consistent with the intensity envisioned by the both applicable Place Types. While the maximum height of 240 feet proposed by the applicant exceeds the range within either Place Type, the recommended intensity from the Uptown TOD Policy Plan's Conceptual Zoning Plan prevails, thus overcoming the apparent conflict.

Hierarchy of Policy Guidance: Uptown District Plan vs. TOD Strategic Policy Framework.

Both the Uptown TOD Policy Plan (the District Plan) and the TOD Strategic Policy Framework provide guidance on the appropriate scale and intensity of development near light rail. However, the TOD Strategic Policy Framework explicitly states that the district plan shall prevail when a conflict exists.

Excerpt from the TOD Strategic Policy Framework; Source: Planning and Development Department

E.5 Increase heights and intensities in accordance with adopted District Plans. If there is a conflict between the District Plan and the Place Type, the District Plan prevails.

The rationale is based on scope and the depth of research for both plans. Unlike the TOD Strategic Policy Framework which analyzed 42 station areas across the complete build-out of the eventual light rail system, the Uptown TOD Policy Plan focused on a much smaller area and the Conceptual Zoning Plan was intended as a blue-print for a single rezoning action that would replace traditional districts with the WU Code. While the single rezoning action did not occur for various reasons, the Conceptual Zoning Plan offers to most complete policy guidance for the appropriate intensity within the study areas.

8. **Encanto Village Character Plan:**

The Encanto Village Character Plan was approved and adopted into the Phoenix General Plan through General Plan Amendment GPA-1-19. The proposed project advances the following items identified in the Encanto Village Character Plan:

- Land Use Principle: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.
- Design Principle: Enhance the compatibility of residential infill projects by carefully designing the edges of the development to be sensitive to adjacent existing housing. Create landscape buffers and other amenities to link new and existing development.
- Design Principle: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.

PROPOSAL

9. Site Plan

The proposal is for a four phase, approximately 10-year, redevelopment of the undeveloped subject site for 1,600 units of multifamily and approximately 7,000 square feet of ground floor retail along Central Avenue. The conceptual site plans divide the site into four pieces with private streets on the east-west Montecito Avenue alignment and on the north-south 1st Avenue alignment. The approach to height and intensity is guided largely by the Conceptual Zoning Plan from the Uptown TOD Policy Plan. The conceptual site plan depicts ground floor commercial along Central Avenue and a large open space area along 2nd Avenue that will be open to the public.

Conceptual Site Plan; Source: Carrierjohnson + Culture



10. Conceptual Building Elevations

The applicant describes the architectural aesthetic as being inspired by the historic Carnation building that previously existed south of the site with “angular and planar roof elements that are directly tied to roof elements that were central to the design of the Carnation building. The linearity of the Carnation building lines are incorporated into the design of the balconies that front Central Avenue.”

Left: Carnation Dairy Store – Architectural Inspiration; Source: Carrierjohnson + Culture

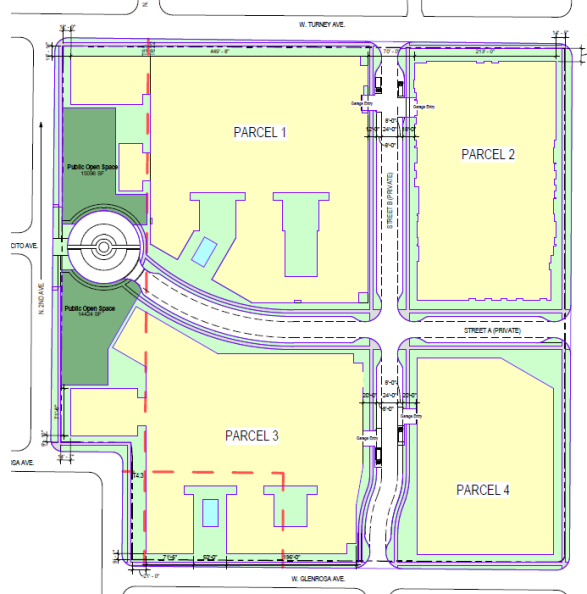
Right: Conceptual Building Elevations; Source: Carrierjohnson + Culture



11. *Phase 1:* The northwest parcel is phase one and is depicted with a maximum height of five-stories that decreases to three stories as it nears 2nd Avenue, and the phase is intended to be exclusively multifamily.

Phase 2: The northeast parcel is phase two and is depicted with a maximum height of seven-stories and 85 feet with a fourth floor amenity deck that will overlook Central Avenue and break up the mass of the building.

Conceptual Height Plan; Source: Carrierjohnson + Culture



Conceptual Building Elevations, Parcel 1; Source: Carrierjohnson + Culture



Conceptual Building Elevations, Parcel 2; Source: Carrierjohnson + Culture



12. *Phases 3 and 4:* The southwest parcel is intended to be phase three and is depicted with a maximum height of six-stories and 70 feet that decreases as it nears single-family residential. The southeast parcel is intended to be phase four and is depicted with a maximum height of 22 stories and 240 feet on the north edge of the site with the remainder of the site limited to five-stories and 60 feet.

STAFF ANALYSIS

13. Upon review of the conceptual site plans, conceptual building elevations, the Walkable Urban Code, and applicable policy documents, staff is recommending a series of stipulations to promote an efficient and orderly build-out of the subject site that also implements the shared vision for a walkable and transit-oriented community.

Site Development Proposal and Related Stipulations

The conceptual site plans are complex due to its size and that future phases are more fluid to respond to future market conditions. The below stipulations recommended by staff provide guidance on important site improvements that are key to implementing a high-quality, walkable, and mixed-use project.

Central Avenue Interface and Enhancements: Central Avenue has a long history of importance to the City of Phoenix, and this has been memorialized in countless planning documents and policies over the years and this role remains vital today regarding transit oriented development. As such, to add further vitality to the Central Avenue corridor, staff is recommending a series of stipulations.

Stipulation No. 1 requires the applicant return to the Encanto Village Planning Committee and the Planning Hearing Officer to publicly review each of the future phased to ensure the proposal adequately addresses several conditions. Related to Central Avenue, the plans will be required to document ground floor activation, a minimum 10,000 square feet of non-residential space, and a minimum of 240 linear feet of storefront.

Stipulation No. 9 requires common entry frontage types along all public and private streets to provide direct pedestrian access from upper and interior units to adjacent sidewalks.

Stipulation No. 11 requires architectural enhancements to the building mass at all intersections of Central Avenue and public or private streets.

Stipulation No. 12 requires the applicant comply with both the Central Avenue Development Standards and the standards for the Transit Uptown Character Area in the Walkable Urban Code.

Streetscapes and Sidewalks:

- Turney Avenue: Stipulation No. 13 requires a detached sidewalk that will be shaded to 75 percent by shade trees. Stipulation No. 14 requires the above-ground utilities be placed underground.
- 2nd Avenue: Staff is recommending two stipulations along this street frontage which is shared with single-family residences, and both require improvements that will be implemented for the full length of the site from Turney Avenue on the north to Glenrosa Avenue on the south. Stipulation No. 15 requires a detached sidewalk that will be shaded to 75 percent by shade trees. Stipulation No. 16 requires a row of shade trees between the building fronts and the sidewalk.
- Glenrosa Avenue: Stipulation No. 17 requires a detached sidewalk that will shaded to 75 percent by shade trees.

14. ***Private Streets:*** The proposal includes one north-south private street and one east-west private street. The Walkable Urban Code is largely silent on the design of private streets, and therefore staff is recommending a series of stipulations to promote walkability, transit-orientation, and harmony with the surrounding neighborhoods.

- Stipulation No. 18 requires all private streets be overlain with a public pedestrian accessway easement and meet the following requirements: prohibit access to/from Montecito Avenue except for emergency vehicles, bicyclists, and pedestrians (a.), include detached pedestrian pathways on each private street (b. and c.), include enhanced pedestrian crossings at all intersections where outside of public right of way (d.), and include bicycle routes on each private street (e.)
- Stipulation No. 23 requires the junction to/from Turney Avenue and the north-south private street be restricted to 3/4 access that would prohibit left turning movements from Turney Avenue into the subject site. The purpose of this stipulation is to prevent turning traffic from backing up onto Central Avenue.

15. ***Publicly Accessible Open Space:*** The applicant is proposing 29,000 square feet of publicly accessible open space along their 2nd Avenue frontage where the site has the greatest interface with single-family homes. The inclusion and programming of this open space is addressed in Stipulation No. 5. The applicant is proposing the Montecito Avenue alignment be closed to all but emergency vehicle access, bicyclists, and pedestrians. The prohibition of automotive through traffic is addressed in Stipulation Nos. 18 (d.) and 20.

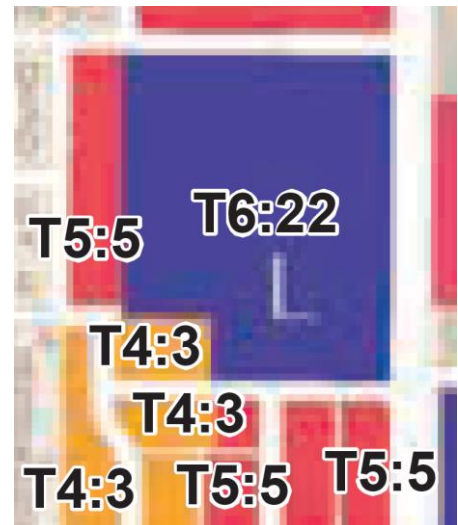
At the termination of this private street to vehicular traffic, the site plan depicts a transition into the publicly accessible open space including a “central art piece.” The inclusion of public-facing art is addressed in Stipulation No. 7 which also requires the applicant return to the Encanto Village Planning Committee for review and comment on the art plans.

16. ***Scale and Compatibility Measures:*** The Walkable Urban Code utilizes a form-based approach to promoting compatibility with the surrounding area. Staff is recommending two stipulations to promote compatibility along the property edges where the subject site is adjacent to single-family residences with single-family zoning. There are two exposures: one along 2nd Avenue on the west and one along Glenrosa Avenue along the south property line.

2nd Avenue (West Property Line): In accordance with the Conceptual Zoning Map contained in the Uptown TOD Policy Plan, the applicant has proposed Transect 5:5 along the west property line which is situated across 2nd Avenue from single-family residences with mostly R1-6 zoning. To promote compatibility with the adjacent single-family residential zoning, staff is recommending Stipulation No. 8 to require a maximum height of 30 feet within 35 feet of the west property line and a maximum height of 40 feet within 60 feet of the west property line.

Glenrosa Avenue (South Property Line).

Pertaining to the portion of the subject site between the 1st Avenue alignment on the east and the 2nd Avenue alignment on the west), the applicant has proposed Transect 4:3 and Transect 6:22 which have maximum heights of 40 feet and 250 feet respectively. Like the 2nd Avenue exposure, this area is developed as and zoned for single-family residential. Unlike the 2nd Avenue exposure, the Conceptual Zoning Plan in the Uptown TOD Policy Plan indicates these single-family parcels may be appropriate for additional intensity, The Conceptual Zoning Plan recommends T4:3 across from the proposed T4:3 on the subject site and recommends T5:5 where across from the proposed T6:22 on the subject site.



For the portion of the subject site between the 1st Avenue alignment and the 2nd Avenue, staff is recommending Stipulation No. 10 to require a maximum height of 40 feet within 60 feet of the south property line.

Architecture (Phase 1). Stipulation No. 3 requires the first phase of development at the northwest corner of the site incorporate a minimum 10 percent of premium building materials such as masonry or stone on all sides of the building.

Trash, Loading / Unloading. Stipulation No. 21 requires that all refuse collection, loading, and unloading be situated at the interior of the site and accessed from the private streets.

Phasing Requirements

17. The applicant is proposing the site be developed in four phases with the first being the northwest corner (Parcel 1), the second being the northeast corner (Parcel 2), the 3rd being the southwest corner (Parcel 3), and the 4th being the southeast corner. The below stipulations pertain to the phasing of the project.
- Stipulation No. 4 requires that all private streets be developed with the first phase of development and be completed prior to the issuance of a Certificate of Occupancy.
 - Stipulation Nos. 15 and 16 require the 2nd Avenue streetscape improvements be constructed with the first phase of development including two rows of shade trees.

Planning Hearing Officer Public Conceptual Reviews

18. The below described stipulations require the applicant to return to the Encanto Village Planning Committee, and, in some cases, the Planning Hearing Officer to review conceptual plans. These meetings are public hearings and will require both property owners and registered neighborhood groups be notified. The purpose of these stipulations is to provide another opportunity for plans to be reviewed publicly prior to construction.
- Stipulation No. 1 requires all future phases be reviewed through the Planning Hearing Officer Public Hearing Process to ensure the following elements are adequately addressed: (a.) evidence of ground floor activation along Central Avenue, (b.) a minimum 3,500 square feet of non-residential space along Central Avenue in the northeast parcel, (c.) a minimum of 120 feet of continuous storefront along Central Avenue in the northeast parcel, (d.) a minimum 3,500 square feet of non-residential space along Central Avenue in the southeast parcel, (e.) a minimum of 120 feet of continuous storefront along Central Avenue in the southeast parcel, (f.) a minimum 10 percent of premium materials on all sides for Parcels 2, 3, and 4 respectively.
 - Stipulation No. 2 requires Parcel 1 to return to the Encanto Village Planning Committee for review and comment prior to preliminary site plan

approval so the neighborhood and committee remain apprised of the plans that are moving toward construction. This stipulation applies to both the conceptual site plan and conceptual building elevations.

- Stipulation No. 7 requires the applicant return to the Encanto Village Planning Committee to share their plans for a piece of public-facing art that will be situated on the Montecito Avenue alignment near the west property line.

STUDIES AND POLICIES

19. Tree and Shade Master Plan:

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect.

To advance the goals of the Tree and Shade Master Plan, as stipulated, the proposal will:

- Include detached sidewalks along all perimeter streets that will be shaded to 75 percent (Stipulation Nos. 13 through 17).
- Include detached sidewalks along all private streets that will be shaded to 75 percent (Stipulation No. 18).

20. Complete Streets Guidelines:

The City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. The Walkable Urban Code is designed to facilitate pedestrian, bicycle, and transit-oriented development and includes provisions to advance the goals of the policy guide.

To advance the goals of the Complete Streets Guidelines, as stipulated, the applicant will be required to complete the following:

- Include secure bicycle parking for residents, guest bicycle parking, and four bicycle repair stations of which two will be publicly accessible (Stipulation No. 24).
- Provide an internal circulation plan for on-site pedestrian and vehicular movements and the plan will be updated with each phase of the development (Stipulation No. 19).
- Include shaded and detached sidewalks along all public and private streets to promote pedestrian activity by creating an environment that is

both thermally comfortable and buffered from vehicular traffic (Stipulation Nos. 12, 13, and 15 through 18). To implement these, the applicant will be required to dedicate sidewalk easements where needed (Stipulation No. 26) and to underground utilities along Turney Avenue (Stipulation No. 14).

21. **Comprehensive Bicycle Master Plan:**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. There are shared lane markings on Central Avenue, the Grand Canal to the north which functions are a regional bicycle route, and 3rd Avenue which is the Phoenix Sonoran Bikeway and provides connectivity to downtown Phoenix.

To promote alternative transportation, staff is recommending Stipulation No. 24 to require bicycle infrastructure which, in concert with high-capacity transit, can drastically expand the reach of the transit network. The Walkable Urban Code requires 0.25 bicycle parking spaces per dwelling unit and the stipulation requires that these spaces be secure facilities, such as bike lockers or a bicycle storage room. The stipulation requires guest bicycle parking for guests and for commercial patrons. The stipulation requires a minimum of four bicycle repair (fix-it) stations including two that must be publicly accessible. Also, the stipulation requires electrical receptacles near the secure bicycle parking to allow e-bike users to charge their batteries.

Example of a Fix-It Station; Source: Dero



22. **Housing Phoenix:**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with the vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing.

The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing housing units to a vacant parcel with adjacency to high-capacity transit and existing infrastructure. The proposal will help to address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

23. **Zero Waste Phoenix PHX:**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs.

Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed-use developments meeting certain criteria. The provision of recycling containers was not addressed in the applicant's submittals.

24. **Monarch Butterfly:**

In April 2021, Mayor Kate Gallego signed the [National Wildlife Federation's Mayor's Monarch Pledge](#). This pledge commits the city to take action to support the monarch butterfly population. In the United States, loss of milkweed habitat is a major factor in the decline of the monarchs. Arizona has at least 29 species of milkweed native to the state. Adult monarchs feed on the nectar of many flowers, but they breed only where milkweeds are found. To support the monarch butterfly population, Stipulation No. 6 addresses the planting of milkweed shrubs, or other native nectar plant species, on the subject site.

25. **Transportation Electrification Action Plan:**

In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments, and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. This is addressed in Stipulation Nos. 24 and 25.

COMMUNITY CORRESPONDENCE

26. As of the writing of this report, 51 letters of opposition have been received from 27 respondents. Concerns include the scale and intensity of the proposal, the proposed use and users of the site, traffic impacts, and overflow parking impacts. Correspondents also expressed a desire for more commercial space along Central Avenue, a desire for greater compatibility where the proposal abuts single-family residences, a desire for traffic mitigation.

INTERDEPARTMENTAL COMMENTS

27. The Street Transportation Department provided a series of comments and stipulations. The Department noted the development must:
- Comply with the Central Avenue Development Standards and the Transit Uptown Character Area Standards (Stipulation No. 12),
 - Dedicate a sidewalk easement for any streetscape area that falls outside of public right-of-way (Stipulation No. 26),
 - Dedicate a public pedestrian accessway easement on all private streets to allow pedestrians and bicyclists to unrestricted access (Stipulation No. 18),
 - Restrict ingress/egress to one point of access on Turney Avenue and that access shall restrict left-in movements from Turney Avenue (Stipulation No. 23),
 - Prepare a Traffic Impact Study prior to the approval of any plans and that study must analyze the offset intersection at Central Avenue and Glenrosa Avenue (Stipulation No. 22),
 - Construct all street improvements within and adjacent to the public right of way and these improvements must comply with ADA accessibility standards (Stipulation No. 27).
28. The Public Transit Department noted the location of the site is immediately adjacent to light rail and a high-ridership bus corridor. The Department requested the pedestrian realm be enhanced with abundant shade (Stipulation Nos. 12, 13, and 15 through 17) and a mix of ground floor uses (Stipulation No. 1) to activate the streetscape. The department also noted the importance of windows onto the sidewalks and public spaces, and this is addressed through the Walkable Urban Code's "frontage type" standards, through Stipulation Nos. 1.c. and 1.e. which require continuous storefront along a portion of Central Avenue, and through Stipulation 5.e. which requires "frontage types" for all units adjacent to the publicly accessible open space along 2nd Avenue. Additionally, Stipulation No. 9 requires common entry frontage types along all public and private streets to provide direct pedestrian access from upper and interior units to adjacent sidewalks.

29. The Aviation Department commented that the subject site is within the Traffic Pattern Airspace of Phoenix Sky Harbor International Airport and therefore requested Stipulation Nos. 28 and 29 which requires the applicant to disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property and to receive a “no hazard determination” from the FAA.

OTHER

30. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 30 through 33.
31. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 33.
32. Development and use of the site are subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments may be required.

Findings

1. The proposal is consistent with the General Plan Land Use Map designation of Commercial and the Conceptual Zoning Plan contained in the Uptown Transit Oriented Development Policy Plan.
2. The proposal, as stipulated, advances the vision and recommendations contained in the Uptown Transit Oriented Development Policy Plan and will create strong pedestrian environments along both its public and private streets with shaded and detached sidewalks to convey residents safely and comfortably to the Indian School Road Light Rail Station and the Campbell Avenue Light Rail Station.
3. The proposal will create additional housing options on an underutilized site served by high-capacity transit which aligns with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030.

Stipulations

1. Conceptual site plans and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary plan approval for Parcels 2 through 4 as depicted on the Conceptual Site Plans date stamped June 1, 2023 with specific regard to the inclusion of the below elements. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.
 - a. The development shall include ground floor activation such as the programming of building spaces adjacent to Central Avenue that may include retail or commercial uses, the choice and mix of frontage types, and the presence of indoor or outdoor public amenities that may include open spaces, and community gathering spaces.
 - b. On Parcel 2, the ground floor area of the development shall include a minimum of 5,000 square feet of non-residential uses. Non-residential uses shall not include lobby, exercise, reception areas, or other similar uses intended for exclusive use by residents. All non-residential uses shall have some frontage on the Central Avenue right-of-way.
 - c. On Parcel 2, the development shall utilize a continuous storefront frontage per the requirements of Section 1305.b. for a minimum of 120 linear feet along Central Avenue.

- d. On Parcel 4, the ground floor area of the development shall include a minimum 5,000 square feet of non-residential uses. Non-residential uses shall not include lobby, exercise, reception areas, or other similar uses intended for exclusive use by residents. All non-residential uses shall have some frontage on the Central Avenue right-of-way.
 - e. On Parcel 4, the development shall utilize a continuous storefront frontage per the requirements of Section 1305.b. for a minimum of 120 linear feet along Central Avenue.
 - f. The building elevations for Parcels 2 through 4 shall contain a minimum of 10 percent premium materials such as brick, stone, metal, or other comparable materials on all four sides of each building.
- 2. The applicant shall return to the Encanto Village Planning Committee to present the site plan and elevations for Parcel 1 for review and comment prior to preliminary site plan approval.
 - 3. The building elevations for Parcel 1 shall contain a minimum of 10 percent premium materials such as brick, stone, metal, or other comparable materials on all four sides of each building, as approved by the Planning and Development Department
 - 4. All private streets within the subject site shall be constructed with the first phase of the development as depicted on the Conceptual Phasing Plan date stamped June 1, 2023 and be open to the public prior to the issuance of a Certificate of Occupancy, as approved by the Planning and Development Department.
 - 5. The developer shall provide a minimum five percent of the gross site area as open space that is available to the public as described below and as approved or modified by the Planning and Development Department.
 - a. Each open space area shall follow the guidelines established in Section 1310 of the Phoenix Zoning Ordinance.
 - b. Each open space area shall provide at a minimum seating, a drinking fountain for people and pets, art, and shade elements.
 - c. A minimum of 15,000 square feet of publicly accessible open space shall be constructed with the development of Parcel 1 as depicted on the Conceptual Site Plans date stamped June 1, 2023.

- d. One open space node shall be provided near the intersection of the private Montecito Avenue alignment and 2nd Avenue which shall include public facing art and a minimum of one higher-order amenity such as lawn games, gardens, picnic tables, or shade canopies, or a combination of several complementary amenities.
 - e. All units adjacent to the public open space located along 2nd Avenue shall have direct unit entries and compliant frontage types as described in Table 1305.1 and there shall be a minimum of two common entries to provide direct pedestrian access from upper and interior units to adjacent sidewalks.
- 6. A minimum of 10 percent of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
 - 7. The applicant shall return to the Encanto Village Planning Committee to present the stipulated public-facing art generally located at 2nd Avenue and the Montecito Avenue alignment for review and comment prior to the issuance of a Certificate of Occupancy for the first phase of development, as approved by the Planning and Development Department.
 - 8. For the portion of the subject site zoned WU Code T5:5, the building height shall not exceed 30 feet within 35 feet of the west property line and 40 feet within 60 feet of the west property line, as approved by the Planning and Development Department.
 - 9. For the portions of the subject site zoned WU T5:5 and T6:22, all public and private street frontages shall include a “common entry” frontage type to provide direct pedestrian access from upper and interior units to adjacent sidewalks, as approved or modified by the Planning and Development Department.
 - 10. The portion of the subject site located along Glenrosa Avenue and between the centerline of the 1st Avenue alignment on the east and the 2nd Avenue alignment on the west (the western terminus of the T4:3 portion), shall be restricted to a maximum height of 40 feet within 60 feet of the south property line, as approved by the Planning and Development Department.
 - 11. The developer shall provide architectural enhancements at the intersections of Central Avenue and all public and private streets to denote the prominence of the space and shall feature enhanced landscape and/or hardscape treatments

with public-facing art, as approved by the Planning and Development Department.

12. The developer shall comply with the design standards of the Central Avenue Image Enhancement guidelines. The detached sidewalk, landscape area width, and shade requirements shall comply with the Transit Uptown Character Area requirements for arterial roadways adjacent to Light Rail Corridor, as approved or modified by the Planning and Development Department.
13. The public sidewalk along Turney Avenue shall be constructed to a minimum width of 8 feet and detached from the back of curb by a minimum 5-foot-wide landscape area planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
 - a. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings.
 - b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
 - c. Drought tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
14. The existing overhead utility lines adjacent to Turney Avenue shall be relocated underground for the entirety of its frontage, as approved by the Planning and Development Department.
15. The public sidewalk along 2nd Avenue shall be constructed to a minimum width of 6 feet and detached from the back of curb by a minimum 7-foot-wide landscape area planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
 - a. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings.
 - b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.

- c. Drought tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.

The above described improvements shall be installed prior to the issuance of a Certificate of Occupancy for the first phase of development, as approved by the Planning and Development Department.

- 16. All public street frontages on 2nd Avenue shall require a landscape area between the back of sidewalk and building front that shall be planted with minimum 3-inch caliper, single trunk, shade trees planted a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

The above described improvements shall be installed prior to the issuance of a Certificate of Occupancy for the first phase of development, as approved by the Planning and Development Department.

- 17. The public sidewalk along Glenrosa Avenue shall be constructed to a minimum width of 6 feet and detached from the back of curb by a minimum 5-foot-wide landscape area planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.

- a. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings.
- b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
- c. Drought tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.

- 18. All private streets shall be overlain with dedicated public pedestrian accessway easements connecting to the public rights-of-way and the private streets shall provide the following non-vehicular pathways, amenities, and features, as approved or modified by the Planning and Development Department.

- a. Access to/from 2nd Avenue from the private street on the Montecito

Avenue alignment shall be restricted to emergency vehicles, bicycles, and pedestrians.

- b. A minimum one side of each private street shall comply with Section 1304.H. of the Phoenix Zoning Ordinance and be detached from the back of curb by a landscape area an average of 5 feet in width that shall be planted with minimum three-inch caliper, single trunk, shade trees planted a minimum of 20 feet on center or in equivalent groupings.
 - c. Both sides of each private streets shall meet or exceed the standards contained Section 1312.D.1.c. of the Phoenix Zoning Ordinance and the landscape area shall be planted with minimum two-inch caliper, single trunk, shade trees planted a minimum of 20 feet on center or in equivalent groupings.
 - d. Where outside of public rights-of-way, intersections shall feature pedestrian enhancements such as speed tables, elevated crosswalks, and/or bulb-outs.
 - e. Include on-site bicycle routes that connect the internal streets to 2nd Avenue, Turney Avenue, and Glenrosa Avenue. The applicant shall consult with the Active Transportation Coordinator from the Street Transportation Department on the design of the bicycle facilities.
19. An internal vehicular and pedestrian circulation plan shall be provided to address ingress and egress to and from the site, vehicle loading, pick up and drop off locations, pedestrian connections to existing light rail stations. The developer shall be responsible for all cost and construction of improvements. No preliminary approval of plans shall be granted until the internal vehicular and pedestrian circulation plan has been reviewed and approved by the Street Transportation and Planning and Development Departments. This plan shall be updated, if needed, for all phases of development.
20. Along 2nd Avenue, vehicular access shall be provided including no driveways, no private streets, and no ingress/egress to parking structures. Emergency vehicles may access the site from 2nd Avenue.
21. All refuse collection, loading, and unloading areas shall be accessed only from the private streets on the site.
22. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.

- a. The TIS shall analyze the offset intersection of Central Avenue and Glenrosa Avenue. The TIS shall include the necessary geometric design, tapers, and dedications to align the east/west legs of the intersection to operate under a non-split phased signal. The developer shall be responsible for all cost and construction of improvements, as approved by the Street Transportation Department.
23. Vehicular access onto Turney Avenue shall be limited to one driveway. This driveway shall be restricted to 3/4 access, restricting left-in movements, as approved by the Street Transportation Department.
24. The developer shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
 - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 required spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
 - c. A minimum of 10 percent of the required bicycle parking for nonresidential uses shall be secured.
 - d. A minimum of four bicycle repair stations ("fix it stations") shall be provided and maintained in areas of high visibility and near secure bicycle parking areas. At minimum, two shall be directly accessible from the public sidewalk.
 - e. Standard electrical receptacles shall be installed for a minimum of 10% of the required bicycle parking spaces for electric bicycle charging capabilities.
25. Electric vehicle infrastructure shall be provided for the required parking spaces as follows: Minimum 10 percent EV Installed.
26. The developer shall dedicate a sidewalk easement for any streetscape area that falls outside of dedicated right-of-way, as approved by the Planning and Development Department.

27. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
28. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.
29. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the FAA and a "NO Hazard Determination" obtained prior to the construction start date.
30. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
31. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
32. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
33. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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June 1, 2023

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Writer

Nick Klimek

June 1, 2023

Team Leader

Racelle Escolar

Exhibits

Zoning sketch map

Aerial sketch map

Conceptual Site Plan date stamped June 1, 2023 (2 pages)

Conceptual Landscape Plan date stamped June 1, 2023 (2 pages)

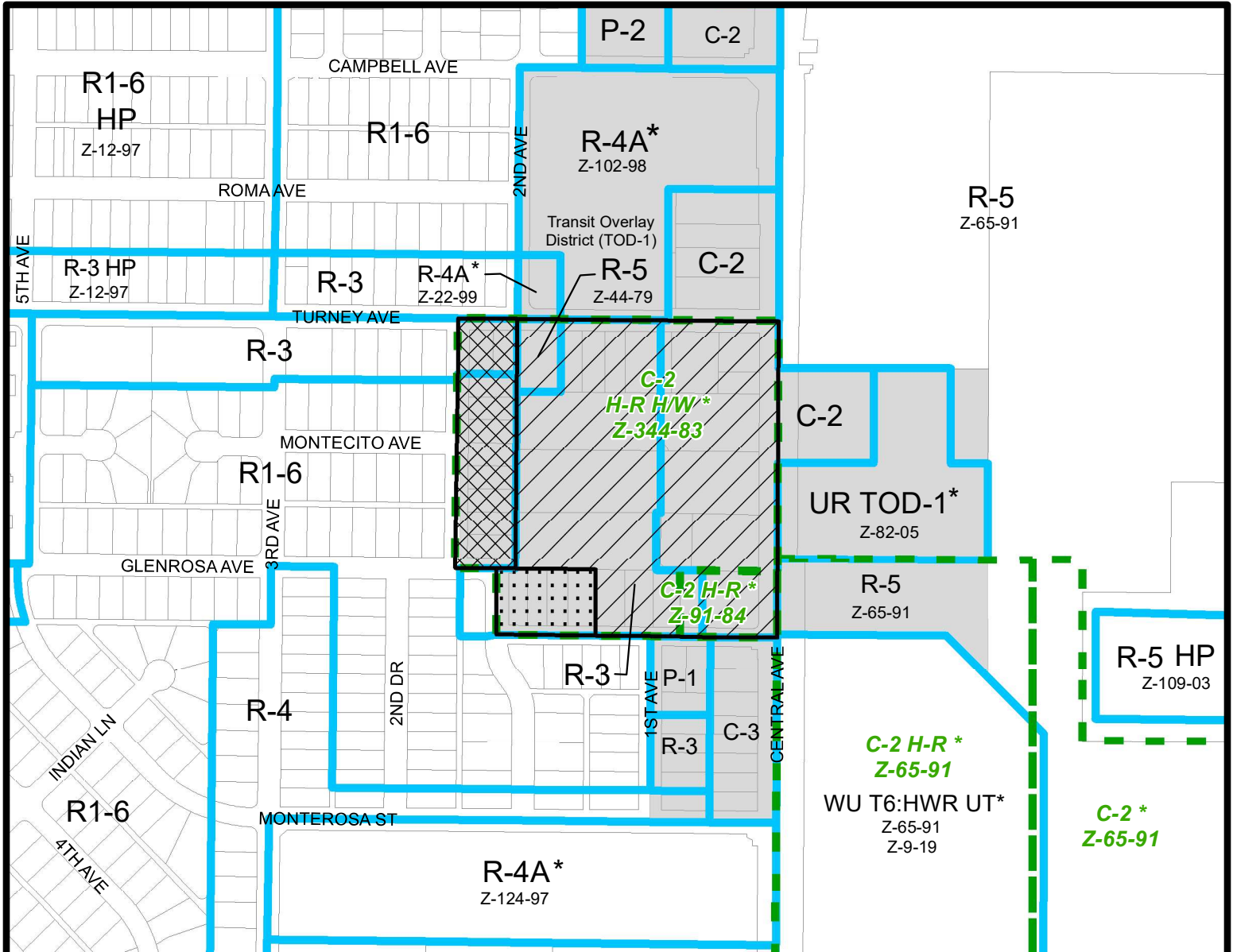
Conceptual Phasing Plan date stamped June 1, 2023

Conceptual Interim Beautification Plan date stamped June 1, 2023

Conceptual Building Elevations date stamped June 1, 2023 (2 pages)

North Central Employment Corridor (2 pages)

Community Correspondence (71 pages)

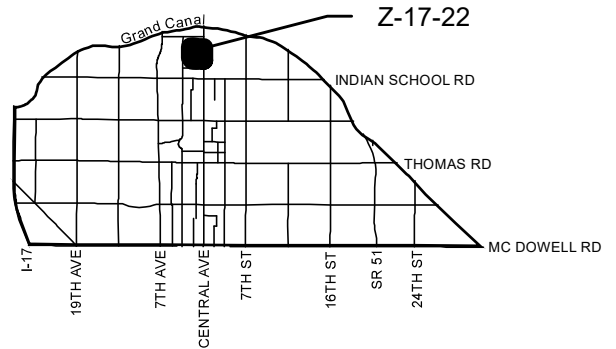


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ENCANTO VILLAGE
CITY COUNCIL DISTRICT: 4



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Petree Development

APPLICATION NO. Z-17-22

GROSS AREA INCLUDING 1/2 STREET
AND ALLEY DEDICATION IS APPROX.

15.61 Acres

DATE:	4/14/2022		
REVISION DATES:			
	9/26/2022	10/31/2022	5/15/2023
AERIAL PHOTO & QUARTER SEC. NO.	QS 17-27		
ZONING MAP	H-8		

REQUESTED CHANGE:

FROM:
R1-6 TOD-1 (Approved C-2 H-R H/W TOD-1) (1.83 a.c.)
R-3 TOD-1 (Approved C-2 H-R H/W TOD-1) (7.59 a.c.)
R-3 TOD-1 (Approved C-2 H-R TOD-1) (0.23 a.c.)
R-5 TOD-1 (Approved C-2 H-R H/W TOD-1) (0.50 a.c.)
C-2 TOD-1 (Approved C-2 H-R H/W TOD-1) (4.68 a.c.)
C-2 TOD-1 (Approved C-2 H-R TOD-1) (0.78 a.c.)

TO:
WU Code T4:3 UT (1.03 a.c.)
WU Code T5:5 UT (2.35 a.c.)
WU Code T6:22 UT (12.23 a.c.)



MULTIPLES PERMITTED

R1-6 TOD-1 (Approved C-2 H-R H/W TOD-1), R-3 TOD-1 (Approved C-2 H-R H/W TOD-1),
R-3 TOD-1 (Approved C-2 H-R TOD-1), R-5 TOD-1 (Approved C-2 H-R H/W TOD-1),
C-2 TOD-1 (Approved C-2 H-R H/W TOD-1), C-2 TOD-1 (Approved C-2 H-R TOD-1)

WU Code T4:3 UT, WU Code T5:5 UT, WU Code T6:22 UT

* **Maximum Units Allowed with P.R.D. Bonus**

CONVENTIONAL OPTION

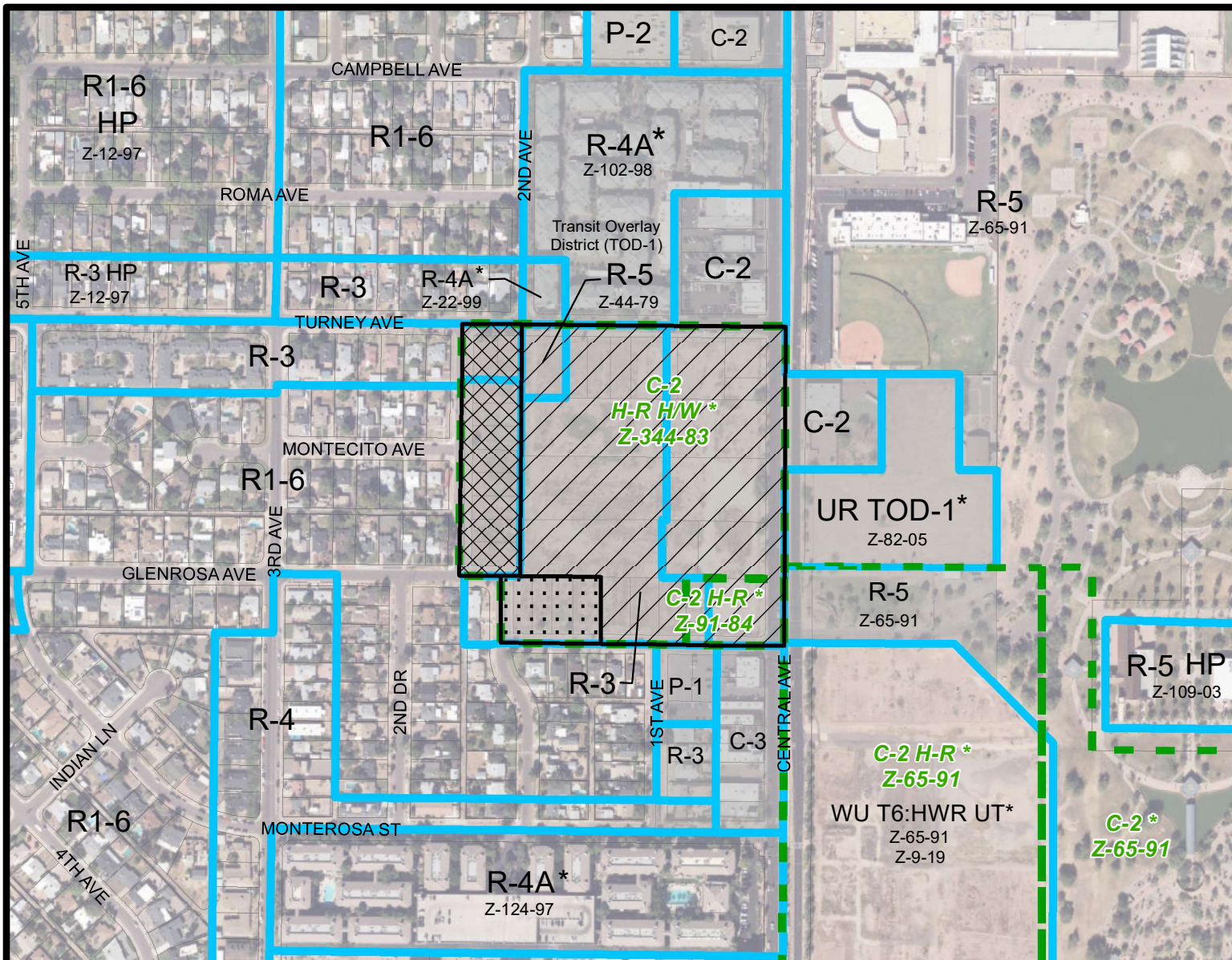
9(265), 110(1102), 3(33), 21(72), 68(679), 11(113)

No Maximum

*** UNITS P.R.D. OPTION**

12(32), 132(132), 4(4), 26(8), 81(81), 13(13)

N/A



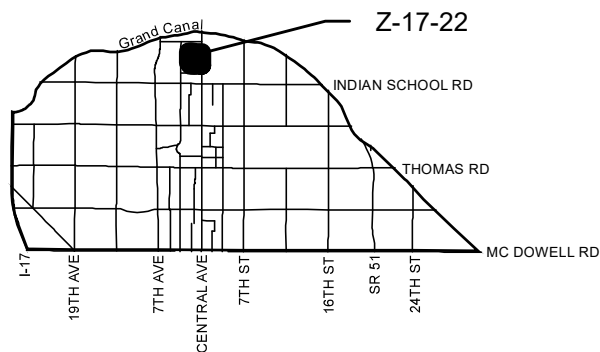
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ENCANTO VILLAGE

CITY COUNCIL DISTRICT: 4



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Petree Development

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- WU Code T4:3 UT (1.03 a.c.)
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C-2 TOD-1 (Approved C-2 H-R H/W TOD-1), C-2 TOD-1 (Approved C-2 H-R TOD-1)

WU Code T4:3 UT, WU Code T5:5 UT, WU Code T6:22 UT

* Maximum Units Allowed with P.R.D. Bonus

CONVENTIONAL OPTION

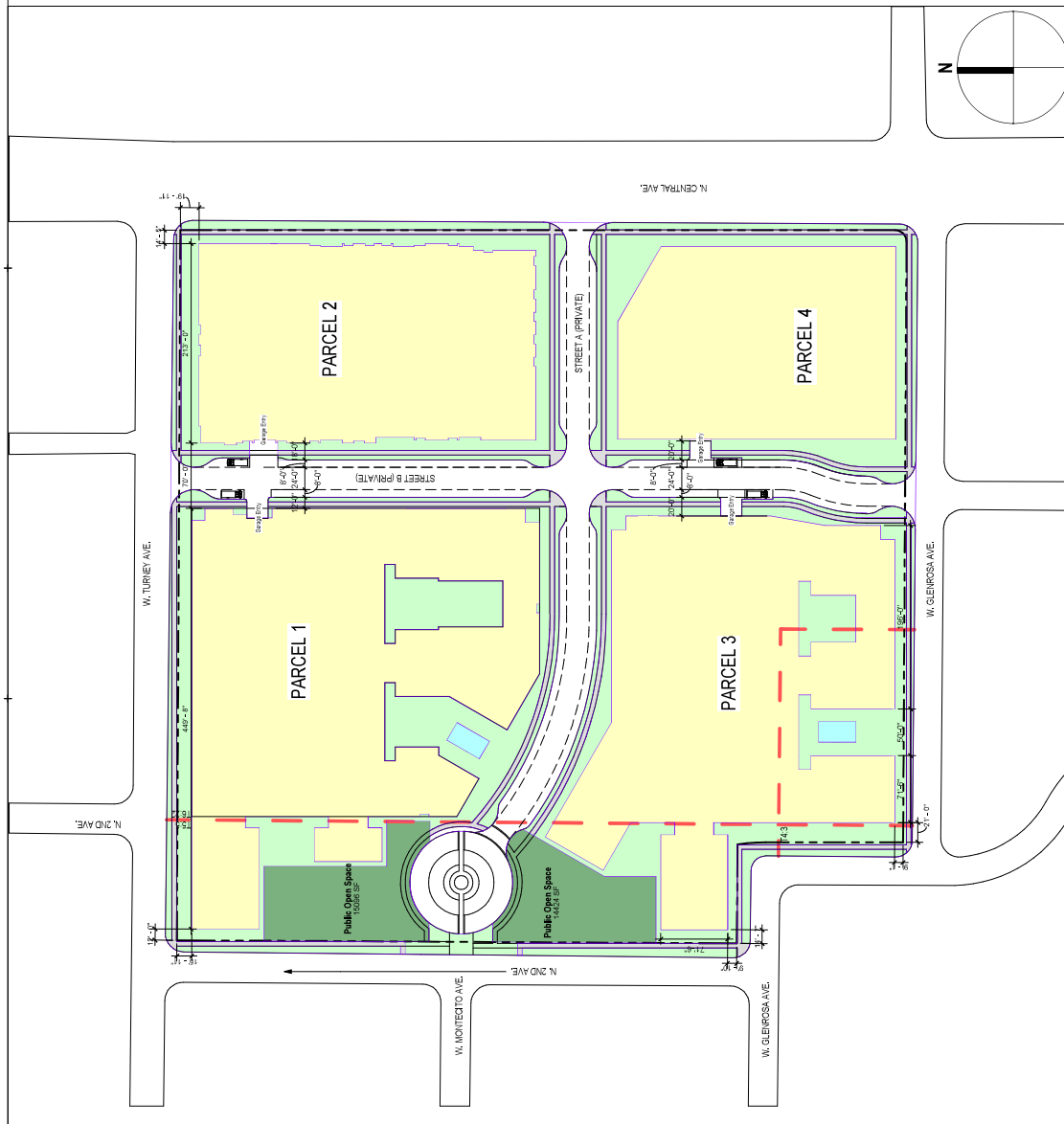
9(265), 110(1102), 3(33), 21(72), 68(679), 11(113)

No Maximum

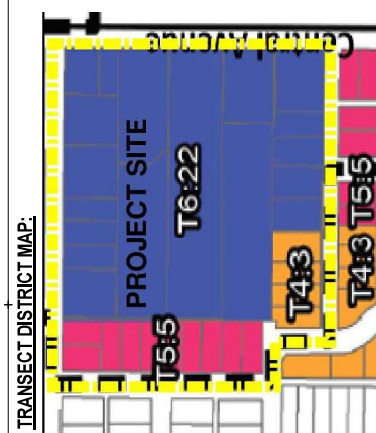
* UNITS P.R.D. OPTION

12(32), 132(132), 4(4), 26(8), 81(81), 13(13)

N/A



SITE PLAN KEYNOTES		DETAIL
PARCEL 1	Mixed Use Residential	
	Unit count: 450	
	Required Parking: 496	
	Proposed Parking: 557	
	Building Height: 40-60'	
PARCEL 2	Mixed Use Residential	
	Unit count: 350	
	Required Parking: 395	
	Proposed Parking: 397	
	Building Height: 40-85'	
PARCEL 3	Mixed Use Residential	
	Unit count: 450	
	Required Parking: 496	
	Proposed Parking: 498	
	Building Height: 40-70'	
PARCEL 4	Mixed Use Residential	
	Unit count: 350	
	Required Parking: 396	
	Proposed Parking: 453	
	Building Height: 60 - 240'	
ARCHITECTURAL	RESIDENTIAL UNITS	
	ACTIVATION SPACE (LOBBY/ENTRANCES)	
	COMMERCIAL	
	OFFICE/CLUB	
	OPEN SPACE	
	PERIMETER	
	PROPERTY LINE	
	WAC - MAX SETBACK 12'	



EXISTING APN's: SEE SHEET A-3
EXISTING PARCEL LOT/BOUNDARY LINES: SEE SHEET A-3

TRANSECT AREA	
Transect 6-22	
Maximum: 90%	
Proposed: 61%	
Net Site Area: 463.176 (10.63 acres)	
Gross Site Area: 534.948 (12.28 acres)	
Transect 6-5	
Maximum: 80%	
Proposed: 32%	
Net Site Area: 77.394 (1.76 acres)	
Gross Site Area: 103.754 (2.39 acre)	
Transect 4-3	
Maximum: 70%	
Proposed: 45%	
Net Site Area: 30.638 (0.70 acre)	
Gross Site Area: 41.350 (0.95 acre)	
SITE AREA	
Net Area: 571,208 Sq.ft (13.11 acre)	
Gross Area: 680,092 Sq.ft (15.61 acre)	
Required Publicly Accessible Open Space: 28,560.4 SF (0.66 acre)	
Total Landscape Area: 181,803 SF (4.17 acre)	
Total Street Area: 61,144 SF (1.40 acre)	
Provided Total Open Space:	
12' Setback = 99,795 SF (2.29 acre) = 14.7%	
50' Setback = 123,339 SF (2.83 acre) = 18.1%	
100' Setback = 131,484 SF (3.02 acre) = 19.3%	
Provided Total Open Space:	
12' Setback = 29,520 SF (0.68 acre)	
50' Setback = 37,605 SF (0.86 acre)	
100' Setback = 61,209 SF (1.41 acre)	

PROPOSED BUILDING SETBACKS TABLE

W Turney Ave : 10'
W Glenrosa Ave : 10'
V 2nd Ave : 12'
N Central Ave : 12'

Street A: 10'
Street B: 10'

OVERALL

Mixed Use Residential
Gross Building Footprint: 348,908 sq.ft (8.01 acre)
Unit count: 1830
Required Parking: 1783
Provided Parking: 1915
Private Onstreet Parking: 71
Building Height: 40-240'
Publicly accessible commercial area: 7000 SF

Plan

CITY OF PHOENIX

JUN 01 2023

**Planning & Development
Department**

DEVELOPMENT TEAM
DEVELOPER
PETRE DEVELOPMENT LLC
 3350 North Central Avenue, Suite 900
 Scottsdale, AZ 85263
 Contact: Eric A. Tenney
 Phone: (602) 921-4648
 Email: eric.tenney@petredevelopment.com

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CARRIE JOHNSON ARCHITECTURE
 189 F Street, Suite 9201
 San Diego, CA 92101
 Phone: (619) 235-5533
 Email: jk@carriejohnson.com

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 6750 East Camelback Road, #100
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 Attorney: Bryan D. Roediger
 Phone: (480) 344-3527
 Email: yd@berreroediger.com
 Email: caryn@berreroediger.com

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 7118 East Arroyo Avenue, Suite 103
 Scottsdale, AZ 85263
 Phone: (480) 536-1155
 Email: paul@collaborativestudio.com
 Email: paul@collaborativestudio.com

TOWERS & PARRISON CONSULTANTS
 10044 48th Street P.O. Box
 Scottsdale, AZ 85263
 Phone: (480) 344-3333
 Email: jame@towersparrison.com

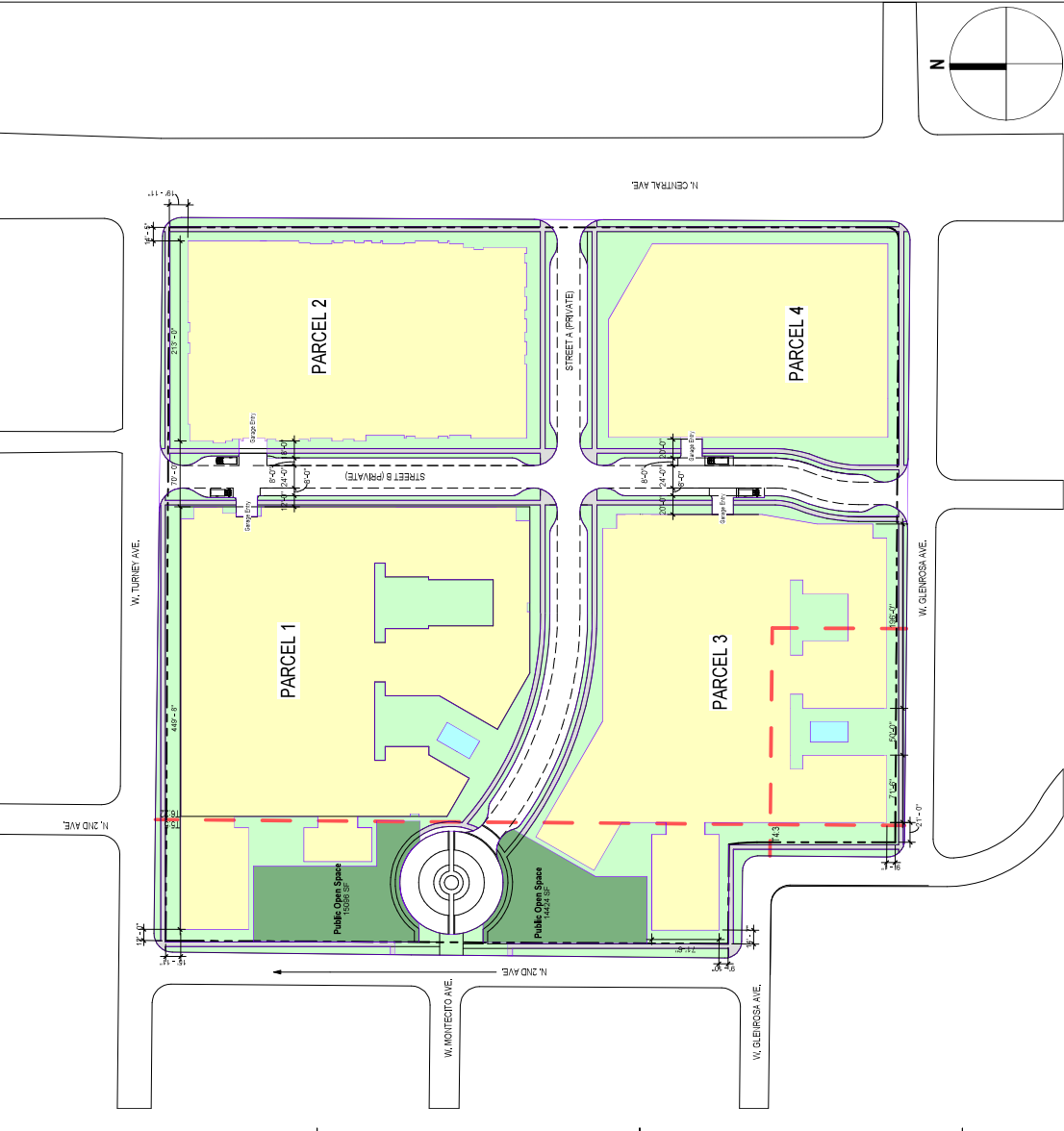
002

ite data

ISSUES:	NO	DESCRIPTION	DATE
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	PROJECT NO		
	TITLE NAME		
	FILE NAME		
	CHECKED BY:		
	AUDITOR		
	PLOT DATE:		
			05/01/2023 1:45:17 PM
	TITLE:		

CARTIERJOHNSON + CULTURA
architecture + environments + brand strategy + graphics

PETREE
DEVELOPMENT
3550 North Central
Avenue, Suite 900
Phoenix, AZ 85012

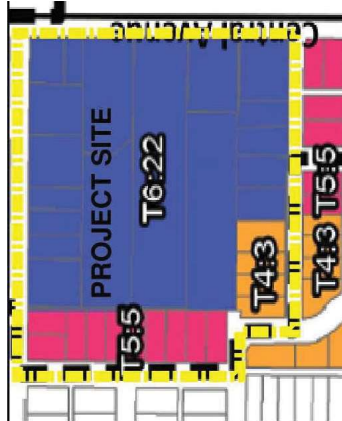


1 Site Plan (Data)
SCALE: 1" = 60'-0"

SITE PLAN KEYNOTES		DETAIL
ARCHITECTURAL	RESIDENTIAL UNIT	
	ACTIVITY SPACE (COMMUNITIES)	
	COMMERCIAL	
	CIRCULATION	
	OPEN SPACE	
ARCHITECTURAL	PROVIDED PARKING	
	PROPOSED PARKING	
	PROPERTY LINE	
MISC - MAX SETBACK 12'		

PARCEL 1	PARCEL 2	PARCEL 3	PARCEL 4
Mixed Use Residential	Mixed Use Residential	Mixed Use Residential	Mixed Use Residential
Unit count: 450	Unit count: 350	Unit count: 450	Unit count: 350
Required Parking: 496	Required Parking: 395	Required Parking: 496	Required Parking: 396
Proposed Parking: 557	Proposed Parking: 397	Proposed Parking: 498	Proposed Parking: 403
Building Height: 40-50'	Building Height: 40-55'	Building Height: 40-70'	Building Height: 60'-240'

TRANSECT DISTRICT MAP:



EXISTING APNs SEE SHEET A-3
EXISTING PARCEL LOT/BOUNDARY LINES SEE SHEET A-3

TRANSECT AREA

Parcel 1	Parcel 2	Parcel 3	Parcel 4
Maximum: 90%	Maximum: 80%	Maximum: 70%	Maximum: 70%
Proposed: 59%	Proposed: 63%	Proposed: 58%	Proposed: 59%
Net Site Area: 170,495 (3.91 acres)	Net Site Area: 100,175 (2.30 acres)	Net Site Area: 153,678 (3.53 acres)	Net Site Area: 83,326 (1.91 acres)
Gross Site Area: 201,582 (4.63 acres)	Gross Site Area: 119,566 (2.74 acres)	Gross Site Area: 184,295 (4.23 acres)	Gross Site Area: 100,817 (2.31 acres)

PROPOSED BUILDING SETBACKS TABLE

W Turley Ave: 10'	W Glenrosa Ave: 10'
W Glenrosa Ave: 10'	N 2nd Ave: 12'
N 2nd Ave: 12'	N Central Ave: 12'

Street A: 10'
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SITE AREA

Net Area: 571,208 Sq.ft (13.11 acre)	Required Publicly Accessible Open Space: 28,560.4 SF (0.66 acre)
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	Total Street Area: 61,414 SF (1.40 acre)
	Provided Publicly Accessible Open Space: 29,520 SF (0.68 acre)

OVERALL

Mixed Use Residential	Gross Building Footprint: 348,908 Sq.ft (8.01 acre)
Unit count: 1600	Required Parking: 1783
Provided Parking: 1905	Private Onstreet Parking: 71
Building Height: 40-240'	Publicly accessible commercial area: 7000 SF

DEVELOPMENT TEAM
DEVELOPER

PETREE DEVELOPMENT, LLC
3550 North Central Avenue, Suite 900
Phoenix, AZ 85012
Contact: Eric E. Kenney
Phone: (602) 522-8848
Email: eric.kenney@petreedev.com

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Phone: (619) 235-2353
Email: jai@carrierjohnson.com

ATTORNEY

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Phone: (480) 355-2727
Email: brian@berryriddell.com

LANDSCAPE ARCHITECT

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Email: paul@collaborative71.com

TRAFFIC & PARKING CONSULTANT

LOVATT GROUP
10555 North 114th Street, Suite 105
Scottsdale, AZ 85259
Contact: John Lovatt
Phone: (480) 536-7190
Email: jame@lovattgroup.com




Site data

002



PLANT SCHEDULE	
BOTANICAL NAME	COMMON NAME

[illegible]

	Decomposed Granite- 1/2" Screened Mahogany', 2" Depth in all planting areas
	Synthetic Turf - sycasape Coronado Platinum 100 oz with EnviroTurf Acrylic Coated Sand
	Bermuda Hybrid Sod

CONCEPTUAL GENERAL NOTES

- CONCEPTUAL LANDSCAPE PLAN IS SCIENTIFIC IN NATURE. AT THE TIME OF LANDSCAPE CONSTRUCTION DRAWINGS ACTUAL LOCATIONS, QUANTITIES, TYPES, AND SPECIES SHALL BE DETERMINED AND SHALL BE PER CITY CODES.
- ALL TREES USED WITHIN THIS PROJECT SHALL BE NURSERY GROWN OR SALVAGED FROM THE PROJECT SITE. ALL TREES SHALL BE PLANTED BASED ON LANDSCAPE CONSTRUCTION DRAWINGS. ALL EXISTING TREES SHALL BE PROTECTED DURING CONSTRUCTION.
- ALL LANDSCAPE AREAS SHALL RECEIVE AN AUTOMATIC IRRIGATION SYSTEM.
- ALL PLANT MATERIAL SHALL BE INSTALLED PER CITY REQUIREMENTS. PLANT MATERIAL THAT DOES NOT GROW TO A HEIGHT OF MORE THAN 30" AND SHALL BE MAINTAINED PER CITY REQUIREMENTS.
- ALL NON-TREE PLANTS SHALL RECEIVE A 2" DEPTH OF DECOMPOSED GRANITE.
- THE RETENTION BASH ON THE PLAIN IS A CONCEPTUAL IN NATURE. REFER TO THE ENGINEERING PLANS FOR ACTUAL GRADING AND DRAINAGE CONFIGURATIONS.
- ALL LANDSCAPING WILL BE DONE TO DRAIN AWAY FROM SIDEWALKS AND FINISH LOT CONFIGURATION MAY VARY AT THE TIME OF FINAL PLAT APPROVAL.
- ADDITIONAL PLANT MATERIAL MAY BE INTRODUCED AS DIFFERENT VARIETIES WITHIN THE OVERALL SCHEME OF THIS PROJECT.



CITY OF PHOENIX

JUN 01 2023

Planning & Development
Department

PHASING PLAN CONCEPT

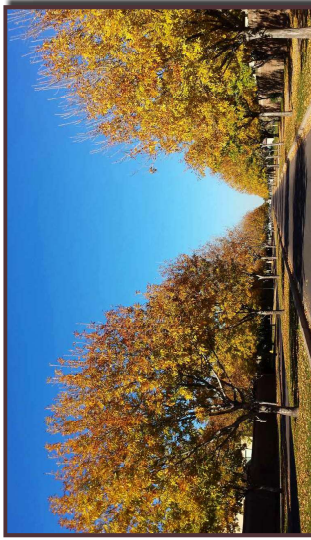


SCALE: 1"=50'-0"

0 25 50 100

PREPARED 5/18/23





FAN WEST ASH



MADISON GOLD GRANITE



SOUTHERN LIVE OAK



RED PUSH PISTACHE



DATE PALMS

COLLABORATIVE V
DESIGN STUDIO INC.
7118 54TH ST. PALM
SCOTTSDALE, ARIZONA 85250
OFFICE: 480-347-0510
FAX: 480-347-0511

SCALE 1"=50'-0"

0 25 50 100

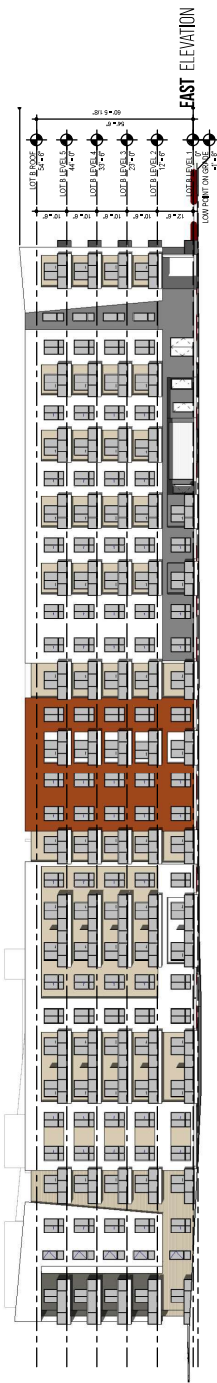
PREPARED 5/18/23



WEST ELEVATION



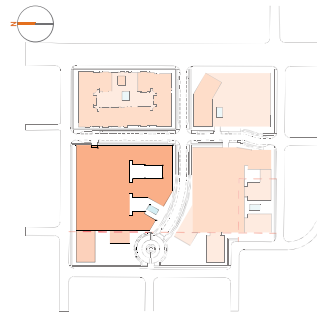
SOUTH ELEVATION



EAST ELEVATION

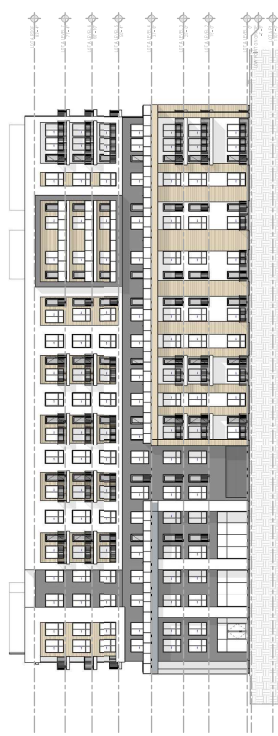


NORTH ELEVATION

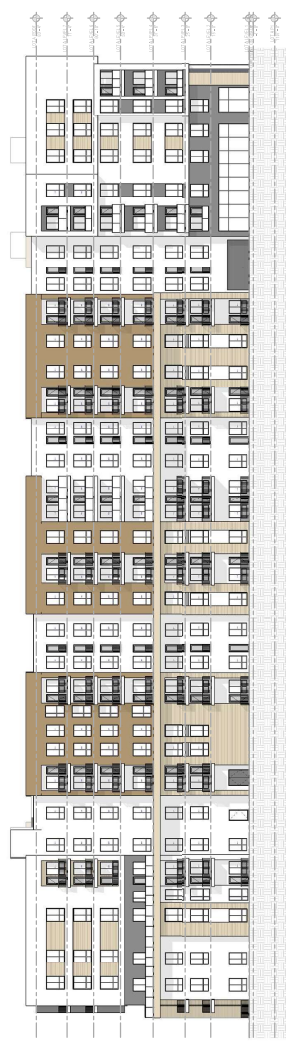




EAST ELEVATION



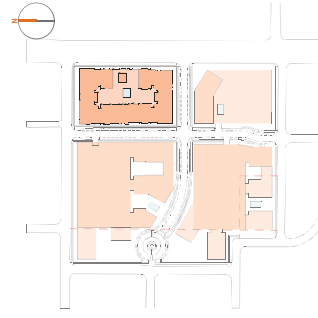
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



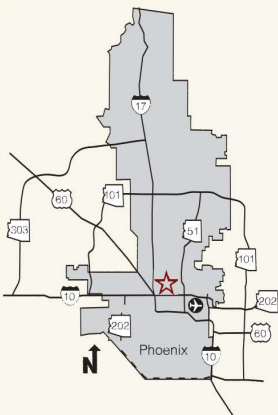


City of Phoenix Employment Center Profile

NORTH CENTRAL

The North Central employment center offers an exceptional location in one of the city's premier office corridors.

This employment center extends from McDowell Road north to Camelback Road between Seventh Street and Seventh Avenue. The North Central area includes high-rise office and residential buildings surrounded by historic single family neighborhoods, parks and cultural amenities.



Labor Force Accessibility and Skills

The North Central employment center offers excellent access to a large portion of the metro area's 1.7 million workers. Approximately 770,000 young, well-educated workers reside within a 30 minute drive time.¹ High concentrations of service and health care workers live within 10 to 20 minutes. In addition, about 16 percent of the workforce living within a 20 minute drive time is made up of executives, managers and technical professionals.²

Projected growth for this area will result in close to 170,000 new residents within a 30 minute drive time by 2020, providing a continually expanding labor pool.³

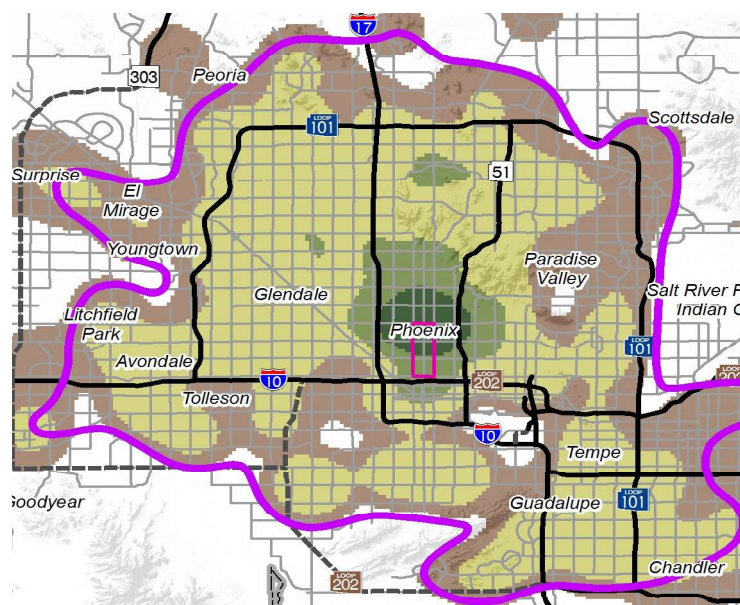
1, 2, 3 Claritas, 2015.

Employment by Occupation

Workforce	10 Min. Drive		20 Min. Drive		30 Min. Drive	
	Number	%	Number	%	Number	%
Management	7,416	7	57,595	8	131,498	9
Engineering & Science	2,224	2	16,777	2	36,046	3
Healthcare & Education	11,089	10	82,493	11	170,387	12
Service	16,173	15	109,119	15	195,911	14
Sales	10,112	9	81,075	11	167,369	12
Clerical & Admin. Support	15,143	14	117,524	16	219,346	16
Construction	8,978	8	48,001	6	71,611	5
Production	6,210	6	39,874	5	64,441	5
Trans./Material Mover	6,373	6	46,614	6	76,283	5
Total	83,718		599,072		1,132,892	

Source: Claritas, 2015.

Commute Shed



Commuters who travel to Employment Corridor per Square Mile

- 4 to 10
- 10 to 25
- 25 to 50
- More than 50

- Phoenix North Central Job Center
- Phoenix North Central Job Center Catchment Area

Source: Maricopa Association of Governments, TRP Reduction Database, 2013

- Access to a large executive and professional workforce
- Advanced telecommunications infrastructure
- Large inventory of office space
- Competitive lease rates
- Superior accessibility to key business and financial services

Sites and Buildings

The North Central employment center offers a **large inventory of office and commercial space** mixed with a variety of hotel and residential developments. From high-rise office buildings and condominiums to palm tree-lined streets of historic single-family neighborhoods, diversity enhances the appeal of this conveniently located area.

The area has about **14.5 million square feet of existing office space** in close proximity to downtown. For companies that require build-to-suit space, there are prime commercial high-rise parcels available.⁴

The map to the right highlights the type of community real estate in the North Central area. Our team can provide more detail, custom information based on your requirements.

4 CoStar Realty Information Inc., 2015

Connectivity

The North Central employment center features modern, **reliable telecommunications infrastructure** that is supported by multiple providers. These providers are able to offer specialized capabilities such as complete digital infrastructure, T-1 (DS1) lines, T-3 (DS3) lines, self-healing fiber ring architecture and high-speed data communications. Local exchange carriers with service in the North Central area include CenturyLink and Cox Communications.

Infrastructure

Abundant and reliable power sources are available from a highly advanced network system that provides redundant feeds from multiple sub-stations.

The North Central employment center enjoys easy access to a **modern network of urban freeways and arterial streets**. This employment center has excellent transit service and is located along the **METRO light rail** transit line that connects the area to downtown Phoenix, Phoenix Sky Harbor International Airport and surrounding cities.

For businesses that require convenient air access, **Phoenix Sky Harbor International Airport** is located just 15 minutes away. The airport is one of the busiest in the U.S. based on passenger traffic and offers more than **830 daily non-stop flights** to nearly 80 domestic destinations and 13 international destinations.⁵

5 Phoenix Sky Harbor International Airport, 2015.



Existing and Planned Development

- 1. Century Link Tower**
586,403 sq. ft.
Office
- 2. Viad Tower Phase II**
478,488 sq. ft.
Office - Proposed
- 3. Phoenix Corporate Tower**
445,811 sq. ft.
Office
- 4. Phoenix Plaza Tower II**
419,453 sq. ft.
Office
- 5. Phoenix Plaza Tower I**
418,613 sq. ft.
Office
- 6. Younan Central Plaza**
405,693
Office
- 7. 2800 Tower**
364,533 sq. ft.
Office
- 8. 3550 Tower**
287,269 sq. ft.
Office
- 9. Park Central - Bldg 7**
224,953 sq. ft.
Office
- 10. Security Title Plaza**
219,032 sq. ft.
Office

Source: CoStar Realty Information Inc., 2015



Amenities and Attractions

The exciting **Phoenix Arts District** includes the Phoenix Art Museum and Theater, the Playhouse on the Park and the internationally renowned Heard Museum of Native American Art. Steele Indian School Park, located at the northeast corner of Central Avenue and Indian School Road, features an expansive 15-acre entry garden, several historical buildings depicting the history of Phoenix Indian School, an amphitheater with seating for 1,500, a 2.5-acre bird-shaped lake and waterfall and a 15-acre neighborhood park. Located in the heart of the North Central employment center, Park Central is a 500,000 square foot mixed-use redevelopment featuring offices, retail, restaurants and business-oriented hotels. In addition, there are a number of **new luxury apartment developments** in the area that provide a variety of housing options for workers and support continued office and retail development.

Major Area Employers

- CenturyLink**
Telecommunications
- Deloitte LLP**
Accounting and Management Consulting
- Fennemore Craig**
Law Firm
- SCF Arizona**
Direct Property and Casualty Insurance - HQ
- Viad Corporation**
Business Services - HQ

- PricewaterhouseCoopers**
Accounting and Management Consulting
- Dignity Health**
Hospital Administration
- IBM Corporation**
Administrative Operations
- U-Haul International**
Leasing Services - Corp. HQ
- Xerox Corporation**
Copiers and Office Products
- BMO Harris Bank**
Banking and Financial Services

Source: Maricopa Association of Governments, 2013



From: [Webmail Team](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#); [CarnationAssociationAZ](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [Tom Bilsten \(tom.bilsten@gmail.com\)](#)
Cc: [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Better Integration to Existing Neighborhood -- Zoning Request Z-17-
Date: Wednesday, May 24, 2023 12:54:28 PM

Dear Nick and Josh –

Thank you for including in Planning's draft stipulations regarding Petree Properties rezoning request, Z-17-22-4, a requirement that limits building height to 30 feet within 35 feet and 40 feet within 60 feet for the portion of the subject site zoned WU Code T5:5, measured from 2nd Avenue. The Carnation Association of Neighbors has been requesting this of Petree Properties for over a year. It is a concern for Carnation residents that a dominating structure will negatively affect their privacy and homes. We believe it will greatly impact how well the development integrates with the surrounding single-story homes.

However, please also consider the homes on the southwest end of 2nd Avenue, where the Petree project is requesting T4:3 zoning. The single-story homes across the street deserve the same protections that Planning is recommending for the homes across from T5:5 zoning.

We highly appreciate the thoughtful consideration given by Planning regarding the aesthetics and scale, when compared to all of the single-story homes located along the west side of this proposal.

Regards,

Diane Mihalsky
304 W. Campbell Ave.
602-541-2200

From: [Michael Arteca](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [CarnationAssociationAZ](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [Tom Bilsten](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Re: Subject: Better Integration to Existing Neighborhood - Zoning request Z-17-22-4
Date: Wednesday, May 24, 2023 11:48:47 AM

Hello,

It is referring to building height restrictions when in proximity to a single family homes on and around 2nd Ave. The following restrictions are being recommend by the city of Phoenix planning and development department per a draft document we received.

Per Z-17-22-4: T5:5 BUILDING HEIGHT: For the portion of the subject site zoned WU Code

T5:5 and measured from 2nd Avenue, the building height shall not exceed 30 feet within 35 feet and 40 feet within 60 feet.

We'd like to see the same restrictions applied to other zoning WU codes associated with the project to help protect the privacy of the folks that live in the area. Nobody wants to have random people be able to look down from there window or balcony and see everything that's going on in their backyard. The houses were there way before the idea of an apartment complex and it's not okay to take away thier privacy because the city of Phoenix would rather build now and ask questions later.

The neighborhood is all for density and growth, we just want to see it down right. We have had to many mistakes with apartments being build in the neighborhood to assume the city is looking out for our best interest.

Thank you,
Mike Arteca

On Tue, May 23, 2023, 2:52 PM Michael Arteca <mike.arteca@gmail.com> wrote:

Dear Nick and Josh –

Thank you for including in Planning's draft stipulations regarding Petree Properties rezoning request, Z-17-22-4, a requirement that limits building height to 30 feet within 35 feet and 40 feet within 60 feet for the portion of the subject site zoned WU Code T5:5, measured from 2nd Avenue. The Carnation Association of Neighbors has been requesting this of Petree Properties for over a year. It is a concern for Carnation residents that a dominating

structure will negatively affect their privacy and homes. We believe it will greatly impact how well the development integrates with the surrounding single-story homes.

However, please also consider the homes on the southwest end of 2nd Avenue, where the Petree project is requesting T4:3 zoning. The single-story homes across the street deserve the same protections that Planning is recommending for the homes across from T5:5 zoning.

We highly appreciate the thoughtful consideration given by Planning regarding the aesthetics and scale, when compared to all of the single-story homes located along the west side of this proposal.

Regards,
Mike Arteca

From: [ANN SKANADORE](#)
To: [PDD Encanto VPC](#)
Cc: [Marcia Nix](#); [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.bilsten@gmail.com](#); [John Roanhorse](#); [kathryn@northcentralnews.net](#); [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Subject: Concerning Petree Properties Rezoning Request (Z-17-22-4)
Date: Tuesday, May 23, 2023 2:51:54 PM

This email is sent on behalf of Marcia Nix:

Dear Encanto Village Planning Commissioners,

I am writing to express my profound concern over Petree Properties' request to rezone 15 acres along Central Avenue, between Glenrosa and Turney (Z-17-22-4). As a resident invested in the betterment of our neighborhood, myself and others have engaged in extensive discussions with the developer and their legal representative, Wendy Riddell, over the past year. Through numerous meetings, emails, and phone calls, our intention was to reach an agreement that would foster a development aligned with the goals of our community, particularly in accordance with the Reinvent Phoenix Uptown TOD Policy Plan.

Regrettably, little progress has been made since Petree Properties first presented their plan to the community following a request made by the Carnation Association of Neighbors Development Committee, back in March 2022. Despite our repeated appeals for the inclusion of community-desired elements, the passing months and subsequent meetings have yielded minimal change.

We advocated for the creation of separate, smaller, and more walkable parcels, the extension of sidewalks along Glenrosa and Turney to at least 5th Avenue, a balanced distribution of one-bedroom and two-bedroom units (no studios) along 2nd Avenue, a reduction in the number of units per acre along 2nd Avenue (even offering to support more along Central), and sensitivity in scale when adjacent to single-story homes. We lobbied hard for a much needed commercial-retail component and other amenities that elevate intense developments livability.

To manage traffic we asked for the implementation of a left turn in, right turn out on Turney. We implored Petree Properties to incorporate interior private streets that would contribute to the City of Phoenix public street parking and adhere to the same rules and regulations as the surrounding streets. This measure aimed to alleviate the additional strain the development would impose on public street parking. Yet again, our ideas were rejected.

Regrettably, the only affirmative responses we have received from Petree Properties have pertained to matters mandated by code. Over the course of the past year, we have diligently collaborated with Petree Properties in the hopes of shaping a proposal that would benefit all stakeholders. However, the proposal that Petree Properties intends to present to the Encanto Village Planning Commissioners closely mirrors their initial plan presented at the first community meeting in April 2022.

We don't expect to reach agreement on everything, but we do expect to get some return that aligns with the functional goals we have for our neighborhood. We urge our Encanto Village Planning Commissioners to exercise their oversight, and push Petree Properties back to the community so we can turn this proposal into something we can all be proud of. It is vital to prioritize the long-term well-being and cohesion of our community when making decisions of

this nature.

Thank you for your attention to this matter.

Sincerely,

Marcia Nix

215 W. Roma Ave

Phoenix, Az 85013

From: [Michael Madden](#)
To: [PDD Encanto VPC](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.bilsten@gmail.com](#); [John Roanhorse](#); [kathryn@northcentralnews.net](#); [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Subject: Concerning Petree Properties Rezoning Request (Z-17-22-4)
Date: Tuesday, May 23, 2023 4:09:48 PM

Dear Encanto Village Planning Commissioners,

I am writing to express my profound concern over Petree Properties' request to rezone 15 acres along Central Avenue, between Glenrosa and Turney (Z-17-22-4). As a resident invested in the betterment of our neighborhood, myself and others have engaged in extensive discussions with the developer and their legal representative, Wendy Riddell, over the past year. Through numerous meetings, emails, and phone calls, our intention was to reach an agreement that would foster a development aligned with the goals of our community, particularly in accordance with the Reinvent Phoenix Uptown TOD Policy Plan.

Regrettably, little progress has been made since Petree Properties first presented their plan to the community following a request made by the Carnation Association of Neighbors Development Committee, back in March 2022. Despite our repeated appeals for the inclusion of community-desired elements, the passing months and subsequent meetings have yielded minimal change.

We advocated for the creation of separate, smaller, and more walkable parcels, the extension of sidewalks along Glenrosa and Turney to at least 5th Avenue (a crucial safety addition), a balanced distribution of one-bedroom and two-bedroom units (no studios) along 2nd Avenue, a reduction in the number of units per acre along 2nd Avenue (even offering to support more along Central), and sensitivity in scale when adjacent to single-story homes. We lobbied hard for a much needed commercial-retail component and other amenities that elevate intense developments livability.

To manage traffic we asked for the implementation of a left turn in, right turn out on Turney. We implored Petree Properties to incorporate interior private streets that would contribute to the City of Phoenix public street parking and adhere to the same rules and regulations as the surrounding streets. This measure aimed to alleviate the additional strain the development would impose on public street parking. Yet again, our ideas were rejected.

Regrettably, the only affirmative responses we have received from Petree Properties have pertained to matters mandated by code. Over the course of the past year, we have diligently collaborated with Petree Properties in the hopes of shaping a proposal that would benefit all stakeholders. However, the proposal that Petree Properties intends to present to the Encanto Village Planning Commissioners closely mirrors their initial plan presented at the first community meeting in April 2022.

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well-being and cohesion of our community when making decisions of this nature.

Thank you for your attention to this matter.

Sincerely,

Michael Madden MD
312 W Montecito Ave
Phoenix, 85013

From: [Michael Arteca](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.blisten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component
Date: Tuesday, May 23, 2023 2:50:26 PM

Dear Nick and Josh;

It has come to my attention that the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project.

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,
Mike Arteca

From: [Michael Arteca](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.bilsten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Subject: Better Integration to Existing Neighborhood - Zoning request Z-17-22-4
Date: Tuesday, May 23, 2023 2:52:55 PM

Dear Nick and Josh –

Thank you for including in Planning's draft stipulations regarding Petree Properties rezoning request, Z-17-22-4, a requirement that limits building height to 30 feet within 35 feet and 40 feet within 60 feet for the portion of the subject site zoned WU Code T5:5, measured from 2nd Avenue. The Carnation Association of Neighbors has been requesting this of Petree Properties for over a year. It is a concern for Carnation residents that a dominating structure will negatively affect their privacy and homes. We believe it will greatly impact how well the development integrates with the surrounding single-story homes.

However, please also consider the homes on the southwest end of 2nd Avenue, where the Petree project is requesting T4:3 zoning. The single-story homes across the street deserve the same protections that Planning is recommending for the homes across from T5:5 zoning.

We highly appreciate the thoughtful consideration given by Planning regarding the aesthetics and scale, when compared to all of the single-story homes located along the west side of this proposal.

Regards,
Mike Arteca

From: [Michael Arteca](#)
To: [PDD Encanto VPC](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.bilsten@gmail.com](#); [John Roanhorse](#); [kathryn@northcentralnews.net](#); [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Subject: Subject: Concerning Petree Properties Rezoning Request (Z-17-22-4)
Date: Tuesday, May 23, 2023 2:54:38 PM

Dear Encanto Village Planning Commissioners,

I am writing to express my profound concern over Petree Properties' request to rezone 15 acres along Central Avenue, between Glenrosa and Turney (Z-17-22-4). As a resident invested in the betterment of our neighborhood, myself and others have engaged in extensive discussions with the developer and their legal representative, Wendy Riddell, over the past year. Through numerous meetings, emails, and phone calls, our intention was to reach an agreement that would foster a development aligned with the goals of our community, particularly in accordance with the Reinvent Phoenix Uptown TOD Policy Plan.

Regrettably, little progress has been made since Petree Properties first presented their plan to the community following a request made by the Carnation Association of Neighbors Development Committee, back in March 2022. Despite our repeated appeals for the inclusion of community-desired elements, the passing months and subsequent meetings have yielded minimal change.

We advocated for the creation of separate, smaller, and more walkable parcels, the extension of sidewalks along Glenrosa and Turney to at least 5th Avenue, a balanced distribution of one-bedroom and two-bedroom units (no studios) along 2nd Avenue, a reduction in the number of units per acre along 2nd Avenue (even offering to support more along Central), and sensitivity in scale when adjacent to single-story homes. We lobbied hard for a much needed commercial-retail component and other amenities that elevate intense developments livability.

To manage traffic we asked for the implementation of a left turn in, right turn out on Turney. We implored Petree Properties to incorporate interior private streets that would contribute to the City of Phoenix public street parking and adhere to the same rules and regulations as the surrounding streets. This measure aimed to alleviate the additional strain the development would impose on public street parking. Yet again, our ideas were rejected.

Regrettably, the only affirmative responses we have received from Petree Properties have pertained to matters mandated by code. Over the course of the past year, we have diligently collaborated with Petree Properties in the hopes of shaping a proposal that would benefit all stakeholders. However, the proposal that Petree Properties intends to present to the Encanto Village Planning Commissioners closely mirrors their initial plan presented at the first community meeting in April 2022.

We don't expect to reach agreement on everything, but we do expect to get some return that aligns with the functional goals we have for our neighborhood. We urge our Encanto Village Planning Commissioners to exercise their oversight, and push Petree Properties back to the community so we

can turn this proposal into something we can all be proud of. It is vital to prioritize the long-term well-being and cohesion of our community when making decisions of this nature.

Thank you for your attention to this matter.

Sincerely,
Mike Arteca

From: [Dave Brian Jenkins](#)
To: [PDD Encanto VPC](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.bilsten@gmail.com](#); [John Roanhorse](#); [kathryn@northcentralnews.net](#); [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Subject: Concerning Petree Properties Rezoning Request (Z-17-22-4)
Date: Monday, May 22, 2023 8:00:50 AM

Encanto Village Planning Commissioners,

I am writing to express my profound concern over Petree Properties' request to rezone 15 acres along Central Avenue, between Glenrosa and Turney (Z-17-22-4). As a resident invested in the betterment of our neighborhood, myself and others have engaged in extensive discussions with the developer and their legal representative, Wendy Riddell, over the past year. Through numerous meetings, emails, and phone calls, our intention was to reach an agreement that would foster a development aligned with the goals of our community, particularly in accordance with the Reinvent Phoenix Uptown TOD Policy Plan.

Regrettably, little progress has been made since Petree Properties first presented their plan to the community following a request made by the Carnation Association of Neighbors Development Committee, back in March 2022. Despite our repeated appeals for the inclusion of community-desired elements, the passing months and subsequent meetings have yielded minimal change.

We advocated for the creation of separate, smaller, and more walkable parcels, the extension of sidewalks along Glenrosa and Turney to at least 5th Avenue, a balanced distribution of one-bedroom and two-bedroom units (no studios) along 2nd Avenue, a reduction in the number of units per acre along 2nd Avenue (even offering to support more along Central), and sensitivity in scale when adjacent to single-story homes. We lobbied hard for a much needed commercial-retail component and other amenities that elevate intense developments livability.

To manage traffic we asked for the implementation of a left turn in, right turn out on Turney. We implored Petree Properties to incorporate interior private streets that would contribute to the City of Phoenix public street parking and adhere to the same rules and regulations as the surrounding streets. This measure aimed to alleviate the additional strain the development would impose on public street parking. Yet again, our ideas were rejected.

Regrettably, the only affirmative responses we have received from Petree Properties have pertained to matters mandated by code. Over the course of the past year, we have diligently collaborated with Petree Properties in the hopes of shaping a proposal that would benefit all stakeholders. However, the proposal that Petree Properties intends to present to the Encanto Village Planning Commissioners closely mirrors their initial plan presented at the first community meeting in April 2022.

We don't expect to reach agreement on everything, but we do expect to get some return that aligns with the functional goals we have for our neighborhood. We urge our Encanto Village Planning Commissioners to exercise their oversight and push Petree Properties back to the community so we can turn this proposal into something we can all be proud of. It is vital to prioritize the long-term

well-being and cohesion of our community when making decisions of this nature.

Thank you for your attention to this matter.

Sincerely,
Dave Brian Jenkins

From: [ANN SKANADORE](#)
To: [PDD Encanto VPC](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.bilsten@gmail.com](#); [John Roanhorse](#); [kathryn@northcentralnews.net](#); [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Subject: Concerning Petree Properties Rezoning Request (Z-17-22-4)
Date: Friday, May 19, 2023 9:44:30 AM

Dear Encanto Village Planning Commissioners,

I sincerely hope you read this entire email. I have lived in the neighborhood for over 58 years. As a resident of Carnation Neighborhood, I firmly support the sentiments stated below. One of the greatest concerns with the Petree project is the increase of traffic through our residential streets. Two of my neighbors and myself have walked every day for 10 years through the area and have witnessed the increased and sometimes aggressive/speeding through our streets. One of my neighbors was actually side swiped by a truck during one of our walks. Most of our streets are small, as well as, having no sidewalks. I live in the Yapple Park Historic District which is located within the Carnation boundaries and am concerned what the adverse impact this project will have if no consideration is taken into minimizing the negative repercussions we will continue to experience on a daily basis.

I am writing to express my profound concern over Petree Properties' request to rezone 15 acres along Central Avenue, between Glenrosa and Turney (Z-17-22-4). As a resident invested in the betterment of our neighborhood, others and I have engaged in extensive discussions with the developer and their legal representative, Wendy Riddell, over the past year. Through numerous meetings, emails, and phone calls, our intention was to reach an agreement that would foster a development aligned with the goals of our community, particularly in accordance with the Reinvent Phoenix Uptown TOD Policy Plan.

Regrettably, little progress has been made since Petree Properties first presented their plan to the community following a request made by the Carnation Association of Neighbors Development Committee, back in March 2022. Despite our repeated appeals for the inclusion of community-desired elements, the passing months and subsequent meetings have yielded minimal change.

We advocated for the creation of separate, smaller, and more walkable parcels, the extension of sidewalks along Glenrosa and Turney to at least 5th Avenue, a balanced distribution of one-bedroom and two-bedroom units (no studios) along 2nd Avenue, a reduction in the number of units per acre along 2nd Avenue (even offing to support more along Central), and sensitivity in scale when adjacent to single-story homes. We lobbied hard for a much needed commercial-retail component and other amenities that elevate intense developments livability.

To manage traffic, we asked for the implementation of a left turn in, right turn out on Turney. We implored Petree Properties to incorporate interior private streets that would contribute to the City of Phoenix public street parking and adhere to the same rules and regulations as the surrounding streets. This measure aimed to alleviate the additional strain the development would impose on public street parking. Yet again, our ideas were rejected.

Regrettably, the only affirmative responses we have received from Petree Properties have pertained to matters mandated by code. Over the course of the past year, we have diligently collaborated with Petree Properties in the hopes of shaping a proposal that would benefit all

stakeholders. However, the proposal that Petree Properties intends to present to the Encanto Village Planning Commissioners closely mirrors their initial plan presented at the first community meeting in April 2022.

We don't expect to reach agreement on everything, but we do expect to get some return that aligns with the functional goals we have for our neighborhood. We urge our Encanto Village Planning Commissioners to exercise their oversight, and push Petree Properties back to the community so we can turn this proposal into something we can all be proud of. It is vital to prioritize the long-term well-being and cohesion of our community when making decisions of this nature.

Thank you for your attention to this matter.

Sincerely,

Anne Skanadore

318 W. Roma Ave.

Phoenix, Az 85013



Dear Encanto Village Planning Commissioners,

I am writing to express my profound concern over Petree Properties' request to rezone 15 acres along Central Avenue, between Glenrosa and Turney (Z-17-22-4). As a resident invested in the betterment of our neighborhood, myself and others have engaged in extensive discussions with the developer and their legal representative, Wendy Riddell, over the past year. Through numerous meetings, emails, and phone calls, our intention was to reach an agreement that would foster a development aligned with the goals of our community, particularly in accordance with the Reinvent Phoenix Uptown TOD Policy Plan.

Regrettably, little progress has been made since Petree Properties first presented their plan to the community following a request made by the Carnation Association of Neighbors Development Committee, back in March 2022. Despite our repeated appeals for the inclusion of community-desired elements, the passing months and subsequent meetings have yielded minimal change.

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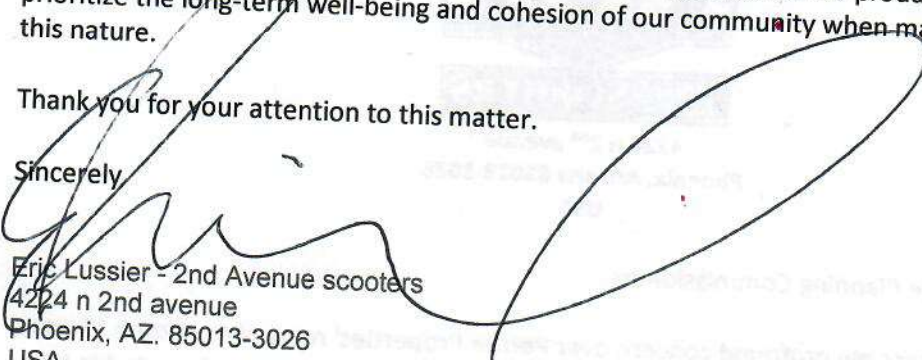
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Regrettably, the only affirmative responses we have received from Petree Properties have pertained to matters mandated by code. Over the course of the past year, we have diligently collaborated with Petree Properties in the hopes of shaping a proposal that would benefit all stakeholders. However, the proposal that Petree Properties intends to present to the Encanto Village Planning Commissioners closely mirrors their initial plan presented at the first community meeting in April 2022.

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Thank you for your attention to this matter.

Sincerely,


Eric Lussier - 2nd Avenue scooters
4224 n 2nd avenue
Phoenix, AZ. 85013-3026
USA
602-799-0252
www.2ndavenuescooters.com

From: [Michael Lueken](#)
To: [PDD Encanto VPC](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.bilsten@gmail.com](#); [John Roanhorse](#); [kathryn@northcentralnews.net](#); [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Subject: Subject: Concerning Petree Properties Rezoning Request (Z-17-22-4)
Date: Thursday, May 18, 2023 9:34:17 AM

Dear Encanto Village Planning Commissioners,

I am writing to express my profound concern over Petree Properties' request to rezone 15 acres along Central Avenue, between Glenrosa and Turney (Z-17-22-4). As a resident invested in the betterment of our neighborhood, myself and others have engaged in extensive discussions with the developer and their legal representative, Wendy Riddell, over the past year. Through numerous meetings, emails, and phone calls, our intention was to reach an agreement that would foster a development aligned with the goals of our community, particularly in accordance with the Reinvent Phoenix Uptown TOD Policy Plan.

Regrettably, little progress has been made since Petree Properties first presented their plan to the community following a request made by the Carnation Association of Neighbors Development Committee, back in March 2022. Despite our repeated appeals for the inclusion of community-desired elements, the passing months and subsequent meetings have yielded minimal change.

We advocated for the creation of separate, smaller, and more walkable parcels, the extension of sidewalks along Glenrosa and Turney to at least 5th Avenue, a balanced distribution of one-bedroom and two-bedroom units (no studios) along 2nd Avenue, a reduction in the number of units per acre along 2nd Avenue (even offering to support more along Central), and sensitivity in scale when adjacent to single-story homes. We lobbied hard for a much needed commercial-retail component and other amenities that elevate intense developments livability.

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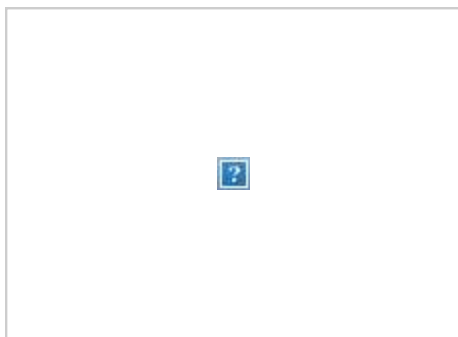
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Thank you for your attention to this matter.

Sincerely,

Mike Lueken



MICHAEL J. LUEKEN, PHD
THEOLOGY DEPARTMENT

XAVIER COLLEGE PREPARATORY

4710 N 5th St | Phoenix, AZ 85012

mlueken@xcp.org www.xcp.org [\[na01.safelinks.protection.outlook.com\]](mailto:na01.safelinks.protection.outlook.com)

From: [Sarah Diebolt](#)
To: [PDD Encanto VPC](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.bilsten@gmail.com](#); [John Roanhorse](#); [kathryn@northcentralnews.net](#); [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Subject: Concerning Petree Properties Rezoning Request (Z-17-22-4)
Date: Thursday, May 18, 2023 7:20:02 PM

Dear Encanto Village Planning Commissioners,

I am writing to express my profound concern over Petree Properties' request to rezone 15 acres along Central Avenue, between Glenrosa and Turney (Z-17-22-4). As a resident invested in the betterment of our neighborhood, myself and others have engaged in extensive discussions with the developer and their legal representative, Wendy Riddell, over the past year. Through numerous meetings, emails, and phone calls, our intention was to reach an agreement that would foster a development aligned with the goals of our community, particularly in accordance with the Reinvent Phoenix Uptown TOD Policy Plan.

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well-being and cohesion of our community when making decisions of this nature.

Thank you for your attention to this matter.

Sincerely,
Sarah Diebolt

From: [Cliff Valenti](#)
To: [PDD Encanto VPC](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.bilsten@gmail.com](#); [John Roanhorse](#); [kathryn@northcentralnews.net](#); [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Subject: Concerning Petree Properties Rezoning Request (Z-17-22-4)
Date: Wednesday, May 17, 2023 11:26:02 PM

Dear Encanto Village Planning Commissioners,

I am writing to express my profound concern over Petree Properties' request to rezone 15 acres along Central Avenue, between Glenrosa and Turney (Z-17-22-4). As a resident invested in the betterment of our neighborhood, myself and others have engaged in extensive discussions with the developer and their legal representative, Wendy Riddell, over the past year. Through numerous meetings, emails, and phone calls, our intention was to reach an agreement that would foster a development aligned with the goals of our community, particularly in accordance with the Reinvent Phoenix Uptown TOD Policy Plan.

Regrettably, little progress has been made since Petree Properties first presented their plan to the community following a request made by the Carnation Association of Neighbors Development Committee, back in March 2022. Despite our repeated appeals for the inclusion of community-desired elements, the passing months and subsequent meetings have yielded minimal change.

We advocated for the creation of separate, smaller, and more walkable parcels, the extension of sidewalks along Glenrosa and Turney to at least 5th Avenue, a balanced distribution of one-bedroom and two-bedroom units (no studios) along 2nd Avenue, a reduction in the number of units per acre along 2nd Avenue (even offering to support more along Central), and sensitivity in scale when adjacent to single-story homes. We lobbied hard for a much needed commercial-retail component and other amenities that elevate intense developments livability.

To manage traffic we asked for the implementation of a left turn in, right turn out on Turney. We implored Petree Properties to incorporate interior private streets that would contribute to the City of Phoenix public street parking and adhere to the same rules and regulations as the surrounding streets. This measure aimed to alleviate the additional strain the development would impose on public street parking. Yet again, our ideas were rejected.

Regrettably, the only affirmative responses we have received from Petree Properties have pertained to matters mandated by code. Over the course of the past year, we have diligently collaborated with Petree Properties in the hopes of shaping a proposal that would benefit all stakeholders. However, the proposal that Petree Properties intends to present to the Encanto Village Planning Commissioners closely mirrors their initial plan presented at the first community meeting in April 2022.

We don't expect to reach agreement on everything, but we do expect to get some return that aligns with the functional goals we have for our neighborhood. We urge our Encanto Village Planning Commissioners to exercise their oversight, and push Petree Properties back to the community so we can turn this proposal into something we can all be proud of. It is vital to prioritize the long-term

well-being and cohesion of our community when making decisions of this nature.

Thank you for your attention to this matter.

Sincerely,

Cliff Valenti

Secretary, Carnation Association of Neighbors

Chair, Development Committee

From: [Derek Powell](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.blisten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component
Date: Wednesday, May 17, 2023 6:56:38 PM

Dear Nick and Josh;

I want to join my neighbors in sharing my concerns about the City of Phoenix Planning Department's request that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what I and many other residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project.

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community.

This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

True mixed-use zoning is a key part of what I love about the Carnation neighborhood. I truly worry that a massive influx of new housing units without adequate commercial-retail space will harm the feel of this community, pushing it toward being a place where people only live and commute from (and I guess take the lightrail downtown to) rather than a vibrant community.

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,

Derek Powell

From: [Michelle Tedhams](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.bilsten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#); [eriktedhams@gmail.com](#)
Subject: Better Integration to Existing Neighborhood - Zoning request Z-17-22-4
Date: Tuesday, May 16, 2023 9:09:26 AM

Dear Nick and Josh,

Thank you for including in Planning's draft stipulations regarding Petree Properties rezoning request, Z-17-22-4, a requirement that limits building height to 30 feet within 35 feet and 40 feet within 60 feet for the portion of the subject site zoned WU Code T5:5, measured from 2nd Avenue. The Carnation Association of Neighbors has been requesting this of Petree Properties for over a year. It is a concern for Carnation residents that a dominating structure will negatively affect their privacy and homes. We believe it will greatly impact how well the development integrates with the surrounding single-story homes.

However, please also consider the homes on the southwest end of 2nd Avenue, where the Petree project is requesting T4:3 zoning. The single-story homes across the street deserve the same protections that Planning is recommending for the homes across from T5:5 zoning.

We highly appreciate the thoughtful consideration given by Planning regarding the aesthetics and scale, when compared to all of the single-story homes located along the west side of this proposal.

Sincerely,
Michelle Tedhams
4206 N 2nd Avenue
Phoenix, AZ 85013-3026
C: 602-300-2944

From: [Bill Ryan](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#);
[tom.bilsten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Better Integration to Existing Neighborhood - Zoning request Z-17-22-4
Date: Monday, May 15, 2023 9:38:23 AM

Dear Nick and Josh,

Thank you for including in Planning's draft stipulations regarding Petree Properties rezoning request, Z-17-22-4, a requirement that limits building height to 30 feet within 35 feet and 40 feet within 60 feet for the portion of the subject site zoned WU Code T5:5, measured from 2nd Avenue. The Carnation Association of Neighbors has been requesting this of Petree Properties for over a year. It is a concern for Carnation residents that a dominating structure will negatively affect their privacy and homes. We believe it will greatly impact how well the development integrates with the surrounding single-story homes.

However, please also consider the homes on the southwest end of 2nd Avenue, where the Petree project is requesting T4:3 zoning. The single-story homes across the street deserve the same protections that Planning is recommending for the homes across from T5:5 zoning.

We highly appreciate the thoughtful consideration given by Planning regarding the aesthetics and scale, when compared to all of the single-story homes located along the west side of this proposal.

Regards,

Bill Ryan

From: [Dave Brian Jenkins](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#);
[tom.bilsten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Better Integration to Existing Neighborhood - Zoning request Z-17-22-4
Date: Monday, May 15, 2023 8:01:24 AM

Hello Nick and Josh,

Thank you for including in Planning's draft stipulations regarding Petree Properties' rezoning request, Z-17-22-4, a requirement that limits building height to 30 feet within 35 feet and 40 feet within 60 feet for the portion of the subject site zoned WU Code T5:5, measured from 2nd Avenue. The Carnation Association of Neighbors has been requesting this of Petree Properties for over a year. It is a concern for Carnation residents that a dominating structure will negatively affect their privacy and homes. We believe it will greatly impact how well the development integrates with the surrounding single-story homes.

However, please also consider the homes on the southwest end of 2nd Avenue, where the Petree project is requesting T4:3 zoning. The single-story homes across the street deserve the same protections that Planning is recommending for the homes across from T5:5 zoning.

We highly appreciate the thoughtful consideration given by Planning regarding the aesthetics and scale, when compared to all of the single-story homes located along the west side of this proposal.

Thank you
Dave Brian Jenkins

From: [Kathleen LaVoy](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#);
[tom.bilsten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Better Integration to Existing Neighborhood - Zoning request Z-17-22-4
Date: Sunday, May 14, 2023 3:24:30 PM

Dear Nick and Josh –

Thank you for including in Planning's draft stipulations regarding Petree Properties rezoning request, Z-17-22-4, a requirement that limits building height to 30 feet within 35 feet and 40 feet within 60 feet for the portion of the subject site zoned WU Code T5:5, measured from 2nd Avenue. The Carnation Association of Neighbors has been requesting this of Petree Properties for over a year. It is a concern for Carnation residents that a dominating structure will negatively affect their privacy and homes. We believe it will greatly impact how well the development integrates with the surrounding single-story homes.

However, please also consider the homes on the southwest end of 2nd Avenue, where the Petree project is requesting T4:3 zoning. The single-story homes across the street deserve the same protections that Planning is recommending for the homes across from T5:5 zoning.

We highly appreciate the thoughtful consideration given by Planning regarding the aesthetics and scale, when compared to all of the single-story homes located along the west side of this proposal.

Regards,
Kathy LaVoy

From: [ANN SKANADORE](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.blisten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#); [msnix215@gmail.com](#)
Subject: Better Integration to Existing Neighborhood - Zoning request Z-17-22-4
Date: Friday, May 12, 2023 11:26:18 AM

Dear Nick and Josh,

Please note: My name is Marcia Nix and Anne Skanadore is sending my email using her address.

We are grateful that you are including the Planning's draft stipulations regarding Petree Properties rezoning request, Z-17-22-4, a requirement that limits building height to 30 feet within 35 feet and 40 feet within 60 feet for the portion of the subject site zoned WU Code T5:5, measured from 2nd Avenue. The Carnation Association of Neighbors has been requesting this of Petree Properties for over a year. It is a concern for Carnation residents that a dominating structure will negatively affect their privacy and homes. We believe it will greatly impact how well the development integrates with the surrounding single-story homes.

However, please also consider the homes on the southwest end of 2nd Avenue, where the Petree project is requesting T4:3 zoning. The single-story homes across the street deserve the same protections that Planning is recommending for the homes across from T5:5 zoning. Please consider the reflective heat from the additional height of the current proposed structure. I realize this may sound minimal but every degree that is not reflected back onto our neighborhood homes will help.

We highly appreciate the thoughtful consideration given by Planning regarding the aesthetics and scale, when compared to all of the single-story homes located along the west side of this proposal.

Regards,

Marcia Nix

215 W. Roma Ave.

Phoenix, Az 85013

From: [Michael Lueken](#)
To: [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.bilsten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#); [Nick Klimek](#); [carnationassociationaz@gmail.com](#)
Subject: Better Integration to Existing Neighborhood - Zoning request Z-17-22-4
Date: Friday, May 12, 2023 10:50:45 AM

Dear Nick and Josh –

Thank you for including in Planning's draft stipulations regarding Petree Properties rezoning request, Z-17-22-4, a requirement that limits building height to 30 feet within 35 feet and 40 feet within 60 feet for the portion of the subject site zoned WU Code T5:5, measured from 2nd Avenue. The Carnation Association of Neighbors has been requesting this of Petree Properties for over a year. It is a concern for Carnation residents that a dominating structure will negatively affect their privacy and homes. We believe it will greatly impact how well the development integrates with the surrounding single-story homes.

However, please also consider the homes on the southwest end of 2nd Avenue, where the Petree project is requesting T4:3 zoning. The single-story homes across the street deserve the same protections that Planning is recommending for the homes across from T5:5 zoning.

We highly appreciate the thoughtful consideration given by Planning regarding the aesthetics and scale, when compared to all of the single-story homes located along the west side of this proposal.

Regards,
Mike Lueken

From: [Michael Lueken](#)
To: [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.blisten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#); [Nick Klimek](#); [Ccarnationassociationaz@gmail.com](#)
Subject: Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component
Date: Friday, May 12, 2023 10:54:27 AM

Dear Nick and Josh;

It has come to my attention that the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project.

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,
Mike Lueken

From: [Christina and Tim Price](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.bilsten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Better Integration to Existing Neighborhood - Zoning request Z-17-22-4
Date: Thursday, May 11, 2023 8:24:19 AM

Dear Nick and Josh –

It's shocking that we have to ask for this, but thank you for including in Planning's draft stipulations regarding Petree Properties rezoning request, Z-17-22-4, a requirement that **limits building height to 30 feet** within 35 feet and 40 feet within 60 feet for the portion of the subject site zoned WU Code T5:5, measured from 2nd Avenue. The Carnation Association of Neighbors has been requesting this of Petree Properties for over a year. It is a concern for Carnation residents that a **dominating structure** will negatively affect their privacy and homes. We believe it will greatly impact how well the development integrates with the surrounding single-story homes.

However, **THIS MUST BE DONE** for the homes on the south end of 2nd Avenue, where the Petree project is requesting T4:3 zoning. The single-story homes across the street deserve the same protections that Planning is recommending for the homes across from T5:5 zoning.

Chrisitna Price

From: [Hrushikesh Pandurangi](#)
To: [Nick Klimek](#); [Joshua Bednarek](#)
Subject: Subject: Better Integration to Existing Neighborhood - Zoning request Z-17-22-4
Date: Thursday, May 11, 2023 7:19:37 AM

Dear Nick and Josh –

Thank you for including in Planning's draft stipulations regarding Petree Properties rezoning request, Z-17-22-4, a requirement that limits building height to 30 feet within 35 feet and 40 feet within 60 feet for the portion of the subject site zoned WU Code T5:5, measured from 2nd Avenue. The Carnation Association of Neighbors has been requesting this of Petree Properties for over a year. It is a concern for Carnation residents that a dominating structure will negatively affect their privacy and homes. We believe it will greatly impact how well the development integrates with the surrounding single-story homes.

However, please also consider the homes on the southwest end of 2nd Avenue, where the Petree project is requesting T4:3 zoning. The single-story homes across the street deserve the same protections that Planning is recommending for the homes across from T5:5 zoning.

We highly appreciate the thoughtful consideration given by Planning regarding the aesthetics and scale, when compared to all of the single-story homes located along the west side of this proposal.

Regards
Kesh Pandurangi

From: [Michael Madden](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [CarnationAssociationAZ](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.blisten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Better Integration to Existing Neighborhood - Zoning request Z-17-22-4
Date: Thursday, May 11, 2023 6:27:59 AM

Dear Nick and Josh –

I live just 2 blocks from this development and am very concerned about its impact on my home and neighborhood.

Thank you for including in Planning's draft stipulations regarding Petree Properties rezoning request, Z-17-22-4, a requirement that limits building height to 30 feet within 35 feet and 40 feet within 60 feet for the portion of the subject site zoned WU Code T5:5, measured from 2nd Avenue. The Carnation Association of Neighbors has been requesting this of Petree Properties for over a year. It is a concern for Carnation residents that a dominating structure will negatively affect their privacy and homes. We believe it will greatly impact how well the development integrates with the surrounding single-story homes.

However, please also consider the homes on the southwest end of 2nd Avenue, where the Petree project is requesting T4:3 zoning. The single-story homes across the street deserve the same protections that Planning is recommending for the homes across from T5:5 zoning.

I highly appreciate the thoughtful consideration given by Planning regarding the aesthetics and scale, when compared to all of the single-story homes located along the west side of this proposal.

Sincerely,

Michael Madden MD
312 W Montecito Ave
Phoenix
412-327-3766
Gateway2times@live.com



Subject: Better Integration to Existing Neighborhood - Zoning request Z-17-22-4

Dear Nick and Josh –

Thank you for including in Planning's draft stipulations regarding Petree Properties rezoning request, Z-17-22-4, a requirement that limits building height to 30 feet within 35 feet and 40 feet within 60 feet for the portion of the subject site zoned WU Code T5:5, measured from 2nd Avenue. The Carnation Association of Neighbors has been requesting this of Petree Properties for over a year. It is a concern for Carnation residents that a dominating structure will negatively affect their privacy and homes. We believe it will greatly impact how well the development integrates with the surrounding single-story homes.

However, please also consider the homes on the southwest end of 2nd Avenue, where the Petree project is requesting T4:3 zoning. The single-story homes across the street deserve the same protections that Planning is recommending for the homes across from T5:5 zoning.

We highly appreciate the thoughtful consideration given by Planning regarding the aesthetics and scale, when compared to all the single-story homes located along the west side of this proposal.

Regards,

Eric Lussier - 2nd Avenue scooters
4224 n 2nd avenue
Phoenix, AZ. 85013-3026
USA
602-799-0252
www.2ndavenuescooters.com



5.11.2023

From: [Michelle Kozimor](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [Tamiko Garmen](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.blisten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Better Integration to Existing Neighborhood - Zoning request Z-17-22-4
Date: Thursday, May 11, 2023 8:04:35 AM

Dear Nick and Josh –

Thank you for including in Planning's draft stipulations regarding Petree Properties rezoning request, Z-17-22-4, a requirement that limits building height to 30 feet within 35 feet and 40 feet within 60 feet for the portion of the subject site zoned WU Code T5:5, measured from 2nd Avenue. The Carnation Association of Neighbors has been requesting this of Petree Properties for over a year. It is a concern for Carnation residents that a dominating structure will negatively affect their privacy and homes. We believe it will greatly impact how well the development integrates with the surrounding single-story homes.

However, please also consider the homes on the southwest end of 2nd Avenue, where the Petree project is requesting T4:3 zoning. The single-story homes across the street deserve the same protections that Planning is recommending for the homes across from T5:5 zoning.

We highly appreciate the thoughtful consideration given by Planning regarding the aesthetics and scale, when compared to all of the single-story homes located along the west side of this proposal.

Regards,

Mrs. Kozimor

Michelle Kozimor, M.Ed., MA
School Counselor
Alpha *Can-Fin
McKinney Vento Coordinator
Corona del Sol High School
p: 480-752-8778

Mental Health Resources:

<https://www.tempeunion.org/Social-Emotional-Wellness> [tempeunion.org]

From: [Dave Brian Jenkins](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.blisten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component
Date: Thursday, May 11, 2023 11:51:24 AM

Nick and Josh;

It has come to my attention that the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixe-mixed-project."

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,
Dave Brian Jenkins

From: [Becci Collins](#)
To: [Council District 4](#); [Joshua Bednarek](#); [Laura Pastor](#); [Nick Klimek](#)
Cc: [CarnationAssociationAZ](#); [PDD Encanto VPC](#); [eric.kenney@petreeproperties.com](#); [John Roanhorse](#); [kathryn@northcentralnews.net](#); [tom.bilsten@gmail.com](#); [wr@berryriddell.com](#)
Subject: Better Integration to Existing Neighborhood - Zoning request Z-17-22-4
Date: Thursday, May 11, 2023 3:08:46 PM

Dear Nick and Josh –

Thank you for including in Planning's draft stipulations regarding Petree Properties rezoning request, Z-17-22-4, a requirement that limits building height to 30 feet within 35 feet and 40 feet within 60 feet for the portion of the subject site zoned WU Code T5:5, measured from 2nd Avenue. The Carnation Association of Neighbors has been requesting this of Petree Properties for over a year. It is a concern for Carnation residents that a dominating structure will negatively affect their privacy and homes. We believe it will greatly impact how well the development integrates with the surrounding single-story homes.

However, please also consider the homes on the southwest end of 2nd Avenue, where the Petree project is requesting T4:3 zoning. The single-story homes across the street deserve the same protections that Planning is recommending for the homes across from T5:5 zoning.

We highly appreciate the thoughtful consideration given by Planning regarding the aesthetics and scale, when compared to all of the single-story homes located along the west side of this proposal.

Regards,
Rebecca Burkhart-Collins

From: [Jess Email](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Subject: Petree Properties
Date: Thursday, May 11, 2023 6:17:31 AM

Better Integration to Existing Neighborhood - Zoning request Z-17-22-4

Dear Nick and Josh –

Regarding the height limitations of the Petree property, please consider the homes on the southwest end of 2nd Avenue, where the Petree project is requesting T4:3 zoning. The single-story homes across the street deserve the same protections that Planning is recommending for the homes across from T5:5 zoning.

We highly appreciate the thoughtful consideration given by Planning regarding the aesthetics and scale, when compared to all of the single-story homes located along the west side of this proposal.

Regards,
Jessica Aragon and Phillip Peterson

From: [Rebecca Thomas](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [CarnationAssociationAZ](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.blisten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component
Date: Wednesday, May 10, 2023 2:43:54 PM

Dear Nick and Josh;

It has been brought to my attention via my Carnation Association meetings that the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project.

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,

Rebecca Thomas
334 W. Roma Ave.
Phoenix, AZ 85013
rjthomas@cox.net

From: [Michelle Tedhams](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.blisten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#); [eriktedhams@gmail.com](#)
Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component
Date: Wednesday, May 10, 2023 6:27:53 AM

Dear Mr. Klimek and Mr. Bednarek,

It has come to my attention, as well as that of our neighborhood association, Carnation, that the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project.

I feel, as well as our association, that it is crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

Therefore, I/we urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Thank you for your time and consideration. I look forward to attending meetings regarding further conversations on this matter, to reinforce the neighborhood concerns and come together towards a viable resolution.

Best regards,
Michelle Tedhams
4206 North 2nd Avenue
Phoenix, AZ 85013-3026
C: (602) 300-2944

From: [ANN SKANADORE](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.blisten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component
Date: Wednesday, May 10, 2023 6:48:42 AM

Dear Nick and Josh;

From my understanding, the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project. With allowing the significant increase of residential occupancy in the Petree development project, the need for a truly variety of commercial -retail addition is imperative for Carnation residents to feel that the City and Petree are taking into consideration any benefits for the residents of Carnation.

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,
Anne Skanadore
318 W. Roma Ave
Phoenix, Az 85013

From: [ANN SKANADORE](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [Marcia Nix](#); [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.blisten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component
Date: Wednesday, May 10, 2023 9:22:15 AM

Dear Nick and Josh;

I would like to address my concern that the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project.

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

I am using Anne Skanadore's email address but reside at a different Carnation Neighborhood address.

Sincerely,
Marcia Nix
215 W. Roma Ave
Phoenix, Az



Dear Mr. Klimek and Mr. Bednarek,

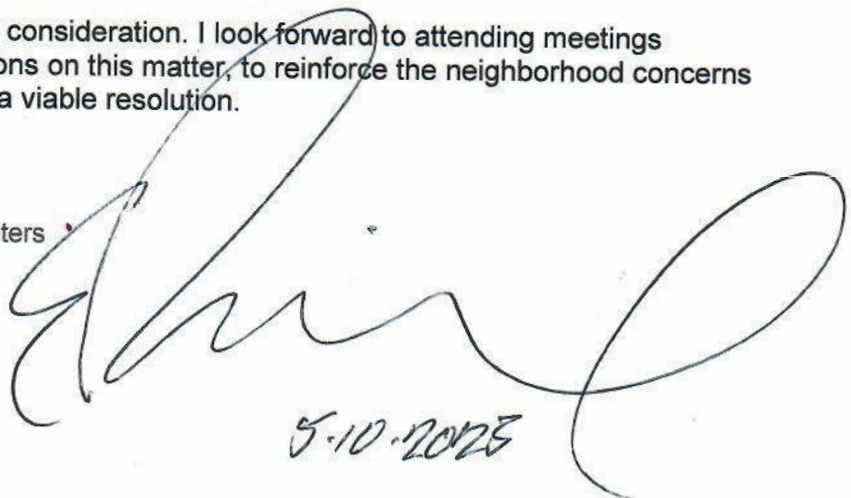
It has come to my attention, as well as that of our neighborhood association, Carnation, that the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project.

I feel, as well as our association, that it is crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

Therefore, I/we urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Thank you for your time and consideration. I look forward to attending meetings regarding further conversations on this matter, to reinforce the neighborhood concerns and come together towards a viable resolution.

Best regards,
Eric Lussier - 2nd Avenue scooters
4224 n 2nd avenue
Phoenix, AZ. 85013-3026
USA
602-799-0252
www.2ndavenuescooters.com



5-10-2023

From: [Sarah Diebolt](#)
To: [Council District 4](#); [Joshua Bednarek](#); [Laura Pastor](#); [Nick Klimek](#)
Cc: [PDD Encanto VPC](#); [carnationassociationaz@gmail.com](#); [eric.kenney@petreeproperties.com](#); [John Roanhorse](#); [kathryn@northcentralnews.net](#); [tom.blisten@gmail.com](#); [wr@berryriddell.com](#)
Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component
Date: Tuesday, May 9, 2023 8:34:54 PM

Dear Nick and Josh;

It has come to my attention that the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project.

I live at 3rd Avenue and Glenrosa Avenue and I have been dismayed at the number of complexes built in the neighborhood that are gated and have zero connection to the community. I sincerely request that additional commercial space be added in order to serve the new residents plus connect all of us in the neighborhood through shops and meeting areas.

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,
Sarah Diebolt

From: [Cliff Valenti](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.blisten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component
Date: Tuesday, May 9, 2023 10:42:45 AM

Dear Nick and Josh;

Greetings! As discussed in person and over the phone only 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request is not nearly enough to justify this rezoning request. This is far below what the neighborhood has been asking of Petree. We have tried to work with them on this by suggesting as little as 7,000 square feet in the past, but in conjunction with a multitude of other changes that they have not provided. The consensus of all the votes and surveys we have conducted in Carnation is that we want all Central Avenue facing frontage to be commercial retail. It will solve a lot of problems with the intensity of this development. The square footage needs to at least come close to what one of the sites prior stipulations states: 50,000 square feet of commercial retail.

Again, as various single story commercial businesses are displaced by development – where will those business go if we are not making space for them now?

I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,
Cliff Valenti
Secretary, CAN
Chair, Development Committee

From: [Christina and Tim Price](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component
Date: Tuesday, May 9, 2023 10:29:35 AM

Dear Nick and Josh;

The 7,000 square feet of commercial space the City of Phoenix Planning department is asking for as part of Z-17-22-4's massive rezoning request is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project. Every meeting I have been to with the developer significantly more was asked to be included. Why did we have these meetings with them if they are going to ignore our input?

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan. How can you allow the rezoning under walkable urban code without it?

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,

Christina Price, Roma

From: [Hrushikesh Pandurangi](#)
To: [Nick Klimek](#)
Cc: [Joshua Bednarek](#)
Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component
Date: Tuesday, May 9, 2023 5:16:22 AM

Dear Nick and Josh;

It has come to my attention that the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project.

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,
Kesh Pandurangi

From: [Webmail Team](#)
To: [Nick Klimek](#)
Subject: Zoning request Z-17-22-4's lack of an adequate commercial retail component
Date: Tuesday, May 9, 2023 8:16:26 AM

Dear Nick and Josh;

It has come to my attention that the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project.

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,

Diane Mihalsky
304 W. Campbell Ave.
Phoenix 85013
602-541-2200

From: [Michael Madden](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [CarnationAssociationAZ](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.blisten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component
Date: Tuesday, May 9, 2023 8:35:54 AM

Dear Nick and Josh;

I live just 2 blocks from this development and am very concerned about its impact on my home and neighborhood.

It has come to my attention that the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project.

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. **It would also decrease the number of cars on our streets.** These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,

Michael Madden
312 W Montecito Ave
Phoenix
412-327-3766
Gateway2times@live.com

From: [Michelle Kozimor](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [Tamiko Garmen](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.blisten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#)
Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component
Date: Tuesday, May 9, 2023 7:24:43 AM

Dear Nick and Josh,

It has come to my attention that the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project.

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,

Mrs. Kozimor

Michelle Kozimor, M.Ed., MA
School Counselor
Alpha *Can-Fin
McKinney Vento Coordinator
Corona del Sol High School
p: 480-752-8778

Mental Health Resources:

<https://www.tempeunion.org/Social-Emotional-Wellness> [tempeunion.org]

From: [Joines, Greg](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [tom.blisten@gmail.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#); [Greg Joines](#); [Dante Salvo](#)
Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component and parking
Date: Tuesday, May 9, 2023 2:57:31 PM
Attachments: [image001.png](#)

Dear Nick and Josh;

I live just 2 blocks from this development and am **VERY** concerned about its impact on my home and neighborhood.

It has come to my attention that the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's MASSIVE rezoning request. **This is FAR BELOW what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project.**

This project is **MASSIVE**, I am concerned that City of Phoenix Planning Department is **NOT** looking at the **unintended consequences** this project will have on the neighborhood and surrounding community.

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. It would also decrease the number of cars on our streets.

These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan. NOW, it is up to you to hold developer accountable, this is your job!

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Respectfully,

Greg Joines | Learning Manager | KRB3 – Phoenix, AZ

✉: grjoines@amazon.com | ☎: (602) 799-1459

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Glamazon Phoenix Mega Chapter

WITH PRIDE

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[glamazon Phoenix Phonetool \[phonetool.amazon.com\]](#)

[glamazon Hyperbadge \[phonetool.amazon.com\]](#)

[glamazon PHX Distro List Sign Up \[email-list.corp.amazon.com\]](#)

From: [Stephanie Hennick](#)
To: [Council District 4](#); [Joshua Bednarek](#); [Laura Pastor](#); [Nick Klimek](#)
Cc: [Carnation Association of Neighbors](#); [PDD Encanto VPC](#); eric.kenney@petreeproperties.com; [John Roanhorse](#); kathryn@northcentralnews.net; tom.blisten@gmail.com; wr@berryriddell.com
Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component
Date: Tuesday, May 9, 2023 6:57:10 AM

Dear Nick and Josh;

It has come to my attention that the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project.

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,

Stephanie Hennick

From: [Dawn Ligidakis](#)
To: [Nick Klimek](#)
Subject: Zoning
Date: Tuesday, May 9, 2023 2:59:57 PM

Dear Nick and Josh;

It has come to my attention that the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project.

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,
Dawn Halbrook

Sent from my iPhone

From: [Scott Grogan](#)
To: [Nick Klimek](#); [Joshua Bednarek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [carnationassociationaz@gmail.com](#); [wr@berryriddell.com](#); [eric.kenney@petreeproperties.com](#); [John Roanhorse](#); [PDD Encanto VPC](#); [kathryn@northcentralnews.net](#); [tomblisten@gmail.com](#)
Subject: Zoning request Z-17-22-4's Lack of an adequate commercial-retail component
Date: Tuesday, May 9, 2023 10:44:39 AM

Dear Nick and Josh,

I live less than 2 blocks from this development and am very concerned about its impact on my home and neighborhood.

It has come to my attention that the City of Phoenix Planning Department is requesting that Petree only include 7,000 square feet of commercial space as part of Z-17-22-4's massive rezoning request. This is far below what many residents of Carnation and other affected neighborhoods have expressed that we would like to see in a "mixed use" project.

It's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.

Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,

Scott Grogan
316 W Montecito Ave
Phoenix, AZ 85013

From: [Lauren Engler](#)
To: [Joshua Bednarek](#); [Nick Klimek](#); [Council District 4](#); [Laura Pastor](#)
Cc: [Scott Grogan](#); carnationassociationaz@gmail.com; wr@berryriddell.com; [John Roanhorse](#); eric.kenney@petreeproperties.com; kathryn@northcentralnews.net; tomblisten@gmail.com; [PDD Encanto VPC](#)
Subject: Lack of Commercial Space at Petree Development (Zoning request Z-17-22-4)
Date: Tuesday, May 9, 2023 12:18:08 PM

Hi all,

I live adjacent to the Petree development on Central Ave and am quite concerned about the minimal amount of commercial space (only 7,000 sq ft) included in the plan. **The lack of “mixed use” buildings in Phoenix is astonishing compared to other major metropolitan areas.**

We as residents of Carnation Neighborhood feel that it's crucial to have a more significant commercial-retail component in the project, ranging from 30,000-50,000 square feet, to create a truly mixed-use space that benefits the community. This would not only provide a diverse range of amenities but also create jobs and contribute to the local economy. It would also help maximize the use of light rail, as people travel into the neighborhood to shop. **These are all goals set forth by the Reinvent Phoenix Uptown Policy Plan.**

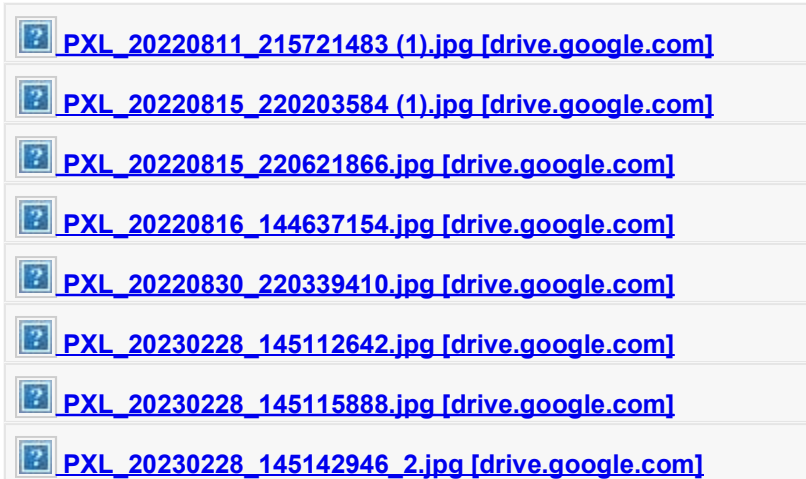
Therefore, I urge the City of Phoenix Planning Department to reconsider and work towards a more substantial commercial-retail/mixed-use component that aligns with the needs and desires of the community.

Sincerely,

Lauren Engler
316 W Montecito Ave
Phoenix, AZ 85013

From: [Christi Decoufle](#)
To: [Nick Klimek](#)
Subject: Petree Development on Central (across from Steele Indian School Park)
Date: Thursday, March 2, 2023 3:07:52 PM

Dear Mr. Klimek,



I am a resident of the Carnation Neighborhood (Central to 7th Ave and Indian School North to the Canal). My husband and I are very involved in the neighborhood activities and have serious concerns, that do not seem to be addressed, with the development that Petree is proposing for the land in our neighborhood.

We have 3 chief complaints/ issues, that we have asked to be addressed on numerous occasions based off of a survey conducted with the neighborhood and continuous meetings within the neighborhood. As a collective group, we are truly concerned about the value of our homes, our safety and our overall enjoyment of our property based on what is being proposed and what is being ignored as concerns from the neighborhood.

The 3 chief complaints are:

- 1) The density of the complex. They are proposing 1600 units, which this neighborhood cannot support.
- 2) The abundance of traffic that will then be associated with that many units. I know that there is an old traffic study that is being used to evaluate it, but it is completely off base and a new one needs to be completed now that the nearby schools are back in session and covid is over. We must also think about the deliveries of Amazon, UPS and food deliveries that will be coming to a complex that size to top of the multiple residents in each unit.
- 3) The lack of usable commercial space. Things like grocery stores, restaurants or pharmacies need to be included for the influx of people and to actually encourage people to walk and/or use the lightrail instead of driving through the neighborhood continuously to support their basic needs.

We live at the corner of 2nd Ave and Campbell, just North of this property. Our personal chief concern is the traffic related to the density of the complex.

I know that it is not completely adjacent to the property, but because of the way the neighborhood is designed, the density of the people at that property will DRASTICALLY affect what is going on with traffic at 2nd Ave and Campbell out to the traffic light at Central.

We know this is one of 2 ways to go North on Central due to the lightrail and it is already a disaster every day due to the neighborhood traffic that is already there. In addition, people tend to cut through from 7th Ave to Central on Campbell that do not live in the neighborhood.

My husband and I have been taking pictures for months now to show you and Petree what it is like on a daily basis. I am attaching some of those photographs. This is why the neighborhood does not believe the traffic study. It's just not realistic with what, those who live her, experience every single day. I can't imagine what will happen if they put 1600 more units there to go North on 2nd Avenue from the property to get out of the neighborhood.

To boot, on 2nd Ave, going North from the property, all of the residents of the Pavillions already park along that street lining it so that two cars cannot pass at the same time without one pulling to the side. This is also where there is an elementary bus stop with many children and buses every day.

I am asking that they find a way for the traffic to go to Glenrosa, by the park entrance, to go North or somehow deter the residents to go North on 2nd Ave as the streets and people here just cannot take anymore. The realistic and best option for the neighborhood and the safety of the residents, is to close off the neighborhood at Glenrosa and at Turney with a gate with a fire key for emergency services. Just those 2 streets alone being closed off, would solve 90% of the projected problem.

One last point, all along 2nd Ave and along Campbell out to Central is actually a no parking zone from 7am-5p, but this is not a solution as you see. There is no one to enforce it, as we know the state of the police department, and it is not the job of the police to fix our parking if we can be proactive and smart about how this is designed. They have enough to do.

Feel free to reach out to me for any prior discussions or concerns. I also have videos if it helps, but they do not attach as easily, please let me know if you would like to see them.

Thank you
Michael & Christi Decoufle
602-570-8678
201 W Campbell Ave















From: [Christi Decoufle](#)
To: [Nick Klimek](#)
Subject: Petree Development and Carnation Neighborhood
Date: Friday, October 21, 2022 9:19:45 AM

Good Morning Mr. Klimek,

I am writing to you as a member of the Carnation Neighborhood Association. I have attended many neighborhood meetings and am active in our community. I attend all of the Petree meetings that I can and participate as much as possible. I am a retired Phoenix Police Officer and feel very strongly about preserving what we have left of the actual neighborhoods and ownership in Central Phoenix. I want this city to thrive and be balanced. I appreciate the growth we are seeing, but it is certainly not balanced.

This neighborhood has worked hard over the years (and is continuing to work hard) to clean it up and make it nice and liveable. I worked this area 20 + years ago as a patrol officer and would not have lived here then. I appreciate the old and new residents here and what we are trying to do.

I walk the neighborhood everyday, as do many of my neighbors. We have very few sidewalks and the community is small as it is cut in half because of the canal. We have already been taken over by quite a few large apartment complexes that bring their fair share of issues. I live at the corner of 2nd Ave and Campbell and deal with management often of 1 W Campbell. They are not a Crime Free Multihousing property and are very hard to work with sometimes.

Because of where I live, and because I am prior LE, I have cameras ALL over => I catch EVERYTHING. Campbell is the through street because of the canal and 2nd Avenue is also extremely busy as it is the closest way to get around off of Central. This is a small street that is covered with street parking 7 days a week. 2 cars can rarely fit down the street at the same time. There is an elementary bus stop just South of me at Roma and my corner is packed twice daily all the way down Campbell, down 2nd Ave and North into the cul de sac. I really don't mind the extreme traffic every day as the students enter and exit the school because they are mostly respectful and it is not a problem. But it is almost impossible to get in and out of my driveway during that time. It is also a bit unsafe for all of the students as there is just so much traffic. I can't even imagine what that would look like with 1600 units of traffic attempting to use 2nd Avenue, as it is the closest way for them to go to Campbell and a light to turn North onto Central. IT WOULD BE UNBEARABLE.

I know that we have been told that it is not an option, but if they are insistent on building 1600 units, I truly believe that for our safety and wellbeing, there needs to be gates put up at 2nd Ave and Turney and 2nd Ave and Glenrosa to force their traffic out onto Central. They can go North at Glenrosa at the light where Steele Indian School Park is and they can go South from multiple locations.

Besides the people that live there they will have visitors and it is also 2022 and beyond, which means a ridiculous amounts of Amazon delivery, Uber Eats, etc, drivers that will be zooming through our little neighborhood. It is just not going to be safe for us anymore.

The second part of this is that if they are going to bring this many people into the neighborhood, they need to provide larger and more retail space. If we are truly going to try to

live by the Urban Walkable Code and are trying to encourage people to use the light rail and walk, then there needs to be space to have a small grocery, market, drug store, restaurants, etc. Things that people can use and get the essentials they need so they are not driving through the neighborhood and up and down Central as much.

The proposal just doesn't make sense and as a neighborhood, we really feel that the city is not listening to us. We are showing up. We are telling the city and Laura Pastor and Petree, but feeling very ignored over money and profits. This is our home and we are trying to make Phoenix a beautiful place where people want to live. We are just asking for balance and reasonableness.

I am available to talk or for questions if you are so inclined.

Thank you for your time.

Sincerely,
Christi Decoufle
201 W Campbell Ave
602-570-8678

From: [Michael Madden](#)
To: [Nick Klimek](#)
Subject: Development at Central and Glenrosa
Date: Tuesday, October 18, 2022 6:26:23 PM

Dear Mr. Kilmer,

I reside at 312 W Montecito, one block from this development.

It will dwarf our peaceful neighborhood, so aggressive actions should be taken to mitigate the impact.

My primary concerns are parking, traffic and security.

Please insist that the developers are held to the highest standard for parking spaces, and that they must ALWAYS be provided at no additional fee over the rent, for tenants AND their guests. I lived in a development with extra cost parking and saw a sizeable percentage of the residents seek on street parking, overwhelming local streets and leaving no where for local homeowners and THEIR guests. Our quiet cul de sac will be turned into a parking lot unless you act.

Aggressive steps should be taken, at the developer's expense, to push all traffic to Central Avenue. The new apartments at Central and Indian School will already be impacting our streets and given that 3rd Ave is a bikeway the last thing we need is biking made more dangerous by excessive traffic from this development.

The city should require the developer to provide security staff and insist on review, approval and monitoring of their safety and security practices. We do not want this area to turn into a Frat house by excessive and frequent loud parties. Please do not allow "party Central on Central"

Ideally, expanded home ownership opportunities would be preferred but that unfortunately does not seem possible for either our neighborhood or Phoenix residents.

Thank you for your consideration

Michael Madden MD

Sent from my iPad

From: [Kim Jennings](#)
To: [Nick Klimek](#)
Subject: PeeTree development - carnation neighborhood
Date: Monday, October 17, 2022 8:28:59 PM

Hello Nick,

I am writing to express my deepest concern over the peetree development in the carnation neighborhood. I have lived in this lovely community for eight years and many people in the community have become my friends. I live at 215 W. Campbell Ave. and we are a main fair through in the community. You can get to central and/or seventh Avenue off of my street with the lights at both ends. When my children were little I would not let them ride their bikes on Campbell as people don't pay enough attention to the stop sign and the speed limit. It is very dangerous at the current time. We have three high schools that bring traffic into our neighborhood throughout the day. Currently, at times, throughout the day I struggle to pull out of my driveway. What will it be like with a 1600 unit complex traffic??? It's already unsafe and I am truly concerned about safety and usability. This is a community that you will be negatively impacting, not making it better. What kind of city do we live in. Are we all for sale?? We need to consider the community and the people that live there and how it's going to impact them?

I want to enjoy living in this amazing city and community. Please help keep us safe and our community a community.

Thanks,
Kim Jennings

From: [Cliff Valenti](#)
To: [Nick Klimek](#)
Cc: [Council District 4](#)
Subject: Z-17-22 Central and Glenrosa Development Proposal
Date: Thursday, May 19, 2022 5:17:02 PM

Greetings –

I recently moved to Carnation from Washington, DC, and I am excited about much of the development occurring in the area. However, I have several concerns with Z-17-22 along Central Ave & Glenrosa that I would like to share with you. If the developer can address these items, then I believe this project will be an asset to the neighborhood:

- The density, particularly along 2nd Avenue, is completely unacceptable, and drastically higher than anything between Indian School Road and Camelback. I agree with the Uptown TOD plan that development fronting Central Avenue should be tall and dense, but as you move back to single-family, single-story homes, height, and density must be drastically reduced; otherwise it dominates the neighborhood and threatens the character. It would be best to keep anything along 2nd Avenue zoned R1-6.
- I understand that TOD zoning already has reductions in parking requirements built in, yet the developer is requesting an additional 25% on top of that. This would negatively impact the quality of life for people in Carnation. I know from living in Washington, DC for 25 years that most people do not give up their cars even in cities with the most advanced public transportation systems.
- The pedestrian permeability of the four large parcels do not contribute to a fluid walkable community. The way WU code reads, development should contain smaller blocks with many ways to travel between spaces cohesively.
- There is a housing shortage in Phoenix that is not driven by rental, but by lack of homes that can be purchased. This lack of ownership opportunity is what drives up rental prices. At least 20% of this development should include homes that will be sold as a way to contribute to solving the real housing crisis.

Please consider these points as you study this proposal, and let me know if there is anyone else I should pass this along to. I'm excited to be living in Phoenix, and hopeful this project can be altered to be an asset!

Regards,
Cliff Valenti
208 W. Montecito Ave



Village Planning Committee Meeting Summary

Z-17-22-4

Date of VPC Meeting	June 5, 2023
Request From	<p>R1-6 TOD-1 (Approved C-2 H-R H/W TOD-1) (Single-Family Residence District, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One) (1.83 acres), R-3 TOD-1 (Approved C-2 H-R H/W TOD-1) (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One) (7.59 acres), R-3 TOD-1 (Approved C-2 H-R TOD-1) (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High Rise Incentive District, Interim Transit-Oriented Zoning Overlay District One) (0.23 acres), R-5 TOD-1 (Approved C-2 H-R H/W TOD-1) (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One) (0.50 acres), C-2 TOD-1 (Approved C-2 HR H/W TOD-1) (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One) (4.68 acres), C-2 TOD-1 (Approved C-2 H-R TOD-1) (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One, Approved Intermediate Commercial, High-Rise Incentive District, Interim Transit-Oriented Zoning Overlay District One) (0.78 acres)</p>
Request To	<p>WU Code T4:3 UT (Walkable Urban Code, Transect 4:3, Transit Uptown Character Area) (1.03 acres), WU Code T5:5 UT (Walkable Urban Code, Transect 5:5, Transit Uptown Character Area) (2.35</p>

acres), [WU Code T6:22 UT](#) (Walkable Urban Code, Transect 6:22, Transit Uptown Character Area) (12.23 acres)

Proposal	Mixed use and multifamily residential
Location	Northwest corner of Central Avenue and Glenrosa Avenue
VPC Recommendation	Approval, per the staff recommendation with modifications, additional stipulations, and direction
VPC Vote	10-2

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

5 members of the public registered in support, wishing to speak.
5 members of the public registered in opposition wishing to speak.
6 members of the public registered in support, not wishing to speak.
7 members of the public registered in opposition not wishing to speak.

Nick Klimek, staff, provided an overview of the proposal including the history, context, location, size, applicable policy areas, existing and proposed zoning districts, General Plan designation, and the surrounding land uses. Mr. Klimek displayed the site plan, elevations, phased plans, and traffic improvements. Mr. Klimek shared the staff findings and stated that staff recommends approval, subject to stipulations.

Committee Member Thacker inquired about the size of the lots and how they were determined. **Mr. Klimek** responded that the length of the lots are descriptive and proportional to the proposed development.

Committee Member Thacker asked about the mix of housing types in the proposal. **Mr. Klimek** responded the residential units will be of various product sizes and which aligns with the Phoenix Housing Plan.

Committee Member Thacker asked if the conceptual zoning map had been reviewed by the public. **Mr. Klimek** affirmed that the zoning map was reviewed when the proposed plans were reviewed. **Committee Member Thacker** asked if the zoning map was an old map that was translated by staff, after reviewing some policy documents and it is not clear how they were included in the staff report. Mr. Klimek responded the recommendations were the result of existing policies that evolved over time and many factors were taken into consideration in reviewing the proposal.

Committee Member Thacker referenced the illustrated master plan and asked about the number of blocks. **Mr. Klimek** responded the plans reflect a street system that was identified in the master plan and corresponds to the street alignments and allows bicycle and pedestrian access. **Committee Member Thacker** referenced the Reinvent Phoenix

document and asked how the street alignments are adjusted in the proposal. **Mr. Klimek** stated the applicant will provide that information in their presentation.

Committee Member Thacker commented that the number of structures on the site and asked why are there more structures on the illustrated master plan. **Mr. Klimek** responded that the conceptual illustrated master plan was not an engineered or design plan and is conceptual.

Chair Wagner stated she appreciates the questions from the Committee but in the interest of time would allow the applicant to provide their presentation.

APPLICANT PRESENTATION:

Wendy Riddell with Berry Riddell, LLC introduced herself and provided background information on the applicant Petree Properties, the history, design and process of the mixed-use proposal. Ms. Riddell discussed the request and its conformance to the Uptown TOD Policy Plan to create a unique walkable, sustainable and dense project that aligns and transitions to the adjacent residential neighborhoods. Ms. Riddell stated the proposal has been updated to align with adjacent light rail transects and focus intensity to Central Avenue to create an iconic location. Ms. Riddell said the development will transition and integrate with the Carnation Neighborhood with the addition of stipulations to adjust building height and incorporate setbacks and open space within the proposal. Ms. Riddell displayed plans and designs that include and active commercial space, expanded shaded sidewalks and include a primary art feature to reflect the neighborhood. Ms. Riddell stated that the proposal includes sustainable features, a community garden space, amenities, commercial space on Central Avenue and stoop units on 2nd Avenue, Glenrosa Avenue and Turney Avenue. Ms. Riddell discussed plans for construction management, consultation with the Village Planning Committee, the neighborhoods and public during the development of the site. Ms. Riddell described the evolution of the project, the meetings, outreach and coordination in preparation of the proposal.

QUESTIONS FROM THE COMMITTEE:

Committee Member George expressed concern with the intensity of the proposal and the impacts to neighborhood to the west as far as 7th Avenue. Committee Member George asked about the traffic calming devices and if they will be installed before construction on the site. Committee Member George referenced the Encanto Village Character Plan and inquired about reducing the building height, and how the open space will be managed, and will the Village Planning Committee have the opportunity to vote and approve on the phased features prior to construction. **Ms. Riddell** responded that the traffic calming devices will be in the first phase of construction, and this will be part of the construction management and access to the site will be from Central Avenue.

Committee Member George asked how construction traffic will be handled in the phased development. **Ms. Riddell** responded that the construction management plan will require access from Central Avenue not through the neighborhood.

Committee Member Kleinman commented that all construction traffic from the very beginning will access the site from Central Avenue and not on any other streets. **Ms. Riddell** responded that traffic control is part of construction management which is addressed in the stipulations.

Committee Member George asked about the building height reduction, from a step down to two stories on 2nd Avenue. **Ms. Riddell** responded that for 2nd Avenue the design includes a larger setback to mitigate the proposed building height. **Mr. Klimek**, staff referenced the stipulation regarding the step back regime and that the height along the west property line is a regulatory requirement.

Ms. Riddell responded to **Committee Member George** inquiry regarding open space management stating that the area will be monitored and managed closely, and they are adjacent to private streets.

Committee Member George asked if the Committee would have input for the proposed public art. **Mr. Klimek** responded that there will be an opportunity for review and comment but not to vote.

Committee Member Searles asked about the percentage of shade coverage and size of the walkways in the proposal. **Ms. Riddell** responded that the shade coverage will be up to 75 percent and open space will be 18 percent. **Committee Member Searles** ask about access from Montecito Avenue and if there will be any solar panels on the building. **Ms. Riddell** responded that there will be no vehicular access but there will be access for pedestrian and bicycles and the proposal does not include solar panels.

Committee Member Searles asked will the commercial space be primarily on Central Avenue. **Ms. Riddell** responded that a portion of the commercial space will be on Turney Avenue and Glenrosa Avenue. **Committee Member Searles** asked if the proposed development will have recycling collection and if affordable housing will be included. **Ms. Riddell** responded that recycling will be available but there will be no affordable housing in the development.

Committee Member Searles asked how the art feature will be implemented. **Ms. Riddell** stated that an art feature would be incorporated with Art Link.

Committee Member Benjamin asked about the EV parking stipulation and how will this be implemented and what level they will they be and how are the spaces allocated. **Ms. Riddell** responded that the details will be worked out for assigned spaces and not all of them will be for residents.

Committee Member Thacker inquired about the traffic impact study, and the number of trips per day to the adjacent local streets. **Ms. Riddell** introduced **Jamie Blakeman**,

Traffic Engineer with Lokahi, and responded that traffic volume was based on existing traffic patterns on all the surrounding streets and how they will change in the future. Ms. Blakeman stated with the introduction of traffic calming devices, roundabouts, and sidewalks this goes beyond what is required for traffic control and will reduce traffic volume.

Committee Member Thacker noted that traffic from the proposed location shows movement patterns to the north and south from the proposed site. **Ms. Blakeman** responded that the goal of the traffic plan is to promote movement to Central Avenue. Committee Member Thacker stated that traveling to Camelback Road from the proposed site has multiple stops and takes more time and asked if tenants from the site will drive through the local neighborhoods. Ms. Blakeman responded improvements are added to the proposal to move traffic to the arterial roadways. Committee Member Thacker stated that it is more likely that there will be more cut through traffic in the local neighborhood. **Ms. Riddell** responded that the stipulations include specific turning movements and numerous mitigations measures that will move traffic away from the local neighborhood.

Committee Member Thacker asked if the mitigation measure will reduce traffic significantly to reduce the impact to the neighborhood. **Ms. Blakeman** responded that the goal is to limit traffic to the neighborhood with the proposed mitigation measures. **Committee Member Thacker** commented that the mitigation measures promote drivers to take a longer route with proposed traffic plan. **Ms. Riddell** responded that they have evaluated various designs and asked was their other suggestions to be consider for traffic management. **Committee Member Thacker** asked how they came to the conclusion that traffic will be significantly reduced and if the capacity of the local street will be able to handle to expected volume.

Committee Member Matthews asked if roundabouts will be included for the local streets and will this cut down traffic. **Ms. Blakeman** responded that roundabouts do break up straight away traffic movement.

Committee Member Thacker asked if smaller parcels would lessen traffic and impact to the adjacent neighborhood and if the local street classifications were correct. **Ms. Blakeman** responded that the local streets were based on street classification maps and their study will be reviewed and approved by the City. **Ms. Riddell** stated that any additional submittals or updates to the phases would be reviewed as they come available.

Committee Member Thacker asked **Mr. Klimek** if the Turney Avenue and Glenrosa were local streets. Mr. Klimek responded that the street classification is noted in the staff report **Ms. Blakeman** responded that the street classification is available online.

Chair Wagner stated the street classification and traffic counts will be resolved with the traffic impact study which will be provided by the applicant. **Ms. Riddell** responded that each phase of the project will require an update and will be reviewed.

Committee Member Thacker stated two traffic studies have been done. **Ms. Riddell** responded that a traffic impact study will also be completed and there will be an update for each phase.

Committee Member Thacker noted that there was an initial plan where one street remained open and now appears as closed and asked how this was determined. **Ms. Riddell** responded after several meeting with various stakeholder traffic was the single most important issue as well as including open space and closing one street was in the best interest of the project. **Committee Member Thacker** asked when the first meeting was held regarding the street closure. **Ms. Riddell** responded that a meeting was held February 3rd. **Committee Member Thacker** asked if the neighborhood had been notified about the development. **Ms. Riddell** responded neighbors were not notified and the road closure was not the result of a single meeting and there was input from the community.

Committee Member Kleinman asked about the proposal's timeline and the amount of communication and range of responses, and the decision process. **Ms. Riddell** responded that accessing the responses with the level of diversity was a challenge for the decisions that were made. **Committee Member Kleinman** asked about the community feedback and if they were vastly different. **Ms. Riddell** responded affirmatively that the feedback was vastly different.

Committee Member Thacker asked how does blocking off Montecito Avenue help traffic. **Ms. Riddell** responded that by doing this it will direct traffic to Central Avenue. **Committee Member Thacker** asked if Glenrosa Avenue will be blocked as well. **Ms. Riddell** responded that the traffic mitigation measures will be implemented to control traffic movement.

PUBLIC COMMENT:

Ed Hermes a resident of the Carnation Neighborhood, stated he is in favor of the proposal. Mr. Hermes said the vacant lot has been a concern for some time and development had been discussed and it has been a long process and he commended the developer for the outreach and meetings they conducted so far. Mr. Hermes expressed that many of the people attending have also been at many of the meetings and this proposal has undergone many changes in the last year and a half. Mr. Hermes described the Carnation Neighborhood as an area between 7th Avenue and Central Avenue and Indian School Road and the Arizona Canal and has been on the neighborhood board for 7 years and is on the Osborn School District Board and has been involved with street safety. Mr. Hermes said there has been a dearth of investment in the neighborhood from the City, but there are few sidewalks and no roundabouts and they have petitioned the City for bikeway improvements and that the proposal with the stipulations for traffic mitigation and the addition of sidewalks is very appreciated and will be a huge win for the neighborhood. The addition of sidewalks and other traffic mitigations, and the commercial space is a big win to create a walkable and bicycle friendly environment. Mr. Hermes said the neighborhood wants a bodega, salons, a grocery store and limiting access on Turney Avenue is appreciated. Mr. Hermes

expressed concern that no one was present from the Street Transportation Department because there are many details in the development that need to be addressed including sidewalks are roadway narrowing. Mr. Hermes stated he would like support for the proposal to move forward and to start the street designs, he supports the increased bicycle parking and wider sidewalks. Mr. Hermes stated he supports the proposal with the new stipulations and asks for a yes vote.

Cliff Valenti stated he serves as the Carnation Neighborhood Association Secretary, and he is in favor of the proposal with changes. Mr. Valenti introduced himself and thanked the Committee and said he supports progress, understands development and has followed the decisions, discussions, debates and progress of the proposal. Mr. Valenti stated he attended thirteen meetings, conducted surveys, researched zoning law and provided feedback to Petree Properties to align the project with the goals of the neighborhood. Mr. Valenti expressed his frustration with Petree because they have been unwilling to respond and already designed the project without neighbor input, but in the last week they have made some very serious concessions. Mr. Valenti expressed a renewed sense of excitement in the key aspects of the design including the increased commercial space which is essential for urban walkability and services and the elimination of car trips, which is compatible with neighborhood. Mr. Valenti expressed his disappointment with the Planning Department for not supporting the step back to decrease the building height to be more aligned with the one-story neighborhood and how this will impact adjacent homeowners and create a dominate structure. Mr. Valenti stated that building height in transects should be coordinated with the neighborhood and Petree has been responsive to adjusting building height and the inclusion of a park has been positive, but it is an eleventh-hour response and there are still concerns. Mr. Valenti stated that with the changes Petree has been responsive and has shown a willingness to be an active partner to create a well-functioning neighborhood.

Kristen Lisson introduced herself as a resident and member of the Carnation Neighborhood Association, she is not against the proposal, but she opposed the lack of walkability within the high-density development. Ms. Lisson stated that the site will be the largest, dense residential development in the area, and they had originally wanted seven parcels that would support sunlight, shade, frontage and walkability. Ms. Lisson stated the development was designed around the parking garage and is not truly transit oriented and there are concerns with the traffic study which has some errors and relies on arbitrary terms. Ms. Lisson stated the City has conducted a minimal review and the developer is focused on profits and any approval should be with stipulations for smaller blocks and the traffic study needs to be reviewed.

Diane Mihelsky, introduced herself as resident of the Carnation Neighborhood. Ms. Mihelsky stated Petree has worked hard and granted a lot of concessions, and the neighborhood board has worked hard on the development of the proposal and the traffic circles work well. Ms. Mihelsky stated that approval for the traffic circles will take 180 days and there are other traffic calming devices, and there is already a lot of traffic in the area, and it will be difficult to get the traffic circles approved. Ms. Mihelsky request that Petree give some discretion and leeway in considering other traffic calming devices because the traffic circles may not work.

Julie Hampton introduced herself as the President of the Carnation Neighborhood Association and stated she is reluctantly optimistic of the proposal. Ms. Hampton stated she has been a resident of the neighborhood since 2016 and lives across from the proposed site and has conducted considerable research on the development. Ms. Hampton expressed that she became familiar with the Uptown, TOD Policy, Reinvent Phoenix Plan and communicating with residents through surveys to vote on priorities for the proposal. Ms. Hampton expresses her disillusion with the process because the proposal does not align with City's policies and guidelines for walkability and mixed use in the Reinvent Phoenix Plan. Ms. Hampton stated that the property that had been vacant for 30 years should have been done right by the community and it has only been in the last week after a year of negotiating that Petree has provided stipulations that include mixed use and there has been little time to review the details with the neighborhood. Ms. Hampton said she hopes Petree is sincere about their stipulations and involvement with the neighborhood with building and landscape designs to extend the existing community. Ms. Hampton stated that the Carnation Neighborhood has been active in planting trees to mitigate heat and conserve water. Ms. Hampton stated the neighborhood has many successful businesses and wants to see that continue and foster the local economy and all parties need to work together to bring the Reinvent Phoenix Plan to life.

Jennifer Garrett introduced herself as a resident of the Carnation Neighborhood and a registered architect and she supports the proposal. Ms. Garrett stated she lives at intersection of 3rd Avenue and Glenrosa Avenue and the proposal will have a direct impact on her family every day. Ms. Garrett stated in reviewing the proposal she thought it was sensitive, well thought out and engaged and expressed appreciation for the work. Ms. Garrett stated that it was a beautiful proposal but there was work to be done with traffic mitigation and traffic circles should be used like the in the Willo Neighborhood. Ms. Garrett asked the Committee for their support for the proposal.

Bob Deardorff introduced himself as a resident of the neighborhood and is a registered architect and supports the proposal. Mr. Deardorff stated that this is a sensitive project, and that increased density is inevitable and single family residential has its own problems. Mr. Deardorff said that the transition from Central Avenue to the neighborhood is sensitive and the developer is compromising to allow changes and the proposal deserves to be supported.

Kim Jennings introduced herself as a resident of the neighborhood and stated her primary concern is traffic in the area where there is lots of congestion. Ms. Jennings stated there are three schools in the area and adding more traffic will be unsafe and the City has failed the residents. Ms. Jennings stated that the Urban Walkable Code was not thought out for the neighborhood and to allow this large proposal to be built will negatively impact the single-family homes. Ms. Jennings expressed her concern with the proposal's building height and how the City has allowed this to be so close to the neighborhood.

David Brian Jenkins introduced himself as a resident of the neighborhood and stated that the proposal will destruct the peace and quiet of the area. Mr. Jenkins stated the project has several flaws that need to be corrected, the number of units is excessive, and car traffic will have great impact in the area. Mr. Jenkins said he is concerned that the developer could start construction at any time and create a mess for the neighborhood there needs to be an assurance for a schedule. Mr. Jenkins said it is important to save the family friendly streets of Turney Avenue and Glenrosa Avenue.

Ken Waters introduced himself and stated he resides at in Pierson Place near Central Avenue and Camelback Road and opposes the proposal. Mr. Waters stated the City is failing its TOD and what is happening to transit adjacent to development and there needs to be a symbiotic system that supports transit redevelopment. Mr. Waters stated that single use project are being built along Central Avenue where several projects have been developed with very little commercial space which is not consistent with main street projects in the Uptown and Midtown areas. Mr. Waters stated the proposed site should have more commercial space which should be located on the first floor but the focus has been on residential development on Central Avenue. Mr. Waters stated the proposal is not a meaningful mix use project and the emphasis has been on residential development on large lots and is not consistent with an urban walkable lifestyle. Mr. Waters stated that with the use of artificial intelligence a true mixed-use project could be more effectively planned, and traffic mitigation must be fully evaluated for this proposal. Mr. Waters stated that a study area between McDowell Road to Missouri Avenue between 7th Street to 7th Avenue might be an option to consider in supporting a true mixed-use development.

APPLICANT RESPONSE:

Ms. Riddell noted the Reinvent Phoenix Plan and the comments for block sizes, walkability and relative sizes. Ms. Riddell stated that the Walkable Urban Code notes block lengths at 600 feet and the proposal conforms to the definition and there are stoop units along the perimeter fronting to the neighborhoods. Ms. Riddell stated that the proposal was developed with outreach and engagement from neighbors and the community. Ms. Riddell stated the proposal sought to restore the street network and include many traffic mitigations features to promote pedestrian connections which is an important investment in the Carnation Neighborhood. Ms. Riddell expressed the 7-block size which came from the Subdivision Code that requires an offset for driveways which are in the proposal. Ms. Riddell stated the pedestrian networks have been created and stoop units will provide street level connectivity. Ms. Riddell expressed that the proposal achieves a balance with commercial use which would create more traffic.

Committee Member Mahrle asked about the 7-block building plan. **Ms. Riddell** displayed the conceptual plan that shows the 7-blocks which complies with the TOD Policy Plan and the conceptual plan shows how development might occur. Committee Member Mahrle commented that traffic on Glenrosa Avenue from Central Avenue may contribute to cut through traffic into the neighborhood.

Ms. Riddell stated they had done a significant amount of work with the Carnation Neighborhood and expressed gratitude for the participation in the meeting and is willing to extend the stipulations that will run with the property. Ms. Riddell stated they would respectfully appreciate the Committee's support for the proposal.

COMMITTEE DISCUSSION:

Committee Member Matthews asked about the traffic stipulations that include traffic calming measures and could this also be extended to Turney Avenue. **Ms. Riddell** responded that there had been extensive discussions with the Street Department and they would have to determine if traffic calming features can be added and the developer would be open to the idea.

Vice Chair Rodriguez asked about the applicability of Vision Zero and the TOD and if the crosswalks at Central Avenue and Glenrosa Avenue will be widened in the past there was concern about reducing sidewalks with the wider street and additional costs for changing the crosswalks. **Ms. Riddell** responded that the crosswalks will be relocated to be closer to the intersection rather than widened and in the process, they are evaluating the alignment and configuration of the turn lane and sidewalks. Vice Chair Rodriguez asked if there will be an additional turning lane and was this a Street Department recommendation. Ms. Riddell responded affirmatively that they are following the recommendation.

MOTION:

Committee Member Brent Kleinman made a motion to recommend approval of Z-17-22-4 with the addition of the stipulations from the applicant to supersede the City's stipulations; with direction that Petree will have an in-person meeting with the neighborhood to describe their stipulations prior to the Planning Commission meeting; and with a modification of Stipulation No. 36 to include traffic calming infrastructure at 5th Avenue and Turney Avenue.

Committee Member Steve Procaccini seconded the motion.

DISCUSSION:

Committee Member Thacker noted that some improvements will be offsite and how is traffic calming part of the stipulations that is not tied to the rezone request and is it enforceable. Committee Member Thacker asked with a petition what is the percentage of signatures required to put in traffic circles and other calming measures. **Ms. Riddell** responded the traffic mitigation stipulations may not be required but they will voluntarily include them and they would be a conditional to the approval and would be required in the permitting process so they would be enforceable. Ms. Riddell stated the petitions will be prepared with technical input conducted within 60 days and turned over to the neighborhood and explained the required signature percentages required.

Committee Member Matthews introduced a **friendly amendment** to the motion adding to stipulation No. 36 to add calming infrastructure to an east-west street. **Committee Member Kleinman** noted the plans include traffic calming on Turney Avenue and 2nd Avenue. **Committee Member Matthews** stated that traffic calming should be included for Campbell Avenue and 5th Avenue for access to Monterosa Avenue.

Chair Wagner asked if friendly amendment was acceptable. **Committee Member Kleinman** stated that Stipulation No. 36 has been prematurely agreed to, and the language may be stated as installing additional street calming infrastructure as needed and the applicant will work with the Street Transportation Department. **Committee Member Matthews** stated that any changes would be subject to negotiations and review, and for consideration the addition of traffic calming would extend to 7th Avenue which would reduce traffic in the neighborhood and address concerns. **Committee Member Kleinman** stated that including traffic calming on 5th Avenue if approved by the Street Transportation Department would be a suitable addition. **Committee Member Matthews** concurred with the addition of traffic calming on 5th Avenue.

Committee Member Thacker asked for confirmation that adding traffic calming devices would be enforceable by the city. **Mr. Klimek** responded traffic calming is enforceable by the city when proportionate to the development so any traffic concerns can be addressed through offsite improvements and if the intent is to address cut through traffic from 7th Avenue that may not be a proportionate response.

Committee Member Matthews referenced Stipulation No. 36 and noted that adding traffic calming to the east-west corridor will help mitigate excessive traffic. **Ms. Riddell** responded that with the request there will be 5 traffic calming circles and they are open to the idea but this may require more negotiation with the neighborhood. **Committee Member Matthews** clarified that the intent is to address traffic calming on Turney Avenue as an addition to the stipulation.

Mr. Klimek asked for **clarification on the friendly amendment** and asked if it was acceptable to Committee Member Kleinman and Committee Member Procaccini. **Committee Member Kleinman** referenced that the point was the inclusion of traffic calming at 5th Avenue and Turney Avenue and if it is acceptable by the Street Transportation Department. **Committee Member Procaccini** affirmed the acceptance of the friendly amendment.

Committee Member Thacker referenced the traffic study and asked about the 98 percent of the traffic flow that was going to the arterial streets and made a request to add a friendly amendment to restrict traffic to enforce 95 percent of the traffic onto arterial streets instead of going through the closed streets to align with the applicant's study. **Committee Member Mahrle** asked how that would be enforced.

Chair Wagner asked Committee Member Kleinman and Committee Member Procaccini if the friendly amendment as recommended by **Committee Member Thacker** was acceptable. **Committee Member Kleinman** did not agree to the friendly amendment

and **Committee Member Procaccini** did not agree with the friendly amendment. **Chair Wagner** confirmed that the friendly amendment was not accepted.

VOTE:

10-2; motion to approve Z-17-22-4 per the staff recommendation with modifications and additional stipulations passes with Committee Members Benjamin, Kleinman, Mahrle, Matthews, Picos, Procaccini, Searles, Tedhams, Vice Chair Rodriguez, Chair Wagner in support; with Committee Members George and Thacker opposed.

Committee Member Thacker stated development in Phoenix calls for diverse communities that have affordable housing and increased transit ridership and this proposal does not provide these things. Committee Member Thacker noted that smaller parcels are better suited for neighborhood development and the proposal is a luxury multifamily development in addition to 14 other multifamily developments in the area and this is the largest residential development so far. Committee Member Thacker stated that the review for this proposal has been rushed and it is an abomination and not aligned with the vision the Committee and they are failing the citizens. Committee Member Thacker questioned the Committee's purpose.

Chair Wagner stated that this is not the perfect project for a walkable urban environment, and it is a good project and thanked the applicants for their willingness to work with the neighbors and come up with solutions for increasing the commercial portion of the development and addressing the height facing the neighborhood. Chair Wagner stated the project has come a long way from the original design.

VPC RECOMMENDED STIPULATIONS:

1. Conceptual site plans and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary plan approval for Parcels 2 through 4 as depicted on the Conceptual Site Plans date stamped June 1, 2023, with specific regard to the inclusion of the below elements. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.
 - a. The development shall include ground floor activation such as the programming of building spaces adjacent to Central Avenue that may include retail or commercial uses, the choice and mix of frontage types, and the presence of indoor or outdoor public amenities that may include open spaces, and community gathering spaces.
 - (1) **GRAY SHELL (FINISHED SLAB, FIRE SUPPRESSION SYSTEM, STORE FRONT, STUBBED UTILITIES, AND 200AMP ELECTRIC PANEL FOR EVERY 1,200 SQUARE FEET) SPACE SHALL BE PROVIDED FOR ALL COMMERCIAL AND RETAIL**

DESIGNATED SPACES.

- b. On Parcel 2, the ground floor shall include a minimum of ~~5,000~~ **10,000** square feet **(FOR A TOTAL OF 20,000 SQUARE FEET)** of non-residential uses. Non-residential uses shall not include lobby, exercise, reception areas, or other similar uses intended for exclusive use by residents. All required non-residential uses shall have some frontage on Central Avenue right-of-way.
 - c. On Parcel 2, the development shall utilize a continuous storefront frontage per the requirements of Section 1305.b. for a minimum of 120 linear feet along Central Avenue.
 - d. On Parcel 4, the ground floor shall include a minimum ~~5,000~~ **10,000** square feet **(FOR A TOTAL OF 20,000 SQUARE FEET)** of non-residential uses. Non-residential uses shall not include lobby, exercise, reception areas, or other similar uses intended for exclusive use by residents. All required non-residential uses shall have some frontage on Central Avenue right-of-way.
 - e. On Parcel 4, the development shall utilize a continuous storefront frontage per the requirements of Section 1305.b. for a minimum of 120 linear feet along Central Avenue.
 - f. The building elevations for Parcels 2 through 4 shall contain a minimum of 10 percent premium materials such as brick, stone, metal, or other comparable materials on all four sides of each building.
- 2. The applicant shall return to the Encanto Village Planning Committee to present the site plan and elevations for Parcel 1 for review and comment prior to preliminary site plan approval.
 - 3. The building elevations for Parcel 1 shall contain a minimum of 10 percent premium materials such as brick, stone, metal, or other comparable materials on all four sides of each building, as approved by the Planning and Development Department.
 - 4. All private streets within the subject site shall be constructed with the first phase of the development as depicted on the Conceptual Phasing Plan date stamped June 1, 2023 and be open to the public prior to the issuance of a Certificate of Occupancy, as approved by the Planning and Development Department.
 - 5. The developer shall provide a minimum five percent of the gross site area as open space that is available to the public, as described below and as approved or modified by the Planning and Development Department.
 - a. Each open space area shall follow the guidelines established in Section

1310 of the Phoenix Zoning Ordinance.

- b. Each open space area shall provide at a minimum seating, a drinking fountain for people and pets, art, and shade elements.
 - c. A minimum of 15,000 square feet of publicly accessible open space shall be constructed with the development of Parcel 1 as depicted on the Conceptual Site Plans date stamped June 1, 2023.
 - d. One open space node shall be provided near the intersection of the private Montecito Avenue alignment and 2nd Avenue which shall include public facing art and a minimum of one higher-order amenity such as lawn games, gardens, picnic tables, or shade canopies, or a combination of several complementary amenities.
 - e. All units adjacent to the public open space located along 2nd Avenue shall have direct unit entries and compliant frontage types as described in Table 1305.1 and there shall be a minimum of two common entries to provide direct pedestrian access from upper and interior units to adjacent sidewalks.
- 6. A minimum of 10 percent of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
 - 7. The applicant shall return to the Encanto Village Planning Committee to present the stipulated public-facing art generally located at 2nd Avenue and the Montecito Avenue alignment for review and comment prior to the issuance of a Certificate of Occupancy for the first phase of development, as approved by the Planning and Development Department.
 - 8. For the portion of the subject site zoned WU Code T5:5, the building height shall not exceed 30 feet within 35 feet of the west property line and 40 feet within 60 feet of the west property line, as approved by the Planning and Development Department.
 - 9. For the portions of the subject site zoned WU T5:5 and T6:22, all public and private street frontages shall include a minimum of two “common entry” frontage type to provide direct pedestrian access from upper and interior units to adjacent sidewalks, as approved or modified by the Planning and Development Department.
 - 10. The portion of the subject site located along Glenrosa Avenue and between the centerline of the 1st Avenue alignment on the east and the 2nd Avenue alignment on the west (the western terminus of the T4:3 portion), shall be restricted to a maximum height of ~~40~~ 30 feet within ~~60~~ 30 feet of the south property line, as approved by the Planning and Development Department.

11. The developer shall provide corner enhancements at the intersections of Central Avenue and all public and private streets to denote the prominence of the space and shall feature enhanced landscape and/or hardscape treatments with public-facing art, as approved by the Planning and Development Department.
12. The developer shall comply with the design standards of the Central Avenue Image Enhancement guidelines. The detached sidewalk, landscape area width, and shade requirements shall comply with the Transit Uptown Character Area requirements for arterial roadways adjacent to Light Rail Corridor, as approved or modified by the Planning and Development Department.
13. The public sidewalk along Turney Avenue shall be constructed to a minimum width of 8 feet and detached from the back of curb by a minimum 5-foot-wide landscape area planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
 - a. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings.
 - b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
 - c. Drought tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
14. The existing overhead utility lines adjacent to Turney Avenue shall be relocated underground for the entirety of its frontage, as approved by the Planning and Development Department.
15. The public sidewalk along 2nd Avenue shall be constructed to a minimum width of ~~6~~ 8 feet and detached from the back of curb by a minimum 7-foot-wide landscape area planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
 - a. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings.
 - b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.

- c. Drought tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.

The above described improvements shall be installed prior to the issuance of a Certificate of Occupancy for the first phase of development, as approved by the Planning and Development Department.

- 16. All public street frontages on 2nd Avenue shall require a landscape area between the back of sidewalk and building front that shall be planted with minimum 3-inch caliper, single trunk, shade trees planted a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

The above described improvements shall be installed prior to the issuance of a Certificate of Occupancy for the first phase of development, as approved by the Planning and Development Department.

- 17. The public sidewalk along Glenrosa Avenue shall be constructed to a minimum width of 6 feet and detached from the back of curb by a minimum 5-foot-wide landscape area planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.

- a. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings.
- b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
- c. Drought tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.

- 18. All private streets shall be overlain with dedicated public pedestrian accessway easements connecting to the public rights-of-way and the private streets shall provide the following non-vehicular pathways, amenities, and features, as approved or modified by the Planning and Development Department.

- a. Access to/from 2nd Avenue from the private street on the Montecito Avenue alignment shall be restricted to emergency vehicles, bicycles, and pedestrians.
- b. One side of each private street shall comply with the standards contained in Section 1304.H. of the Phoenix Zoning Ordinance and be detached from the back of curb by a landscape area an average of 5

feet in width that shall be planted with minimum three-inch caliper, single trunk, shade trees planted a minimum of 20 feet on center or in equivalent groupings.

- c. One side of each private street shall comply with the standards contained in Section 1312.D.1.c. of the Phoenix Zoning Ordinance and the landscape area shall be planted with minimum three-inch caliper, single trunk, shade trees planted a minimum of 20 feet on center or in equivalent groupings.
 - d. Where outside of public rights-of-way, intersections shall feature pedestrian enhancements such as speed tables, elevated crosswalks, and/or bulb-outs.
 - e. Include on-site bicycle routes that connect the internal streets to 2nd Avenue, Turney Avenue, and Glenrosa Avenue. The applicant shall consult with the Active Transportation Coordinator from the Street Transportation Department on the design of the bicycle facilities.
19. An internal vehicular and pedestrian circulation plan shall be provided to address ingress and egress to and from the site, vehicle loading, pick up and drop off locations, pedestrian connections to existing light rail stations. The developer shall be responsible for all cost and construction of improvements. No preliminary approval of plans shall be granted until the internal vehicular and pedestrian circulation plan has been reviewed and approved by the Street Transportation and Planning and Development Departments. This plan shall be updated, if needed, for all phases of development.
20. Along 2nd Avenue, no vehicular access shall be provided including no driveways, no private streets, and no ingress/egress to parking structures. Emergency vehicles may access the site from 2nd Avenue.
21. All refuse collection, loading **and**, unloading, **FOOD AND PACKAGE DELIVERY** areas shall be accessed only from the private streets on the site.
22. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.
- a. The TIS shall analyze the offset intersection of Central Avenue and Glenrosa Avenue. The TIS shall include the necessary geometric design, tapers and dedications to align the east/west legs of the intersection to operate under a non-split phased signal. The developer shall be responsible for all cost and construction of improvements, as approved by the Street Transportation Department.
23. ~~Vehicular access onto Turney Avenue shall be limited to one drive way.~~

~~This driveway shall be restricted to 3/4 access, restricting left-in movements, as approved by the Street Transportation Department.~~
VEHICULAR ACCESS ONTO TURNEY AVENUE SHALL BE LIMITED TO RIGHT-IN/RIGHT-OUT, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.

24. The developer shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
- a. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
 - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of **50 75** required spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
 - c. A minimum of **40 20** percent of the required bicycle parking for nonresidential uses shall be secured.
 - d. A minimum of four bicycle repair stations ("fix it stations") shall be provided and maintained in areas of high visibility and near secure bicycle parking areas. At minimum, two shall be directly accessible from the public sidewalk.
 - e. Standard electrical receptacles shall be installed for a minimum of 10% of the required bicycle parking spaces for electric bicycle charging capabilities.
- F. ALL NONRESIDENTIAL USES OVER 5,000 SQUARE FEET FLOOR AREA SHALL PROVIDE ONE BICYCLE SPACE PER 25 VEHICLE PARKING SPACES, WITH A MAXIMUM OF 50 SPACES.**
25. Electric vehicle infrastructure shall be provided for the required parking spaces as follows: Minimum 10 percent EV Installed.
26. The developer shall dedicate a sidewalk easement for any streetscape area that falls outside of dedicated right-of-way, as approved by the Planning and Development Department.
27. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
28. The developer shall record a Notice to Prospective Purchasers of Proximity to

Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

29. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the FAA and a "NO Hazard Determination" obtained prior to the construction start date.
30. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
31. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
32. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
33. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.
34. **2ND AVENUE, MINIMUM BUILDING SETBACK: SUBJECT TO APPROVAL OF A VARIANCE, THE SETBACK FROM THE WESTERN 2ND AVENUE ALIGNMENT SHALL BE A MINIMUM OF 50 FEET, SUBJECT TO REVIEW AND APPROVAL BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**
35. **CENTRAL AVENUE AND GLENROSA AVENUE INTERSECTION: THE DEVELOPMENT SHALL MODIFY THE NORTHWEST CORNER OF THE CENTRAL AVENUE AND GLENROSA AVENUE INTERSECTION TO ALIGN THE EAST AND WEST LEGS AND CORRESPONDING SIGNAL MODIFICATIONS, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.**
36. **TRAFFIC MITIGATION:**
 - A. **THE ULTIMATE DESIGN IS SUBJECT TO APPROVAL FROM THE STREET TRANSPORTATION DEPARTMENT.**

- B. THE DEVELOPER SHALL BE REQUIRED TO COMPLETE A PRIVATE MAINTENANCE AGREEMENT FOR ALL TRAFFIC CALMING FEATURES IN THE RIGHT-OF-WAY.**
- C. WITHIN 60 DAYS OF CITY COUNCIL APPROVAL, THE DEVELOPER SHALL PREPARE THE REQUIRED PETITION APPLICATION DOCUMENTS IN COORDINATION WITH THE CARNATION ASSOCIATION OF NEIGHBORS IN ACCORDANCE WITH THE CITY STANDARD PETITIONING PROCESS, AS REQUIRED BY THE TRAFFIC SERVICES DIVISION, FOR THE FOLLOWING TRAFFIC CALMING INFRASTRUCTURE:**
- (1) INSTALL INTERSECTION TRAFFIC CALMING INFRASTRUCTURE. LOCATIONS INCLUDE:**
- 2ND AVENUE AND CAMPBELL AVENUE
 - 3RD AVENUE AND CAMPBELL AVENUE
 - 3RD AVENUE AND TURNEY AVENUE
 - 3RD AVENUE AND GLENROSA AVENUE
 - 3RD AVENUE AND MONTEROSA STREET
 - 5TH AVENUE AND TURNEY AVENUE
- (2) INSTALL “NECKDOWN NEIGHBORHOOD GATEWAY” CURB LINE BUMP OUTS TO NARROW STREET TO 20’ MAXIMUM. LOCATIONS INCLUDE:**
- 2ND AVENUE AND TURNEY AVENUE, WEST SIDE OF INTERSECTION
 - 1ST AVENUE AND GLENROSA AVENUE WEST SIDE OF INTERSECTION
- (3) INSTALL MINI ROUNDABOUT AT THE FOLLOWING INTERSECTIONS:**
- 2ND AVENUE AND TURNEY AVENUE, WEST OF NEIGHBORHOOD NECKDOWN GATEWAY
 - 2ND AVENUE AND GLENROSA AVENUE
- (4) INSTALL SIDEWALKS AT THE FOLLOWING LOCATIONS:**
- GLENROSA, BETWEEN 3RD AVENUE AND 7TH AVENUE
 - THE SOUTH SIDE OF TURNEY AVENUE, BETWEEN 2ND AVENUE AND 3RD AVENUE

THE DEVELOPER SHALL BE RESPONSIBLE FOR ALL FUNDING OF AND CONSTRUCTION OF THE APPROVED TRAFFIC CALMING INFRASTRUCTURE AND SIDEWALKS, SUBJECT TO THE PETITION OF SUPPORT BEING PROVIDED TO THE STREET TRANSPORTATION DEPARTMENT WITHIN 180 DAYS OF THE FINALIZED PETITION BEING PROVIDED TO THE CARNATION ASSOCIATION OF NEIGHBORS.

- 37. TRAFFIC MITIGATION: THE DEVELOPER SHALL INSTALL A STOP SIGN AT THE INTERSECTION OF 2ND AVENUE GLENROSA AVENUE, SUBJECT TO REVIEW AND APPROVAL BY THE STREET TRANSPORTATION DEPARTMENT.**
- 38. LIGHT RAIL PASS: THE DEVELOPER SHALL PROVIDE A PAID 60-DAY LIGHT RAIL PASS TO ALL NEW RESIDENTS.**
- 39. INTERIM CONSTRUCTION MITIGATION: VARIOUS MITIGATION EFFORTS INCLUDING VIDEO MONITORING CAMERAS, FENCING AND SCREENING, AND DUST PROOF SURFACES SHALL BE UTILIZED TO MINIMIZE IMPACTS TO THE EXISTING NEIGHBORHOOD, AND CONSISTENT WITH THE INTERIM BEAUTIFICATION PLAN DATE STAMPED JUNE 1, 2023.**
- 40. MATERIAL DELIVERY: MATERIAL DELIVERY WILL BE REQUIRED TO ENTER AND EXIT FROM CENTRAL AVENUE.**
- 41. CONSTRUCTION PARKING: ALL PARKING FOR CONSTRUCTION WORKER VEHICLES SHALL BE ON-SITE OR IN A PRE-ARRANGED OFF-SITE LOCATION.**
- 42. NO SPEAKERS: NO OUTSIDE SPEAKERS OR AMPLIFIED MUSIC WILL BE PERMITTED DURING CONSTRUCTION.**
- 43. CONTACT INFORMATION: THE APPLICANT'S CURRENT CONTACT INFORMATION SHALL BE PROVIDED TO THE PRESIDENT OF THE CARNATION ASSOCIATION OF NEIGHBORS.**
- 44. DENSITY: A MAXIMUM UNIT COUNT OF 1,500 UNITS SHALL BE PROVIDED ON THE OVERALL SITE, WITH A MAXIMUM OF 375 UNITS ON PARCEL 1.**
- 45. INTERIM BEAUTIFICATION PLAN: PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY BUILDING AT ANY PHASE, THE VACANT/UNDEVELOPED SITES SHALL BE MAINTAINED IN GENERAL CONFORMANCE TO THE INTERIM BEAUTIFICATION PLAN DATE STAMPED JUNE 1, 2023, WITH SPECIFIC REGARD TO THE FOLLOWING ELEMENTS, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

- A. THE VACANT / UNDEVELOPED SITES SHALL BE MAINTAINED FREE OF VEGETATION.
 - B. THE VACANT / UNDEVELOPED SITES SHALL BE MAINTAINED IN A DUST-CONTROLLED CONDITION.
 - C. THE VACANT / UNDEVELOPED SITES SHALL BE ENCLOSED BY A VIEW FENCE ON ALL SIDES WITH MAINTENANCE GATES ONLY LOCATED ON THE PRIVATE STREETS.
46. NOISE MITIGATION: ANYWHERE A POOL IS VISIBLE TO A PUBLIC STREET, THE DEVELOPER SHALL PROVIDE A SOUND ATTENUATING WALL.

STAFF COMMENTS REGARDING VPC RECOMMENDATIONS & STIPULATIONS:

Staff has concerns that some of the added stipulations will be difficult to enforce, however they are attainable and were conditions that the applicant agreed to with the community.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION August 3, 2023

ITEM NO: 15	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-17-22-4
Location:	Northwest corner of Central Avenue and Glenrosa Avenue
From:	R1-6 TOD-1 (Approved C-2 H-R HGT/WVR TOD-1) R-3 TOD-1 (Approved C-2 H-R HGT/WVR TOD-1) R-3 TOD-1 (Approved C-2 H-R TOD-1) R-5 TOD-1 (Approved C-2 H-R HGT/WVR TOD-1) C-2 TOD-1 (Approved C-2 H-R HGT/WVR TOD-1) C-2 TOD-1 (Approved C-2 H-R TOD-1)
To:	WU Code T4:3 UT WU Code T5:5 UT WU Code T6:22 UT
Acreage:	15.61
Proposal:	Mixed use and multifamily residential.
Applicant:	Petree Development
Owner:	Central & Turney Properties, Inc.
Representative:	Wendy Riddell, Berry Riddell, LLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Encanto 6/5/2023 Approval, per the staff recommendation with modifications, additional stipulations, and direction. Vote: 10-2.

Planning Commission Recommendation: Approval, per the Encanto Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Boyd made a MOTION to approve Z-17-22-4, per the Encanto Village Planning Committee recommendation.

Maker: Boyd
Second: Vice Chairman Gaynor
Vote: 8-0
Absent: Mangum
Opposition Present: Yes

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation of Commercial and the Conceptual Zoning Plan contained in the Uptown Transit Oriented Development Policy Plan.

2. The proposal, as stipulated, advances the vision and recommendations contained in the Uptown Transit Oriented Development Policy Plan and will create strong pedestrian environments along both its public and private streets with shaded and detached sidewalks to convey residents safely and comfortably to the Indian School Road Light Rail Station and the Campbell Avenue Light Rail Station.
3. The proposal will create additional housing options on an underutilized site served by high-capacity transit which aligns with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030.

Stipulations:

1. Conceptual site plans and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary plan approval for Parcels 2 through 4 as depicted on the Conceptual Site Plans date stamped June 1, 2023, with specific regard to the inclusion of the below elements. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.
 - a. The development shall include ground floor activation such as the programming of building spaces adjacent to Central Avenue that may include retail or commercial uses, the choice and mix of frontage types, and the presence of indoor or outdoor public amenities that may include open spaces, and community gathering spaces.
 - (1) GRAY SHELL (FINISHED SLAB, FIRE SUPPRESSION SYSTEM, STORE FRONT, STUBBED UTILITIES, AND 200AMP ELECTRIC PANEL FOR EVERY 1,200 SQUARE FEET) SPACE SHALL BE PROVIDED FOR ALL COMMERCIAL AND RETAIL DESIGNATED SPACES.
 - b. On Parcel 2, the ground floor shall include a minimum of ~~5,000~~ 10,000 square feet (FOR A TOTAL OF 20,000 SQUARE FEET) of non-residential uses. Non-residential uses shall not include lobby, exercise, reception areas, or other similar uses intended for exclusive use by residents. All required non-residential uses shall have some frontage on Central Avenue right-of-way.
 - c. On Parcel 2, the development shall utilize a continuous storefront frontage per the requirements of Section 1305.b. for a minimum of 120 linear feet along Central Avenue.
 - d. On Parcel 4, the ground floor shall include a minimum ~~5,000~~ 10,000 square feet (FOR A TOTAL OF 20,000 SQUARE FEET) of non-residential uses. Non-residential uses shall not include lobby, exercise, reception areas, or other similar uses intended for exclusive use by residents. All required non-residential uses shall have some frontage on Central Avenue right-of-way.
 - e. On Parcel 4, the development shall utilize a continuous storefront frontage per the requirements of Section 1305.b. for a minimum of 120 linear feet along Central Avenue.

- f. The building elevations for Parcels 2 through 4 shall contain a minimum of 10 percent premium materials such as brick, stone, metal, or other comparable materials on all four sides of each building.
2. The applicant shall return to the Encanto Village Planning Committee to present the site plan and elevations for Parcel 1 for review and comment prior to preliminary site plan approval.
3. The building elevations for Parcel 1 shall contain a minimum of 10 percent premium materials such as brick, stone, metal, or other comparable materials on all four sides of each building, as approved by the Planning and Development Department.
4. All private streets within the subject site shall be constructed with the first phase of the development as depicted on the Conceptual Phasing Plan date stamped June 1, 2023 and be open to the public prior to the issuance of a Certificate of Occupancy, as approved by the Planning and Development Department.
5. The developer shall provide a minimum five percent of the gross site area as open space that is available to the public, as described below and as approved or modified by the Planning and Development Department.
 - a. Each open space area shall follow the guidelines established in Section 1310 of the Phoenix Zoning Ordinance.
 - b. Each open space area shall provide at a minimum seating, a drinking fountain for people and pets, art, and shade elements.
 - c. A minimum of 15,000 square feet of publicly accessible open space shall be constructed with the development of Parcel 1 as depicted on the Conceptual Site Plans date stamped June 1, 2023.
 - d. One open space node shall be provided near the intersection of the private Montecito Avenue alignment and 2nd Avenue which shall include public facing art and a minimum of one higher-order amenity such as lawn games, gardens, picnic tables, or shade canopies, or a combination of several complementary amenities.
 - e. All units adjacent to the public open space located along 2nd Avenue shall have direct unit entries and compliant frontage types as described in Table 1305.1 and there shall be a minimum of two common entries to provide direct pedestrian access from upper and interior units to adjacent sidewalks.
6. A minimum of 10 percent of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
7. The applicant shall return to the Encanto Village Planning Committee to present the stipulated public-facing art generally located at 2nd Avenue and the Montecito Avenue alignment for review and comment prior to the issuance of a Certificate of Occupancy for the first phase of development, as approved by the Planning and Development Department.

8. For the portion of the subject site zoned WU Code T5:5, the building height shall not exceed 30 feet within 35 feet of the west property line and 40 feet within 60 feet of the west property line, as approved by the Planning and Development Department.
9. For the portions of the subject site zoned WU T5:5 and T6:22, all public and private street frontages shall include a minimum of two “common entry” frontage type to provide direct pedestrian access from upper and interior units to adjacent sidewalks, as approved or modified by the Planning and Development Department.
10. The portion of the subject site located along Glenrosa Avenue and between the centerline of the 1st Avenue alignment on the east and the 2nd Avenue alignment on the west (the western terminus of the T4:3 portion), shall be restricted to a maximum height of ~~40~~ 30 feet within ~~60~~ 30 feet of the south property line, as approved by the Planning and Development Department.
11. The developer shall provide corner enhancements at the intersections of Central Avenue and all public and private streets to denote the prominence of the space and shall feature enhanced landscape and/or hardscape treatments with public-facing art, as approved by the Planning and Development Department.
12. The developer shall comply with the design standards of the Central Avenue Image Enhancement guidelines. The detached sidewalk, landscape area width, and shade requirements shall comply with the Transit Uptown Character Area requirements for arterial roadways adjacent to Light Rail Corridor, as approved or modified by the Planning and Development Department.
13. The public sidewalk along Turney Avenue shall be constructed to a minimum width of 8 feet and detached from the back of curb by a minimum 5-foot-wide landscape area planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
 - a. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings.
 - b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
 - c. Drought tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
14. The existing overhead utility lines adjacent to Turney Avenue shall be relocated underground for the entirety of its frontage, as approved by the Planning and Development Department.
15. The public sidewalk along 2nd Avenue shall be constructed to a minimum width of ~~6~~ 8 feet and detached from the back of curb by a minimum 7-foot-wide landscape area planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
 - a. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed

25 feet on center or in equivalent groupings.

- b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
- c. Drought tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.

The above described improvements shall be installed prior to the issuance of a Certificate of Occupancy for the first phase of development, as approved by the Planning and Development Department.

16. All public street frontages on 2nd Avenue shall require a landscape area between the back of sidewalk and building front that shall be planted with minimum 3-inch caliper, single trunk, shade trees planted a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

The above described improvements shall be installed prior to the issuance of a Certificate of Occupancy for the first phase of development, as approved by the Planning and Development Department.

17. The public sidewalk along Glenrosa Avenue shall be constructed to a minimum width of 6 feet and detached from the back of curb by a minimum 5-foot-wide landscape area planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.

- a. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings.
- b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
- c. Drought tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.

18. All private streets shall be overlain with dedicated public pedestrian accessway easements connecting to the public rights-of-way and the private streets shall provide the following non-vehicular pathways, amenities, and features, as approved or modified by the Planning and Development Department.

- a. Access to/from 2nd Avenue from the private street on the Montecito Avenue alignment shall be restricted to emergency vehicles, bicycles, and pedestrians.
- b. One side of each private street shall comply with the standards contained in Section 1304.H. of the Phoenix Zoning Ordinance and be detached from the back of curb by a landscape area an average of 5 feet in width that shall be planted with minimum three-inch caliper, single trunk, shade trees planted a minimum of 20 feet on center or in equivalent groupings.
- c. One side of each private street shall comply with the standards contained in Section 1312.D.1.c. of the Phoenix Zoning Ordinance and the landscape area shall be planted with minimum three-inch caliper, single trunk, shade trees

planted a minimum of 20 feet on center or in equivalent groupings.

- d. Where outside of public rights-of-way, intersections shall feature pedestrian enhancements such as speed tables, elevated crosswalks, and/or bulb-outs.
 - e. Include on-site bicycle routes that connect the internal streets to 2nd Avenue, Turney Avenue, and Glenrosa Avenue. The applicant shall consult with the Active Transportation Coordinator from the Street Transportation Department on the design of the bicycle facilities.
19. An internal vehicular and pedestrian circulation plan shall be provided to address ingress and egress to and from the site, vehicle loading, pick up and drop off locations, pedestrian connections to existing light rail stations. The developer shall be responsible for all cost and construction of improvements. No preliminary approval of plans shall be granted until the internal vehicular and pedestrian circulation plan has been reviewed and approved by the Street Transportation and Planning and Development Departments. This plan shall be updated, if needed, for all phases of development.
20. Along 2nd Avenue, no vehicular access shall be provided including no driveways, no private streets, and no ingress/egress to parking structures. Emergency vehicles may access the site from 2nd Avenue.
21. All refuse collection, loading and, unloading, FOOD AND PACKAGE DELIVERY areas shall be accessed only from the private streets on the site.
22. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.
- a. The TIS shall analyze the offset intersection of Central Avenue and Glenrosa Avenue. The TIS shall include the necessary geometric design, tapers and dedications to align the east/west legs of the intersection to operate under a non-split phased signal. The developer shall be responsible for all cost and construction of improvements, as approved by the Street Transportation Department.
23. ~~Vehicular access onto Turney Avenue shall be limited to one drive way. This driveway shall be restricted to 3/4 access, restricting left in movements, as approved by the Street Transportation Department.~~ VEHICULAR ACCESS ONTO TURNEY AVENUE SHALL BE LIMITED TO RIGHT-IN/RIGHT-OUT, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.
24. The developer shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
- a. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
 - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 75 required spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.

- c. A minimum of ~~40~~ 20 percent of the required bicycle parking for nonresidential uses shall be secured.
 - d. A minimum of four bicycle repair stations ("fix it stations") shall be provided and maintained in areas of high visibility and near secure bicycle parking areas. At minimum, two shall be directly accessible from the public sidewalk.
 - e. Standard electrical receptacles shall be installed for a minimum of 10% of the required bicycle parking spaces for electric bicycle charging capabilities.
 - F. ALL NONRESIDENTIAL USES OVER 5,000 SQUARE FEET FLOOR AREA SHALL PROVIDE ONE BICYCLE SPACE PER 25 VEHICLE PARKING SPACES, WITH A MAXIMUM OF 50 SPACES.
25. Electric vehicle infrastructure shall be provided for the required parking spaces as follows: Minimum 10 percent EV Installed.
 26. The developer shall dedicate a sidewalk easement for any streetscape area that falls outside of dedicated right-of-way, as approved by the Planning and Development Department.
 27. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
 28. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.
 29. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the FAA and a "NO Hazard Determination" obtained prior to the construction start date.
 30. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
 31. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
 32. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
 33. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County

Recorder's Office and delivered to the City to be included in the rezoning application file for record.

34. 2ND AVENUE, MINIMUM BUILDING SETBACK: SUBJECT TO APPROVAL OF A VARIANCE, THE SETBACK FROM THE WESTERN 2ND AVENUE ALIGNMENT SHALL BE A MINIMUM OF 50 FEET, SUBJECT TO REVIEW AND APPROVAL BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
35. CENTRAL AVENUE AND GLENROSA AVENUE INTERSECTION: THE DEVELOPMENT SHALL MODIFY THE NORTHWEST CORNER OF THE CENTRAL AVENUE AND GLENROSA AVENUE INTERSECTION TO ALIGN THE EAST AND WEST LEGS AND CORRESPONDING SIGNAL MODIFICATIONS, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.
36. TRAFFIC MITIGATION:
 - A. THE ULTIMATE DESIGN IS SUBJECT TO APPROVAL FROM THE STREET TRANSPORTATION DEPARTMENT.
 - B. THE DEVELOPER SHALL BE REQUIRED TO COMPLETE A PRIVATE MAINTENANCE AGREEMENT FOR ALL TRAFFIC CALMING FEATURES IN THE RIGHT-OF-WAY.
 - C. WITHIN 60 DAYS OF CITY COUNCIL APPROVAL, THE DEVELOPER SHALL PREPARE THE REQUIRED PETITION APPLICATION DOCUMENTS IN COORDINATION WITH THE CARNATION ASSOCIATION OF NEIGHBORS IN ACCORDANCE WITH THE CITY STANDARD PETITIONING PROCESS, AS REQUIRED BY THE TRAFFIC SERVICES DIVISION, FOR THE FOLLOWING TRAFFIC CALMING INFRASTRUCTURE:
 - (1) INSTALL INTERSECTION TRAFFIC CALMING INFRASTRUCTURE. LOCATIONS INCLUDE:
 - 2ND AVENUE AND CAMPBELL AVENUE
 - 3RD AVENUE AND CAMPBELL AVENUE
 - 3RD AVENUE AND TURNEY AVENUE
 - 3RD AVENUE AND GLENROSA AVENUE
 - 3RD AVENUE AND MONTEROSA STREET
 - 5TH AVENUE AND TURNEY AVENUE
 - (2) INSTALL "NECKDOWN NEIGHBORHOOD GATEWAY" CURB LINE BUMP OUTS TO NARROW STREET TO 20' MAXIMUM. LOCATIONS INCLUDE:
 - 2ND AVENUE AND TURNEY AVENUE, WEST SIDE OF INTERSECTION
 - 1ST AVENUE AND GLENROSA AVENUE WEST SIDE OF INTERSECTION
 - (3) INSTALL MINI ROUNDABOUT AT THE FOLLOWING INTERSECTIONS:

- 2ND AVENUE AND TURNEY AVENUE, WEST OF NEIGHBORHOOD NECKDOWN GATEWAY
- 2ND AVENUE AND GLENROSA AVENUE

(4) INSTALL SIDEWALKS AT THE FOLLOWING LOCATIONS:

- GLENROSA, BETWEEN 3RD AVENUE AND 7TH AVENUE
- THE SOUTH SIDE OF TURNEY AVENUE, BETWEEN 2ND AVENUE AND 3RD AVENUE

THE DEVELOPER SHALL BE RESPONSIBLE FOR ALL FUNDING OF AND CONSTRUCTION OF THE APPROVED TRAFFIC CALMING INFRASTRUCTURE AND SIDEWALKS, SUBJECT TO THE PETITION OF SUPPORT BEING PROVIDED TO THE STREET TRANSPORTATION DEPARTMENT WITHIN 180 DAYS OF THE FINALIZED PETITION BEING PROVIDED TO THE CARNATION ASSOCIATION OF NEIGHBORS.

37. TRAFFIC MITIGATION: THE DEVELOPER SHALL INSTALL A STOP SIGN AT THE INTERSECTION OF 2ND AVENUE GLENROSA AVENUE, SUBJECT TO REVIEW AND APPROVAL BY THE STREET TRANSPORTATION DEPARTMENT.
38. LIGHT RAIL PASS: THE DEVELOPER SHALL PROVIDE A PAID 60-DAY LIGHT RAIL PASS TO ALL NEW RESIDENTS.
39. INTERIM CONSTRUCTION MITIGATION: VARIOUS MITIGATION EFFORTS INCLUDING VIDEO MONITORING CAMERAS, FENCING AND SCREENING, AND DUST PROOF SURFACES SHALL BE UTILIZED TO MINIMIZE IMPACTS TO THE EXISTING NEIGHBORHOOD, AND CONSISTENT WITH THE INTERIM BEAUTIFICATION PLAN DATE STAMPED JUNE 1, 2023.
40. MATERIAL DELIVERY: MATERIAL DELIVERY WILL BE REQUIRED TO ENTER AND EXIT FROM CENTRAL AVENUE.
41. CONSTRUCTION PARKING: ALL PARKING FOR CONSTRUCTION WORKER VEHICLES SHALL BE ON-SITE OR IN A PRE-ARRANGED OFF-SITE LOCATION.
42. NO SPEAKERS: NO OUTSIDE SPEAKERS OR AMPLIFIED MUSIC WILL BE PERMITTED DURING CONSTRUCTION.
43. CONTACT INFORMATION: THE APPLICANT'S CURRENT CONTACT INFORMATION SHALL BE PROVIDED TO THE PRESIDENT OF THE CARNATION ASSOCIATION OF NEIGHBORS.
44. DENSITY: A MAXIMUM UNIT COUNT OF 1,500 UNITS SHALL BE PROVIDED ON THE OVERALL SITE, WITH A MAXIMUM OF 375 UNITS ON PARCEL 1.
45. INTERIM BEAUTIFICATION PLAN: PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY BUILDING AT ANY PHASE, THE VACANT/UNDEVELOPED SITES SHALL BE MAINTAINED IN GENERAL CONFORMANCE TO THE INTERIM BEAUTIFICATION PLAN DATE STAMPED JUNE 1, 2023, WITH SPECIFIC REGARD TO THE FOLLOWING ELEMENTS, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- A. THE VACANT / UNDEVELOPED SITES SHALL BE MAINTAINED FREE OF VEGETATION.
 - B. THE VACANT / UNDEVELOPED SITES SHALL BE MAINTAINED IN A DUST-CONTROLLED CONDITION.
 - C. THE VACANT / UNDEVELOPED SITES SHALL BE ENCLOSED BY A VIEW FENCE ON ALL SIDES WITH MAINTENANCE GATES ONLY LOCATED ON THE PRIVATE STREETS.
46. NOISE MITIGATION: ANYWHERE A POOL IS VISIBLE TO A PUBLIC STREET, THE DEVELOPER SHALL PROVIDE A SOUND ATTENUATING WALL.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.

ATTACHMENT E

CITY OF PHOENIX PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:							
APPLICATION NO/ LOCATION	Z-17-22-4 (Petree Development PUD) Northwest corner of Central Avenue and Glenrosa Avenue	(SIGNATURE ON ORIGINAL IN FILE) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: 1px solid black; padding: 5px; text-align: center;">opposition</td> <td style="width: 10%; border: 1px solid black; padding: 5px; text-align: center;">x</td> <td style="width: 33%; border: 1px solid black; padding: 5px; text-align: center;">applicant</td> <td style="width: 24%; border: 1px solid black; padding: 5px;"></td> </tr> </table>		opposition	x	applicant	
opposition	x	applicant					
APPEALED FROM:	PC 8/3/2023	126 West Pierson Street Phoenix, AZ 85013					
	<i>PC DATE</i>	<i>STREET/ADDRESS/CITY/STATE/ZIP</i>					
TO PC/CC HEARING	CC 9/6/2023	Ken Waters 602-373-1902 Kennywaters602@gmail.com					
	<i>CC DATE</i>	<i>NAME / PHONE / EMAIL</i>					
REASON FOR REQUEST: This Petree Development Project is nowhere close to being an adequate TOD project worthy of approval. The City is failing to green light dynamic Walkable Urban Lifestyle projects. A mere 20 K of retail on 15.6 acres on Central Avenue is a Joke.							
RECEIVED BY:	Greg Harmon	RECEIVED ON:	8/7/2023				

Alan Stephenson
 Joshua Bednarek
 Tricia Gomes
 Racelle Escolar
 Stephanie Vasquez
 Diana Hernandez
 Heather Klotz
 Vikki Cipolla-Murillo

Greg Harmon
 Paul M. Li
 Village Planner
 GIS
 Applicant
 Byron Easton (for PHO Appeals)

AUG 07 2023



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development
Department

The **PLANNING COMMISSION** agenda for **August 3, 2023** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **August 10, 2023**.

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **August 10, 2023**.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **August 10, 2023**.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **August 17, 2023**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

2-17-22-4 (Petree Development) NWC Central & Glenrosa Ave

APPLICATION NO.

LOCATION OF APPLICATION SITE

Aug 3rd 2023

Gary Harmon

DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

PLANNER

(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Ken Waters

Ken Waters

PRINTED NAME OF PERSON APPEALING

SIGNATURE

126 W. Pierson ST

8-7-23

STREET ADDRESS

DATE OF SIGNATURE

Phoenix AZ 85013

602 373-1902

CITY, STATE & ZIP CODE

TELEPHONE NO.

Kenny Waters 602@gmail.com

EMAIL ADDRESS

REASON FOR REQUEST

This Petree Development Project is no where close to being an adequate TOP project worthy of approval. The City is failing to green light dynamic walkable Urban Lifestyle Projects

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER A mere 20K of retail on 15.6 acres on Central is a Joke.

ATTACHMENT F

From: Jeremy Thacker <jeremythacker@gmail.com>

Sent: Tuesday, May 31, 2022 2:07 PM

To:

[REDACTED]

[REDACTED]

[REDACTED]

Subject: Unacceptable lack of representation on EVPC

Vice Mayor Pastor,

I just received the updated agenda for tomorrow's CC meeting and noticed that a new member was being added to the Encanto Village Planning Committee. I was excited as I assumed a member of Carnation was being added after bringing to your attention that the EVCP doesn't have a single member from our neighborhood despite roughly 4000 units for 7000+ citizens in development.

Imagine my surprise when I discover that another long-time political board member that lives in Encanto is being added while the applications from Carnation residents remain in the drawer.

As it stands, the EVPC has empty chairs that can be filled and you're still snubbing our neighborhood. It's unacceptable and I'd like you to explain to the 150+ neighbors on this thread why we aren't

allowed a voice in what happens in our own damn neighborhood?

Jeremy Thacker
480-410-1923

On Fri, May 20, 2022, 2:40 PM CarnationAssociationAZ <carnationassociationaz@gmail.com> wrote:

Thanks to everyone who came to Monday's Carnation Association of Neighbors meeting. Below are the notes from the discussion about the development proposed for the former Agave Farms land. Please attend the meeting with the developer that will take place on **Tuesday, May 24th at 6:00 pm at Changing Hands** (300 W Camelback Rd), so you can share your thoughts directly with them. Here are the notes from our discussion:

Carnation Neighborhood Perspective on the Rezoning and Development of Former Agave Farms Land:

1. **Interior Streets and Parking** – the number of vehicles the development proposes will burden surrounding streets with an abundance of cars, and have a negative impact on existing businesses and households.
 - TOD zoning has reductions in parking requirements built in, adding another 25% reduction would be excessive
 - The interior streets must contribute to the City of Phoenix public street parking and abide by the same rules and regulations of the surrounding streets. Private roads with separate rules are an unfair imposition on existing residents, businesses, and visitors.
 - Each of the four parcels must have several publicly accessible bike racks. This is additional to private bike parking available to the development's residents.
 - Activations spaces, loading zones, pickup / drop off areas must be closer to the interior of the development so the surrounding neighborhood is not burdened with the noise of loading trucks and trash collection.
 - Employees of the development must be provided with free parking, and policies enacted to prohibit them from parking on the street, interior to the development or exterior.
 - The large block pattern of the street grid deviates from what is desired by the Uptown TOD Policy Plan; however it is the lack of pedestrian and bicycle pathways through the large buildings that will hinder local transportation the most.
 - Parameter parking must not be included in the formula for meeting minimum parking requirements.
 - Support for permitted parking for the Carnation neighborhood.
 - The number of cars this large development will shift onto quiet neighborhood streets will decrease the safety and quality of life in Carnation. To help alleviate these concerns:

◆ New street running north must be configured for right turns only on Turney, so traffic will be shifted onto Central Avenue.

◆ New street running east west to Montecito must be a cul-de-sac.

- The lack of commercial zoning of this project means traffic and parking will only have residential patterns; if there were a moderate commercial component it would allow the opportunity to provide shared parking resources and smarter traffic patterns; i.e while residents are at work during the day, commercial enterprise could use those parking spots.

2. **Massing and Scale -**

- Generally speaking, there are no objections to the height along Central Avenue on

parcel's 2 & 4. However:

◆ The intent of T6:22 is clearly to provide a large mix of commercial and residential near light rail, yet the plan contains only 1 commercial space on the ground floor. A larger commercial component would enhance use of the light rail system, transporting neighborhood residents to work while others come to the neighborhood for commerce.

◆ The long uninterrupted blocks do not conform to the Uptown TOD Policy Plan's (UTOD) vision for pedestrian walkways, shorter block patterns, and overall fluidity of walking or biking the neighborhood. Each parcel creates a "private neighborhood within a neighborhood".

- Rezoning parcel 1 along Turney and Central to T5:5 is insensitive to the scale and character of the single-story residences directly adjacent. To attempt sensitivity to the edges of the existing neighborhood this zoning should remain R1:6 or at most, be consistent with the T4:3 that is proposed along part of Glenrosa Avenue. However, many in the neighborhood strongly believe this should remain R1-6.
- Open spaces are needed to break up the massiveness along these streets. Incorporate publicly accessible plazas, dog parks, and pocket parks.
- The site plan proposes 103 units per acre, making this project the most dense development along this section of Central Avenue - and grotesquely dense along 2nd Avenue.

◆ To demonstrate the Carnations neighborhoods support for UTOD's High Intensity District along Central Avenue, we propose parcel 2 and 4 not exceed 70 units per acre (UPA). Buildings currently fronting this stretch of Central Avenue range from 40 UPA to 80 UPA.

◆ Parcel 1 and 3 must drastically reduce the UPA. Even 40 UPA on these tracts would be out of character for anything that does not front Central Avenue. We would like to see Parcel 1 and 3 reduce the UPA to under 40, preferably keep the R1-6 zoning for what directly fronts single-story, single-family homes.

3. **Social and Demographic Concerns**

- There is a housing shortage in Phoenix that is not driven by lack of available rental property, but by lack of homes that can be purchased. This lack of ownership opportunity is what drives up rental prices. At least 20% of this development should include homes that will be sold so the development can contribute to solving the real housing crisis.
- There is also an affordable housing crisis in Phoenix that is not addressed by this proposal. At least 4% of the units should be set aside for work-force housing. One of the goals of the Uptown TOD is to encourage a diversity of housing types.

4. **Setbacks –**

- 7' wide sidewalks on neighborhood street.
- Developer must provide additional neighborhood sidewalks as part of a benefits package.

5. **Lighting – (still working)**

6. **Public Spaces – (still working)**

John Roanhorse

From: Kim Jennings <kimjennings45@gmail.com>
Sent: Tuesday, June 6, 2023 10:58 AM
To: Mayor Gallego; Nick Klimek; Laura Pastor; Joshua Bednarek; CarnationAssociationAZ; PDD Encanto VPC; John Roanhorse; kathryn@northcentralnews.net
Subject: City Letdown

I'm sad to say that the city that I call home has let down the carnation community. While the cities mission is to improve the quality of life in Phoenix through efficient delivery of outstanding public services it has failed us deeply! The city has been enamored with the housing shortage and just letting every contractor build these high cost apartments and drown all the local communities with more and more complexes. Then there are the communities that are by the light rail and we get hit with even more high cost apartments with zoning codes that don't benefit the communities but the builders. The codes that were established for the builders along the light rail were good in concept but there should of been an overall group that manages it to make sure there that the overall landscape of the city still functions well! This is the part that is failing us!

All I hear from builders is that we live in the city and need to accept density, but we are past density and now in crisis. Our streets are already beyond capacity and unsafe!! Now let's add a complex that's over 1500 units and an average of 3000 more cars coming through our neighborhood, at a minimum. It is unsafe and where is the city now?? They are signing off and not reviewing the zoning in relation to the community. It feels like they don't care about us current Phoenixians. The city is only looking at the future and not the current situation. Have you taken a step back to see if what the land is zoned for is good for the communities and what is the current capacity? Where is the oversight of what is best for Phoenix and its current residents??

Besides these apartment complexes that surround us we also have three high schools that are in the area of central and Campbell. There is an influx of traffic on Campbell due to the schools too. It is an unsafe environment for all these kids that get dropped off, take the light rail or walk to school. I hope the city is aware of this safety concern and now with a minimum of 3000 more cars added to the mix it's going to be even more chaotic and more unsafe. I worry about my kids that walk to school and play in our neighborhood. People drive too fast down our street and run the stop sign multiple times daily. This goes back to the current capacity already being over run.

Are there any city workers that truly value our current quality of life? Right now I would say no!

Some one please take this into consideration for the future of Phoenix!!

Thank you!
Kim Jennings
215 W Campbell Ave

John Roanhorse

From: Jeremy Thacker <jeremythacker@gmail.com>
Sent: Thursday, July 27, 2023 9:29 PM
To: Joshua Bednarek; John Roanhorse
Cc: PDD Encanto VPC; CarnationAssociationAZ; Council District 4; Christian Solorio; Joel Carrasco; kathryn.northcentralnews.net; Kenny W; tseely@arizonarepublic.com; Kristin Lisson; Ryan Boyd
Subject: Z-17-22-4 - Traffic Generation Errors
Attachments: Z-17-22-4 - Issues with Traffic Generation.pdf

Josh and John,

I have attached a document outlining multiple issues with traffic generation projections for Z-17-22-4 for review by Planning and Streets. In addition, I am requesting that the document be forwarded to the members of the Planning Commission prior to the August 3rd meeting.



Jeremy Thacker

(480) 410-1923 [\[voice.google.com\]](https://voice.google.com)
[\[voice.google.com\]](https://voice.google.com)
[\[voice.google.com\]](https://voice.google.com)
[\[voice.google.com\]](https://voice.google.com)
jeremythacker@gmail.com
4520 N 2nd Ave, Phoenix, AZ 85013

Dear Planning Commission,

On August 3rd, the Commission members will hear an application for Z-17-22-4 (item #15) regarding the Petree Development at Central and Glenrosa. Before granting approval, I am requesting that the Planning Commission ensure that the following discrepancies regarding traffic generation on local neighborhood streets are addressed by the developer, Petree, and their traffic engineers, Lokahi. Below is a summary of the facts and issues regarding the largest residential development in the City of Phoenix.

Issues

Not Minor Collectors

According to Petree & Lokahi:

- Turney and Glenrosa are classified as “minor collectors” with a daily vehicle capacity of 9,200.
- Turney, currently, has average daily traffic of 1,068 VPD and Glenrosa has 671 VPD.

Reality:

- Turney and Glenrosa are not “minor collectors” but are classified as “local” with a VPD capacity of 1,000.
- Currently, prior to any development, Turney exceeds the VPD capacity for a “local” street.

Screenshot from [Lokahi Trip Generation Report](#)

Summary of Existing Traffic Counts:

- **Turney Avenue**
 - Minor Collector
 - Existing ADT: 1,068 vpd (collected on 8/19/2021)
 - Capacity (based on MCDOT standards): 9,200 vpd
 - Currently operating at 11.6% of capacity
- **Glenrosa Avenue**
 - Minor Collector
 - Existing ADT: 671 vpd (collected on 8/19/2021)
 - Capacity (based on MCDOT standards): 9,200 vpd
 - Currently operating at 7.3% of capacity

Projection Rejection

According to Petree & Lokahi:

- The majority, 96+%, of vehicle traffic will use arterial streets.
- Currently, intersections on Central Ave at Indian School, Campbell, and Camelback operate at LOS (E) & (F) during peak AM & PM hours.
- W, NW, & SW bound traffic will travel on Central Ave (from Glenrosa) to Camelback or Indian School towards 7th Ave.

Reality:

- [Google Maps recommends multiple routes](#) through the neighborhood's local streets without any arterial recommendation when traveling W, NW, or SW.
- No sane person is going to travel 25% to 50% longer and 35% farther on a route they take 3x per day.
- Arterial routes have 3.5x the number of traffic signals compared to local streets through the neighborhood.
- Traffic calming measures implemented in the neighborhood will not make the arterials a more desirable route since 20,000 additional VPD are happening along Central where intersections are already rated LOS (E) & (F)

Screenshot from [Lokahi Trip Generation Report](#)

Trip Generation Summary Data: This data was updated from the original 3/15/22 Traffic Report to reflect the current site plan without access point at Montecito/2nd Ave per the request of the neighborhood and provide at a community meeting 6/20/22. Note: a revised traffic report will be provided when the updated site plan is submitted to the City of Phoenix for review.

Location	ADT (%)	ADT (vpd)
WB Turney (In/Out)	1.1%	86
WB Glenrosa (In/Out)	1.1%	86
SB 3rd Avenue (In/Out)	1.6%	125
NB Central (In/Out)	47.3%	3,681
SB Central (In/Out)	49.0%	3,813
Total	100.1%	7,791

Over Capacity & Unsafe Local Streets

According to Petree & Lokahi:

- The development is expected to deliver 7,791 vehicle trips per day.
- Of the 7,791 VPD, projected VPD for Turney and Glenrosa is 86 each.
- 3,100 VPD will still be traveling W, NW, & SW

- 3,000 vehicles per day are going to take arterial streets over local streets despite arterials requiring more distance and more time than local streets.

Reality:

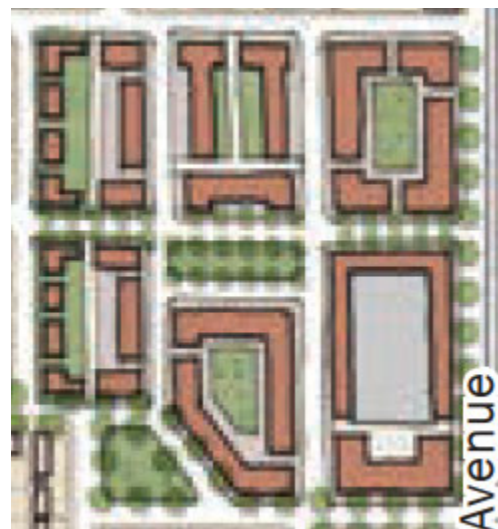
- The majority will be traveling through our local neighborhood streets to reach 7th Ave.
- 2,000 VPD on Turney (Capacity 1,000) & 1,600 VPD on Glenrosa (Capacity 1,000)
 - *Before consideration of the additional traffic being generated by The Central Park, Cresleigh Homes, and Forty600.

Lack of Accountability

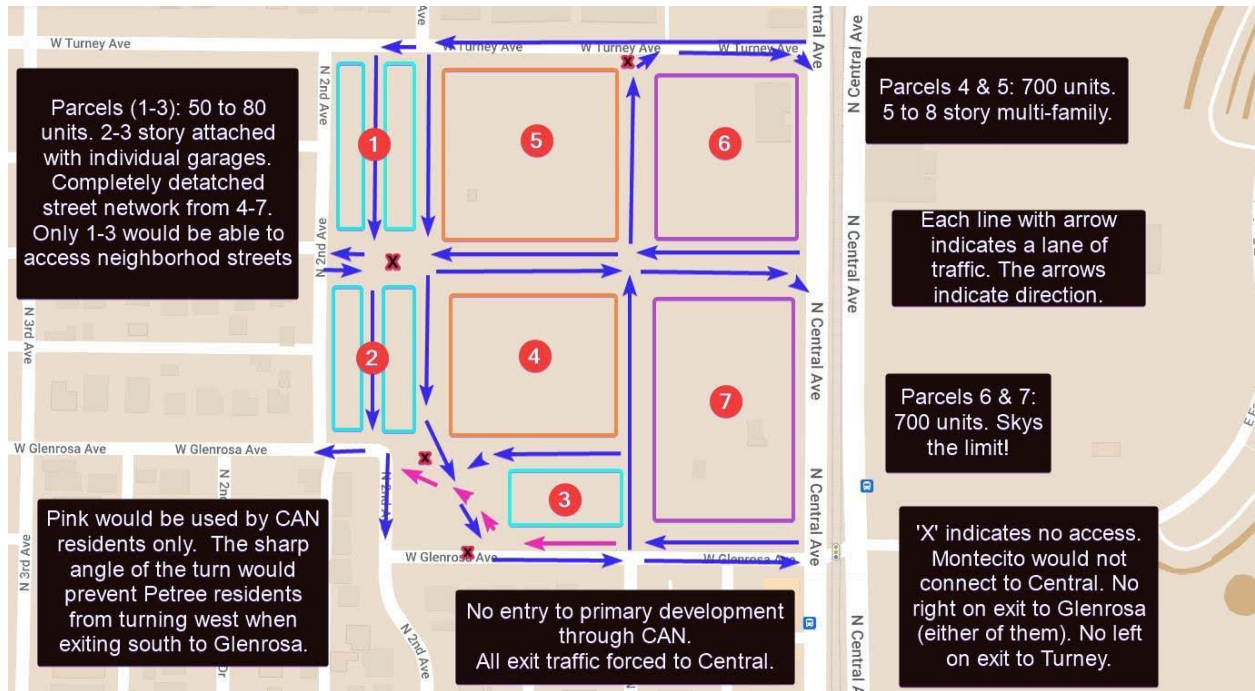
When asked about the traffic issues at EVPC in June, Jamie Blakeman from Lokahi said that she “hoped” traffic would flow to arterial streets. “Hope” is not a strategy nor does it provide accountability. What happens if Petree and Lokahi are incorrect like they were about “minor collectors”? What happens if the projection of 86 VPDs is actually 1086 VPD on local streets already over capacity? Who suffers the consequences of these gross miscalculations? It certainly isn’t Petree or Lokahi. Once the project is completed, only the Carnation residents, pedestrians, cyclists, and students will pay the price in diminished safety, walkability, and livability.

Solution

The problem with the current proposal is that four large parcels offer no option to restrict traffic onto local neighborhood streets. The solution is simple and is actually included in ReinventPHX and Uptown TOD Policy Plan...multiple smaller parcels. By restoring the original street network as proposed in the Policy Plan, traffic can be restricted and forced onto the arterial streets with no option of entering or exiting onto local streets as seen in a mock site plan below. These are not “NIMBY” changes as they do not restrict the # of units or density. In fact, smaller parcels make the development more walkable and more aligned with the principles of Reinvent PHX and TOD principles.



Making this one simple modification, multiple smaller parcels, changes this development from a non-walkable, vehicle-centric, safety hazard of a development to an acceptable and needed TOD project.



Alternative Solution

If, for some reason, the Planning Commission does not recommend the solution of multiple smaller parcels, the Commission should hold Petree and Lokahi financially responsible if their traffic projections are incorrect. If 172 VPD turns into 2,172 VPD on local streets, the developer should be subject to substantial penalties. For every vehicle over the current traffic counts plus 250 VPD (Petree projects only 172) on Turney and Glenrosa, a \$20,000 per vehicle seems reasonable. The funds should be evenly divided between the City and CAN to compensate for the loss of safety and livability and the increase in maintenance. If Petree and Lokahi are so certain in their projections and committed to the safety and walkability of Carnation, they should have no problem being held accountable for the repercussions of their actions.

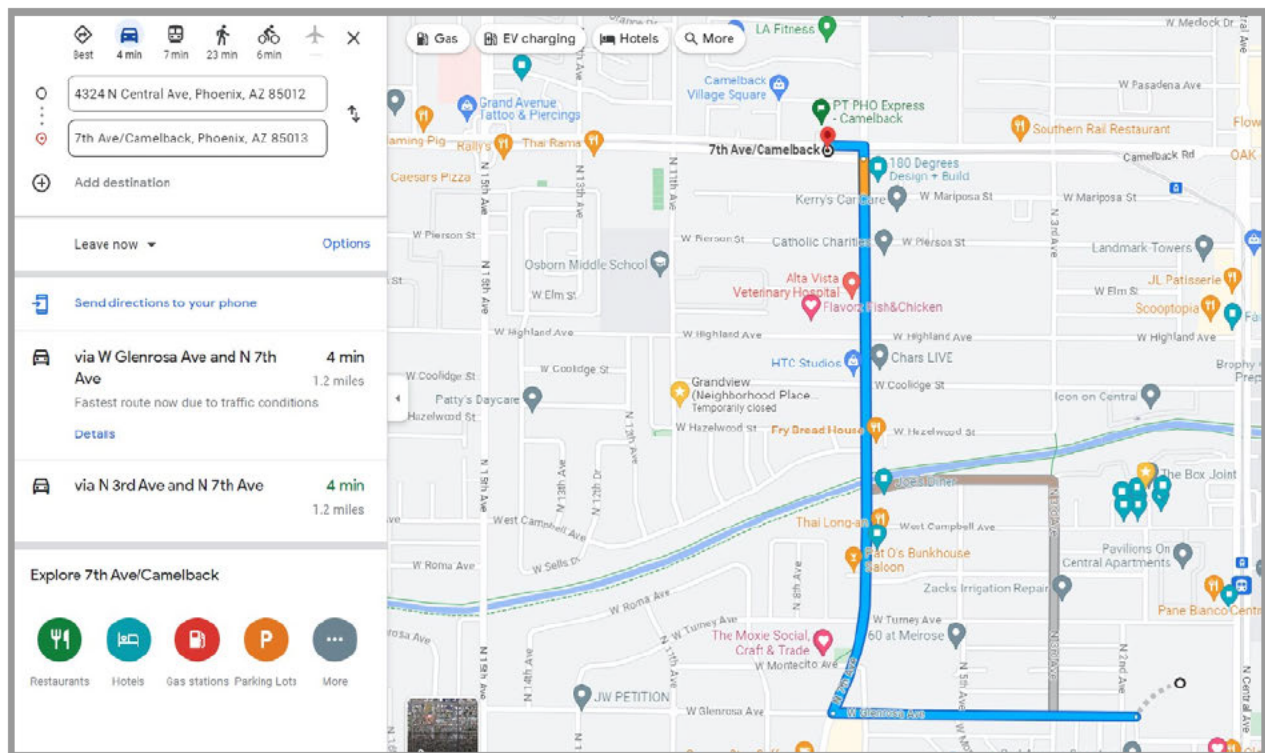
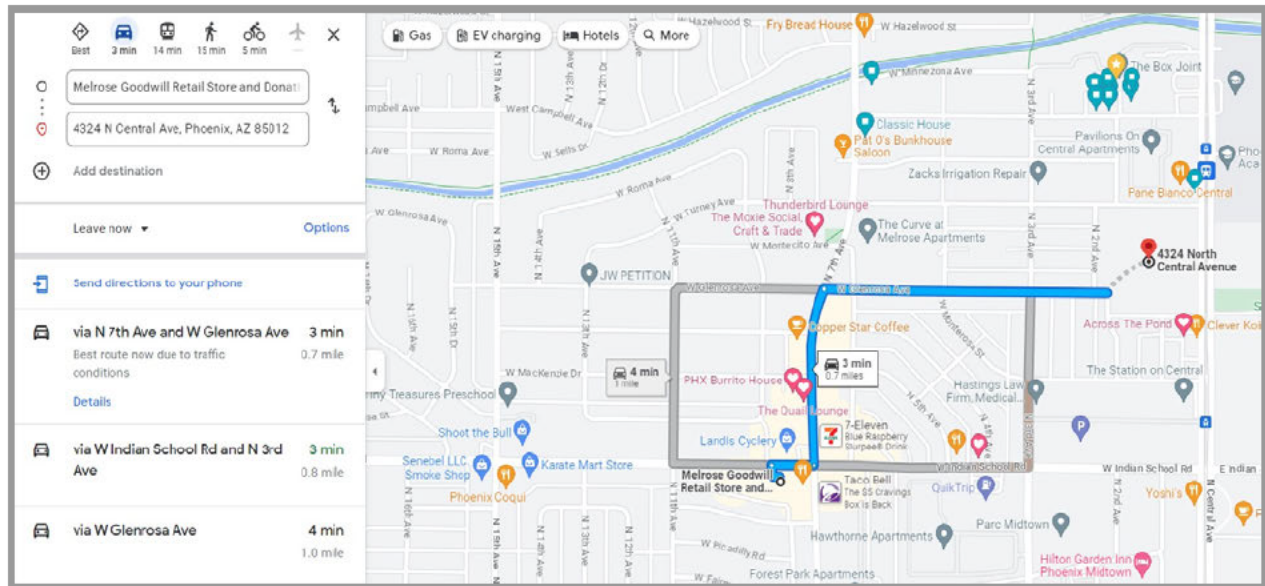
Conclusion

Should we trust a developer and traffic engineer who mistake “local” streets for “minor collectors”, a basic principle of transportation? Additionally, you don’t need to be a traffic engineer to understand that the developers' projections are bogus. You only need to understand human nature to know that people are going to take the fastest, shortest path of least resistance. Knowing that fundamental fact about people means that thousands of vehicles per day are going to flood the over-capacity, local streets of Carnation if this development proceeds on four huge lots.

[Lokahi STIA](#)

[Lokahi Trip Generation Report](#)

Google Maps Recommended Routes





Public Hearing - Amend City Code - Ordinance Adoption - Accessory Dwelling Units - Z-TA-5-23-Y (Ordinance G-7160)

Request to hold a public hearing on a proposed text amendment Z-TA-5-23-Y and to request City Council approval per the Planning Commission recommendation which amends the following sections of the Phoenix Zoning Ordinance to permit Accessory Dwelling Units (ADUs) in residential districts; create and/or amend related development standards and definitions; clarify related terms and references and reorganize sections of the Zoning Ordinance as necessary to allow ADUs.

Section 202 (Definitions), section 507 Tab A.II.C.8 (Single-Family Design Review), section 603 (Suburban S-1 District-Ranch or Farm Residence), section 604 (Suburban S-2 District-Ranch or Farm Commercial), section 605 (Residential Estate RE-43 District-One-Family Residence), section 606 (Residential Estate RE-24 District-One-Family Residence), section 607 (Residential R1-14 District-One-Family Residence), section 608 (Residence Districts), section 609 (RE-35 Single-Family Residence District), section 610 (R1-18 Single-Family Residence District), section 611 (R1-10 Single-Family Residence District), section 612 (R1-8 Single-Family Residence District), section 613 (R1-6 Single-Family Residence District), section 614 (R-2 Multifamily Residence District), section 615 (R-3 Multifamily Residence District), section 616 (R-3A Multifamily Residence District), section 617 (R-4 Multifamily Residence District), section 618 (R-5 Multifamily Residence District), section 619 (Residential R-4A District-Multifamily Residence-General), section 635 (Planned Area Development), section 649 (Mixed Use Agricultural (MUA) District), section 651 (Baseline Area Overlay District), section 653 (Desert Character Overlay District), section 658 (Deer Valley Airport Overlay (DVAO) District), section 664 (North Central Avenue Special Planning District (SPD) Overlay District), section 701.A.3 (Projections), section 702.F (Special Parking Standards), section 703.B (Landscaping and Open Areas In Multiple-Family Development), section 706 (Accessory Uses and Structures), section 708 (Temporary uses), sections 1204.C and D (Land Use Matrix), section 1303 (Transect lot standards), section 1305.C (Fence Standards), section 1306 (Land Use Matrix), and section 1310 (Open Space Improvements).

Summary

Application: Z-TA-5-23-Y

Proposal: The intent of the proposed text amendment is to allow an ADU to be constructed on a lot with a detached single-family home only, by providing reasonable increases in permitted lot coverage, and by allowing an ADU to be required within the rear yard, with conditions. Related definitions have been revised and/or deleted, with new definitions provided as necessary; “ADU” has been added to the use lists in appropriate zoning districts; development regulations specific to ADUs have been added; existing development regulations have been modified to address ADUs; related terms and references to ADUs have been clarified and updated; and certain sections have been reorganized for ease of use and clarity.

Additional detail is provided in the Staff Report (**Attachment B**) and Addendum A of the Staff Report (**Attachment C**).

Applicant: City of Phoenix, Planning Commission

Representative: City of Phoenix, Planning and Development Department

Staff Recommendation: Approval of Z-TA-5-23-Y as shown in Exhibit A of the Addendum A Staff Report (**Attachment C**).

VPC Info: 11 of the 15 Village Planning Committees (VPCs) heard this item for information only throughout June, as reflected in **Attachments D and E**.

VPC Action: 14 VPCs considered the request throughout July and August. Five VPCs recommended approval, per the staff recommendation; six VPCs recommended approval, per the staff recommendation, with modifications; three VPCs recommended denial; and one VPC did not have a quorum, as reflected in **Attachments D and F**.

PC Info: The Planning Commission heard this item on June 1, 2023, for information only (**Attachment G**).

PC Action: The Planning Commission heard this item on Aug. 3, 2023, and recommended approval, per the staff recommendation in the Addendum A Staff Report, by a vote of 8-0, as reflected in **Attachment H**.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING PORTIONS OF THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX BY AMENDING SECTION 202 (DEFINITIONS), SECTION 507 TAB A.II.C.8 (SINGLE-FAMILY DESIGN REVIEW), SECTION 603 (SUBURBAN S-1 DISTRICT—RANCH OR FARM RESIDENCE), SECTION 604 (SUBURBAN S-2 DISTRICT—RANCH OR FARM COMMERCIAL), SECTION 605 (RESIDENTIAL ESTATE RE-43 DISTRICT—ONE-FAMILY RESIDENCE), SECTION 606 (RESIDENTIAL ESTATE RE-24 DISTRICT—ONE-FAMILY RESIDENCE), SECTION 607 (RESIDENTIAL R1-14 DISTRICT—ONE-FAMILY RESIDENCE), SECTION 608 (RESIDENCE DISTRICTS), SECTION 609 (RE-35 SINGLE-FAMILY RESIDENCE DISTRICT), SECTION 610 (R1-18 SINGLE-FAMILY RESIDENCE DISTRICT), SECTION 611 (R1-10 SINGLE-FAMILY RESIDENCE DISTRICT), SECTION 612 (R1-8 SINGLE-FAMILY RESIDENCE DISTRICT), SECTION 613 (R1-6 SINGLE-FAMILY RESIDENCE DISTRICT), SECTION 614 (R-2 MULTIFAMILY RESIDENCE DISTRICT), SECTION 615 (R-3 MULTIFAMILY RESIDENCE DISTRICT), SECTION 616 (R-3A MULTIFAMILY RESIDENCE DISTRICT), SECTION 617 (R-4 MULTIFAMILY RESIDENCE DISTRICT), SECTION 618 (R-5 MULTIFAMILY RESIDENCE DISTRICT), SECTION 619 (RESIDENTIAL R-4A DISTRICT—MULTIFAMILY RESIDENCE—GENERAL), SECTION 635 (PLANNED AREA DEVELOPMENT), SECTION 649 (MIXED USE AGRICULTURAL (MUA) DISTRICT), SECTION 651 (BASELINE AREA OVERLAY DISTRICT), SECTION 653 (DESERT CHARACTER OVERLAY DISTRICT), SECTION 658 (DEER VALLEY AIRPORT OVERLAY (DVAO) DISTRICT), SECTION 664 (NORTH CENTRAL AVENUE SPECIAL PLANNING DISTRICT (SPD) OVERLAY DISTRICT), SECTION 701.A.3 (PROJECTIONS), SECTION 702.F (SPECIAL PARKING STANDARDS), SECTION 703.B (LANDSCAPING AND OPEN AREAS IN MULTIPLE-FAMILY DEVELOPMENT), SECTION 706 (ACCESSORY USES AND STRUCTURES), SECTION 708 (TEMPORARY USES), SECTIONS 1204.C AND D (LAND USE MATRIX), SECTION 1303 (TRANSECT LOT STANDARDS), SECTION 1305.C (FENCE STANDARDS), SECTION 1306 (LAND USE MATRIX), AND SECTION 1310 (OPEN SPACE

IMPROVEMENTS) OF THE PHOENIX ZONING ORDINANCE TO
ADDRESS ACCESSORY DWELLING UNITS.

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

SECTION 1: That Chapter 2, Section 202 (Definitions), is amended to add new
definitions and revise existing as follows:

Accessory Dwelling UNIT (ADU): A subordinate dwelling UNIT, AS DEFINED IN THIS
SECTION, SUBORDINATE TO THE PRIMARY DWELLING UNIT AND situated on the
same lot with the main dwelling and used as FOR an A RESIDENTIAL accessory use.
ADUs, WHERE PERMITTED, DO NOT COUNT TOWARDS CALCULATIONS OF
GROSS DENSITY.

Apartment: ~~See "Dwelling, Multiple-Family".~~ A DWELLING UNIT WITHIN A DUPLEX,
TRIPLEX, TOWNHOME DEVELOPMENT, AND/OR MULTIFAMILY DEVELOPMENT
WHERE EACH UNIT HAS A PRIMARY ACCESS TO A SHARED WALKWAY OR
CORRIDOR, AND EACH UNIT IS NOT INDIVIDUALLY OWNED.

Building, Main: A building, or buildings, in which is conducted the principal use of the lot
on which it is situated. ~~In any residential district, any dwelling shall be deemed to be
the main building of the lot on which the same is situated.~~ ON LOTS WITH ONLY
SINGLE-FAMILY RESIDENTIAL USES, THE PRIMARY DWELLING UNIT SHALL BE
CONSIDERED THE MAIN BUILDING.

DUPLEX: A BUILDING ON ONE LOT, WHICH HOUSES EXACTLY TWO DWELLING
UNITS, NEITHER OF WHICH MAY BE CONSIDERED AN ACCESSORY DWELLING
UNIT. EACH DUPLEX UNIT COUNTS TOWARDS THE CALCULATION OF GROSS
DENSITY.

Dwelling, Multifamily: ~~A building or buildings attached to each other and containing two or
more dwelling units. The term "multifamily dwelling" is intended to apply to dwelling types~~

~~as triplex, fourplex, and apartments where any dwellings have their primary access to a common hallway or corridor.~~

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

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

~~*Dwelling Unit:* One (1) or more rooms within a building arranged, designed, or used for residential purposes for one (1) family and containing INDEPENDENT LIVING AND SLEEPING AREAS, TOGETHER WITH independent sanitary (TOILET, SINK, AND BATH/SHOWER) and cooking facilities. The presence of cooking facilities conclusively establishes the intent to use for residential purposes.~~

~~*DWELLING UNIT, PRIMARY:* A DWELLING UNIT THAT IS EITHER 1) THE ONLY DWELLING UNIT PROVIDED ON A SINGLE-FAMILY LOT, OR 2) THE LARGEST DWELLING UNIT PROVIDED ON A SINGLE-FAMILY LOT WHEN THE APPLICABLE ZONING REGULATIONS OTHERWISE ALLOW AN ACCESSORY DWELLING UNIT OR OTHER TYPES OF DWELLING UNITS.~~

~~*Guesthouse:* A free-standing building which is designed to house guests or servants of the occupants of the primary dwelling unit. SEE "ACCESSORY DWELLING UNIT".~~

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

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

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

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

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

~~*Interior Suite with Accessory Cooking Facilities:* A room or group of rooms located within a single dwelling unit designed or arranged to allow for semi-private residential use and includes accessory cooking facilities.~~

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

MULTIFAMILY/MULTIPLE-FAMILY: A LOT OR PARCEL WHERE TWO OR MORE DWELLING UNITS ARE PROVIDED, NOT INCLUDING A PERMITTED ACCESSORY DWELLING UNIT.

Offsite Manufactured Home Development: any SINGLE lot, tract, or parcel of land, NOT TO BE FURTHER SUBDIVIDED, used or offered for use in whole or in part, with or without charge, for the parking of occupied offsite manufactured homes.

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

SINGLE-FAMILY: A LOT OR DEVELOPMENT WHERE NO MORE THAN ONE PRIMARY DWELLING UNIT IS PROVIDED PER LOT.

SINGLE-FAMILY ATTACHED: A SINGLE-FAMILY LOT OR DEVELOPMENT WHERE EACH DWELLING UNIT IS ATTACHED TO AT LEAST ONE, BUT NO MORE THAN TWO NEIGHBORING PRIMARY DWELLING UNITS AT THE ABUTTING SIDE PROPERTY LINE(S). EACH DWELLING UNIT MUST ALSO COMPLY WITH THE DEFINITION OF "TOWNHOME/TOWNHOUSE".

SINGLE-FAMILY DETACHED: A SINGLE-FAMILY LOT OR DEVELOPMENT WHERE EACH DWELLING UNIT IS NOT ATTACHED TO ANY OTHER DWELLING UNIT OTHER THAN A PERMITTED ADU.

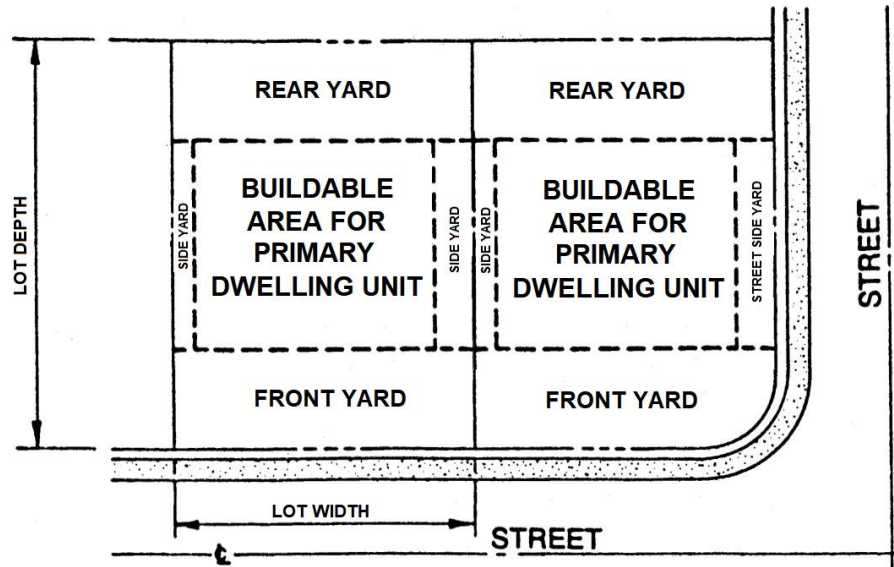
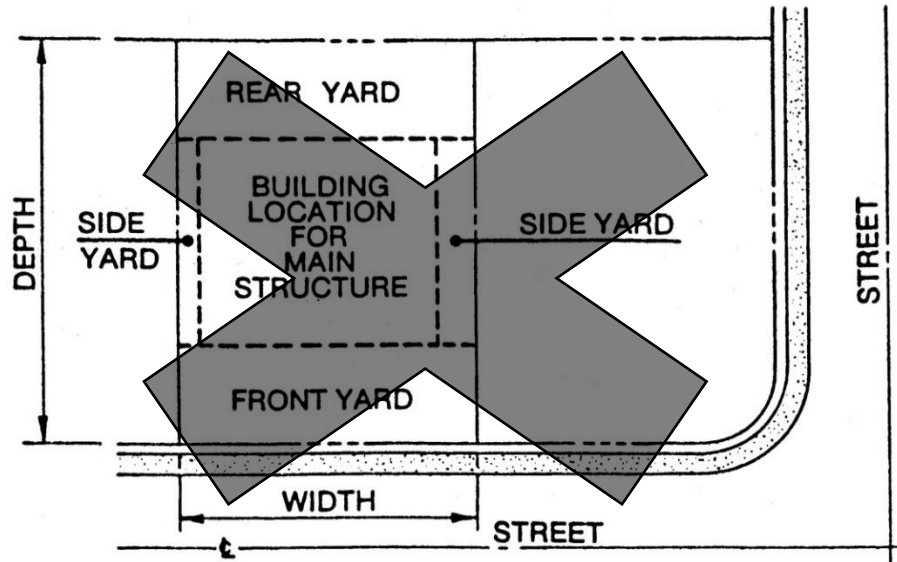
SINGLE-FAMILY INFILL (SFI) DEVELOPMENT: A TYPE OF SINGLE-FAMILY DEVELOPMENT CONSISTING OF TOWNHOUSES AND A LIMITED NUMBER OF DETACHED DWELLING UNITS. PERIMETER STANDARDS ARE DEFINED AND POTENTIAL BONUS DENSITY AND DESIGN FLEXIBILITY ALLOW FOR QUALITY INDIVIDUAL PROPERTY OWNERSHIP WITHIN A LARGER DEVELOPMENT.

TOWNHOME/TOWNHOUSE: A TYPE OF DWELLING UNIT WHICH IS ATTACHED TO AT LEAST ONE OTHER DWELLING UNIT. THE DWELLING UNITS MAY BE ATTACHED AT A PROPERTY LINE (SEE “SINGLE-FAMILY ATTACHED”), OR THEY MAY BE MULTIPLE UNITS ON A SINGLE LOT (SEE “DUPLEX”, “TRIPLEX”, AND/OR “MULTIFAMILY”). THE KEY CHARACTERISTIC OF A TOWNHOME IS THAT THERE IS NO VERTICAL OVERLAP OF ANY DWELLING UNITS.

TRIPLEX: A BUILDING ON ONE LOT WHICH HOUSES EXACTLY THREE DWELLING UNITS, NONE OF WHICH MAY BE CONSIDERED AN ACCESSORY DWELLING UNIT. EACH TRIPLEX UNIT COUNTS TOWARDS THE CALCULATION OF GROSS DENSITY.

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

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SECTION 2: That Chapter 5, Section 507 Tab A II.C. (Subdivision Design/Development) and Section 507 Tab A II.C.8 (Single-Family Design Review), is amended to read as follows:

C. Subdivision AND SINGLE-FAMILY DETACHED Design REVIEW/Development

8. **Single-Family DETACHED Design Review.** New single-family detached dwelling units, LOTS HAVING A SINGLE ~~individual duplexes OR TRIPLEX~~ (~~duplex developments consisting of ten or more duplex buildings located on the same lot or adjacent lots are not subject to single-family design review~~), manufactured homes, and modular homes ~~that have not received preliminary site plan or subdivision approval, or building permit issuance prior to August 1, 2005~~ shall be subject to single-family design review, as follows ~~(R*)(R)~~:

- (a) Single-family detached developments where 10% or more of the lots are equal to or less than 65' FEET in width ~~or any residential horizontal property regime~~ shall incorporate Design Guidelines Sections 8.1 through 8.4.
- (b) Individual single-family detached dwelling units, not subject to Subdivision Design Guidelines 8.1 through 8.4, on a lot or parcel of 65 feet in width, or less, shall incorporate Design Guidelines Section 8.5. THIS REQUIREMENT INCLUDES LOTS WITH A SINGLE DUPLEX OR TRIPLEX WHEN NOT LOCATED IN A SUBDIVISION SUBJECT TO II.C.8(a).
- (c) ~~Individual duplexes (as specified above) shall incorporate Design Guidelines Section 8.5.~~ DWELLING UNITS ON LOTS ZONED OR DESIGNATED HP ARE EXEMPT FROM THE PROVISIONS OF SECTION 8.5, SO LONG AS THE PLANS ARE REVIEWED AND APPROVED THROUGH HISTORIC PRESERVATION PRIOR TO ISSUANCE OF ANY BUILDING PERMITS. .
- (d) Individual manufactured and modular homes, regardless of lot width, shall incorporate Design Guidelines Section 8.5.
- (e) Manufactured and modular home subdivisions, regardless of lot width, shall incorporate Design Guidelines Sections 8.1 through 8.4.

- (8.5) **Individual Unit Design Standards.** The goal of these individual unit design standards is to ensure a minimum level of design quality for detached single-family dwelling units, duplexes, manufactured homes, and modular homes. For information on relief from requirements (R) AND (R*), and presumptions (P) refer to Section 507.C of the Zoning Ordinance.

- (a) ~~Plot plans shall show all required design guidelines as plan details or general notes. (R)~~

~~*Rationale:* Design guidelines should be shown on plans to help ensure they are easily understood by the public and equally applied by City staff.~~

- (b) ~~Where two detached units are placed on a single lot, a notice that the lots are not to be split without prior City approval shall be recorded with the Maricopa County Recorder's Office prior to issuance of building permits. The recorded document shall be on a form approved by the City Attorney's Office. A copy of the recorded document shall be submitted with the application for building permit approval and the recorded document noted on the submitted site plan. (R)~~

~~*Rationale:* The public is often unaware that the City has lot split requirements and may unknowingly create an illegal lot, causing self-imposed obstacles to development.~~

- (c) ~~All driveways and parking spaces shall be hard surfaced with brick, pavers, concrete, asphalt or equivalent. (R)~~

~~*Rationale:* A defined driveway and parking area reduces vehicle maneuvering on areas not suitable for vehicles. Hard surfaces contribute to dust emissions substantially less than loose or unimproved surfaces. Hard surfaces are generally more attractive and compatible with surrounding residences.~~

- (d) ~~(a) Each dwelling unit shall have at least one covered parking space located in a garage or under a carport. The design of the covered parking shall be substantially similar with regard to texture, color and material to that of the housing. (R*)-(R)~~

~~*Rationale:* Covered parking reduces the visual impact of parked cars. Carports and garages that are designed with the same level of quality as the house are more attractive and more compatible with surrounding residences.~~

- (e) ~~(b) The FRONT YARD area between the front building line and the front property line, excluding areas necessary approved for VEHICLE access, should be landscaped with the following elements: (P)~~

- (1) ~~A minimum of one, two inch caliper or greater, drought resistant, accent tree. (P*)~~

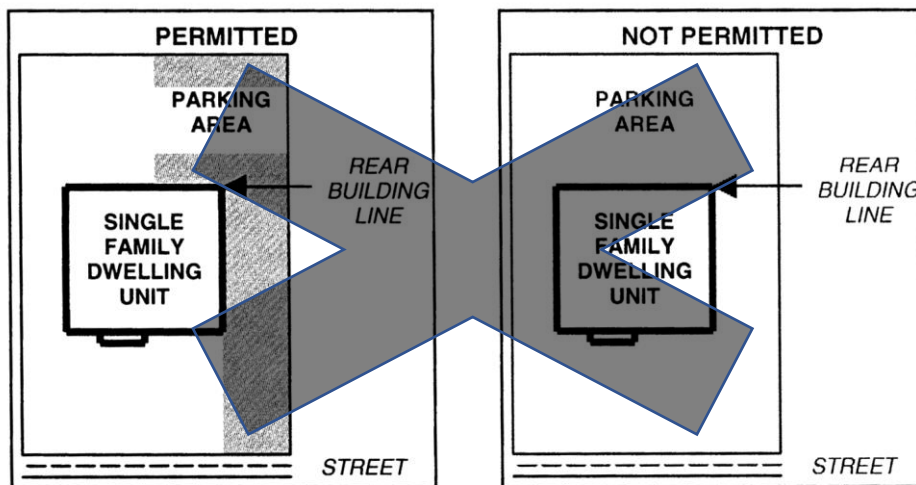
- (2) A minimum of five, five gallon or greater, drought resistant shrubs. ~~(P*)~~
- (3) Dustproofed with ground cover, turf, rock, decomposed granite, or equivalent material as approved by the Planning and Development Department. ~~(P*)~~
- (4) An irrigation system. ~~(P*)~~

Rationale: Landscaping contributes to an attractive environment, provides shade, and contributes to neighborhood identity.

- (f) ~~Unless all parking is provided off an alley, no more than half of the area between the rear lot line and the rear building line of a single family dwelling unit, or two-thirds of said area for duplexes, should be used for parking. (P*)~~

Rationale: ~~Excessive vehicle parking areas reduces compatibility with surrounding residences and minimizes the opportunity for recreational activity and landscaped space.~~

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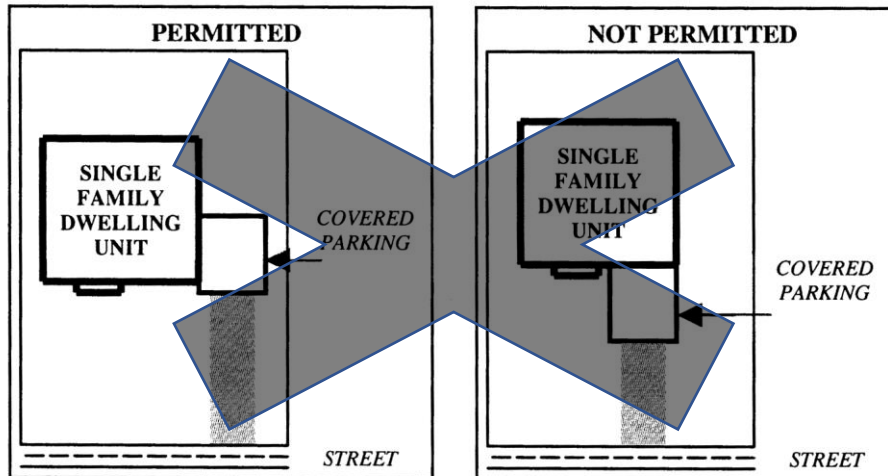


Parking—Rear Building Line

- (g) ~~(c)~~ Required covered parking for single family dwelling units, duplexes, manufactured homes, and modular homes shall not protrude BE LOCATED more than ten feet beyond CLOSER TO THE FRONT PROPERTY LINE THAN the front ENTRY building line. (R*)

Rationale: When parking structures are concentrated in front of a dwelling unit, the building loses its residential character and compatibility with surrounding residences is negatively impacted.

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Covered Parking 2

- (h) ~~The area between the rear building line and the rear lot line shall be enclosed by a block wall, wrought iron fence, or equivalent enclosure, a minimum of four feet in height, as approved by the Planning and Development Department. (R*)~~

Rationale: ~~Rear yard enclosures provide physical security and also ensure rear yard activities, such as pool areas and material storage, are not readily visible. In addition, enclosures are visually appealing and benefit the neighborhood.~~

- (i)-(d) ~~Walls, fences, and enclosure materials shall not include chain link fencing with, or without, plastic or metal slats, sheeting, non-decorative corrugated metal and fencing made or topped with razor, concertina, OR barbed wire, or equivalent as approved by the Planning and Development Department. (R*)~~

Rationale: ~~Certain enclosure materials are not durable, and are incompatible with surrounding residences.~~

- ~~(j)~~(e) Development of ~~two detached dwelling units on a lot, duplexes, manufactured homes, or modular homes~~ LOTS WITH MORE THAN ONE DWELLING UNIT should provide a single, common access drive to parking areas. ~~(P*)~~ (P)

Rationale: Shared access and common parking minimize unnecessary curb cuts and breaks in the streetscape. Common parking areas also reduce the paved area of a site

- ~~(k)~~(f) ~~Single family~~ ALL dwelling units, ~~duplexes, manufactured homes, and modular homes~~ should provide the following architectural design elements: (P)

- (1) Consistent detailing and design for each side of the building. ~~(P*)~~
- (2) Window and door trim as well as accent detailing should be incorporated and vary from the primary color and materials of the building. ~~(P*)~~
- (3) Garage doors should be provided with windows, raised or recessed panels, architectural trim, or single doors. ~~(P*)~~
- ~~(4)~~ The front entry of the building should be clearly defined and identifiable from the street. ~~(P*)~~
- ~~(5)~~(4) Materials such as untextured concrete, unfinished block, steel panels, and shiny or highly reflective detailing should not be used as a predominant exterior material. ~~(P*)~~

Rationale: High quality design promotes neighborhood pride and visual interest in residential architecture.

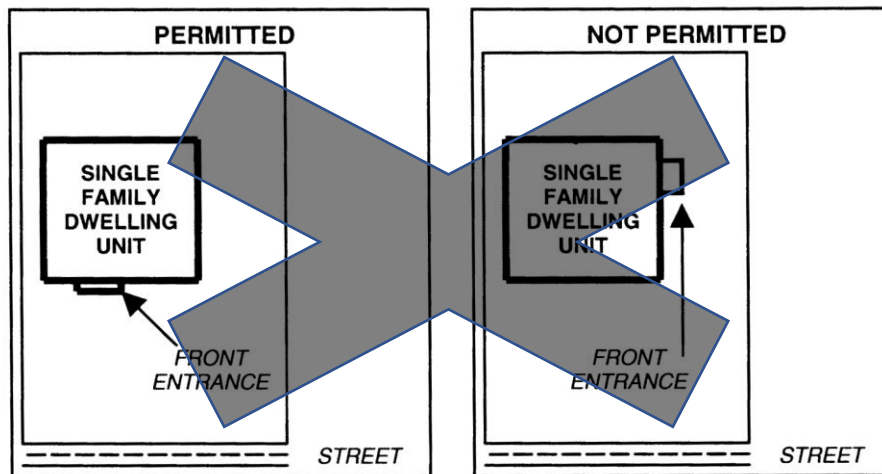
- ~~(l)~~(g) Garage doors FACING visible from the public street AND ATTACHED TO THE PRIMARY DWELLING UNIT should not exceed 50% of the ~~house~~ BUILDING width. ~~(P*)~~ (P)

Rationale: Garage doors should not be the aesthetic focus of a house; they should ~~complement~~ COMPLEMENT and appear subordinate to the main structure. THIS IS PARTICULARLY IMPORTANT IF A DUPLEX OR TRIPLEX IS CONSTRUCTED.

- ~~(m)~~ (h) The front entrance, of buildings within 50 feet of the front property line, shall face the street and shall not be set back more than ten feet behind the front building line. A FRONT ENTRY SHALL BE PROVIDED THAT FACES AND IS VISIBLE FROM THE STREET, AND INCLUDES AN ARCHITECTURAL FEATURE TO CALL ATTENTION TO IT (SUCH AS A PORCH, ENTRY PATIO, STOOP, AWNING/CANOPY, COURTYARD, OR ARCHWAY). FOR LOTS HAVING MORE THAN ONE DWELLING UNIT, A MINIMUM OF ONE UNIT SHALL COMPLY WITH THIS REQUIREMENT. (R*)

Rationale: Emphasizing the entrance and front facade adds to the residential character of new dwelling units and provides eyes on the street.

[remove picture, do not replace]



Parking—Front Entrance

- ~~(n)~~ (i) Manufactured homes shall provide the following additional architectural design elements:
- (1) Materials such as wood, hardboard, brick veneer, hardiplank, stucco, or horizontal vinyl siding shall be used as a predominant exterior material. ~~(P*)~~ (P)
 - (2) The exposed roof pitch shall be at a minimum of 3/12 for units twenty-eight (28) feet or less in width and be covered with shingles, tile or metal, excluding aluminum. (R*)

- (3) A minimum fifty (50) square foot recessed entry or covered porch shall be provided along the front entry of the building. (R*)
- (4) Permanent access to the porch or recessed entry should be constructed with materials and colors that are compatible with the dwelling unit. ~~(P*)~~ (P)
- (5) A masonry stem wall shall be provided under the dwelling unit with no more than seven (7) inches of exposed foundation measured from highest finished grade. (R*)
- (6) The exposed masonry stem wall color should be compatible to the dwelling unit. ~~(P*)~~ (P)

Rationale: High quality design promotes neighborhood pride and visual interest in residential architecture for manufactured homes.

SECTION 3: That Chapter 6, Section 603 (Suburban S-1 District – Ranch or Farm Residence), is amended to read as follows:

A. Permitted Uses.

1. ~~A maximum of one dwelling unit for one acre and one additional dwelling unit for each ten additional acres. These dwelling units are for farm owner and farm employees only.~~ DWELLING UNITS. EACH LOT MAY HAVE THE FOLLOWING:
 - a. ONE PRIMARY DWELLING UNIT.
 - b. ONE ACCESSORY DWELLING UNIT, 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.

12. ~~Same accessory uses and buildings as RE-24.~~ THE FOLLOWING ADDITIONAL USES, WHEN ACCESSORY TO THE RESIDENTIAL USE OF LAND OR STRUCTURES BY RESIDENTS, SHALL BE PERMITTED:

- a. RECREATIONAL FACILITIES, FOR WHICH ALL NECESSARY CONSTRUCTION AND OTHER REQUIRED PERMITS HAVE BEEN OBTAINED.
- b. PARKING OF VEHICLES IN FACILITIES AND LOCATIONS ON THE PROPERTY NOT OTHERWISE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.
- c. MATERIALS USED IN CONJUNCTION WITH A HOBBY, AVOCATION OR PASTIME, THE USE OF WHICH DOES NOT OTHERWISE CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.
- d. FACILITIES FOR HOUSEHOLD PETS, THE MAINTENANCE OF WHICH IS NOT OTHERWISE PROHIBITED BY STATUTE, REGULATION OF THE CITY CODE OF THE CITY OF PHOENIX AND WHICH FACILITIES ARE IN COMPLIANCE WITH ALL APPLICABLE ORDINANCES OF THE CITY OF PHOENIX.

B. Yard, Height and Area Requirements.

- 1. ~~There shall be a~~ EACH lot SHALL HAVE A NET AREA of not less than one acre.
- 2. ~~For all residential uses~~ DWELLING UNITS:
 - a. ~~There shall be a front yard of not less than~~ THE MINIMUM FRONT SETBACK IS ~~forty~~ 40 feet.
 - b. ~~There shall be two side yards each having a width of not less than~~ THE MINIMUM SIDE SETBACK IS ~~thirty~~ 30 feet.
 - c. ~~There shall be a rear yard having a depth of not less than~~ THE MINIMUM REAR SETBACK IS ~~thirty~~ 30 feet.
- 3. Sales stands ~~or~~ AND NON-RESIDENTIAL accessory buildings shall NOT be located ~~not~~ nearer than ~~fifty~~ 50 feet from any side or rear property line and shall not be located nearer than ~~forty~~ 40 feet from the front property line.

4. ~~The main building and all accessory buildings shall not occupy more than twenty percent of the total area of the lot for all lots under two acres or not more than ten percent of all lots two acres or over in total area.~~
LOT COVERAGE:
- a. FOR LOTS TWO ACRES OR LESS IN NET AREA, THE PERMITTED LOT COVERAGE IS 20%, WITH AN ADDITIONAL 5% PERMITTED FOR ACCESSORY DWELLING UNITS AND/OR ATTACHED SHADE STRUCTURES.
 - b. FOR LOTS GREATER THAN TWO ACRES IN NET AREA, THE PERMITTED LOT COVERAGE IS 10%, WITH AN ADDITIONAL 5% PERMITTED FOR ACCESSORY DWELLING UNITS AND/OR ATTACHED SHADE STRUCTURES.
5. No building shall exceed a height of two stories, not to exceed ~~thirty~~ 30 feet.
6. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS OF SECTION 706.A.

SECTION 4: That Chapter 6, Section 604 (Suburban S-2 District – Ranch or Farm Commercial), is amended to read as follows:

B. Yard, height and area requirements.

- 1. ~~There shall be a~~ EACH lot SHALL HAVE A NET AREA of not less than three acres.
- 2. For all ~~residential uses~~ DWELLING UNITS:
 - a. ~~There shall be a front yard of not less than~~ THE MINIMUM FRONT SETBACK IS ~~forty~~ 40 feet.
 - b. ~~There shall be two side yards each having a width of not less than~~ THE MINIMUM SIDE SETBACK IS ~~thirty~~ 30 feet.
 - c. ~~There shall be a rear yard having a depth of not less than~~ THE MINIMUM REAR SETBACK IS ~~thirty~~ 30 feet.

3. Sales stands ~~or~~ AND NON-RESIDENTIAL accessory buildings shall NOT be located ~~not~~ nearer than ~~fifty~~ 50 feet from any side or rear property line and shall not be located nearer than ~~forty~~ 40 feet from the front property line.
4. ~~The main building and all accessory buildings shall not occupy more than ten percent of the total lot area.~~
LOT COVERAGE: THE PERMITTED LOT COVERAGE IS 10%, WITH AN ADDITIONAL 5% PERMITTED FOR ACCESSORY DWELLING UNITS AND/OR ATTACHED SHADE STRUCTURES.
5. No building shall exceed a height of two stories, not to exceed ~~thirty~~ 30 feet.
6. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS OF SECTION 706.A.

SECTION 5: That Chapter 6, Section 605 (Residential Estate RE-43 District—One-Family Residence), is amended to read as follows:

A. Permitted Uses.

1. ~~One single family dwelling on any lot or parcel, except that a developer of a subdivision shall be allowed to build model homes prior to recording a subdivision plat, subject to the provisions of paragraph 7 below and subject to submitting a final plat which shall show the following information for each model home lot:~~
DWELLING UNITS. EACH LOT MAY HAVE THE FOLLOWING:
 - a. ~~Street addresses for each model home as assigned by the Water Services Department.~~
ONE PRIMARY DWELLING UNIT.
 - b. ~~Finished floor elevations for each model home as assigned by the Division of Engineering.~~
ONE ACCESSORY DWELLING UNIT.
 - c. ~~Proposed lots for model homes shall be in conformance with lot lines as shown on the approved preliminary plan.~~
MODEL HOMES ARE PERMITTED SUBJECT TO THE PROVISIONS OF SECTION 608.E.19.

- d. ~~Each model home shall be located on each proposed lot in conformance with yard requirements of the district.~~

~~Such final plat need not have the required approvals for purposes of obtaining permits for model homes.~~

11. ~~RESERVED. Guesthouse, subject to the following conditions:~~

- a. ~~The square footage of the guesthouse shall not exceed fifty percent of the gross floor area of the primary dwelling unit with a maximum of nine hundred square feet, except as set forth in subsection b, below. Any garage area attached to the guesthouse which is more than the area of a single-car garage shall be counted toward the allowable square footage of the guesthouse.~~
- b. ~~On lots with more than forty-three thousand five hundred sixty square feet in net area with a primary dwelling unit of at least three thousand six hundred square feet in gross floor area, the square footage of the guesthouse may be twenty-five percent of the gross floor area of the primary dwelling unit.~~
- c. ~~The floor area of the connecting structure shall be included in the floor area of the guesthouse.~~
- d. ~~Pergolas and other roofed structures without walls shall not be considered a connecting structure.~~
- e. ~~Vehicular access to the accessory dwelling unit must be provided from the same curb (driveway) as the primary dwelling unit, except that separate access may be permitted from a paved alley.~~
- f. ~~One parking space must be provided for the accessory dwelling unit in addition to the parking required for the primary dwelling unit.~~
- g. ~~Only one guesthouse is permitted on a single lot.~~
- h. ~~The guesthouse shall be constructed of similar building materials and in the same architectural style as that of the primary dwelling unit and shall not exceed the height in feet or number of stories of the primary dwelling unit.~~
- i. ~~A guesthouse shall not:~~
 - (1) ~~Provide more parking than the one required space;~~

- ~~(2) Be advertised for occupancy through any print or electronic media or through placement of signs on the property;~~
- ~~(3) Provide separate mail service or have a separate address from the primary dwelling unit; or~~
- ~~(4) Be separately metered for utilities.~~
- ~~(j) Single-family use requirements shall apply to the guesthouse and the primary dwelling unit as a single unit.~~
- ~~(k) Any guesthouse existing as of (the effective date of this ordinance) may qualify as "connected to the primary dwelling unit" by being connected to the primary dwelling unit without meeting the minimum width requirements.~~

12. Accessory uses and buildings.

a. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS OF SECTION 706.A.

~~a. b.~~ Any accessory building shall maintain the same yard requirements as the main building. No accessory use shall be maintained in which there is solicitation of recipients for a service or product, or the operation of the use so that it is commonly known as offering a commercial service or product.

~~b. c.~~ No accessory use of land or structures shall be maintained except as hereinafter provided or except as may be permitted as a home occupation.

e. d. The following uses, when accessory to the residential use of land or structures by residents, shall be permitted:

- ~~(1) Sleeping, eating, and r~~Recreational facilities, for which all necessary construction and other required permits have been obtained.
- (2) Parking of vehicles in facilities and locations on the property not otherwise in conflict with the provisions of this ordinance.
- (3) Materials used in conjunction with a hobby, avocation or pastime, the use of which does not otherwise conflict with the provisions of this ordinance.

- (4) Facilities for household pets, the maintenance of which is not otherwise prohibited by statute, regulation or the City Code of the City of Phoenix and which facilities are in compliance with all applicable ordinances of the City of Phoenix.

~~(5)~~ Reserved.

- ~~d.-e.~~ Except as may be provided by use permit approval in conjunction with a home occupation, no accessory use shall include outdoor display or storage of any of the following listed items, when such items are visible or emit odor, dust, gas, noise, vibration, smoke, heat, or glare beyond any boundary of the lot on which such items are displayed or stored:

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 ~~forty-three thousand five hundred sixty~~ 43,560 square feet. No lot shall hereafter be subdivided to provide less than ~~forty-three thousand five hundred sixty~~ 43,560 square feet of lot area, nor to have a width of less than ~~one hundred sixty-five~~ 165 feet, nor to have a lot depth of less than ~~one hundred seventy-five~~ 175 feet. ~~The provisions of Section 701.A.3, as it refers to carports, porches, and balconies in the side yard, shall not be applicable.~~

7. YARDS FOR ACCESSORY DWELLING UNITS AND OTHER ACCESSORY STRUCTURES SHALL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 706.
8. PROJECTIONS INTO THE REQUIRED SIDE YARDS, PER THE PROVISIONS OF SECTION 701.A.3.a (1)(b), ARE NOT PERMITTED.

SECTION 6: That Chapter 6, Section 606 (Residential Estate RE-24 District—One-Family Residence), is amended to read as follows:

A. **Permitted Uses.**

1. ~~One single family dwelling on any lot or parcel, except that a developer of a subdivision shall be allowed to build model homes prior to recording a subdivision plat, subject to the provisions of Section 606A.4.b below and subject to submitting a final plat which shall show the following information for each model home lot:~~

~~DWELLING UNITS. EACH LOT MAY HAVE THE FOLLOWING:~~

- ~~a. Street addresses for each model home as assigned by the Water Services Department.
ONE PRIMARY DWELLING UNIT.~~
- ~~b. Finished floor elevations for each model home as approved by the Engineering Department.
ONE ACCESSORY DWELLING UNIT.~~
- ~~c. Proposed lots for model homes shall be in conformance with lot lines as shown on the approved preliminary plat.
MODEL HOMES ARE PERMITTED SUBJECT TO THE PROVISIONS OF SECTION 608.E.19.~~
- ~~d. Each model home shall be located on each proposed lot in conformance with yard requirements of the district.~~

~~Such final plat need not have the required approvals for purposes of obtaining permits for model homes.~~

11. Accessory uses and buildings.

- a. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS OF SECTION 706.A.
- ~~a.~~ b. No accessory use shall be maintained in which there is solicitation of recipients for a service or product, or the operation of the use so that it is commonly known as offering a commercial service or product.
- ~~b.~~ c. No accessory use of land or structures shall be maintained except as hereinafter provided or except as may be permitted as a home occupation.
- ~~c.~~ d. The following uses, when accessory to the residential use of land or structures by residents, shall be permitted:

- (1) ~~Sleeping, eating, and r~~Recreational facilities, for which all necessary construction and other required permits have been obtained.
- (2) Parking of vehicles in facilities and locations on the property not otherwise in conflict with the provisions of this ordinance.
- (3) Materials used in conjunction with a hobby, avocation or pastime, the use of which does not otherwise conflict with the provisions of this ordinance.
- (4) Facilities for household pets, the maintenance of which is not otherwise prohibited by statute, regulation or the City Code of the City of Phoenix and which facilities are in compliance with all applicable ordinances of the City of Phoenix.
- ~~(5) Reserved.~~

~~d.e.~~ Except as may be provided by use permit approval in conjunction with a home occupation, no accessory use shall include outdoor display or storage of any of the following listed items, when such items are visible or emit odor, dust, gas, noise, vibration, smoke, heat, or glare beyond any boundary of the lot on which such items are displayed or stored:

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 ~~twenty-four thousand~~ 24,000 square feet. No lot shall hereafter be subdivided to provide less than ~~twenty-four thousand~~ 24,000 thousand square feet of lot area nor to have a width of less than ~~one hundred thirty~~ 130 feet nor a lot depth of less than ~~one hundred twenty~~ 120 feet. ~~The provisions of Section 701.A.1 and 701.A.2 shall not be applicable. The provisions of Section 701.A.3, as it refers to carports, porches, and balconies in the side yard, shall not be applicable.~~

7. Yards for ACCESSORY DWELLING UNITS AND ~~detached~~ OTHER accessory ~~buildings~~ STRUCTURES shall be ~~permitted as~~ PROVIDED in ACCORDANCE WITH THE PROVISIONS OF Section 706.
8. PROJECTIONS INTO THE REQUIRED SIDE YARDS, PER THE PROVISIONS OF SECTION 701.A.3.a(1)(b), ARE NOT PERMITTED.

SECTION 7: That Chapter 6, Section 607 (Residential R1-14 District—One-Family Residence), is amended to read as follows:

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 ~~fourteen thousand~~ 14,000 square feet. No lot shall hereafter be subdivided to provide less than ~~fourteen thousand~~ 14,000 square feet of lot area not to have a width of less than ~~one hundred ten~~ 110 feet nor a depth less than ~~one hundred twenty~~ 120 feet. ~~The provisions of Section 701.A.1 and 701.A.2 shall not be applicable. The provisions of Section 701.A.3, as it refers to carports, porches, and balconies in the side yard, shall not be applicable.~~

7. Yards for ACCESSORY DWELLING UNITS AND ~~detached~~ OTHER accessory ~~buildings~~ STRUCTURES shall be ~~permitted as~~ PROVIDED in ACCORDANCE WITH THE PROVISIONS OF Section 706.
8. PROJECTIONS INTO THE REQUIRED SIDE YARDS, PER THE PROVISIONS OF SECTION 701.A.3.a(1)(b), ARE NOT PERMITTED.

SECTION 8: That Chapter 6, Section 608 (Residence Districts), is amended to read as follows:

Section 608. ~~Residence~~ RESIDENTIAL Districts.

- A. **Purpose.** Residential districts are established in recognition of a need to provide areas of the City devoted primarily to living functions. In order to preserve these areas from the distractions and adverse impacts which can result from immediate association with nonresidential uses, these districts are restricted to residential, limited nonresidential uses, and appropriate accessory uses. These regulations are designed to promote the creation and maintenance of areas in which individuals or families may pursue residential activities with reasonable access to open space, and streets or roads, in a setting which is not negatively impacted by adjacent uses. Limited nonresidential uses may have conditions placed upon them to limit impact to adjacent residential uses and in some cases require a public hearing through a use permit or special permit process to mitigate any negative impacts to surrounding residential uses.

The standards contained in this section and Sections 609 through ~~618~~ 619 AND 635 are designed to establish the character of new residential development and also to preserve the quality of residential uses during their lifetime. When applied to new development, these standards are designed to be used in conjunction with the development and improvement standards as contained in the Phoenix Subdivision Ordinance, Chapter 32 of the City Code.

This section applies to the Residential Districts in Sections 609 through ~~618~~ 619, IN ADDITION TO SECTION 635 (PLANNED AREA DEVELOPMENT) WHEN SPECIFIED.

- B. ~~Use of district regulations~~ **APPLICABILITY OF DEVELOPMENT OPTIONS.** The development of any parcel of land shall be in accordance with the standards contained in any one development option as contained in Sections 609 through 619. Development of a single lot or a parcel not being further subdivided and located in the RE-35 and R1-18 zoning districts (Sections 609 and 610) shall be in accordance with the requirements for the standard subdivision development option (a), as contained in Sections 609 and 610. For a single lot or parcel not part of a subdivision platted prior to May 1, 1998, not being further subdivided, and located in the R1-10 through R-4A zoning districts (Sections 611 through 619), development shall be in accordance with the requirements of the conventional subdivision option as contained in Sections 611 through 619.

All subsequent development shall be in accordance with the initially selected development option unless a use permit is obtained. Building on any lot which was subdivided or developed prior to the adoption of this chapter shall be done in accordance with the standards under which the initial subdivision or development occurred.

For purposes of conversion to this ordinance, property subdivided prior to May 1, 1998, shall be considered as follows:

2. Residential development with a ~~sublot site plan~~ **AN APPROVED SUBDIVISION SETBACK EXHIBIT** ~~approved by the subdivision committee~~ shall be considered under the average lot development option if located in the RE-35 through R1-5-R-5 zoning districts (Sections 609 through 618).

C. Permitted Uses

Use	Permitted	Permitted with Conditions (1)	Use Permit and Conditions (2)
Single-Family DU	X		
Governmental Uses	X		
Community Residence Home		X	
Interior Suite with Accessory Cooking Facilities		X	
Boarding House		X	X
Group Home		X	X

1—6 Dependent Care Facility		X	
1—4 Adult Day Care Home		X	
Display for Sale of Vehicle		X	
Guestrooms		X	
Public Utility Buildings and Facilities		X	
Schools, Private		X	X
		X	

5—10 Adult Day Care Home		X	X
Churches/Place of Worship		X	X
Construction Facilities and Storage		X	X
Home Occupations		X	X
Model Homes and/or Subdivision Sales Office		X	X
Nondaily Newspaper Delivery Service		X	X
Public Assembly—Residential		X	X

7—12 Dependent Care Facility			X
Environmental Remediation Facility			X

- (1) ~~Please note some uses that are permitted with conditions require a use permit approval if they exceed established thresholds.~~
- (2) ~~There is also a fourth category of residential uses permitted with approval of a special permit. Please see Section 647.~~

- C. 1. ~~One single family dwelling on any lot or parcel, except that a developer of a subdivision shall be allowed to build model homes prior to recording a subdivision plat, subject to the provisions of Section 608.C.3 and subject to submitting a final plat which shall show the following information for each model home lot:~~

- a. ~~Street addresses for each model home as assigned by the Water Services Department.~~
- b. ~~Finished floor elevations for each model home as approved by the Engineering Department.~~
- c. ~~Proposed lots for model homes shall be in conformance with lot lines as shown on the approved preliminary plat.~~
- d. ~~Each model home shall be located on each proposed lot in conformance with yard requirements of the district.~~

~~Such final plat need not have the required approvals for purposes of obtaining permits for model homes.~~

2. ~~Governmental uses are permitted.~~
3. ~~No accessory use of land or structures shall be maintained except as hereinafter provided or except as may be permitted as a home occupation.~~

C. **USE REGULATIONS.** THE REGULATIONS GOVERNING THE USES OF LAND AND STRUCTURES SHALL BE AS SET FORTH IN THE RESIDENTIAL DISTRICTS LAND USE MATRIX, SECTION 608.D, AND LAND USE CONDITIONS IN SECTION 608.E, AS FOLLOWS:

1. ANY USE NOT LISTED IN SECTION 608.D (RESIDENTIAL DISTRICTS LAND USE MATRIX) SHALL NOT BE PERMITTED UNLESS THE USE IS OTHERWISE PERMITTED WITHIN THE REGULATIONS SPECIFIC TO THE ZONING DISTRICT, PER SECTIONS 609 – 619 AND 635.

2. ALL USES INDICATED WITH “p” ARE PERMITTED WITH THE APPLICABLE ZONING DISTRICT, SUBJECT TO DEVELOPMENT REGULATIONS LISTED BELOW AND ELSEWHERE WITHIN THE ZONING ORDINANCE.
3. ALL USES INDICATED WITH “pc” ARE PERMITTED WITHIN THE APPLICABLE ZONING DISTRICT ONLY IF SPECIFIC CONDITIONS ARE MET. THE CONDITIONS ARE DESCRIBED IN SECTION 608.E, LAND USE CONDITIONS, BY THE ASSOCIATED CONDITION NUMBER (E.G. “pc15” IS DESCRIBED UNDER SECTION 608.E.15). IN SOME CASES, A USE PERMIT PER SECTION 307 MAY BE REQUIRED AS OUTLINED IN THE CONDITIONS.
4. ALL USES INDICATED WITH “up” ARE PERMITTED WITHIN THE APPLICABLE ZONING DISTRICT ONLY UPON APPROVAL OF A USE PERMIT PER SECTION 307. IF A NUMBER IS ALSO PROVIDED (E.G. “UP25”), THERE ARE ALSO CONDITIONS WHICH MUST BE COMPLIED WITH BEFORE APPLYING FOR A USE PERMIT.
5. ALL USES INDICATED WITH “sp” ARE PERMITTED WITHIN THE APPLICABLE ZONING DISTRICT ONLY UPON APPROVAL OF A SPECIAL PERMIT PER SECTION 504.1.
6. ALL USES INDICATED WITH “np” ARE NOT PERMITTED WITHIN THE APPLICABLE ZONING DISTRICT.
7. NO ACCESSORY USE OF LAND OR STRUCTURES SHALL BE MAINTAINED EXCEPT AS HEREINAFTER PROVIDED OR EXCEPT AS MAY BE PERMITTED AS A HOME OCCUPATION.

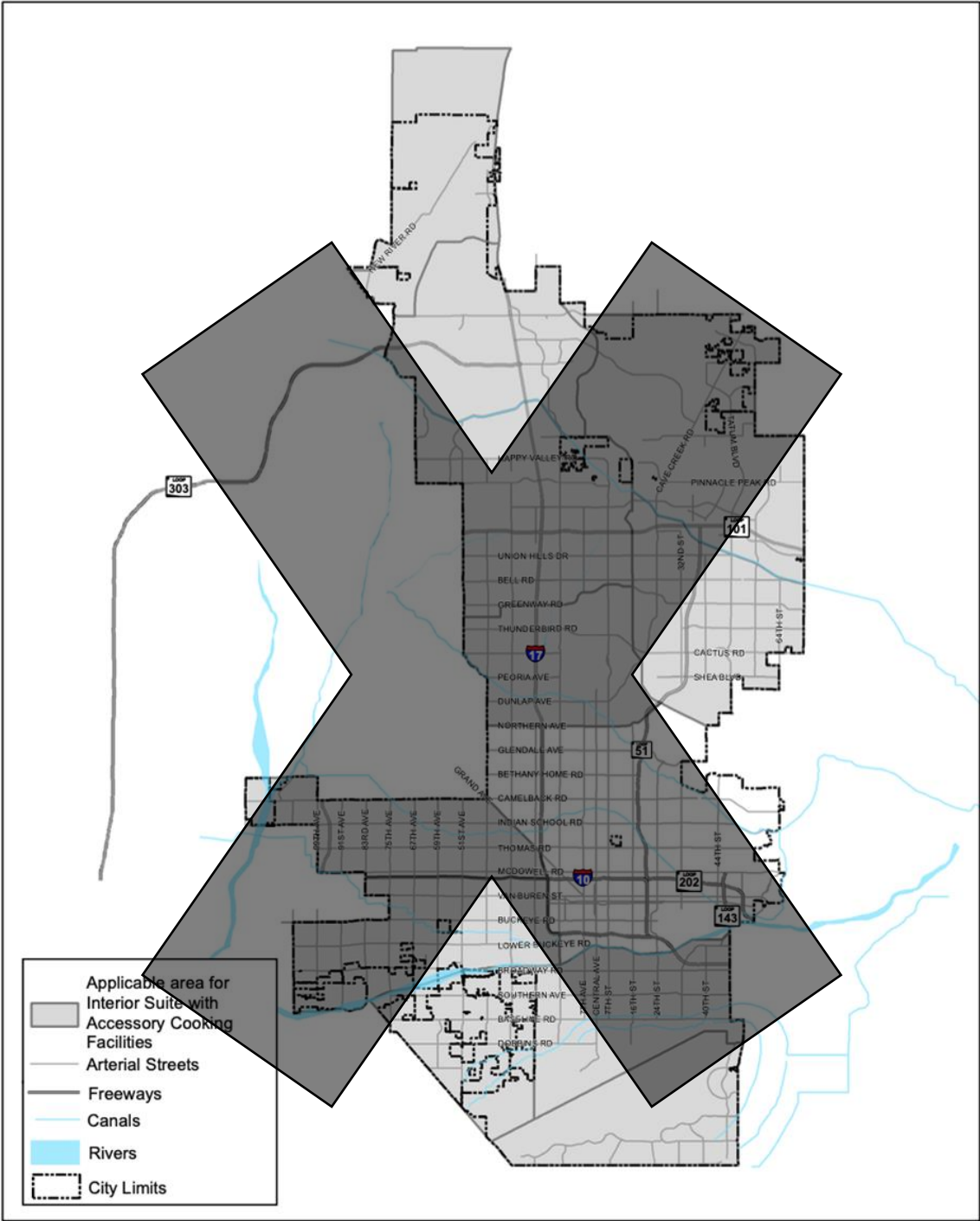
D. ~~Permitted Uses with Conditions.~~

1. ~~Adult day care home for the care of one to four adult persons; provided, that:~~
 - a. ~~Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
2. ~~Community residence home; provided, that:~~
 - 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.~~
- 3. ~~Dependent care facility for six dependents, subject to the following conditions:~~
 - ~~a. Resident dependents under the age of 12 years shall not be counted.~~
 - ~~b. Outdoor play areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
 - ~~c. The employees must reside at the facility unless a nonresident employee is required by the Arizona Department of Health Services.~~
- 4. ~~The display for sale of a vehicle, which for purposes of this provision includes trailers, watercraft or other types of transportation that are built to carry passengers or cargo shall be subject to the following restrictions:~~
 - ~~a. No more than one vehicle can be labeled for sale or show any indication that it is for sale at any given time on a property, whether visible on site or through some other form of advertising.~~
 - ~~b. No more than two vehicles can be sold on a property during any calendar year.~~
 - ~~c. For purposes of Sections 608.A and B, two jet skis, a boat or similar types of recreational vehicles that are transported on one trailer shall, together with the trailer, be considered one vehicle.~~
 - ~~d. The ownership of the vehicle(s) must be registered to the location where the vehicle is listed for sale.~~
 - ~~e. No vehicle can be labeled for sale or show any indication that it is for sale at an unoccupied house or on a vacant lot or parcel.~~

- f. ~~No vehicle can be labeled for sale or show any indication that it is for sale in conjunction with a retail or wholesale vehicle sales dealership or business without obtaining a temporary use permit.~~
5. ~~Guestrooms. Each single-family dwelling may contain no more than two guestrooms.~~
6. ~~Public utility buildings and facilities when necessary for serving the surrounding territory; provided, that no public business offices and no repair or storage facilities are maintained therein, are permitted in each district.~~
7. ~~Schools are permitted in each district subject to a site plan being approved in conformance with Section 507.~~
8. ~~Interior suite with accessory cooking facilities, subject to the following:~~
- a. ~~Dwelling units with an interior suite with accessory cooking facilities are permitted only in residential subdivisions of 15 acres or more and located within the boundaries illustrated in Map 1, as follows:~~
- (1) ~~Subdivided after July 5, 2019; or~~
- (2) ~~Subdivided prior to July 5, 2019, but with less than 25 percent of the lots having constructed dwelling units or valid building permits as of July 5, 2019.~~

Map 1: Applicable Area



- b. ~~An interior suite with accessory cooking facilities shall only be part of a single-family detached dwelling unit and must be under the same roof structure. Only one interior suite with accessory cooking facilities shall be permitted per lot and shall be located on the ground floor.~~
- c. ~~The square footage of the interior suite with accessory cooking facilities shall not exceed 30 percent of the total net floor area or 800 square feet (whichever is less). Garage or patio areas shall not be included for the purpose of this calculation.~~
- d. ~~An interior suite with accessory cooking facilities shall not have utility services that are metered separately from the remainder of the dwelling unit.~~
- e. ~~At least one internal doorway shall be provided between the interior suite with accessory cooking facilities and the remainder of the dwelling unit.~~
- f. ~~An interior suite with accessory cooking facilities shall not have a private yard area that is fenced or walled off from the remainder of the lot. This requirement shall not prohibit required pool fences, fenced in animal areas, garden fencing, or other fencing used for different purposes.~~
- g. ~~No more than one parking space, which may be covered or enclosed, shall be provided for an interior suite with accessory cooking facilities in addition to the parking provided for the remainder of the dwelling unit, with a maximum of four spaces total. This requirement does not apply to parking that may occur on the driveway in front of the garage(s).~~
- h. ~~An interior suite with accessory cooking facilities shall not have a parking space served by a driveway separated from the main driveway and parking areas provided for the remainder of the dwelling unit.~~
- i. ~~An interior suite with accessory cooking facilities shall not provide separate mail service or have a separate address from the remainder of the dwelling unit.~~
- j. ~~Design requirements. Elevations must minimize any secondary entry visible from the street and have the appearance of a single-family home. This shall be treated as a presumption as outlined in Section 507.C.2.~~

D. RESIDENTIAL DISTRICTS LAND USE MATRIX

LAND USE CATEGORIES		SECTION AND ZONING DISTRICT												
		609	610	611	612	613	614	615	616	617	618	619	635	
Single-Family Detached		RE-35	R1-18	R1-10	R1-8	R1-6	R-2	R-3	R-3A	R-4	R-5	R-4A	PAD	
		pc1	pc1	pc1	pc1	pc1	pc1	pc1	pc1	pc1	pc1	pc1	pc1	
Accessory Dwelling Unit (ADU)		pc2	pc2	pc2	pc2	pc2	pc2	pc2	pc2	pc2	pc2	pc2	pc2	
(ac)		pc3	pc3	pc3	pc3	pc3	pc3	pc3	pc3	pc3	pc3	pc3	pc3	
(ac)	Guestroom(s)	np	np	pc4	pc4	pc4	pc4	pc4	pc4	pc4	pc4	pc4	pc4	
Duplex		np	np	np	np	np	pc5	pc5	pc5	pc5	pc5	pc5	pc5	
Triplex		np	np	np	np	np	pc6	pc6	pc6	pc6	pc6	pc6	pc6	
Single-Family Attached		pc6	pc6	pc6	pc6	pc6	pc6	pc6	pc6	pc6	pc6	pc6	pc6	
Multifamily		np	np	pc7	pc7	pc7	pc7	pc7	pc7	pc7	pc7	pc7	pc7	
(ac)	Residential Convenience Market	np	np	np	np	np	np	np	pc8	pc8	pc8	pc8	pc8	
Off-Site Manufactured Home Developments		np	np	np	np	np	np	np	np	np	np	np	np	
Boarding House		np	np	np	np	np	np	np	np	np	np	np	np	
1-4 Adult Day Care Home		pc10	pc10	pc10	pc10	pc10	pc10	pc10	pc10	pc10	pc10	pc10	pc10	
5-10 Adult Day Care Home		up11	up11	up11	up11	up11	up11	up11	up11	up11	up11	up11	up11	
11+ Adult Day Care Center		np	np	np	np	np	np	np	np	np	np	np	np	
1-10 Community Residence Home		pc13	pc13	pc13	pc13	pc13	pc13	pc13	pc13	pc13	pc13	pc13	pc13	
11 + Community Residence Center		np	np	np	np	np	np	np	np	np	np	np	np	
1-6 Dependent Care Facility		pc15	pc15	pc15	pc15	pc15	pc15	pc15	pc15	pc15	pc15	pc15	pc15	
7-12 Dependent Care Facility		up16	up16	up16	up16	up16	up16	up16	up16	up16	up16	up16	up16	
13 + Dependent Care Facility		np	np	np	np	np	np	np	np	np	np	np	np	
Group Home		np	np	np	np	np	np	np	np	np	np	np	np	
Group Foster Home		np	np	np	np	np	np	np	np	np	np	np	np	
Governmental Uses		p	p	p	p	p	p	p	p	p	p	p	p	
Model Homes and Subdivision Sales Offices		pc19	pc19	pc19	pc19	pc19	pc19	pc19	pc19	pc19	pc19	pc19	pc19	
Public Utility Buildings and Facilities		pc20	pc20	pc20	pc20	pc20	pc20	pc20	pc20	pc20	pc20	pc20	pc20	
Schools, Private		pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	
Schools, Public		p	p	p	p	p	p	p	p	p	p	p	p	
Church/Place of Worship		p	p	p	p	p	p	p	p	p	p	p	p	

LAND USE CATEGORIES		SECTION AND ZONING DISTRICT												
		609	610	611	612	613	614	615	616	617	618	619	635	
<div>(ac)</div> <div>Accessory To Church/Place Of Worship</div>	RE-35	pc21	R1-18	R1-10	R1-8	R1-6	R-2	R-3	R-3A	R-4	R-5	R-4A	PAD	
		pc21	pc21	pc21	pc21	pc21	pc21	pc21	pc21	pc21	pc21	pc21	pc21	
		pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	
		up23	up23	up23	up23	up23	up23	up23	up23	up23	up23	up23	up23	
	Community Garden	pc24	pc24	pc24	pc24	pc24	pc24	pc24	pc24	pc24	pc24	pc24	np	
	Farmer's Market	pc25	pc25	pc25	pc25	pc25	pc25	pc25	pc25	pc25	pc25	pc25	np	
ACCESSORY USES IN RESIDENCE DISTRICTS														
	Construction Facilities And Storage	pc26	pc26	pc26	pc26	pc26	pc26	pc26	pc26	pc26	pc26	pc26	pc26	
	Home Occupations	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27	
	Non-Daily Newspaper Service	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	
	Display For Sale Of Vehicle	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	
	Facilities For Household Pets	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	
	Garage Or Yard Sales	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31	
	Hobbies And Associated Supplies	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	
	Parking (Accessory)	pc33	pc33	pc33	pc33	pc33	pc33	pc33	pc33	pc33	pc33	pc33	pc33	
	Private Tennis / Outdoor Game Courts	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	

*(ac) = accessory use permitted only with primary use listed immediately prior in the table.

E. ~~Permitted Uses with Conditions and May Require Approval of a Use Permit Pursuant to Section 307.~~

1. ~~Churches or similar places of worship, including parish houses, parsonages, rectories, and convents and dormitories with no more than ten residents accessory thereto, are permitted in each district, except temporary tents or buildings. Athletic activities in conjunction with the above and on the same lot or contiguous lots may be permitted. See Public Assembly—Residential.~~
 - a. ~~Bingo may be operated as an accessory use on the premises of the church when conducted no more than two days a week. Fundraising events located on the same lot or contiguous lots shall be permitted, subject to the following requirements:~~
 - (1) ~~The sponsoring, organizing and benefiting entities shall be nonprofit or religious organizations.~~
 - b. ~~Events held entirely within a building or buildings shall not be further regulated; however, events to be conducted wholly or in part outdoors shall be subject to the following additional conditions:~~
 - (1) ~~Any outdoor portion of the event must be located a minimum of 50 feet from a property line adjacent to a residential zoning district and a residential use.~~
 - (2) ~~The event shall not be conducted between the hours of 10:00 p.m. and 5:00 a.m.~~
 - (3) ~~The event shall not be conducted in such manner as to reduce the number of parking spaces required for any normal functions of the primary use which are held during the event.~~
 - (4) ~~Lighting shall be so placed as to reflect the light away from adjacent residences.~~
 - c. ~~Pocket shelters as accessory uses to churches or similar places of worship, subject to the following standards (and applicable Maricopa County and City of Phoenix health and safety regulations):~~
 - (1) ~~A pocket shelter shall house no more than 12 unrelated persons. A pocket shelter may house up to 20 unrelated persons upon approval of a use permit in accordance with the procedures and standards of Section 307. Minors (age 18 years or younger) accompanied by a parent or a guardian shall not be counted in the number of unrelated persons.~~

- (2) ~~The church or similar place of worship shall be located on an arterial or collector street as defined on the street classification map. A shelter at a church or similar place of worship which is not on an arterial or collector street shall be permitted upon approval of a use permit in accordance with the procedures and provisions of Section 307.~~
 - (3) ~~The church or similar place of worship shall provide on-site supervision of shelter residents at all times that two or more unrelated residents are at the shelter.~~
 - (4) ~~Drug, alcohol, other substance abuse, or mental health rehabilitation programs shall not be allowed as part of the shelter services. This provision shall not prevent the church or similar place of worship from referring shelter residents to other appropriate programs at the church or similar place of worship or elsewhere, e.g., Alcoholics Anonymous, which are not part of the shelter services.~~
 - (5) ~~Shelter residents shall not possess alcohol, weapons, or illegal drugs at the shelter.~~
 - (6) ~~Open areas surrounding pocket shelter structures shall be screened from view from abutting and/or adjoining properties by hedges, trees, other landscaping, or walls.~~
 - (7) ~~Pocket shelter structures shall not have direct access to abutting and/or adjoining properties.~~
 - (8) ~~Pocket shelters shall be housed in permanent structures rather than in tents or other similar temporary structures.~~
 - (9) ~~A church or similar place of worship shall house no more than one pocket shelter.~~
2. ~~Construction facilities and storage, incidental to a construction project and located on the project site, are permitted. When such facilities or storage are used for construction on a lot or lots other than the lot or lots used for such facilities or storage, such use shall maintain the setbacks provided by the requirements of this chapter and shall be subject to securing a use permit. When such facilities and storage serve a residential subdivision, are approved in conjunction with model homes by the Planning and Development Department, and meet all of the standards listed below, no use permit is required:~~

- a. ~~The facilities shall not be placed on a lot which abuts, joins at the corners, or is across a street or alley from a dwelling unit which is under construction or occupied at the time of said placement, unless written agreement to the placement is given by the owner or occupant of the affected property.~~
 - b. ~~All outside storage shall be screened by a six-foot-high solid fence or masonry wall. No construction vehicles or machinery shall be placed within ten feet of the screen fence or wall.~~
 - c. ~~All signs on the facility shall fully comply with Section 705, the Sign Code.~~
 - d. ~~All facilities and storage shall be removed within three months of the closure of the model homes.~~
3. ~~Home occupations including but not limited to architect, lawyer, off-site sales businesses, accountant, real estate agent, telemarketing sales, and psychologist. For purposes of this section, off-site sales means processing orders by mail, facsimile, phone, modem or Internet.~~
- a. ~~No one outside the family residing in the dwelling unit shall be employed in the home occupation.~~
 - b. ~~No exterior display, no exterior storage of materials, no sign, and no other exterior indication of the home occupation or variation from the residential character of the principal or accessory building, except as authorized in Section 608.E.3.h.~~
 - c. ~~No home occupation shall emit odor, dust, gas, noise, vibration, smoke, heat, or glare beyond any boundary of the lot on which the home occupation is conducted.~~
 - d. ~~Activity shall be limited to the hours between 7:00 a.m. and 10:00 p.m.~~
 - e. ~~No mechanical equipment shall be used except that normally used for domestic, hobby, standard office, or household purposes.~~
 - f. ~~Not more than 25 percent of the total area under roof on the site shall be used for any home occupation.~~
 - g. ~~Any parking incidental to the home occupation shall be provided on the site.~~
 - h. ~~Home occupations shall obtain a use permit from the Zoning Administrator in accordance with Section 307 when:~~

- (1) Traffic (other than trips by occupants of the household) is generated by the home occupation; or
- (2) The home occupation is conducted in an accessory building; or
- (3) The home occupation is conducted as an outside use; or
- (4) Minor variations to Section 608.E.3.c are required to conduct the home occupation; or
- (5) An applicant desires an official approval of a home occupation.

i. A home occupation shall not include, but such exclusion shall not be limited to, the following uses:

- (1) Barbershops and beauty parlors.
- (2) Commercial stables, veterinary offices.
- (3) Dog grooming.
- (4) Massage parlors.
- (5) Reserved.
- (6) Restaurants.
- (7) Veterinary hospitals and commercial kennels.

4. Model homes and/or subdivision sales offices when located in model homes subject to approval of the Planning and Development Department's representative to the Site Planning Division, and subject to the following conditions:

- a. Such model home and/or subdivision sales offices shall be located in a subdivision or portion thereof 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 608.E.4.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 608.E.4.b or upon expiration of the extension granted by the Zoning Administrator pursuant to Section 608.E.4.c, or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever comes 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 400 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 Section 608.E.4.a and d, the term "subdivision" shall mean all the land included within the preliminary plat submitted to the 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 608.C.1.~~
- g. ~~Modular subdivision sales office, subject to the following criteria:~~
- ~~(1) The structure shall be integrated with, architecturally compatible to, and blend in color to the model homes approved for the subdivision, as determined by the Planning and Development Department.~~
 - ~~(2) Modular subdivision sales offices shall be permitted for a period not to exceed 36 months from the date of approval for the sales offices.~~
 - ~~(3) The time limit allowed in Section 608.E.4.g.2 for an additional 36 months shall be extended only upon securing a use permit.~~

- ~~(4) The modular subdivision sales office shall be removed on or before the termination date set forth in Section 608.E.4.g.2 or upon expiration of the extension granted by the Zoning Administrator or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever comes first.~~
- ~~(5) For the purposes of this section, the term "subdivision" shall mean all of the land included within the preliminary plat submitted to the Planning and Development Department.~~
- ~~(6) Prior to issuance of any sales office permits, a site plan shall be approved by the Planning and Development Department for verification of setback conformance.~~
- ~~(7) Two signs are permitted. Signs shall not exceed a combined total of 32 square feet.~~
- ~~(8) One sales office shall be permitted for each model home complex allowed in accordance with Section 608.E.4.h.~~

~~h. 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 400 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 dust proofed.~~
- ~~(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.~~

- ~~5. Nondaily newspaper delivery service shall be permitted subject to the following limitations:~~

- a. ~~Delivered bulk materials related to nondaily publications shall be transferred to an enclosed building or secured area so that materials are not visible from the street or adjacent properties unless for preparation of materials for same day distribution. Preparation of materials for same day distribution may occur on or about adjacent public rights-of-way; provided, that materials do not remain in public view for longer than 24 hours.~~
- b. ~~Materials stored for periods greater than 24 hours shall be enclosed within a building or secured by a wall or fence of such material, construction, and height so as to conceal the materials located.~~
- c. ~~Activities relating to and/or accessory to the preparation of materials stored for periods greater than 24 hours shall occur within an enclosed building or an area secured by a wall or fence of such material, construction, and height so as to completely conceal the activities.~~
- d. ~~Such delivery shall be limited to two bulk deliveries in a seven-day period. More frequent deliveries shall require a use permit in accordance with the procedures of Section 307.~~
- e. ~~No traffic other than that required for the bulk delivery and pickup shall be allowed by outside employees. Any other business-related traffic shall require a use permit in accordance with the procedures of Section 307.~~
- 6. ~~Public Assembly—Residential. A use permit shall be required for all public assembly—residential uses with vehicular access on local or minor collector streets.~~

E. LAND USE CONDITIONS.

- 1. **SINGLE-FAMILY DETACHED DWELLING UNIT.** EACH SINGLE-FAMILY LOT IS PERMITTED ONE (1) 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 (1) ACCESSORY DWELLING UNIT IN ADDITION TO THE PRIMARY DWELLING UNIT, EXCEPT THAT LOTS HAVING A DUPLEX OR TRIPLEX MAY NOT HAVE AN ADU.
 - b. AN ADU IS SUBJECT TO THE DEVELOPMENT REGULATIONS OF SECTION 706.A.

3. **GUESTROOMS.** EACH SINGLE-FAMILY DWELLING UNIT MAY CONTAIN NO MORE THAN TWO GUESTROOMS.
4. **DUPLEX:**
 - a. SINGLE-FAMILY LOTS: ONE (1) DUPLEX IS PERMITTED PER LOT WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION. THE LOT MUST BE OF THE MINIMUM SIZE REQUIRED BY THE APPLICABLE DENSITY TO PERMIT TWO DWELLING UNITS.
 - b. MULTIFAMILY LOTS: DUPLEXES ARE PERMITTED WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION. THE LOT MUST BE OF THE MINIMUM SIZE REQUIRED BY THE APPLICABLE DENSITY TO PERMIT THE NUMBER OF DWELLING UNITS PROPOSED.
5. **TRIPLEX:**
 - a. SINGLE-FAMILY LOTS: ONE (1) TRIPLEX IS PERMITTED PER LOT WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION. THE LOT MUST BE OF THE MINIMUM SIZE REQUIRED BY THE APPLICABLE DENSITY TO PERMIT THREE DWELLING UNITS.
 - b. **MULTIFAMILY LOTS:** TRIPLEXES ARE PERMITTED WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION. THE LOT MUST BE OF THE MINIMUM SIZE REQUIRED BY THE APPLICABLE DENSITY TO PERMIT THE NUMBER OF DWELLING UNITS PROPOSED.
6. **SINGLE-FAMILY ATTACHED DWELLING UNIT.** ONE (1) SINGLE-FAMILY ATTACHED DWELLING UNIT IS PERMITTED PER SINGLE-FAMILY LOT WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION.
7. **MULTIFAMILY DWELLING UNITS.** MULTIFAMILY DWELLING UNITS ARE PERMITTED WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION.
8. **RESIDENTIAL CONVENIENCE MARKET.** A RESIDENTIAL CONVENIENCE MARKET IS PERMITTED AS AN ACCESSORY USE TO A MULTIFAMILY DEVELOPMENT WHERE SPECIFIED IN THE RESIDENTIAL DISTRICT LAND USE MATRIX, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. THE DEVELOPMENT SHALL CONTAIN A MINIMUM OF 400 DWELLING UNITS.
 - b. THE MARKET SHALL NOT EXCEED 1,000 SQUARE FEET IN TOTAL FLOOR AREA (DISPLAY AND STORAGE) IF THE DEVELOPMENT CONTAINS LESS THAN 850 DWELLING UNITS. THE MARKET SHALL NOT EXCEED 3,000 SQUARE FEET IN TOTAL FLOOR AREA (DISPLAY AND STORAGE) IF THE DEVELOPMENT CONTAINS 850 OR MORE DWELLING UNITS.
 - c. NO PARKING SPACES SHALL BE REQUIRED OR PERMITTED FOR THE MARKET EXCEPT FOR SPACES DESIGNATED FOR DELIVERIES OR ACCESSIBLE SPACES.
 - d. SIGNAGE SHALL BE ALLOWED ONLY AS PART OF A COMPREHENSIVE SIGN PLAN PURSUANT TO SECTION 705. THE ZONING ADMINISTRATOR MAY APPROVE WALL MOUNTED SIGNAGE UP TO A MAXIMUM HEIGHT OF 30 FEET AS PART OF AN APPROVED COMPREHENSIVE SIGN PLAN.
- 9. **BOARDING HOUSE**, SUBJECT TO A USE PERMIT AND THE FOLLOWING CONDITIONS:
 - a. 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.
 - b. NO BOARDING HOUSE 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 BOARDING HOUSE, GROUP HOME, OR COMMUNITY RESIDENCE HOME OR CENTER WITHIN A RESIDENTIAL ZONING DISTRICT.
 - c. A MAXIMUM LOT COVERAGE OF 25 PERCENT.
 - d. A MINIMUM OF 100 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED SHALL BE PROVIDED, WHICH MAY BE REDUCED TO 50 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED IN THE R-5 AND R-4A DISTRICTS.
 - e. THE LOT SHALL ONLY HAVE VEHICULAR ACCESS FROM AN ARTERIAL OR COLLECTOR STREET.

10. **ADULT DAY CARE HOME FOR THE CARE OF ONE TO FOUR ADULT PERSONS**; PROVIDED THAT:
- a. OUTDOOR RECREATION AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
11. **ADULT DAY CARE HOME FOR THE CARE OF FIVE TO TEN ADULT PERSONS**, SUBJECT TO A USE PERMIT; AND PROVIDED THAT:
- a. OUTDOOR RECREATION AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
12. **ADULT DAY CARE CENTER FOR THE CARE OF ELEVEN OR MORE ADULT PERSONS**, SUBJECT TO A USE PERMIT; AND PROVIDED THAT:
- a. OUTDOOR RECREATION AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
13. **COMMUNITY RESIDENCE HOME**; PROVIDED, THAT:
- a. THE HOME HAS NO MORE THAN FIVE RESIDENTS, NOT INCLUDING STAFF (UNLESS PERMITTED BY SECTION 36-582(A), ARIZONA REVISED STATUTES).
- 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.

14. **COMMUNITY RESIDENCE CENTER**, SUBJECT TO A USE PERMIT AND THE FOLLOWING CONDITIONS:

- a. SUCH CENTER 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.
- b. NO COMMUNITY RESIDENCE CENTER 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 OR CENTER WITHIN A RESIDENTIAL ZONING DISTRICT.
- c. DISABILITY ACCOMMODATION FROM THE SPACING REQUIREMENT MAY BE REQUESTED BY AN APPLICANT PER SECTION 701.E.3.
- d. A MAXIMUM LOT COVERAGE OF 25 PERCENT.
- e. A MINIMUM OF 100 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED SHALL BE PROVIDED, WHICH MAY BE REDUCED TO 50 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED IN THE R-5 AND R-4A DISTRICTS.
- f. THE LOT SHALL ONLY HAVE VEHICULAR ACCESS FROM AN ARTERIAL OR COLLECTOR STREET.

15. **DEPENDENT CARE FACILITY FOR UP TO SIX DEPENDENTS**, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. RESIDENT DEPENDENTS UNDER THE AGE OF 12 YEARS SHALL NOT BE COUNTED.
- b. OUTDOOR PLAY AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
- c. THE EMPLOYEES MUST RESIDE AT THE FACILITY UNLESS A NONRESIDENT EMPLOYEE IS REQUIRED BY THE ARIZONA DEPARTMENT OF HEALTH SERVICES.

16. **DEPENDENT CARE FACILITY FOR SEVEN TO 12 DEPENDENTS**, SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 AND SUBJECT TO THE FOLLOWING STANDARDS:
- a. RESIDENT DEPENDENTS UNDER THE AGE OF 12 YEARS SHALL NOT BE COUNTED WHEN THEY ARE PRESENT ON THE PREMISES.
 - b. OUTDOOR PLAY AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
 - c. HOURS OF OPERATION SHALL BE ONLY BETWEEN 6:00 A.M. AND 10:00 P.M. THESE HOURS MAY BE RESTRICTED AS PART OF THE USE PERMIT APPROVAL.
 - d. NONRESIDENT EMPLOYEES MAY BE PERMITTED WITH THE USE PERMIT IF NECESSARY TO MEET STATE REQUIREMENTS.
 - e. ONE PARKING SPACE SHALL BE PROVIDED FOR EACH EMPLOYEE WHO DOES NOT RESIDE AT THE FACILITY.
 - f. NO SIGNAGE SHALL BE PERMITTED.
 - g. THE FACILITY SHALL BE SUBJECT TO ARIZONA LICENSING REQUIREMENTS.
17. **DEPENDENT CARE FACILITY FOR 13 OR MORE DEPENDENTS AND SCHOOLS FOR THE MENTALLY OR PHYSICALLY HANDICAPPED** SUBJECT TO SECURING A USE PERMIT PURSUANT TO SECTION 307.
18. **GROUP HOME**, SUBJECT TO A USE PERMIT AND THE FOLLOWING CONDITIONS:
- a. 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.
 - b. NO GROUP 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 GROUP HOME, BOARDING HOUSE, OR COMMUNITY RESIDENCE HOME OR CENTER WITHIN A RESIDENTIAL ZONING DISTRICT.

- c. A MAXIMUM LOT COVERAGE OF 25 PERCENT.
- d. A MINIMUM OF 100 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED SHALL BE PROVIDED, WHICH MAY BE REDUCED TO 50 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED IN THE R-5 AND R-4A DISTRICTS.
- e. THE LOT SHALL ONLY HAVE VEHICULAR ACCESS FROM AN ARTERIAL OR COLLECTOR STREET.

19. **MODEL HOMES AND/OR SUBDIVISION SALES OFFICES** WHEN LOCATED IN MODEL HOMES; PROVIDED THAT:

- a. MODEL HOMES ARE PERMITTED SUBJECT TO THE FOLLOWING:
 - (1) A DEVELOPER OF A SINGLE-FAMILY SUBDIVISION SHALL BE ALLOWED TO BUILD MODEL HOMES PRIOR TO RECORDING A SUBDIVISION PLAT, SUBJECT TO THE PROVISIONS BELOW AND SUBJECT TO SUBMITTING A MODEL COMPLEX SITE PLAN WHICH SHALL SHOW THE FOLLOWING INFORMATION FOR EACH MODEL HOME LOT:
 - (2) STREET ADDRESSES FOR EACH MODEL HOME AS ASSIGNED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
 - (3) FINISHED FLOOR ELEVATIONS FOR EACH MODEL HOME AS ASSIGNED BY THE DIVISION OF ENGINEERING.
 - (4) PROPOSED LOTS FOR MODEL HOMES SHALL BE IN CONFORMANCE WITH LOT LINES AS SHOWN ON THE APPROVED PRELIMINARY PLAT.
 - (5) EACH MODEL HOME SHALL BE LOCATED ON EACH PROPOSED LOT IN CONFORMANCE WITH YARD REQUIREMENTS OF THE DISTRICT.
 - (6) THE FINAL PLAT IS NOT REQUIRED TO HAVE FINAL APPROVAL PRIOR TO OBTAINING PERMITS FOR MODEL HOMES.

- b. MODEL HOMES AND/OR SUBDIVISION SALES OFFICES SHALL BE LOCATED IN A SUBDIVISION OR PORTION THEREOF 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.
- c. 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.
- d. THE TIME LIMIT ALLOWED IN SECTION 608.E.19.C FOR AN ADDITIONAL 36 MONTHS SHALL BE EXTENDED ONLY UPON SECURING A USE PERMIT.
- e. 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 608.E.19.C OR UPON EXPIRATION OF THE EXTENSION GRANTED BY THE ZONING ADMINISTRATOR PURSUANT TO SECTION 608.E.19.D, OR AFTER SIX MONTHS FOLLOWING SALE OR OCCUPANCY OF ALL LOTS IN THE SUBDIVISION OTHER THAN THE MODEL HOMES, WHICHEVER COMES 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 400 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.
- f. FOR THE PURPOSES OF SECTION 608.E.19.C AND D, THE TERM "SUBDIVISION" SHALL MEAN ALL THE LAND INCLUDED WITHIN THE PRELIMINARY PLAT SUBMITTED TO THE PLANNING AND DEVELOPMENT DEPARTMENT.
- g. 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 608.E.19.A.

h. MODULAR SUBDIVISION SALES OFFICE, SUBJECT TO THE FOLLOWING CRITERIA:

- (1) THE STRUCTURE SHALL BE INTEGRATED WITH, ARCHITECTURALLY COMPATIBLE TO, AND BLEND IN COLOR TO THE MODEL HOMES APPROVED FOR THE SUBDIVISION, AS DETERMINED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- (2) MODULAR SUBDIVISION SALES OFFICES SHALL BE PERMITTED FOR A PERIOD NOT TO EXCEED 36 MONTHS FROM THE DATE OF APPROVAL FOR THE SALES OFFICES.
- (3) THE TIME LIMIT ALLOWED IN SECTION 608.E.19.H(2) FOR AN ADDITIONAL 36 MONTHS SHALL BE EXTENDED ONLY UPON SECURING A USE PERMIT.
- (4) THE MODULAR SUBDIVISION SALES OFFICE SHALL BE REMOVED ON OR BEFORE THE TERMINATION DATE SET FORTH IN SECTION 608.E.19.H(2) OR UPON EXPIRATION OF THE EXTENSION GRANTED BY THE ZONING ADMINISTRATOR OR AFTER SIX MONTHS FOLLOWING SALE OR OCCUPANCY OF ALL LOTS IN THE SUBDIVISION OTHER THAN THE MODEL HOMES, WHICHEVER COMES FIRST.
- (5) FOR THE PURPOSES OF THIS SECTION, THE TERM "SUBDIVISION" SHALL MEAN ALL OF THE LAND INCLUDED WITHIN THE PRELIMINARY PLAT SUBMITTED TO THE PLANNING AND DEVELOPMENT DEPARTMENT.
- (6) PRIOR TO ISSUANCE OF ANY SALES OFFICE PERMITS, A SITE PLAN SHALL BE APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT FOR VERIFICATION OF SETBACK CONFORMANCE.

- (7) TWO SIGNS ARE PERMITTED. SIGNS SHALL NOT EXCEED A COMBINED TOTAL OF 32 SQUARE FEET.
- (8) ONE SALES OFFICE SHALL BE PERMITTED FOR EACH MODEL HOME COMPLEX ALLOWED IN ACCORDANCE WITH SECTION 608.E.19.I.

i. 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 400 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 DUST PROOFED.
- (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.

- 20. **PUBLIC UTILITY BUILDINGS AND FACILITIES** WHEN NECESSARY FOR SERVING THE SURROUNDING TERRITORY; PROVIDED, THAT NO PUBLIC BUSINESS OFFICES AND NO REPAIR OR STORAGE FACILITIES ARE MAINTAINED THEREIN, ARE PERMITTED IN EACH DISTRICT.

21. **CHURCHES OR SIMILAR PLACES OF WORSHIP**, INCLUDING PARISH HOUSES, PARSONAGES, RECTORIES, AND CONVENTS AND DORMITORIES WITH NO MORE THAN TEN RESIDENTS ACCESSORY THERETO, ARE PERMITTED IN EACH DISTRICT, EXCEPT TEMPORARY TENTS OR BUILDINGS. ATHLETIC ACTIVITIES IN CONJUNCTION WITH THE ABOVE AND ON THE SAME LOT OR CONTIGUOUS LOTS MAY BE PERMITTED. ALL CHURCH USES ARE ALSO CONSIDERED “PUBLIC ASSEMBLY—RESIDENTIAL”, AND ARE SUBJECT TO SECTION 608.E.22.

a. BINGO MAY BE OPERATED AS AN ACCESSORY USE ON THE PREMISES OF THE CHURCH WHEN CONDUCTED NO MORE THAN TWO DAYS A WEEK. FUNDRAISING EVENTS LOCATED ON THE SAME LOT OR CONTIGUOUS LOTS SHALL BE PERMITTED, SUBJECT TO THE FOLLOWING REQUIREMENTS:

(1) THE SPONSORING, ORGANIZING AND BENEFITING ENTITIES SHALL BE NONPROFIT OR RELIGIOUS ORGANIZATIONS.

b. EVENTS HELD ENTIRELY WITHIN A BUILDING OR BUILDINGS SHALL NOT BE FURTHER REGULATED; HOWEVER, EVENTS TO BE CONDUCTED WHOLLY OR IN PART OUTDOORS SHALL BE SUBJECT TO THE FOLLOWING ADDITIONAL CONDITIONS:

(1) ANY OUTDOOR PORTION OF THE EVENT MUST BE LOCATED A MINIMUM OF 50 FEET FROM A PROPERTY LINE ADJACENT TO A RESIDENTIAL ZONING DISTRICT AND A RESIDENTIAL USE.

(2) THE EVENT SHALL NOT BE CONDUCTED BETWEEN THE HOURS OF 10:00 P.M. AND 5:00 A.M.

(3) THE EVENT SHALL NOT BE CONDUCTED IN SUCH MANNER AS TO REDUCE THE NUMBER OF PARKING SPACES REQUIRED FOR ANY NORMAL FUNCTIONS OF THE PRIMARY USE WHICH ARE HELD DURING THE EVENT.

(4) LIGHTING SHALL BE SO PLACED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENCES.

c. **POCKET SHELTERS** AS ACCESSORY USES TO CHURCHES OR SIMILAR PLACES OF WORSHIP, SUBJECT TO THE FOLLOWING STANDARDS (AND APPLICABLE MARICOPA COUNTY AND CITY OF PHOENIX HEALTH AND SAFETY REGULATIONS):

- (1) A POCKET SHELTER SHALL HOUSE NO MORE THAN 12 UNRELATED PERSONS. A POCKET SHELTER MAY HOUSE UP TO 20 UNRELATED PERSONS UPON APPROVAL OF A USE PERMIT IN ACCORDANCE WITH THE PROCEDURES AND STANDARDS OF SECTION 307. MINORS (AGE 18 YEARS OR YOUNGER) ACCOMPANIED BY A PARENT OR A GUARDIAN SHALL NOT BE COUNTED IN THE NUMBER OF UNRELATED PERSONS.
- (2) THE CHURCH OR SIMILAR PLACE OF WORSHIP SHALL BE LOCATED ON AN ARTERIAL OR COLLECTOR STREET AS DEFINED ON THE STREET CLASSIFICATION MAP. A SHELTER AT A CHURCH OR SIMILAR PLACE OF WORSHIP WHICH IS NOT ON AN ARTERIAL OR COLLECTOR STREET SHALL BE PERMITTED UPON APPROVAL OF A USE PERMIT IN ACCORDANCE WITH THE PROCEDURES AND PROVISIONS OF SECTION 307.
- (3) THE CHURCH OR SIMILAR PLACE OF WORSHIP SHALL PROVIDE ON-SITE SUPERVISION OF SHELTER RESIDENTS AT ALL TIMES THAT TWO OR MORE UNRELATED RESIDENTS ARE AT THE SHELTER.
- (4) (DRUG, ALCOHOL, OTHER SUBSTANCE ABUSE, OR MENTAL HEALTH REHABILITATION PROGRAMS SHALL NOT BE ALLOWED AS PART OF THE SHELTER SERVICES. THIS PROVISION SHALL NOT PREVENT THE CHURCH OR SIMILAR PLACE OF WORSHIP FROM REFERRING SHELTER RESIDENTS TO OTHER APPROPRIATE PROGRAMS AT THE CHURCH OR SIMILAR PLACE OF WORSHIP OR ELSEWHERE, E.G., ALCOHOLICS ANONYMOUS, WHICH ARE NOT PART OF THE SHELTER SERVICES.
- (5) SHELTER RESIDENTS SHALL NOT POSSESS ALCOHOL, WEAPONS, OR ILLEGAL DRUGS AT THE SHELTER.
- (6) OPEN AREAS SURROUNDING POCKET SHELTER STRUCTURES SHALL BE SCREENED FROM VIEW FROM ABUTTING AND/OR ADJOINING PROPERTIES BY HEDGES, TREES, OTHER LANDSCAPING, OR WALLS.
- (7) POCKET SHELTER STRUCTURES SHALL NOT HAVE DIRECT ACCESS TO ABUTTING AND/OR ADJOINING PROPERTIES.

- (8) POCKET SHELTERS SHALL BE HOUSED IN PERMANENT STRUCTURES RATHER THAN IN TENTS OR OTHER SIMILAR TEMPORARY STRUCTURES.
 - (9) A CHURCH OR SIMILAR PLACE OF WORSHIP SHALL HOUSE NO MORE THAN ONE POCKET SHELTER.
- 22. **PUBLIC ASSEMBLY—RESIDENTIAL.** A USE PERMIT SHALL BE REQUIRED FOR ALL PUBLIC ASSEMBLY—RESIDENTIAL USES HAVING VEHICULAR ACCESS TO LOCAL OR MINOR COLLECTOR STREETS, INCLUDING PRIVATE SCHOOLS AND CHURCH USES.
- 23. **ENVIRONMENTAL REMEDIATION FACILITY,** SUBJECT TO THE FOLLOWING CONDITIONS:
 - a. A USE PERMIT SHALL BE OBTAINED IN ACCORDANCE WITH SECTION 307.
 - b. THE ABOVE GROUND AREA OF LAND OCCUPIED BY THE ENVIRONMENTAL REMEDIATION FACILITY SHALL NOT EXCEED THE MINIMUM NUMBER OF SQUARE FEET NECESSARY TO IMPLEMENT THE REMEDIAL OR CORRECTIVE ACTION.
 - c. ALL STRUCTURES AND DEVICES CONSTRUCTED ABOVE GROUND LEVEL SHALL BE SHIELDED FROM THE VIEW OF PERSONS OUTSIDE THE PROPERTY BOUNDARY BY AN OPAQUE FENCE CONSTRUCTED OF MATERIALS OF SIMILAR COMPOSITION AND APPEARANCE TO FENCES AND STRUCTURES ON NEARBY PROPERTY.
 - d. OUTDOOR EQUIPMENT INSTALLED AS PART OF THE FINAL ENVIRONMENTAL REMEDIATION FACILITY SHALL NOT EXCEED A HEIGHT OF TEN FEET AND SHALL BE SET BACK FROM THE PERIMETER WALL A MINIMUM OF THREE FEET FOR EVERY ONE FOOT OF HEIGHT OVER SIX FEET.
 - e. AFTER INSTALLATION, NO EQUIPMENT OR MATERIALS BEYOND THAT NECESSARY TO OPERATE THE FACILITY SHALL BE STORED ON THE LOT.
 - f. A PERIMETER LANDSCAPING PLAN SHALL BE APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AS NECESSARY UNLESS AN APPLICABLE APPROVED LANDSCAPE PLAN ALREADY EXISTS.

- g. ANY LIGHTING SHALL BE PLACED SO AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL DISTRICTS. NOISE, ODOR, OR VIBRATION SHALL NOT BE EMITTED ANY TIME BY THE FACILITY SO THAT IT EXCEEDS THE GENERAL LEVEL OF NOISE, ODOR, OR VIBRATION EMITTED BY USES OUTSIDE THE SITE. SUCH COMPARISON SHALL BE MADE AT THE BOUNDARY OF THE LOT ON WHICH THE TREATMENT FACILITY IS LOCATED.
 - h. THE FACILITY SHALL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE FIRE CODE.
 - i. A PERMIT ISSUED UNDER SECTION 307 SHALL INCLUDE REASONABLE RESTRICTIONS ON THE OPERATION OF THE FACILITY TO MITIGATE ANY ADVERSE IMPACTS ON NEARBY LAND, INCLUDING BUT NOT LIMITED TO RESTRICTIONS ON VEHICULAR TRAFFIC AND HOURS OF OPERATION OF THE FACILITY.
 - j. THIS SECTION ALLOWS AUTHORIZATION OF ACTIVITIES TO UNDERTAKE ALL ON-SITE INVESTIGATIVE, CONSTRUCTION, AND MAINTENANCE ACTIVITIES ANCILLARY TO THE OPERATION OF THE FACILITY. ALL OFF-SITE DISCHARGES OF ANY SUBSTANCE SHALL BE SEPARATELY AUTHORIZED PURSUANT TO APPLICABLE LAWS.
 - k. THE STRUCTURES USED FOR THE FACILITY SHALL NOT EXCEED A TOTAL AREA OF 5,000 SQUARE FEET.
24. **COMMUNITY GARDEN.** ACCESSORY SALES OF PRODUCTS CULTIVATED ON SITE WITHIN TEN DAYS OF HARVESTING SUBJECT TO APPROVAL OF A USE PERMIT PURSUANT TO SECTION 307. ON-SITE OPERATIONAL CONDITIONS AND IMPROVEMENTS MAY BE STIPULATED AS A CONDITION OF USE PERMIT APPROVAL.
25. **FARMERS MARKET,** SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 AND SUBJECT TO THE FOLLOWING STANDARDS:
 - a. NO MORE THAN SIX ONE-DAY MARKET EVENTS IN ANY 30-DAY PERIOD.
 - b. HOURS OF OPERATION SHALL BE ONLY BETWEEN 7:00 A.M. AND 9:00 P.M. THESE HOURS MAY BE RESTRICTED AS PART OF THE USE PERMIT APPROVAL.
 - c. NO SIGNAGE SHALL BE PERMITTED.

25. **FARMERS MARKET**, SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 AND SUBJECT TO THE FOLLOWING STANDARDS:

- a. NO MORE THAN SIX ONE-DAY MARKET EVENTS IN ANY 30-DAY PERIOD.
- b. HOURS OF OPERATION SHALL BE ONLY BETWEEN 7:00 A.M. AND 9:00 P.M. THESE HOURS MAY BE RESTRICTED AS PART OF THE USE PERMIT APPROVAL.
- c. NO SIGNAGE SHALL BE PERMITTED.

- d. ON-SITE IMPROVEMENTS AND OTHER OPERATIONAL CONDITIONS MAY BE STIPULATED AS A CONDITION OF USE PERMIT APPROVAL.

26. **CONSTRUCTION FACILITIES AND STORAGE**, INCIDENTAL TO A CONSTRUCTION PROJECT AND LOCATED ON THE PROJECT SITE, ARE PERMITTED. WHEN SUCH FACILITIES OR STORAGE ARE USED FOR CONSTRUCTION ON A LOT OR LOTS OTHER THAN THE LOT OR LOTS USED FOR SUCH FACILITIES OR STORAGE, SUCH USE SHALL MAINTAIN THE SETBACKS PROVIDED BY THE REQUIREMENTS OF THIS CHAPTER AND SHALL BE SUBJECT TO SECURING A USE PERMIT. WHEN SUCH FACILITIES AND STORAGE SERVE A RESIDENTIAL SUBDIVISION, ARE APPROVED IN CONJUNCTION WITH MODEL HOMES BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND MEET ALL OF THE STANDARDS LISTED BELOW, NO USE PERMIT IS REQUIRED:

- a. THE FACILITIES SHALL NOT BE PLACED ON A LOT WHICH ABUTS, JOINS AT THE CORNERS, OR IS ACROSS A STREET OR ALLEY FROM A DWELLING UNIT WHICH IS UNDER CONSTRUCTION OR OCCUPIED AT THE TIME OF SAID PLACEMENT, UNLESS WRITTEN AGREEMENT TO THE PLACEMENT IS GIVEN BY THE OWNER OR OCCUPANT OF THE AFFECTED PROPERTY.
 - b. ALL OUTSIDE STORAGE SHALL BE SCREENED BY A SIX-FOOT-HIGH SOLID FENCE OR MASONRY WALL. NO CONSTRUCTION VEHICLES OR MACHINERY SHALL BE PLACED WITHIN TEN FEET OF THE SCREEN FENCE OR WALL.
 - c. ALL SIGNS ON THE FACILITY SHALL FULLY COMPLY WITH SECTION 705, THE SIGN CODE.
 - d. ALL FACILITIES AND STORAGE SHALL BE REMOVED WITHIN THREE MONTHS OF THE CLOSURE OF THE MODEL HOMES.

27. **HOME OCCUPATIONS** INCLUDING BUT NOT LIMITED TO ARCHITECT, LAWYER, OFF-SITE SALES BUSINESSES, ACCOUNTANT, REAL ESTATE AGENT, TELEMARKETING SALES, AND PSYCHOLOGIST. FOR PURPOSES OF THIS SECTION, OFF-SITE SALES MEANS PROCESSING ORDERS BY MAIL, FACSIMILE, PHONE, MODEM OR INTERNET.

- a. NO ONE OUTSIDE THE FAMILY RESIDING IN THE DWELLING UNIT SHALL BE EMPLOYED IN THE HOME OCCUPATION.

- b. NO EXTERIOR DISPLAY, NO EXTERIOR STORAGE OF MATERIALS, NO SIGN, AND NO OTHER EXTERIOR INDICATION OF THE HOME OCCUPATION OR VARIATION FROM THE RESIDENTIAL CHARACTER OF THE PRINCIPAL OR ACCESSORY BUILDING, EXCEPT AS AUTHORIZED IN SECTION 608.E.27.h.
- c. NO HOME OCCUPATION SHALL EMIT ODOR, DUST, GAS, NOISE, VIBRATION, SMOKE, HEAT, OR GLARE BEYOND ANY BOUNDARY OF THE LOT ON WHICH THE HOME OCCUPATION IS CONDUCTED.
- d. ACTIVITY SHALL BE LIMITED TO THE HOURS BETWEEN 7:00 A.M. AND 10:00 P.M.
- e. NO MECHANICAL EQUIPMENT SHALL BE USED EXCEPT THAT NORMALLY USED FOR DOMESTIC, HOBBY, STANDARD OFFICE, OR HOUSEHOLD PURPOSES.
- f. NOT MORE THAN 25 PERCENT OF THE TOTAL AREA UNDER ROOF ON THE SITE SHALL BE USED FOR ANY HOME OCCUPATION.
- g. ANY PARKING INCIDENTAL TO THE HOME OCCUPATION SHALL BE PROVIDED ON THE SITE.
- h. HOME OCCUPATIONS SHALL OBTAIN A USE PERMIT FROM THE ZONING ADMINISTRATOR IN ACCORDANCE WITH SECTION 307 WHEN:
- (1) TRAFFIC (OTHER THAN TRIPS BY OCCUPANTS OF THE HOUSEHOLD) IS GENERATED BY THE HOME OCCUPATION; OR
 - (2) THE HOME OCCUPATION IS CONDUCTED IN AN ACCESSORY BUILDING, INCLUDING AN ADU; OR
 - (3) THE HOME OCCUPATION IS CONDUCTED AS AN OUTSIDE USE; OR
 - (4) MINOR VARIATIONS TO SECTION 608.E.3.C ARE REQUIRED TO CONDUCT THE HOME OCCUPATION; OR
 - (5) AN APPLICANT DESIRES AN OFFICIAL APPROVAL OF A HOME OCCUPATION.

i. A HOME OCCUPATION SHALL NOT INCLUDE, BUT SUCH EXCLUSION SHALL NOT BE LIMITED TO, THE FOLLOWING USES:

- (1) BARBERSHOPS AND BEAUTY PARLORS.
- (2) COMMERCIAL STABLES, VETERINARY OFFICES.
- (3) DOG GROOMING.
- (4) MASSAGE PARLORS.
- (5) RESTAURANTS.
- (6) VETERINARY HOSPITALS AND COMMERCIAL KENNELS.

28. **NONDAILY NEWSPAPER DELIVERY SERVICE** SHALL BE PERMITTED SUBJECT TO THE FOLLOWING LIMITATIONS:

- a. DELIVERED BULK MATERIALS RELATED TO NONDAILY PUBLICATIONS SHALL BE TRANSFERRED TO AN ENCLOSED BUILDING OR SECURED AREA SO THAT MATERIALS ARE NOT VISIBLE FROM THE STREET OR ADJACENT PROPERTIES UNLESS FOR PREPARATION OF MATERIALS FOR SAME DAY DISTRIBUTION. PREPARATION OF MATERIALS FOR SAME DAY DISTRIBUTION MAY OCCUR ON OR ABOUT ADJACENT PUBLIC RIGHTS-OF-WAY; PROVIDED, THAT MATERIALS DO NOT REMAIN IN PUBLIC VIEW FOR LONGER THAN 24 HOURS.
- b. MATERIALS STORED FOR PERIODS GREATER THAN 24 HOURS SHALL BE ENCLOSED WITHIN A BUILDING OR SECURED BY A WALL OR FENCE OF SUCH MATERIAL, CONSTRUCTION, AND HEIGHT SO AS TO CONCEAL THE MATERIALS LOCATED.
- c. ACTIVITIES RELATING TO AND/OR ACCESSORY TO THE PREPARATION OF MATERIALS STORED FOR PERIODS GREATER THAN 24 HOURS SHALL OCCUR WITHIN AN ENCLOSED BUILDING OR AN AREA SECURED BY A WALL OR FENCE OF SUCH MATERIAL, CONSTRUCTION, AND HEIGHT SO AS TO COMPLETELY CONCEAL THE ACTIVITIES.
- d. SUCH DELIVERY SHALL BE LIMITED TO TWO BULK DELIVERIES IN A SEVEN-DAY PERIOD. MORE FREQUENT DELIVERIES SHALL REQUIRE A USE PERMIT IN ACCORDANCE WITH THE PROCEDURES OF SECTION 307.

- e. NO TRAFFIC OTHER THAN THAT REQUIRED FOR THE BULK DELIVERY AND PICKUP SHALL BE ALLOWED BY OUTSIDE EMPLOYEES. ANY OTHER BUSINESS-RELATED TRAFFIC SHALL REQUIRE A USE PERMIT IN ACCORDANCE WITH THE PROCEDURES OF SECTION 307.
- 29. **THE DISPLAY FOR SALE OF A VEHICLE**, WHICH FOR PURPOSES OF THIS PROVISION INCLUDES TRAILERS, WATERCRAFT OR OTHER TYPES OF TRANSPORTATION THAT ARE BUILT TO CARRY PASSENGERS OR CARGO SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS:
 - a. NO MORE THAN ONE VEHICLE CAN BE LABELED FOR SALE OR SHOW ANY INDICATION THAT IT IS FOR SALE AT ANY GIVEN TIME ON A PROPERTY, WHETHER VISIBLE ON SITE OR THROUGH SOME OTHER FORM OF ADVERTISING.
 - b. NO MORE THAN TWO VEHICLES CAN BE SOLD ON A PROPERTY DURING ANY CALENDAR YEAR.
 - c. FOR PURPOSES OF SECTIONS 608.A AND B, TWO JET SKIS, A BOAT OR SIMILAR TYPES OF RECREATIONAL VEHICLES THAT ARE TRANSPORTED ON ONE TRAILER SHALL, TOGETHER WITH THE TRAILER, BE CONSIDERED ONE VEHICLE.
 - d. THE OWNERSHIP OF THE VEHICLE(S) MUST BE REGISTERED TO THE LOCATION WHERE THE VEHICLE IS LISTED FOR SALE.
 - e. NO VEHICLE CAN BE LABELED FOR SALE OR SHOW ANY INDICATION THAT IT IS FOR SALE AT AN UNOCCUPIED HOUSE OR ON A VACANT LOT OR PARCEL.
 - f. NO VEHICLE CAN BE LABELED FOR SALE OR SHOW ANY INDICATION THAT IT IS FOR SALE IN CONJUNCTION WITH A RETAIL OR WHOLESALE VEHICLE SALES DEALERSHIP OR BUSINESS WITHOUT OBTAINING A TEMPORARY USE PERMIT.
- 30. **FACILITIES FOR HOUSEHOLD PETS**, THE MAINTENANCE OF WHICH IS NOT OTHERWISE PROHIBITED BY STATUTE, REGULATIONS, OR THE CITY CODE OF THE CITY OF PHOENIX AND WHICH FACILITIES ARE IN COMPLIANCE WITH ALL APPLICABLE ORDINANCES OF THE CITY OF PHOENIX, ARE PERMITTED.
- 31. **GARAGE OR YARD SALES** MAY BE CONDUCTED TWICE EVERY 12 MONTHS ON ANY RESIDENTIALLY ZONED PROPERTY OCCUPIED BY A DWELLING UNIT. ANY SALE SHALL NOT EXCEED THE TIME PERIOD OF THREE CONSECUTIVE DAYS.

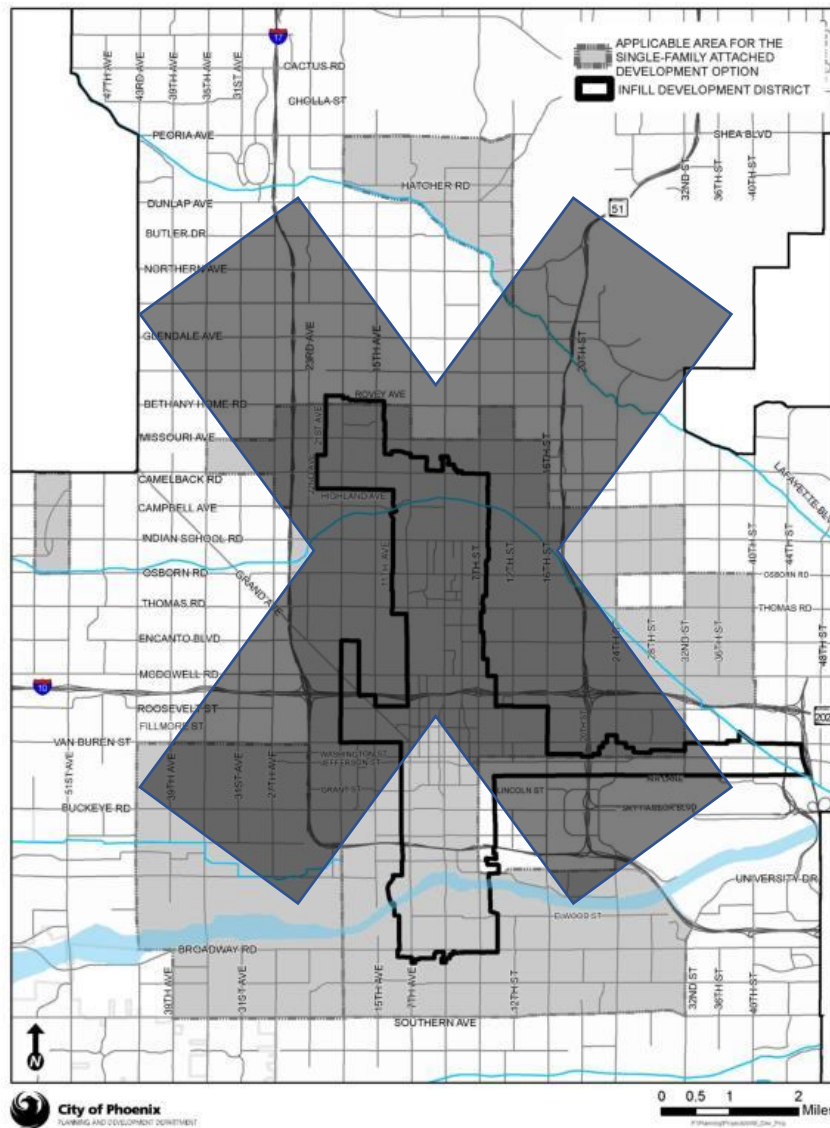
32. **MATERIALS USED IN CONJUNCTION WITH A HOBBY, AVOCATION, OR PASTIME**, THE USE OF WHICH DOES NOT OTHERWISE CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE, ARE PERMITTED.
33. **PARKING OF VEHICLES** IN FACILITIES AND LOCATIONS ON THE PROPERTY NOT OTHERWISE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE, IS PERMITTED.
34. **PRIVATE TENNIS OR OUTDOOR GAME COURTS** AS AN ACCESSORY USE IS PERMITTED. TENNIS OR OUTDOOR GAME COURT FENCES OVER SIX FEET HIGH IN REQUIRED REAR YARD OR REQUIRED SIDE YARD ARE PERMITTED SUBJECT TO A USE PERMIT. TENNIS OR OUTDOOR GAME COURT LIGHTS ARE ALSO SUBJECT TO A USE PERMIT.
35. **OFFSITE MANUFACTURED HOME DEVELOPMENTS** ARE PERMITTED WITH USE PERMIT APPROVAL PER SECTION 307, AND SUBJECT TO THE DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.7.

~~F. Permitted Uses with Use Permit Approval Pursuant to Section 307.~~

- ~~1. Boarding house permitted in the R-3, R-3A, R-4, R-4A, and R-5 zoning districts, subject to a use permit and conditions as outlined in each respective zoning district.~~
- ~~2. Group home permitted in the R-3, R-3A, R-4, R-4A, and R-5 zoning districts, subject to a use permit and conditions as outlined in each respective zoning district.~~
- ~~3. Adult day care home for the care of five to ten adult persons, subject to a use permit; and provided, that:
 - ~~a. Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~~~
- ~~4. Dependent care facility for seven to 12 dependents, subject to obtaining a use permit in accordance with the provisions of Section 307 and subject to the following standards:
 - ~~a. Resident dependents under the age of 12 years shall not be counted when they are present on the premises.~~
 - ~~b. Outdoor play areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~~~

- c. ~~Hours of operation shall be only between 6:00 a.m. and 10:00 p.m. These hours may be restricted as part of the use permit approval.~~
- d. ~~Nonresident employees may be permitted with the use permit if necessary to meet state requirements.~~
- e. ~~One parking space shall be provided for each employee who does not reside at the facility.~~
- f. ~~No signage shall be permitted.~~
- g. ~~The facility shall be subject to Arizona licensing requirements.~~
- 5. ~~Environmental remediation facility, subject to the following conditions:~~
 - a. ~~A use permit shall be obtained in accordance with Section 307.~~
 - b. ~~The above ground area of land occupied by the environmental remediation facility shall not exceed the minimum number of square feet necessary to implement the remedial or corrective action.~~
 - c. ~~All structures and devices constructed above ground level shall be shielded from the view of persons outside the property boundary by an opaque fence constructed of materials of similar composition and appearance to fences and structures on nearby property.~~
 - d. ~~Outdoor equipment installed as part of the final environmental remediation facility shall not exceed a height of ten feet and shall be set back from the perimeter wall a minimum of three feet for every one foot of height over six feet.~~
 - e. ~~After installation, no equipment or materials beyond that necessary to operate the facility shall be stored on the lot.~~
 - f. ~~A perimeter landscaping plan shall be approved by the Planning and Development Department as necessary unless an applicable approved landscape plan already exists.~~
 - g. ~~Any lighting shall be placed so as to reflect the light away from adjacent residential districts. Noise, odor, or vibration shall not be emitted any time by the facility so that it exceeds the general level of noise, odor, or vibration emitted by uses outside the site. Such comparison shall be made at the boundary of the lot on which the treatment facility is located.~~

- ~~h. The facility shall comply with all applicable provisions of the Fire Code.~~
 - ~~i. A permit issued under Section 307 shall include reasonable restrictions on the operation of the facility to mitigate any adverse impacts on nearby land, including but not limited to restrictions on vehicular traffic and hours of operation of the facility.~~
 - ~~j. This section allows authorization of activities to undertake all on-site investigative, construction, and maintenance activities ancillary to the operation of the facility. All off-site discharges of any substance shall be separately authorized pursuant to applicable laws.~~
 - ~~k. The structures used for the facility shall not exceed a total area of 5,000 square feet.~~
- ~~6. Community Garden. Accessory sales of products cultivated on site within ten days of harvesting subject to approval of a use permit pursuant to Section 307. On-site operational conditions and improvements may be stipulated as a condition of use permit approval.~~
- ~~7. Farmers market, subject to obtaining a use permit in accordance with the provisions of Section 307 and subject to the following standards: Farmers market, subject to obtaining a use permit in accordance with the provisions of Section 307 and subject to the following standards:~~
 - ~~a. No more than six one-day market events in any 30-day period.~~
 - ~~b. Hours of operation shall be only between 7:00 a.m. and 9:00 p.m. These hours may be restricted as part of the use permit approval.~~
 - ~~c. No signage shall be permitted.~~
 - ~~d. On-site improvements and other operational conditions may be stipulated as a condition of use permit approval.~~
- ~~8. Single-family attached (SFA) development option is allowed within the infill development district identified in the General Plan or with use permit approval for R-2, R-3, R-3A, R-4, R-5, R-4A, C-1, and C-3 zoned properties within the following boundaries:~~



- a. The SFA development option does not eliminate any redevelopment area, special planning district or overlays. Where conflicts occur between the requirements of the SFA development option and redevelopment areas, overlay zoning districts, special planning districts, and specific plans, the requirements of the overlay zoning districts, special planning districts, redevelopment areas or specific plans shall apply.

Historic preservation designated properties or properties in historic preservation districts cannot use the single family attached development option.

- b. ~~Design Requirements. Applicants must provide photographs of the property surrounding their site and an explanation of how the single-family attached project architecture would complement and be integrated into the surrounding neighborhood.~~
- ~~(1) Individual units fronting on street rights-of-way shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall to accentuate the primary entrance.~~
 - ~~(2) Required covered parking spaces shall not front on street rights-of-way.~~
- c. ~~Perimeter Landscape Setbacks and Requirements.~~
- ~~(1) Residences that front on arterial, collector, or local street rights-of-way shall provide a minimum ten-foot-wide landscape tract or community maintained landscaping abutting the street, except when within 2,000 feet of a light rail station.~~
 - ~~(2) Residences that side on arterial, collector, or local street rights-of-way shall provide a minimum 15-foot-wide landscape tract or community maintained landscaping abutting the street.~~
 - ~~(3) Perimeter of the development not abutting rights-of-way must provide a minimum five-foot landscape setback, except that development adjacent to a single-family residential district or historic preservation designated property must provide a minimum ten-foot landscape setback.~~
 - ~~(4) Minimum trees spaced 20 feet on center or equivalent groupings in required landscape setbacks.~~

~~Minimum one-and-one-half-inch caliper (50 percent of required trees). Minimum two-inch caliper or multi-trunk tree (25 percent of required trees). Minimum three-inch caliper or multi-trunk tree (25 percent of required trees). Provide minimum five five-gallon shrubs per tree.~~
- d. ~~Open Space. Only fences to enclose pool or community amenities allowed within required open space.~~
- e. ~~Attached single-family units in a row shall not exceed a total length of 200 feet without having a minimum 20-foot-wide open area.~~
- f. ~~Parking Requirements.~~

(1) ~~Within infill development district: 1.3 spaces per efficiency unit, 1.5 spaces per two-bedroom unit and two spaces per three or more bedroom unit must be provided that are covered or located within a garage and a minimum 0.25 unreserved guest parking space per unit must be provided on site.~~

(2) ~~Within the applicable area that is not located within the infill development district: Two parking spaces per dwelling unit must be provided that are covered or located within a garage. The required spaces for each unit must be located on the lot that the unit is on. A minimum 0.25 unreserved guest parking space per unit must be provided on site.~~

~~g. Alley Access.~~

(1) ~~Within infill development district: alley access allowed.~~

(2) ~~Within the applicable area that is not located within the infill development district: No alley access allowed if adjacent to single-family or historic preservation zoning district unless approved as part of the use permit hearing and all necessary technical appeals have been approved.~~

~~h. Maximum 40-inch fence height allowed in the required building setback along perimeter rights-of-way.~~

~~i. Signage subject to the regulations of Section 705, Table D-1, Single-Family Residential.~~

~~9. Offsite manufactured home developments.~~

~~A. Offsite manufactured home development is allowed R-2, R-3, R-3A, R-4, R-5, R-4A, C-1, C-2, and C-3 zoning districts subject to a use permit and the conditions outlined below:~~

~~(1) Placement for each offsite manufactured home shall be provided as follows:~~

~~(a) There shall be a minimum of twenty feet between offsite manufactured homes and ten feet between awnings and canopies. All annexes or structural additions shall be considered part of the offsite manufactured home.~~

~~(b) There shall be at least forty feet between offsite manufactured homes on opposite sides of a private accessway.~~

- (c) ~~No offsite manufactured home, annex or structural addition shall be closer than eight feet to any private accessway or private drive.~~
- (2) ~~Each offsite manufactured home space shall have private outdoor living space of at least 150 square feet. The dimension of this space shall be at least fifteen feet in width.~~
- (3) ~~For each occupied offsite manufactured home space, there shall be an enclosed storage locker for yard tools and other bulky items convenient to the space with a storage capacity of at least one hundred fifty cubic feet.~~
- (4) ~~All areas not covered by structures or paved surfaces shall be landscaped and maintained in accordance with the site plans required under Section 507.~~
- (5) ~~Screening the perimeter of an offsite manufactured home development by a wall or other approved material may be required.~~
- (6) ~~There shall be a network of pedestrian walks connecting offsite manufactured home spaces with each other and with development facilities.~~
- (7) ~~If storage yards are provided, there shall be a screened storage yard or yards for boats, recreational vehicles, etc. Such storage yards shall have a minimum of sixty square feet of storage space for each offsite manufactured home space in the development and shall be located so as to not detract from surrounding properties. All boats and recreational vehicles shall be parked in the storage yard.~~
- (8) ~~Each offsite manufactured home shall a): be affixed permanently to the ground or b): have "skirting" around its perimeter to screen its wheels and undercarriage.~~
- (9) ~~All utilities and the wires of any central television or radio antenna system shall be underground.~~
- (10) ~~Not more than fifteen percent of the spaces in any one offsite manufactured home development shall be developed or used for recreational vehicles.~~

- (11) ~~Development of offsite manufactured home communities shall be under the Planned Residential Development option of the underlying zoning district.~~
- (12) ~~Private drives may be used for access to each offsite manufactured homes only when there is no subdivision of the mobile home development into individual lots.~~
- (13) ~~There shall be a minimum of five percent of the total area of the offsite manufactured home development dedicated or reserved as usable common "open space" land. Common "open space" lands shall be clearly designated on the plan as to the character of use and development but shall not include:~~
 - (a) ~~Areas reserved for the exclusive use or benefit of an individual tenant or owner; nor~~
 - (b) ~~Dedicated streets, alleys, and other public rights-of-way; nor~~
 - (c) ~~Vehicular drives, parking, loading, and storage areas; nor~~
 - (d) ~~Required setback areas at exterior boundaries of the site; nor~~
 - (e) ~~Golf courses.~~

~~Adequate guarantees must be provided to ensure permanent retention of "open space" land area resulting from the application of these regulations, either by private reservation for the use of the residents within the development or by dedication to the public, or a combination thereof.~~

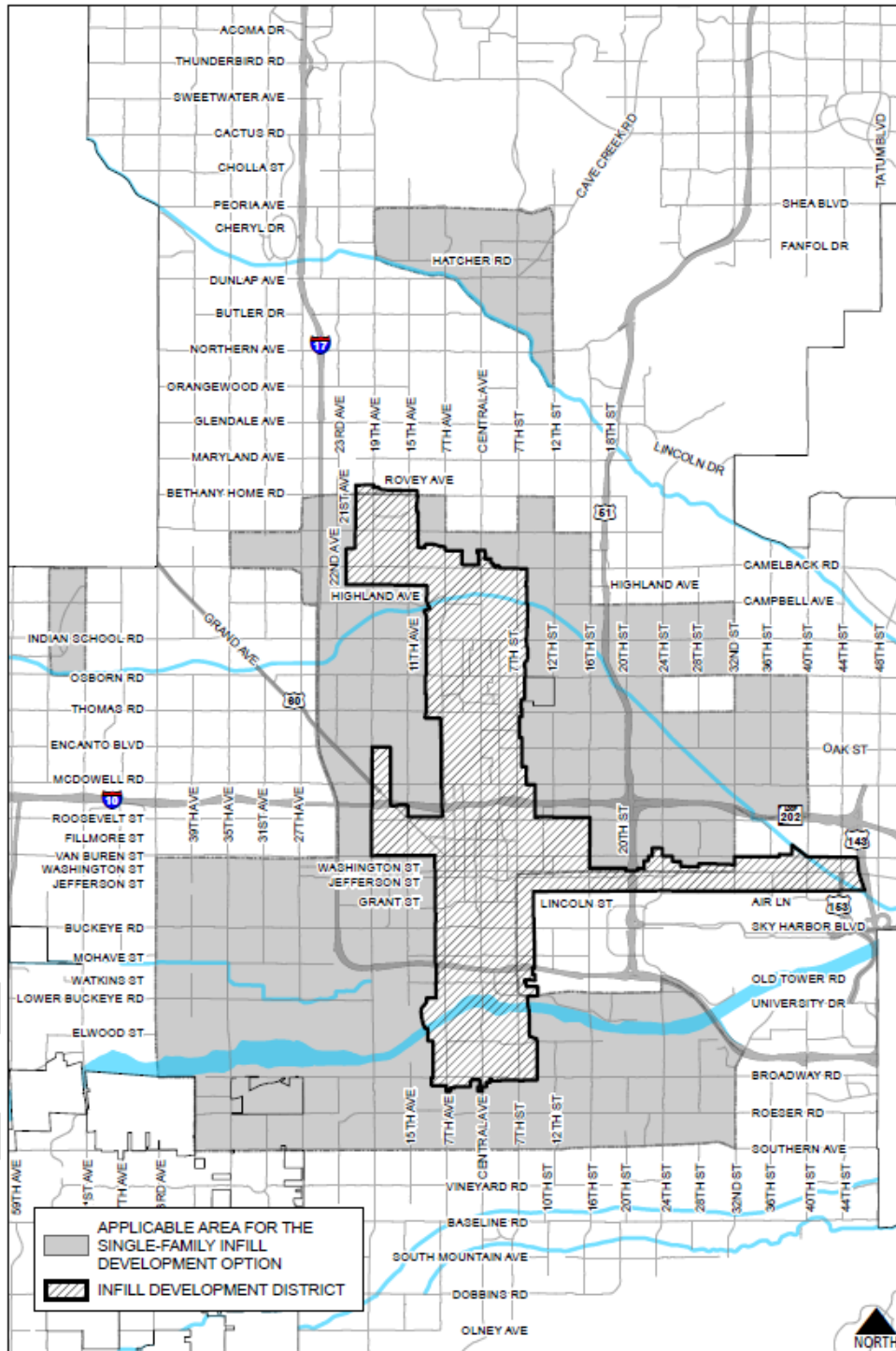
F. SPECIAL REGULATIONS

1. NO STRUCTURE MAY BE BUILT ON A LOT WHICH DOES NOT FRONT ON A STREET WHICH IS IN ACCORDANCE WITH THE ADOPTED STREET CLASSIFICATION MAP UNLESS EXEMPTED BY THIS SECTION.

2. IN ANY DISTRICT WHERE A HALF STREET NOT LESS THAN ONE-HALF OF THAT WIDTH PRESCRIBED FOR THAT STREET BY THE STREET CLASSIFICATION MAP, AND AMENDMENTS THERETO, HAS BEEN DEDICATED, ANY LOTS FACING OR SIDING ON SUCH HALF STREET FROM WHICH SIDE THE REQUIRED WIDTH OF DEDICATION HAS BEEN MADE SHALL BE DEEMED TO HAVE FRONTAGE ON A STREET.
3. NO PERMIT SHALL BE ISSUED FOR BUILDINGS ON A LOT FRONTING ON A HALF STREET OF LESS THAN THAT PRESCRIBED BY THE STREET CLASSIFICATION MAP FOR AN ARTERIAL OR COLLECTOR STREET OR 25 FEET FOR ALL OTHER STREETS EXCEPT FOR SINGLE-FAMILY ATTACHED DEVELOPMENT INDIVIDUAL DWELLING UNITS.
 - a. FOR DEVELOPMENT UTILIZING AN AVERAGE LOT OR PRD DEVELOPMENT OPTION OR FOR DEVELOPMENT BUILT UNDER A PLANNED AREA DEVELOPMENT DISTRICT, A MINIMUM OF 16.58-FOOT HALF-STREET RIGHT-OF-WAY MAY BE PROVIDED WHEN ALL OF THE FOLLOWING CONDITIONS ARE MET:
 - (1) THE STREET IS NOT DESIGNATED AS A COLLECTOR OR ARTERIAL STREET.
 - (2) THERE ARE NO RESTRICTIONS TO PUBLIC ACCESS TO THE STREET.
 - (3) PAVEMENT WIDTH SHALL BE 33.16 FEET FROM BACK OF CURB TO BACK OF CURB.
 - (4) PAVEMENT THICKNESS AND DESIGN SHALL BE IN ACCORDANCE WITH MARICOPA ASSOCIATION OF GOVERNMENTS' STANDARDS.
 - (5) ALL TERMINATIONS SHALL CONTAIN A 40-FOOT-RADIUS RIGHT-OF-WAY.
 - (6) THE STREET HAS BEEN CONSTRUCTED PRIOR TO MARCH 19, 1986.
4. THERE SHALL BE NO OUTDOOR STORAGE OF PERSONAL PROPERTY VISIBLE BEYOND THE BOUNDARIES OF THE PROPERTY WITHIN ANY FRONT OR SIDE YARD.

5. NO ACCESSORY USE SHALL INCLUDE OUTDOOR DISPLAY OR STORAGE OF ANY OF THE FOLLOWING LISTED ITEMS WHEN SUCH ITEMS ARE VISIBLE OR EMIT ODOR, DUST, GAS, NOISE, VIBRATION, SMOKE, HEAT OR GLARE BEYOND ANY BOUNDARY OF THE LOT ON WHICH SUCH ITEMS ARE DISPLAYED OR STORED:
- a. ANY BUILDING OR LANDSCAPING MATERIALS.
 - b. ANY MACHINERY, PARTS, SCRAP, OR APPLIANCES.
 - c. VEHICLES WHICH ARE UNLICENSED, INOPERABLE, OR REGISTERED TO OR OWNED BY PERSONS NOT RESIDING ON OR THE GUEST OF PERSONS RESIDING ON THE PREMISES.
 - d. ANY OTHER CHATTEL USED FOR OR INTENDED FOR A COMMERCIAL PURPOSE OR ULTIMATE USE ON OTHER THAN THE SUBJECT PREMISES.
6. **SINGLE-FAMILY INFILL (SFI).** SINGLE-FAMILY INFILL DEVELOPMENT REGULATIONS MAY BE APPLIED IN ZONING DISTRICTS WHERE THE SFI DEVELOPMENT OPTION IS OFFERED, BUT ONLY WHEN THE DEVELOPMENT FALLS WITHIN THE INFILL DEVELOPMENT DISTRICT IDENTIFIED IN THE GENERAL PLAN, OR WITH USE PERMIT APPROVAL WITHIN THE FOLLOWING AREAS LOCATED OUTSIDE OF THE INFILL DEVELOPMENT DISTRICT:

MAP 608.F.6. SINGLE-FAMILY INFILL DEVELOPMENT AREAS



- a. THE SFI DEVELOPMENT OPTION DOES NOT ELIMINATE ANY REDEVELOPMENT AREA, SPECIAL PLANNING DISTRICT OR OVERLAYS. WHERE CONFLICTS OCCUR BETWEEN THE REQUIREMENTS OF THE SFI DEVELOPMENT OPTION AND REDEVELOPMENT AREAS, OVERLAY ZONING DISTRICTS, SPECIAL PLANNING DISTRICTS, AND SPECIFIC PLANS, THE REQUIREMENTS OF THE OVERLAY ZONING DISTRICTS, SPECIAL PLANNING DISTRICTS, REDEVELOPMENT AREAS OR SPECIFIC PLANS SHALL APPLY.
- b. HISTORIC PRESERVATION DESIGNATED PROPERTIES OR PROPERTIES IN HISTORIC PRESERVATION DISTRICTS CANNOT USE THE SFI DEVELOPMENT OPTION.
- c. DWELLING UNITS. THE SFI DEVELOPMENT OPTION IS INTENDED PRIMARILY FOR SINGLE-FAMILY ATTACHED DWELLING UNITS; HOWEVER, UP TO 20% OF THE UNITS IN A DEVELOPMENT MAY BE SINGLE-FAMILY DETACHED DWELLING UNITS TO ALLOW FOR VARIETY AND EFFICIENCY OF DESIGN.
- (1) ANY PROVIDED DETACHED DWELLING UNITS SHALL COMPLY WITH THE SAME DEVELOPMENT REGULATIONS APPLICABLE TO THAT SFI DEVELOPMENT.
- d. DESIGN REQUIREMENTS.
- (1) INDIVIDUAL UNITS FRONTING ON STREET RIGHTS-OF-WAY SHALL PROVIDE AN ENTRYWAY THAT IS EITHER ELEVATED, DEPRESSED OR INCLUDES A FEATURE SUCH AS A LOW WALL TO ACCENTUATE THE PRIMARY ENTRANCE.
- (2) REQUIRED COVERED PARKING SPACES SHALL NOT FRONT ON PERIMETER STREET RIGHTS-OF-WAY.
- (3) INDIVIDUAL UNIT REAR YARDS SHALL NOT ABUT PERIMETER STREET ROW OR AN ADJACENT PERIMETER STREET LANDSCAPE AREA.
- (4) ATTACHED DWELLING UNITS CONSTRUCTED IN A ROW SHALL NOT EXCEED A TOTAL LENGTH OF 200 FEET WITHOUT HAVING A MINIMUM 20-FOOT-WIDE OPEN AREA
- e. PERIMETER LANDSCAPE SETBACKS AND REQUIREMENTS.

- (1) RESIDENCES THAT FRONT ON ARTERIAL, COLLECTOR, OR LOCAL STREET RIGHTS-OF-WAY SHALL PROVIDE A MINIMUM TEN-FOOT-WIDE LANDSCAPE TRACT OR COMMUNITY MAINTAINED LANDSCAPING ABUTTING THE STREET, EXCEPT WHEN WITHIN 2,000 FEET OF A LIGHT RAIL STATION.
- (2) RESIDENCES THAT SIDE ON ARTERIAL, COLLECTOR, OR LOCAL STREET RIGHTS-OF-WAY SHALL PROVIDE A MINIMUM 15-FOOT-WIDE LANDSCAPE TRACT OR COMMUNITY MAINTAINED LANDSCAPING ABUTTING THE STREET.
- (3) PERIMETER OF THE DEVELOPMENT NOT ABUTTING RIGHTS-OF-WAY AND ADJACENT TO A SINGLE-FAMILY RESIDENTIAL DISTRICT OR HISTORIC PRESERVATION DESIGNATED PROPERTY MUST PROVIDE A MINIMUM TEN-FOOT LANDSCAPE SETBACK. WALLS/FENCES UP TO 6 FEET HIGH WITHIN PRIVATE REAR YARDS MAY BE PROVIDED WITHIN THE PERIMETER SETBACK SO LONG AS THE REQUIRED LANDSCAPE IS STILL PROVIDED.
- (4) TREES SHALL BE PROVIDED IN REQUIRED LANDSCAPE SETBACKS AT A MINIMUM RATE OF 20 FEET ON CENTER OR EQUIVALENT GROUPINGS, AS APPROVED BY THE PDD LANDSCAPE ARCHITECT, SUBJECT TO THE FOLLOWING:
 - (a) 50% OF THE REQUIRED TREES SHALL BE MINIMUM ONE-AND-ONE-HALF-INCH CALIPER AT THE TIME OF INSTALLATION.
 - (b) 25% OF THE REQUIRED TREES SHALL BE MINIMUM TWO-INCH CALIPER OR MULTI-TRUNKED TREES AT THE TIME OF INSTALLATION.
 - (c) 25% OF THE REQUIRED TREES SHALL BE MINIMUM THREE-INCH CALIPER OR MULTI-TRUNKED TREES AT THE TIME OF INSTALLATION.
- (5) A MINIMUM OF FIVE FIVE-GALLON SHRUBS PER TREE SHALL BE PROVIDED.

f. OPEN SPACE REGULATIONS. THE ONLY WALLS/FENCES ALLOWED WITHIN REQUIRED COMMON AREA OPEN SPACE ARE REQUIRED POOL SECURITY FENCES AND OTHER NECESSARY SECURITY FENCES, AS APPROVED BY PDD.

g. PARKING REQUIREMENTS. SECTION 702 APPLIES TO SFI DEVELOPMENT, EXCEPT WHERE SPECIFICALLY MODIFIED BY THIS SECTION.

- (1) WITHIN THE INFILL DEVELOPMENT DISTRICT: ONE (1) PARKING SPACE PER DWELLING UNIT MUST BE PROVIDED THAT IS COVERED OR LOCATED WITHIN A GARAGE.
- (2) WITHIN THE APPLICABLE SFI AREA THAT IS NOT LOCATED WITHIN THE INFILL DEVELOPMENT DISTRICT: TWO (2) PARKING SPACES PER DWELLING UNIT MUST BE PROVIDED THAT ARE COVERED OR LOCATED WITHIN A GARAGE.
- (3) THE REQUIRED SPACES FOR EACH DWELLING UNIT MUST BE LOCATED ON THE SAME LOT AS THE UNIT FOR WHICH THEY ARE PROVIDED.
- (4) A MINIMUM 0.25 ADDITIONAL UNRESERVED GUEST PARKING SPACE PER DWELLING UNIT MUST BE PROVIDED WITHIN ANY SFI DEVELOPMENT.

h. ALLEY ACCESS AND MANEUVERING.

- (1) ALL MANEUVERING FOR ON-SITE PARKING MUST BE LOCATED ON PRIVATE PROPERTY AND NOT IN PUBLIC ROW.
- (2) ACCESS TO THE SITE FROM A FULLY DEDICATED AND PAVED ALLEY IS PERMITTED WITHIN THE INFILL DEVELOPMENT DISTRICT.
- (3) ACCESS TO THE SITE FROM A FULLY DEDICATED AND PAVED ALLEY IS PERMITTED WITHIN THE SFI APPLICABLE AREA OUTSIDE OF THE INFILL DEVELOPMENT DISTRICT IF ALL THREE CONDITIONS ARE MET, AS FOLLOWS:
 - (a) THE SITE IS NOT ACROSS THE ALLEY FROM EITHER A SINGLE-FAMILY OR HISTORIC PRESERVATION ZONING DISTRICT;
 - (b) ALLEY ACCESS IS SPECIFICALLY APPROVED AS PART OF THE USE PERMIT HEARING; AND

(c) ALL NECESSARY TECHNICAL APPEALS HAVE BEEN APPROVED.

h. MAXIMUM 40-INCH FENCE HEIGHT ALLOWED IN THE REQUIRED SETBACKS ALONG PERIMETER STREET RIGHTS-OF-WAY.

i. SIGNAGE IS SUBJECT TO THE REGULATIONS OF SECTION 705, TABLE D-1, SINGLE-FAMILY RESIDENTIAL.

7. **OFFSITE MANUFACTURED HOME DEVELOPMENTS.** OFFSITE MANUFACTURED HOME DEVELOPMENT IS SUBJECT TO USE PERMIT APPROVAL IN THE C-1, C-2, AND C-3 DISTRICTS, IN ADDITION TO ZONING DISTRICTS INDICATED IN SECTION 608.D; AND SUBJECT TO THE FOLLOWING ADDITIONAL DEVELOPMENT REGULATIONS:

a. THE PROVISIONS OF SECTION 703.B DO NOT APPLY TO OFFSITE MANUFACTURED HOME DEVELOPMENTS.

a.b. THESE REGULATIONS APPLY TO DEVELOPMENT OF A SINGLE LOT OR PARCEL, NOT TO BE FURTHER SUBDIVIDED.

b.c. PLACEMENT FOR EACH OFFSITE MANUFACTURED HOME SHALL BE PROVIDED AS FOLLOWS:

(1) THERE SHALL BE A MINIMUM OF TWENTY FEET BETWEEN OFFSITE MANUFACTURED HOMES AND TEN FEET BETWEEN AWNINGS AND CANOPIES. ALL ANNEXES OR STRUCTURAL ADDITIONS SHALL BE CONSIDERED PART OF THE OFFSITE MANUFACTURED HOME.

(2) THERE SHALL BE AT LEAST FORTY FEET BETWEEN OFFSITE MANUFACTURED HOMES ON OPPOSITE SIDES OF A PRIVATE ACCESSWAY.

(3) NO OFFSITE MANUFACTURED HOME, ANNEX OR STRUCTURAL ADDITION SHALL BE CLOSER THAN EIGHT FEET TO ANY PRIVATE ACCESSWAY OR PRIVATE DRIVE.

e.d. EACH OFFSITE MANUFACTURED HOME SPACE SHALL HAVE PRIVATE OUTDOOR LIVING SPACE OF AT LEAST 150 SQUARE FEET. THE DIMENSION OF THIS SPACE SHALL BE AT LEAST FIFTEEN FEET IN WIDTH.

- d.e. AT EACH OCCUPIED OFFSITE MANUFACTURED HOME SPACE, THERE SHALL BE AN ENCLOSED STORAGE LOCKER FOR YARD TOOLS AND OTHER BULKY ITEMS CONVENIENT TO THE SPACE WITH A STORAGE CAPACITY OF AT LEAST ONE HUNDRED FIFTY CUBIC FEET.
- e.f. ALL AREAS NOT COVERED BY STRUCTURES OR PAVED SURFACES SHALL BE LANDSCAPED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED DEVELOPMENT REVIEW DOCUMENTS REQUIRED UNDER SECTION 507.
- f.g. SCREENING THE PERIMETER OF AN OFFSITE MANUFACTURED HOME DEVELOPMENT BY A WALL OR OTHER APPROVED MATERIAL MAY BE REQUIRED AS A CONDITION OF USE PERMIT APPROVAL.
- g.h. THERE SHALL BE A NETWORK OF PEDESTRIAN WALKWAYS CONNECTING OFFSITE MANUFACTURED HOME SPACES WITH EACH OTHER AND WITH DEVELOPMENT FACILITIES AND AMENITIES.
- h.i. IF STORAGE YARDS ARE PROVIDED, THERE SHALL BE A SCREENED STORAGE YARD OR YARDS FOR BOATS, RECREATIONAL VEHICLES, ETC. SUCH STORAGE YARDS SHALL HAVE A MINIMUM OF SIXTY SQUARE FEET OF STORAGE SPACE FOR EACH OFFSITE MANUFACTURED HOME SPACE IN THE DEVELOPMENT AND SHALL BE LOCATED SO AS TO NOT DETRACT FROM SURROUNDING PROPERTIES. ALL BOATS AND RECREATIONAL VEHICLES SHALL BE PARKED IN THE STORAGE YARD.
- i.j. EACH OFFSITE MANUFACTURED HOME SHALL A): BE AFFIXED PERMANENTLY TO THE GROUND OR B): HAVE "SKIRTING" AROUND ITS PERIMETER TO SCREEN ITS WHEELS AND UNDERCARRIAGE.
- j.k. ALL UTILITIES AND THE WIRES OF ANY CENTRAL TELEVISION OR RADIO ANTENNA SYSTEM SHALL BE UNDERGROUND.
- k.l. NOT MORE THAN FIFTEEN PERCENT OF THE SPACES IN ANY ONE OFFSITE MANUFACTURED HOME DEVELOPMENT SHALL BE DEVELOPED OR USED FOR RECREATIONAL VEHICLES.
- l.m. DEVELOPMENT OF OFFSITE MANUFACTURED HOME COMMUNITIES SHALL BE UNDER THE PLANNED RESIDENTIAL DEVELOPMENT OPTION APPLICABLE IN THE UNDERLYING ZONING DISTRICT.

~~m. n.~~ PRIVATE DRIVES MAY BE USED FOR ACCESS TO EACH OFFSITE MANUFACTURED HOMES.

~~n. o.~~ THERE SHALL BE A MINIMUM OF FIVE PERCENT OF THE TOTAL AREA OF THE OFFSITE MANUFACTURED HOME DEVELOPMENT DEDICATED OR RESERVED AS USABLE COMMON "OPEN SPACE" LAND. COMMON "OPEN SPACE" LANDS SHALL BE CLEARLY DESIGNATED ON THE PLAN AS TO THE CHARACTER OF USE AND DEVELOPMENT BUT SHALL NOT INCLUDE:

(1) AREAS RESERVED FOR THE EXCLUSIVE USE OR BENEFIT OF AN INDIVIDUAL TENANT OR OWNER; NOR

(2) DEDICATED STREETS, ALLEYS, AND OTHER PUBLIC RIGHTS-OF-WAY; NOR

VEHICULAR DRIVES, PARKING, LOADING, AND STORAGE AREAS; NOR

(3) REQUIRED SETBACK AREAS AT EXTERIOR BOUNDARIES OF THE SITE; NOR

(4) GOLF COURSES.

ADEQUATE GUARANTEES MUST BE PROVIDED TO ENSURE PERMANENT RETENTION OF "OPEN SPACE" LAND AREA RESULTING FROM THE APPLICATION OF THESE REGULATIONS, EITHER BY PRIVATE RESERVATION FOR THE USE OF THE RESIDENTS WITHIN THE DEVELOPMENT OR BY DEDICATION TO THE PUBLIC, OR A COMBINATION THEREOF.

G. ~~Accessory Uses.~~ **RESERVED.**

1. ~~Facilities for household pets, the maintenance of which is not otherwise prohibited by statute, regulations, or the City Code of the City of Phoenix and which facilities are in compliance with all applicable ordinances of the City of Phoenix.~~
2. ~~Garage or yard sales may be conducted twice every 12 months on any residentially zoned property occupied by a dwelling unit. Any sale shall not exceed the time period of three consecutive days.~~
3. ~~Materials used in conjunction with a hobby, avocation, or pastime, the use of which does not otherwise conflict with the provisions of this ordinance.~~

4. ~~Parking of vehicles in facilities and locations on the property not otherwise in conflict with the provisions of this ordinance.~~
5. ~~Private tennis or outdoor game courts as an accessory use. Tennis or outdoor game court fences over six feet high in required rear yard or required side yard, subject to a use permit. Tennis or outdoor game court lights, subject to a use permit.~~
6. ~~No accessory use of land or structures shall be maintained except as hereinafter provided or except as may be permitted as a home occupation.~~
7. ~~No accessory use shall include outdoor display or storage of any of the following listed items when such items are visible or emit odor, dust, gas, noise, vibration, smoke, heat or glare beyond any boundary of the lot on which such items are displayed or stored:~~
 - a. ~~Any building or landscaping materials.~~
 - b. ~~Any machinery, parts, scrap, or appliances.~~
 - c. ~~Vehicles which are unlicensed, inoperable, or registered to or owned by persons not residing on or the guest of persons residing on the premises.~~
 - d. ~~Any other chattel used for or intended for a commercial purpose or ultimate use on other than the subject premises.~~

H. ~~General Provisions. RESERVED.~~

1. ~~No structure may be built on a lot which does not front on a street which is in accordance with the adopted street classification map unless exempted by this section.~~

~~In any district where a half street not less than one-half of that width prescribed for that street by the street classification map, and amendments thereto, has been dedicated, any lots facing or siding on such half street from which side the required width of dedication has been made shall be deemed to have frontage on a street.~~

~~No permit shall be issued for buildings on a lot fronting on a half street of less than that prescribed by the street classification map for an arterial or collector street or 25 feet for all other streets except for single-family attached development individual dwelling units.~~

- a. ~~For development utilizing an average lot or PRD development option or for development built under a planned area development district, a minimum of 16.58-foot half-street right-of-way may be provided when all of the following conditions are met:~~
- ~~(1) The street is not designated as a collector or arterial street.~~
 - ~~(2) There are no restrictions to public access to the street.~~
 - ~~(3) Pavement width shall be 33.16 feet from back of curb to back of curb.~~
 - ~~(4) Pavement thickness and design shall be in accordance with Maricopa Association of Governments' standards.~~
 - ~~(5) All terminations shall contain a 40-foot-radius right-of-way.~~
 - ~~(6) The street has been constructed prior to March 19, 1986.~~
2. ~~There shall be no outdoor storage of personal property visible beyond the boundaries of the property within any front or side yard.~~

- I. **Development Regulations.** Following are definitions of terms used in the development standards tables for each district:

2. **Dwelling unit density:** The total number of dwelling units on a site divided by the gross area of the site.
- a. ~~Under the planned residential development, additional density may be granted in the R1-10 through R-4A districts (Sections 611 through 619) for detached single-family development by providing site enhancements from the following list. In R1-10 through R1-6, an increase of 0.1 du/ac may be achieved for each ten bonus points earned up to the maximum listed in Table A. In R-2 through R-4A, an increase of 0.275 du/ac may be achieved for each five bonus points earned up to a maximum of 12 du/ac. However, at least half of the bonus points used to achieve densities in excess of seven and one-half du/ac must be from the architectural design category.~~
- DENSITY BONUS POINTS.** ADDITIONAL DENSITY MAY BE GRANTED BY EARNING DENSITY BONUS POINTS BY PROVIDING SITE ENHANCEMENTS FROM THE TABLE BELOW, AS FOLLOWS:

- (1) SINGLE-FAMILY DETACHED DEVELOPMENT IN THE R1-10 THROUGH R1-6 DISTRICTS (SECTIONS 611 THROUGH 613) MAY EARN INCREASED DENSITY OF 0.1 DU/AC FOR EACH TEN (10) DENSITY BONUS POINTS EARNED WHEN ALSO USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION, UP TO THE MAXIMUM DENSITY ALLOWED BY THE DISTRICT.
- (2) SINGLE-FAMILY DETACHED DEVELOPMENT IN THE R-2 THROUGH R-4A DISTRICTS (SECTIONS 614 THROUGH 619) MAY EARN INCREASED DENSITY OF 0.275 DU/AC FOR EACH FIVE (5) DENSITY BONUS POINTS EARNED WHEN ALSO USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION, UP TO THE MAXIMUM DENSITY ALLOWED BY THE DISTRICT. HOWEVER, AT LEAST HALF OF THE BONUS POINTS USED TO ACHIEVE DENSITIES IN EXCESS OF SEVEN AND ONE-HALF (7.5) DU/AC MUST BE FROM THE ARCHITECTURAL DESIGN BONUS POINT CATEGORY.

- b. ~~Under the planned residential development option, additional density may be granted in the R1-10 through R-4A districts (Sections 611 through 619) for attached single-family and multifamily development, and under the single-family attached development additional density may be granted in the R-2 through R-4A districts (Sections 614 through 619) up to the maximum shown in Table B by providing open space areas beyond the minimum required in each district in accordance with the following:~~

ADDITIONAL COMMON AREA/OPEN SPACE. ADDITIONAL DENSITY MAY BE GRANTED BY PROVIDING ADDITIONAL COMMON AREA, ABOVE ANY MINIMUM REQUIREMENTS, AS FOLLOWS:

- (1) QUALIFYING DEVELOPMENTS (LISTED BELOW) MAY EARN: ~~A one percent density bonus for each four percent of basic common area; or~~
 - (a) A ONE PERCENT DENSITY BONUS FOR EACH FOUR PERCENT OF BASIC COMMON AREA; OR
 - (b) A ONE PERCENT DENSITY BONUS FOR EACH TWO PERCENT OF IMPROVED COMMON AREA.

(c) THE PLANNING AND DEVELOPMENT DEPARTMENT SHALL DETERMINE THE ADEQUACY OF BOTH BASIC AND IMPROVED COMMON AREAS AS PART OF THE DEVELOPMENT REVIEW PROCESS. OPEN SPACE SHALL NOT INCLUDE:

- i. PUBLIC RIGHT-OF-WAY.
- ii. VEHICULAR DRIVES OR PARKING AREAS.
- iii. PRIVATE PATIO AREAS, NARROW STRIPS BETWEEN OR IN FRONT OF UNITS; OR, IN GENERAL, AREAS RESERVED FOR THE EXCLUSIVE USE OF INDIVIDUAL TENANTS.
- iv. REQUIRED SETBACK AREAS AT THE EXTERIOR BOUNDARIES OF THE SITE.
- v. GOLF COURSES.

(d) IN NO CASE SHALL THE DENSITY OF THE DEVELOPMENT EXCEED THE MAXIMUM DENSITY ALLOWED BY THE DISTRICT.

(2) ~~A one percent density bonus for each two percent of improved common area.~~
DEVELOPMENTS QUALIFYING FOR THE ADDITIONAL COMMON AREA/OPEN SPACE DENSITY BONUS ARE AS FOLLOWS:

- (a) SINGLE-FAMILY DEVELOPMENT IN THE RE-35 AND R1-18 ZONING DISTRICTS (SECTIONS 609 AND 610), WHEN ALSO USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION.
- (b) SINGLE-FAMILY ATTACHED DEVELOPMENT IN THE R1-10 THROUGH R-4A ZONING DISTRICTS (SECTIONS 611 THROUGH 619), WHEN USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION.
- (c) SINGLE-FAMILY DEVELOPMENT IN THE R-2 THROUGH R-4A ZONING DISTRICTS (SECTIONS 614 THROUGH 619), WHEN USING THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION.

(d) MULTIFAMILY DEVELOPMENT IN THE R1-10 THROUGH R-4A ZONING DISTRICTS (SECTIONS 611 THROUGH 619), WHEN USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION.

(3) ~~Review and determination of the adequacy of common areas, basic and improved, will be part of development review by the Site Planning Division of the Planning and Development Department. Open space shall not include:~~

(a) ~~Public right-of-way.~~

(b) ~~Vehicular drives or parking areas.~~

(c) ~~Private patio areas, narrow strips between or in front of units; or, in general, areas reserved for the exclusive use of individual tenants.~~

(d) ~~Required setback areas at the exterior boundaries of the site.~~

(e) ~~Golf courses.~~

8. **Allowed uses-DEVELOPMENT:** ~~Refer to the following tables for uses allowed in each district and to chapter 2 for definitions of permitted uses. THE DEVELOPMENT OPTIONS TABLES PROVIDED IN SECTIONS 609 THROUGH 619 INDICATE THE ONLY TYPES OF RESIDENTIAL DEVELOPMENT PERMITTED UNDER EACH DEVELOPMENT OPTION AND ASSOCIATED DEVELOPMENT REGULATIONS. THE COMPLETE LIST OF ALL PERMITTED USES, INCLUDING ACCESSORY AND TEMPORARY USES, IS PROVIDED IN SECTION 608.C.~~

SECTION 9: That Chapter 6, Section 609 (RE-35 Single-Family Residence District), is amended to read as follows:

Section 609. RE-35 Single-Family Residence District

A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

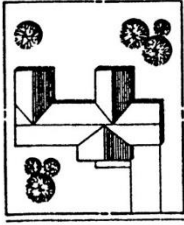
These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

- B. **District Regulations.** The following tables establishes standards to be used for ~~each district in the RE-35 district. Following are definitions of terms used in these standards:~~ THE DEFINITIONS OF TERMS USED IN THESE STANDARDS ARE FOUND IN SECTION 608.I.

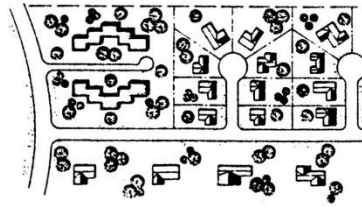
1. **Minimum Lot Dimension:** ~~The minimum width and depth of lot lines and where specified, the minimum area of each lot.~~
2. **Dwelling Unit Density:** ~~The total number of dwelling units on a site divided by the gross area of the site. Under the planned residential development option, additional density may be granted for areas beyond minimum required in each district in accordance with the following:~~
 - a. ~~A one percent density bonus for each four percent of basic common area; or~~
 - b. ~~A one percent density bonus for each two percent of improved common area.~~
 - c. ~~Review and determination of the adequacy of common areas, basic and improved, will be part of the development review by the Site Planning Division of the Planning and Development Department. Open space shall not include:~~
 - (1) ~~Public right-of-way.~~
 - (2) ~~Vehicular drives or parking areas.~~
 - (3) ~~Private patio areas, narrow strips between or in front of units; or, in general, areas reserved for the exclusive use of individual tenants.~~
 - (4) ~~Required setback areas at the exterior boundaries of the site.~~
 - (5) ~~Golf courses.~~

3. **Perimeter standards:** ~~Setbacks for structures which are required at the perimeter of a development. These standards shall apply only to lots which are created by a subdivision or a project approved under the provisions of Section 507. These standards shall not apply in the following circumstances: when contiguous developments are to be developed using the same development option with the same perimeter standards and are on the same preliminary plat or are platted concurrently; when the perimeter of a development is contiguous to a permanent open space, such as a natural wash, hillside preserve, or existing golf course, the depth of which is at least forty feet; or when the development was properly platted prior to September 13, 1981.~~
4. **Building setback:** ~~The required separation of buildings from lot lines.~~
5. **Maximum height:** ~~The maximum allowed height as measured from natural grade which measurement shall be as in chapter 2~~
6. **Lot coverage:** ~~The maximum area of a lot occupied by structures and open projections as defined in chapter 2~~
7. **Common areas:** ~~Required areas in a planned residential development to be used and enjoyed by residents of a development and either improved in accordance with the standards in chapter 2 or maintained in a natural state as approved by the Planning and Development Department.~~
8. **Allowed uses:** ~~Refer to the following tables for uses allowed in each district and to chapter 2 for definitions of permitted uses.~~
9. **Required review:** ~~Where a site plan is required, development shall be according to Section 507 of this ordinance. Development on land for which neither a subdivision nor a site plan has been approved shall be according to standards in option (a), subdivision.~~
10. **Required parking:** ~~The minimum number of off-street parking spaces to be provided and which shall be according to Section 702.A.~~
11. **Street standards:** ~~The class of street required to provide access to any parcel or subdivided lot within a development.~~

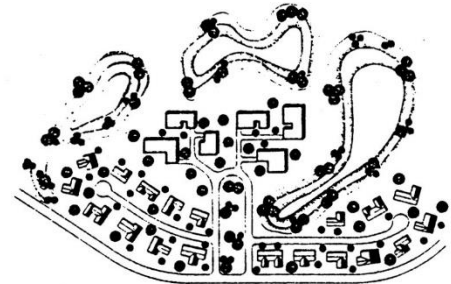
ILLUSTRATIONS OF DEVELOPMENT OPTIONS



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 609.A
RE-35 Development Option OPTIONS

Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Minimum lot dimensions (width and depth)	150' width, 175' depth (Minimum area 35,000 sq. ft.)	100' width, 125' depth	None
Dwelling unit density (units/gross acre)	1.10	1.10	1.15; 1.32 with bonus
Perimeter standards	None	40' front or rear, 20' side	40' adjacent to a public street STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 20' adjacent to property line
Building setbacks	40' front, 40' rear, 20' side	25' front, 50' total front and rear	25' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30'

**TABLE 609.A
RE-35 Development Option OPTIONS**

Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Lot coverage	25%, except if all structures are less than 20' and 1 story in height then a maximum of 30% lot coverage is allowed.	Primary structure, not including attached shade structures: 25% Total: 30%	Primary structure, not including attached shade structures: 25% Total: 30%
Common areas	None	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached	Single-family attached; plus (a)	Single-family attached; plus (a)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Site plan per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾ (1)

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.

G. Special Regulations.

1. ~~Guesthouse, subject to the following conditions:~~
 - a. ~~The square footage of the guesthouse shall not exceed fifty percent of the gross floor area of the primary dwelling unit with a maximum of nine hundred square feet, except as set forth in subsection b, below. Any garage area attached to the guesthouse which is more than the area of a single-car garage shall be counted toward the allowable square footage of the guesthouse.~~

- b. ~~On lots with more than forty-three thousand five hundred sixty square feet in net area with a primary dwelling unit of at least three thousand six hundred square feet in gross floor area, the square footage of the guesthouse may be twenty-five percent of the gross floor area of the primary dwelling unit.~~
- c. ~~The floor area of the connecting structure shall be included in the floor area of the guesthouse.~~
- d. ~~Pergolas and other roofed structures without walls shall not be considered a connecting structure.~~
- e. ~~Vehicular access to the accessory dwelling unit must be provided from the same curb (driveway) as the primary dwelling unit, except that separate access may be permitted from a paved alley.~~
- f. ~~One parking space must be provided for the accessory dwelling unit in addition to the parking required for the primary dwelling unit.~~
- g. ~~Only one guesthouse is permitted on a single lot.~~
- h. ~~The guesthouse shall be constructed of similar building materials and in the same architectural style as that of the primary dwelling unit and shall not exceed the height in feet or number of stories of the primary dwelling unit.~~
- i. ~~A guesthouse shall not:~~
 - (1) ~~Provide more parking than the one required space;~~
 - (2) ~~Be advertised for occupancy through any print or electronic media or through placement of signs on the property;~~
 - (3) ~~Provide separate mail service or have a separate address from the primary dwelling unit; or~~
 - (4) ~~Be separately metered for utilities.~~
- (j) ~~Single-family use requirements shall apply to the guesthouse and the primary dwelling unit as a single unit.~~
- (k) ~~Any guesthouse existing as of (the effective date of this ordinance) may qualify as "connected to the primary dwelling unit" by being connected to the primary dwelling unit without meeting the minimum width requirements.~~

SECTION 10: That Chapter 6, Section 610 (R1-18 Single-Family Residence

District), is amended to read as follows:

Section 610. R1-18 Single-Family Residence District.

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

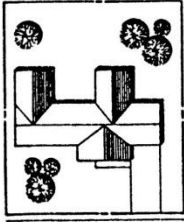
These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

- B. **District Regulations.** The following tables establishes standards to be used for each district in the R1-18 district. ~~Following are definitions of terms used in these standards:~~ THE DEFINITIONS OF TERMS USED IN THESE STANDARDS ARE FOUND IN SECTION 608.I.

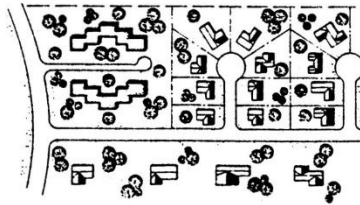
1. ~~**Minimum Lot Dimension:** The minimum width and depth of lot lines and where specified, the minimum area of each lot.~~
2. ~~**Dwelling Unit Density:** The total number of dwelling units on a site divided by the gross area of the site. Under the planned residential development option, additional density may be granted for areas beyond minimum required in each district in accordance with the following:~~
 - a. ~~A one percent density bonus for each four percent of basic common area; or~~
 - b. ~~A one percent density bonus for each two percent of improved common area.~~
 - c. ~~Review and determination of the adequacy of common areas, basic and improved, will be part of the development review by the Site Planning Division of the Planning and Development Department. Open space shall not include:~~
 - (1) ~~Public right-of-way.~~
 - (2) ~~Vehicular drives or parking areas.~~

- (3) ~~Private patio areas, narrow strips between or in front of units; or, in general, areas reserved for the exclusive use of individual tenants.~~
 - (4) ~~Required setback areas at the exterior boundaries of the site.~~
 - (5) ~~Golf courses.~~
- 3. **Perimeter standards:** ~~Setbacks for structures which are required at the perimeter of a development. These standards shall apply only to lots which are created by a subdivision or a project approved under the provisions of Section 507. These standards shall not apply in the following circumstances: when contiguous developments are to be developed using the same development option with the same perimeter standards and are on the same preliminary plat or are platted concurrently; when the perimeter of a development is contiguous to a permanent open space, such as a natural wash, hillside preserve, or existing golf course, the depth of which is at least forty feet; or when the development was properly platted prior to September 13, 1981.~~
- 4. **Building setback:** ~~The required separation of buildings from lot lines.~~
- 5. **Maximum height:** ~~The maximum allowed height as measured from natural grade which measurement shall be as in chapter 2~~
- 6. **Lot coverage:** ~~The maximum area of a lot occupied by structures and open projections as defined in chapter 2~~
- 7. **Common areas:** ~~Required areas in a planned residential development to be used and enjoyed by residents of a development and either improved in accordance with the standards in chapter 2 or maintained in a natural state as approved by the Planning and Development Department.~~
- 8. **Allowed uses:** ~~Refer to the following tables for uses allowed in each district and to chapter 2 for definitions of permitted uses.~~
- 9. **Required review:** ~~Where a site plan is required, development shall be according to Section 507 of this ordinance. Development on land for which neither a subdivision nor a site plan has been approved shall be according to standards in option (a), subdivision.~~
- 10. **Required parking:** ~~The minimum number of off-street parking spaces to be provided and which shall be according to Section 702.A.~~
- 11. **Street standards:** ~~The class of street required to provide access to any parcel or subdivided lot within a development.~~

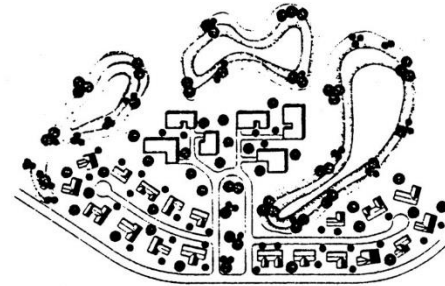
ILLUSTRATIONS OF DEVELOPMENT OPTIONS



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 610.A
R1-18 Development Option OPTIONS

Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Minimum lot dimensions (width and depth)	130' width, 120' depth (Minimum area 18,000 sq. ft.)	90' width, 80' depth	None
Dwelling unit density (units/gross acre)	1.95	1.95	2.05; 2.34 with bonus
Perimeter standards	None	30' front or rear, 10' side	20' adjacent to a public street-STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line
Building setbacks	25' front, 30' rear, 10' side	25' front, 50' total front plus rear	25' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30'

**TABLE 610.A
R1-18 Development Option OPTIONS**

Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Lot coverage	25%-30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%	Primary structure, not including attached shade structures: 25% Total: 30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%	Primary structure, not including attached shade structures: 25% Total: 30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%
Common areas	None	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached	Single-family attached; plus (a)	Single-family attached; plus (a)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Site plan per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾ (1)

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.

G. **Reserved.**

SECTION 11: That Chapter 6, Section 611 (R1-10 Single-Family Residence

District), is amended to read as follows:

Section 611. R1-10 Single-Family Residence District.

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

- B. **District Regulations.** The following tables establish standards to be used is-~~IN~~ the R1-10 district. The definitions of terms used in these standards are found in ~~Section 608.D~~ 608.I.

**Table A. Single-Family Detached Development
R1-10 Development Options**

TABLE 611.A R-10 R1-10 Development Option OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	75' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial

TABLE 611.A
R-10 R1-10 Development Option OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Dwelling unit density (units/gross acre)	3.0	3.5; 4.5 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum

TABLE 611.A
R-10 R1-10 Development Option OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

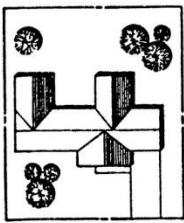
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements

TABLE 611.A
R-10 R1-10 Development Option OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

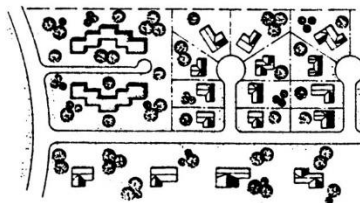
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single-family detached development built or subdivided under the subdivision option prior to June 2, 1999, refer to the subdivision option in table B. FOR~~ PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way. FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO JUNE 2, 1999, REFER TO THE~~ DEVELOPMENT STANDARDS OF TABLE 611.B.

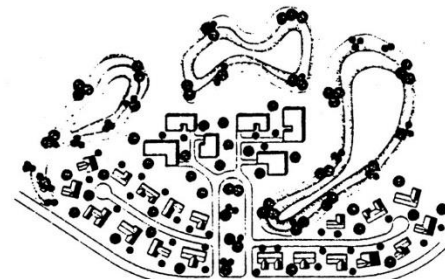
~~Table B. Single-Family Detached (Subdivided Prior to June 2, 1999), Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

**TABLE 611.B
R1-10 DEVELOPMENT OPTIONS
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2,
1999)**

Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Minimum lot dimensions (width and depth)	80' width, 94' depth (Minimum area 10,000 sq. ft.)	60' width, 65' depth	None
Dwelling unit density (units/gross acre)	3.50	3.50	3.68; 4.20 with bonus
Perimeter standards	None	30' front, 25' rear, 10' side	20' adjacent to a public street-STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line
Building setbacks	25' front, 25' rear, 10' and 3' side	10' front, 35' front plus rear	10' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30' for first 150'; 1' in 5' increase to 48' high and 4 stories
Lot coverage	40%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40%Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40%Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%

**TABLE 611.B
R1-10 DEVELOPMENT OPTIONS
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2,
1999)**

Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Common areas	None	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾ AND DUPLEX	Single-family attached; plus (a)	Multiple-family MULTIFAMILY plus (b)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Site plan per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾⁽¹⁾

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO JUNE 2, 1999.

G. Reserved.

SECTION 12: That Chapter 6, Section 612 (R1-8 Single-Family Residence District), is amended to read as follows:

Section 612. R1-8 Single-Family Residence District.

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

- B. **District Regulations.** The following tables establish standards to be used in the R1-8 district. The definitions of terms used in these standards are found in Section 608.D-608.I.

Table A. Single-Family Detached Development

TABLE 612.A R1-8 Development Option OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	65' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	4.0	4.5; 5.5 with bonus

TABLE 612.A
R1-8 Development Option OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35'; street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)

TABLE 612.A
R1-8 Development Option OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

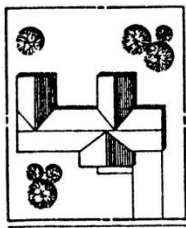
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses-DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements

TABLE 612.A
R1-8 Development Option OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

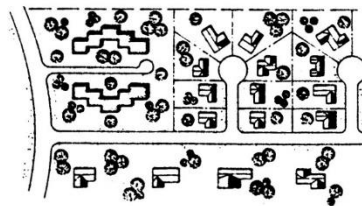
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Landscape standards		Perimeter common: trees spaced a maximum of 20' to 30' on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single-family detached development built or subdivided under the subdivision option prior to June 2, 1999, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO JUNE 2, 1999, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 612.B.

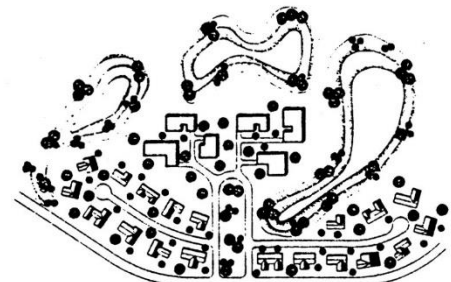
~~Table B. Single-Family Detached (Subdivided Prior to June 2, 1998), Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 612.B
R1-8 DEVELOPMENT OPTIONS
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2,
1999)

Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Minimum lot dimensions (width and depth)	70' width, 94' depth (Minimum area 8,000 sq. ft.)	50' width, 65' depth	None
Dwelling unit density (units/gross acre)	4.30	4.30	4.52; 5.16 with bonus
Perimeter standards	None	25' front or rear 10' side	20' adjacent to a public street -STREET (2); this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line
Building setbacks	20' front, 25' rear, 10' and 3' side	10' front, 35' front plus rear	10' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30' for first 150'; 1' in 5' increase to 48' high and 4 stories
Lot coverage	40%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40%Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40%Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%

**TABLE 612.B
R1-8 DEVELOPMENT OPTIONS
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2,
1999)**

Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Common areas	None	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾ AND DUPLEX	Single-family attached; plus (a)	Multiple-family MULTIFAMILY plus (b)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Site plan per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾ (1)

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO JUNE 2, 1999.

G. Reserved.

SECTION 13: That Chapter 6, Section 613 (R1-6 Single-Family Residence District), is amended to read as follows:

Section 613. R1-6 Single-Family Residence District.

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

- B. **District Regulations.** The following tables establish standards to be used in the R1-6 district. The definitions of terms used in these standards are found in Section 608.D-608.I.

Table A. Single-Family, Detached Development

TABLE 613.A R1-6 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	5.5; 6.5 with bonus

TABLE 613.A
R1-6 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)

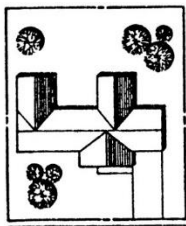
TABLE 613.A
R1-6 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

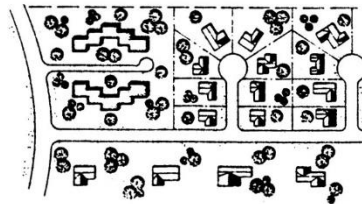
- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.

- (2) ~~For single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 613.B

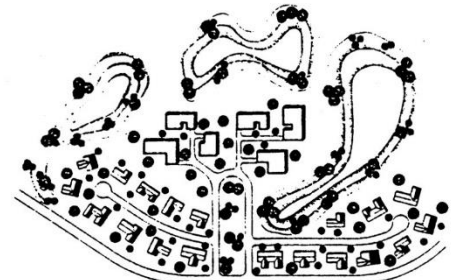
Table B. Single-Family Detached (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 613.B R1-6 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)			
Standards	(a) Subdivision⁽³⁾	(b) Average Lot	(c) Planned Residential Development
Minimum lot dimensions (width and depth)	60' width, 94' depth (Minimum area 6,000 sq. ft.)	40' width, 60' depth	None
Dwelling unit density (units/gross acre)	5.30	5.30	5.54; 6.34 with bonus

**TABLE 613.B
R1-6 DEVELOPMENT OPTIONS
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,
1998)**

Standards	(a) Subdivision⁽³⁾	(b) Average Lot	(c) Planned Residential Development
Perimeter standards	None	25' front or rear 10' side	20' adjacent to a public street-STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line
Building setbacks	20' front, 25' rear, 10' and 3' side	10' front, 35' front plus rear	10' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30' for first 150'; 1' in 5' increase to 48' high and 4 stories
Lot coverage	40%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40%Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40%Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	None	Minimum 5% of gross area ⁽³⁾ AREA
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾ AND DUPLEX	Single-family attached; PLUS (a)	Multiple-family MULTIFAMILY and single-family attached PLUS (b)

**TABLE 613.B
R1-6 DEVELOPMENT OPTIONS
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,
1998)**

<i>Standards</i>	<i>(a) Subdivision⁽³⁾</i>	<i>(b) Average Lot</i>	<i>(c) Planned Residential Development</i>
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾⁽¹⁾

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) ~~These standards apply only to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998. THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.~~

~~G. Reserved.~~

SECTION 14: That Chapter 6, Section 614 (R-2 Multifamily Residence District), is amended to read as follows:

Section 614. R-2 Multifamily Residence District.

- B. **District Regulations.** The following tables establish standards to be used in the R-2 district. The definitions of terms used in these standards are found in Section 608.I. The single-family ~~attached~~-INFILL development option must meet Section 608.F.6 requirements.

Table A. Single-Family, Detached Development⁽²⁾

TABLE 614.A R-2 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)

TABLE 614.A
R-2 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

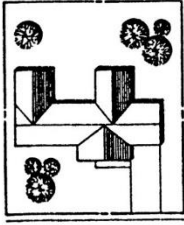
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507 , and subdivision to create 4 or more lots	Development review per Section 507 , and subdivision to create 4 or more lots

TABLE 614.A
R-2 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

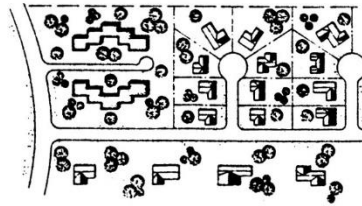
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 614.B

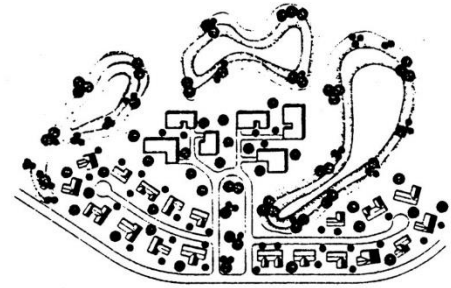
~~Table B. Single-Family Detached (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 614.B
R-2 Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY
1,1998)

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Development site: none. Individual dwelling lot: 20'.
Dwelling unit density (units/gross acre)	10.0	10.0	10.50; 12.00 with bonus	10.50; 12.00 with bonus
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 40' 15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line.

TABLE 614.B
R-2 Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY
1,1998)

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Building setbacks	25' front, 25' rear, 10' and 3' side	10' front, 35' front plus rear	10' front	Individual unit lot: none
Maximum height	2 stories and 30' 30' ⁽⁵⁾	2 stories and 30' 30' ⁽⁵⁾	2 stories and 30' for first 150'; 1' in 5' increase to 48' high HEIGHT, and 4- stories* STORY MAXIMUM ⁽⁵⁾	3 stories or AND 40' for first 150'; 1' in 1' increase to 48' height, 4-story maximum* MAXIMUM ⁽⁶⁾
Lot coverage	40%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES . TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area ⁽²⁾	Minimum 5% of gross area ⁽²⁾

TABLE 614.B
R-2 Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY
1,1998)

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Allowed uses DEVELOPMENT	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family attached and SINGLE- FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY) home occupations per Section <u>608</u>
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway, alley right-of- way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

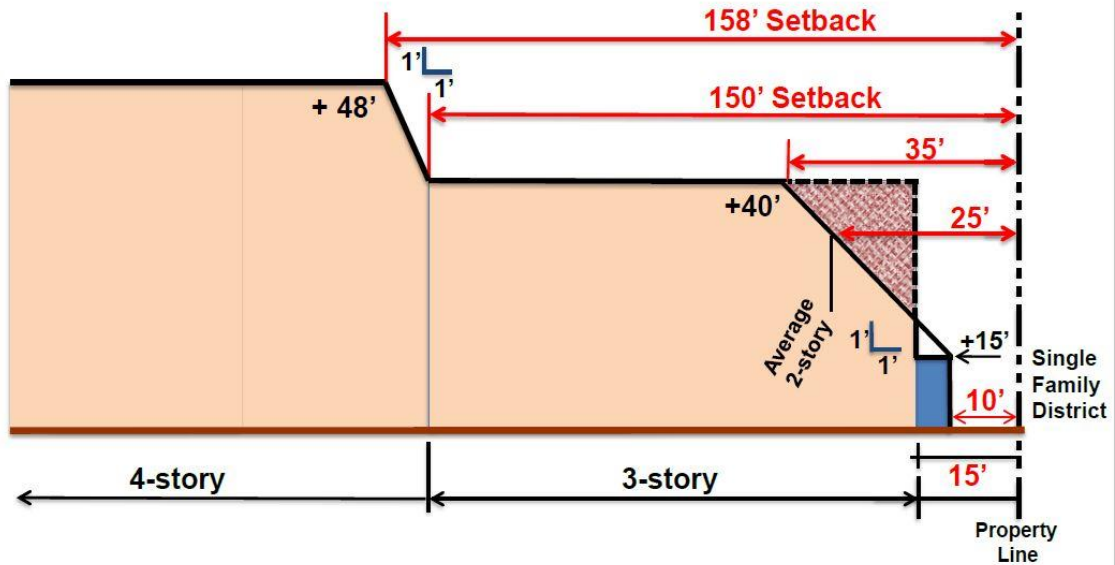
* ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~

- (1) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.
- (2) ~~These standards also apply to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.
- (4) THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

Single-Family Infill Stepbacks

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

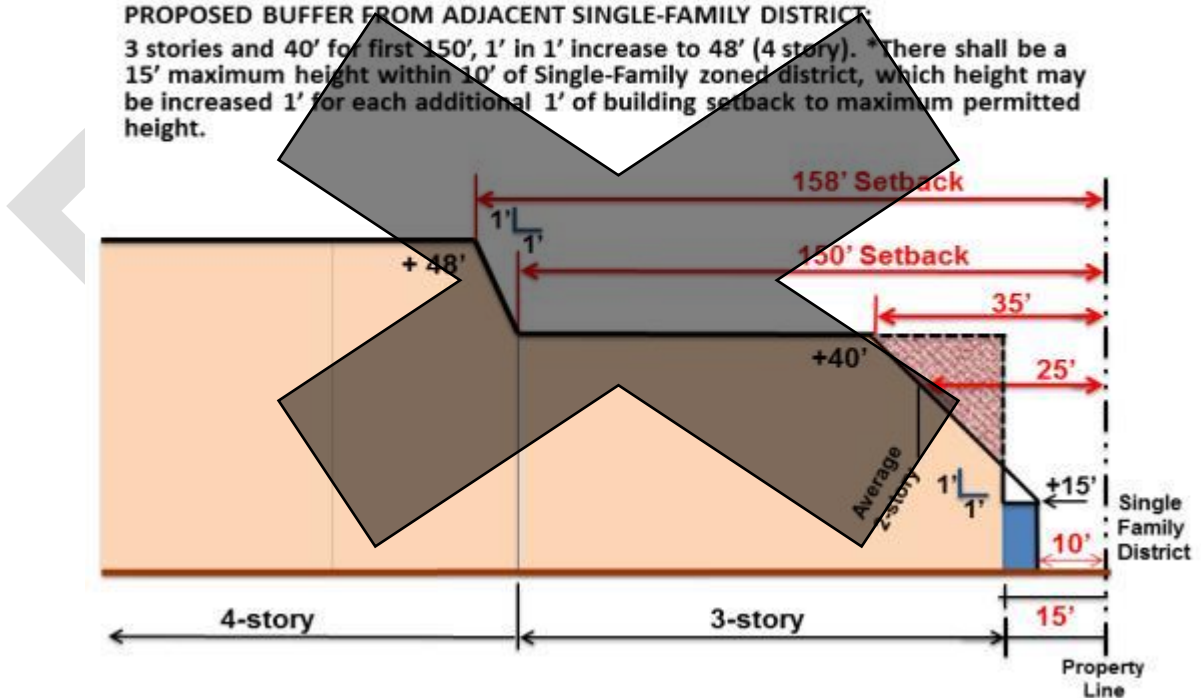
- 3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story).
- There shall be a 15' maximum height within 10' of single-family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



~~Single Family Attached~~

PROPOSED BUFFER FROM ADJACENT SINGLE-FAMILY DISTRICT:

3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story). *There shall be a 15' maximum height within 10' of Single-Family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



G. Special Regulations

1. ~~A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single-family dwellings on individual lots.~~
2. ~~Reserved.~~

SECTION 15: That Chapter 6, Section 615 (R-3 Multifamily Residence District), is amended to read as follows:

Section 615. R-3 Multifamily Residence District.

- B. **District Regulations.** The following tables establish standards to be used in the R-3 district. The definitions of terms used in these standards are found in Section 608.I. The single-family attached-INFILL development option must meet Section 608.F.6 requirements.

Table A. Single-Family Development⁽²⁾

TABLE 615.A R-3 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial

TABLE 615.A
R-3 Development Option-Options
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

Standards	Conventional	Planned Residential Development
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)

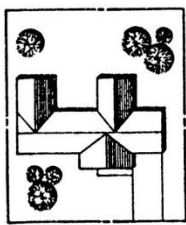
TABLE 615.A
R-3 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

Standards	Conventional	Planned Residential Development
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

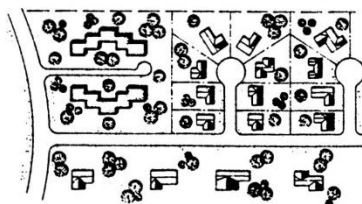
- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.

- (2) ~~For single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 615.B

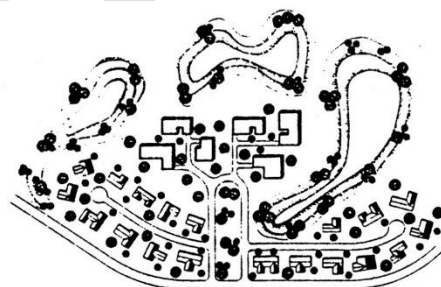
Table B. Single-Family (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 615.B R-3 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Individual unit lot: 20' width, no minimum depth
Dwelling unit density (units/gross acre)	14.5	14.5	15.23; 17.40 with bonus	15.23; 17.40 with bonus

TABLE 615.B
R-3 Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,
1998)

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line.
Building setbacks	25' front, 15' rear, 10' and 3' side	10' front, 30' front plus rear	10' front	Individual unit lot: none
Maximum height	2 stories and 30' * 30' ⁽⁵⁾	2 stories and 30' * 30' ⁽⁵⁾	2 stories and 30' for first 150'; 1' in 5' increase to 48' high-HEIGHT, and 4- stories* STORY MAXIMUM ⁽⁵⁾	3 stories or AND 40' for first 150'; 1' in 1' increase to 48' height, 4-story maximum* MAXIMUM ⁽⁶⁾

TABLE 615.B
R-3 Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,
1998)

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Lot coverage	40%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area (2)	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family attached and SINGLE- FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY) home occupations per Section 608
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507

TABLE 615.B
R-3 Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,
1998)

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway, alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

* ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~

(1) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.

(2) ~~These standards also apply to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.

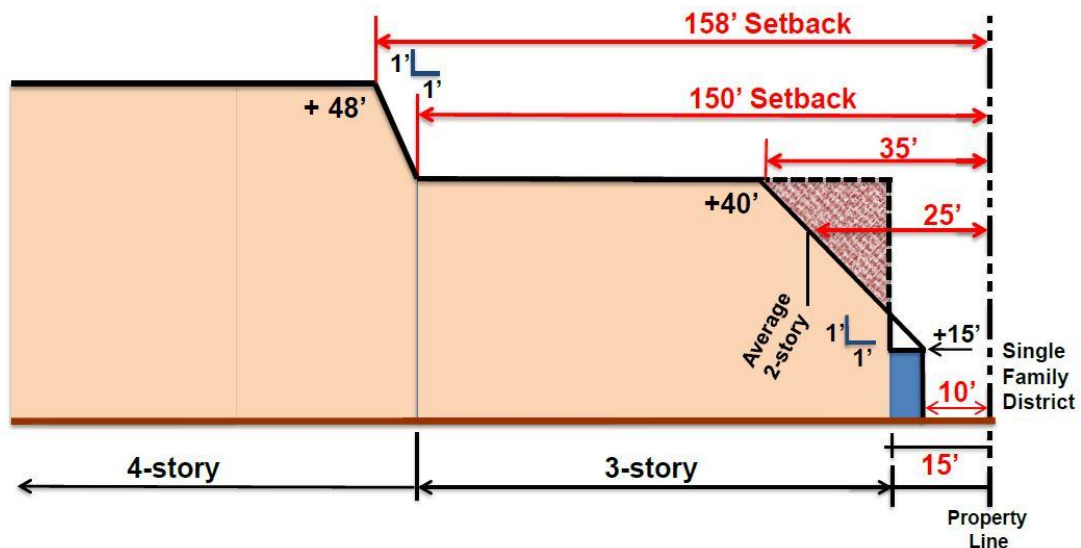
(3) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.

- (4) THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

Single-Family Infill Stepbacks

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

- 3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story).
- There shall be a 15' maximum height within 10' of single-family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



G. Special Regulations

1. ~~Adult day care home for the care of one to four adult persons; provided, that:~~
 - a. ~~Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
2. ~~Boarding house, subject to a use permit and the following conditions:~~
 - a. ~~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.~~

~~b. No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.~~

~~c. A maximum lot coverage of 25 percent.~~

~~d. A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~

~~e. The lot shall only have vehicular access from an arterial or collector street.~~

3. ~~Community residence center, subject to a use permit and the following conditions:~~

~~a. Such center 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.~~

~~b. No community residence center 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 or center within a residential zoning district.~~

~~c. Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~

~~d. A maximum lot coverage of 25 percent.~~

~~e. A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~

~~f. The lot shall only have vehicular access from an arterial or collector street.~~

4. ~~Group home, subject to a use permit and the following conditions:~~

~~a. 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.~~

- b. ~~No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~
- c. ~~A maximum lot coverage of 25 percent.~~
- d. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
- e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
- 5. ~~Group foster home, subject to a use permit.~~
- 6. ~~Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
- 7. ~~A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single-family dwellings on individual lots.~~
- 8. ~~Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~

SECTION 16: That Chapter 6, Section 616 (R-3A Multifamily Residence District), is amended to read as follows:

Section 616. R-3A Multifamily Residence District.

- B. **District Regulations.** The following tables establish standards to be used in the R-3A district. The definitions of terms used in these standards are found in Section 608.I. The single-family attached-INFILL development option must meet Section 608.F.6 requirements.

Table A. Single-Family Development⁽²⁾—

TABLE 616.A
R-3A Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

Standards	Conventional	Planned Residential Development
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None

TABLE 616.A
R-3A Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

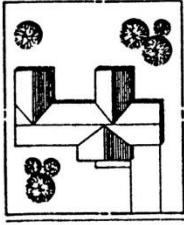
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots

TABLE 616.A
R-3A Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

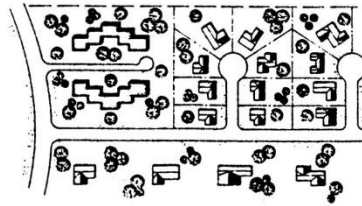
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 616.B

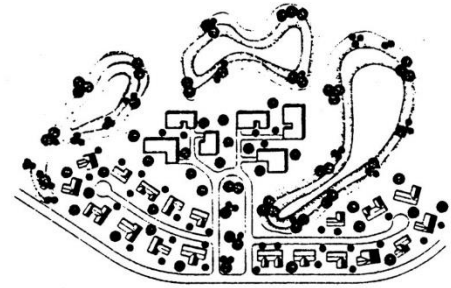
Table B. Single-Family (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 616.B
R-3A Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,
1998)

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Individual unit lot: 20' width, no minimum depth
Dwelling unit density (units/gross acre)	22	22	23.1; 26.4 with bonus	23.1; 26.4 with bonus
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line
Building setbacks	25' front, 15' rear, 10' and 3' side	10' front, 30' front plus rear	10' front	Individual unit lot: none

TABLE 616.B
R-3A Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,
1998)

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Maximum height	3 stories or 40' * 40' ⁽⁵⁾	3 stories or 40' * 40' ⁽⁵⁾	3 stories or 40' for 150'; 1' in 5' increase to 48' HEIGHT, 4-story maximum ⁽⁵⁾	3 stories or 40' for first 150'; 1' in 1' increase to 48' height, 4-story maximum* MAXIMUM ⁽⁶⁾
Lot coverage	40%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area ⁽²⁾	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family attached and SINGLE-FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY) home occupations per Section 608

**TABLE 616.B
R-3A Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,
1998)**

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway, alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

* ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~

(1) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.

(2) ~~These standards also apply to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.

(3) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS

- (4) THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

- [illegible]

4. ~~Adult day care center, subject to a use permit; and provided, that:~~
 - a. ~~Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
2. ~~Boarding house, subject to a use permit and the following conditions:~~

- a. ~~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.~~
 - b. ~~No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
3. ~~Community residence center, subject to a use permit and the following conditions:~~
- a. ~~Such center 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.~~
 - b. ~~No community residence center 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 or center within a residential zoning district.~~
 - c. ~~Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~
 - d. ~~A maximum lot coverage of 25 percent.~~
 - e. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - f. ~~The lot shall only have vehicular access from an arterial or collector street.~~
4. ~~Group home, subject to a use permit and the following conditions:~~

- a. ~~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.~~
- b. ~~No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~
- c. ~~A maximum lot coverage of 25 percent.~~
- d. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
- e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
- 5. ~~Group foster home, subject to a use permit.~~
- 6. ~~Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
- 7. ~~A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single-family dwellings on individual lots.~~
- 8. ~~A residential convenience market is permitted as an accessory use to a multiple-family development, subject to the following conditions:~~
 - a. ~~Signage shall be allowed only as part of a Comprehensive Sign Plan pursuant to Section 705. The Zoning Administrator may approve wall mounted signage up to a maximum height of 30 feet as part of an approved Comprehensive Sign Plan.~~
 - b. ~~The development shall contain a minimum of 400 dwelling units.~~
 - c. ~~The market shall not exceed 1,000 square feet in total floor area (display and storage) if the development contains less than 850 dwelling units. The market shall not exceed 3,000 square feet in total floor area (display and storage) if the development contains 850 or more dwelling units.~~
 - d. ~~No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.~~

9. ~~Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~

SECTION 17: That Chapter 6, Section 617 (R-4 Multifamily Residence District),
is amended to read as follows:

Section 617. R-4 Multifamily Residence District.

- B. **District Regulations.** The following tables establish standards to be used in the R-4 district. The definitions of terms used in these standards are found in Section 608.I. The single-family ~~attached~~-INFILL development option must meet Section 608.F.6 requirements.

~~Table A. Single-Family Development~~⁽²⁾

TABLE 617.A R-4 Development Option OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus

TABLE 617.A
R-4 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

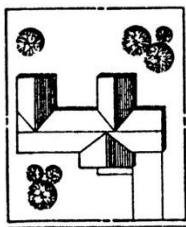
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots, 60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)

TABLE 617.A
R-4 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

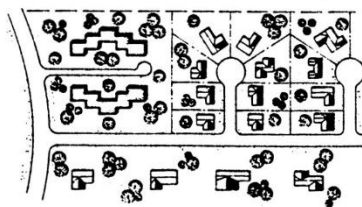
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 617.B

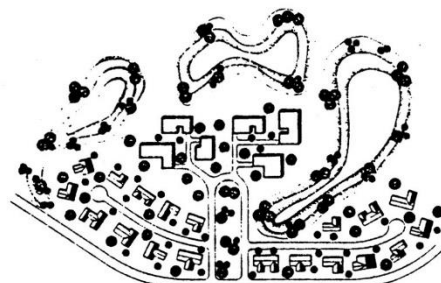
~~Table B. Single-Family (Subdivided Prior to May 1, 1998) Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 617.B R-4 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Individual unit lot: 20' width, no minimum depth

TABLE 617.B
R-4 Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,
1998)

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Dwelling unit density (units/gross acre)	29.0	29.0	30.45; 34.80 with bonus	30.45; 34.80 with bonus
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 10' 15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line
Building setbacks	20' front, 15' rear, 10' and 3' side	10' front, 30' front plus rear	10' front	Individual unit lot: none
Maximum height	3 stories or 40' 40' ⁽⁵⁾	3 stories or 40' 40' ⁽⁵⁾	3 stories or 40' for 150'; 1' in 5' increase to 48' HEIGHT, 4-story maximum ⁽⁵⁾	3 stories or 40' for first 150'; 1' in 1' increase to 48' height, 4-story maximum* MAXIMUM ⁽⁶⁾

TABLE 617.B
R-4 Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,
1998)

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Lot coverage	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area (3)	Minimum 5% of gross area
Allowed uses DEVELOPMENTS	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family attached and SINGLE- FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY) home occupations per Section 608
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507

TABLE 617.B
R-4 Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,
1998)

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway, alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

* ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~

(1) ~~1.3 for efficiency; 1.5 for one or two bedrooms; 2.0 for more than two bedrooms or for single-family detached. PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.~~

(2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.

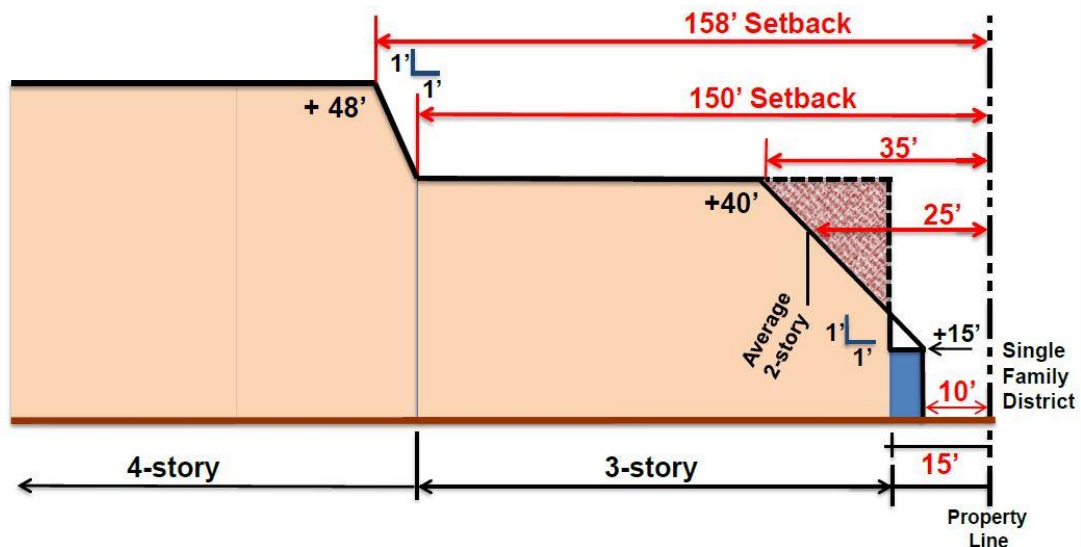
(3) ~~These standards also apply to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998. THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.~~

- (4) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

Single-Family Infill Stepbacks

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

- 3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story).
- There shall be a 15' maximum height within 10' of single-family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



G. Special Regulations

1. ~~Adult day care center, subject to a use permit; and provided, that:~~
 - a. ~~Outdoor recreation areas shall be screened from adjacent properties by a six foot high landscape hedge, solid fence, or solid wall.~~
2. ~~Boarding house, subject to a use permit and the following conditions:~~
 - a. ~~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.~~

- b. ~~No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
3. ~~Community residence center, subject to a use permit and the following conditions:~~
- a. ~~Such center 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.~~
 - b. ~~No community residence center 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 or center within a residential zoning district.~~
 - c. ~~Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~
 - d. ~~A maximum lot coverage of 25 percent.~~
 - e. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - f. ~~The lot shall only have vehicular access from an arterial or collector street.~~
4. ~~Group home, subject to a use permit and the following conditions:~~
- a. ~~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.~~

- b. ~~No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~
- c. ~~A maximum lot coverage of 25 percent.~~
- d. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
- e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
- 5. ~~Group foster home, subject to a use permit.~~
- 6. ~~Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
- 7. ~~A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single-family dwellings on individual lots.~~
- 8. ~~A residential convenience market is permitted as an accessory use to a multiple-family development, subject to the following conditions:~~
 - a. ~~Signage shall be allowed only as part of a Comprehensive Sign Plan pursuant to Section 705. The Zoning Administrator may approve wall mounted signage up to a maximum height of 30 feet as part of an approved Comprehensive Sign Plan.~~
 - b. ~~The development shall contain a minimum of 400 dwelling units.~~
 - c. ~~The market shall not exceed 1,000 square feet in total floor area (display and storage) if the development contains less than 850 dwelling units. The market shall not exceed 3,000 square feet in total floor area (display and storage) if the development contains 850 or more dwelling units.~~
 - d. ~~No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.~~
- 9. ~~Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~

SECTION 18: That Chapter 6, Section 618 (R-5 Multifamily Residence District),
is amended to read as follows:

Section 618. R-5 Multifamily Residence District – RESTRICTED COMMERCIAL.

B. **District Regulations - RESIDENTIAL USES.** THE FOLLOWING TABLES ESTABLISH STANDARDS TO BE USED FOR RESIDENTIAL DEVELOPMENTS IN THE R-5 DISTRICT. THE DEFINITIONS OF TERMS USED IN THESE STANDARDS ARE FOUND IN SECTION 608.I. THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST MEET SECTION 608.F.6 REQUIREMENTS.

4. **Development Standards for Residential Uses.** The following tables establish standards to be used in the R-5 District. The definitions of terms used in these standards are found in Section 608.I. The single-family attached development option must meet Section 608.F.8 requirements.

Table A. Single-Family, Detached Development (Subdivided on or after May 1, 1998)–

TABLE 618.A R-5 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus

TABLE 618.A
R-5 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets ⁽²⁾	None	15' average, 10' minimum (does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)

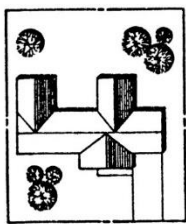
TABLE 618.A
R-5 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
ALLOWED DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

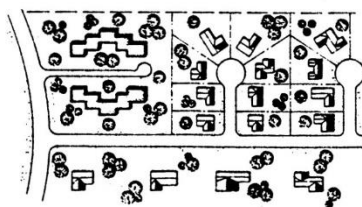
- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.

- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 618.B

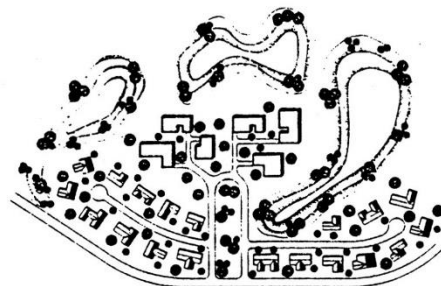
~~Table B. Single-Family (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 618.B R-5 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Individual unit lot: 20' width, no minimum depth
Dwelling unit density (units/gross acre)	43.5	43.5	45.68; 52.20 with bonus	45.68; 52.20 with bonus

TABLE 618.B
R-5 Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,
1998)

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 40'-15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line
Building setbacks	20' front, 15' rear, 10' and 3' side	10' front, 30' front plus rear	10' front	Individual unit lot: none
Maximum height	4 stories or 48' (4)_(2) (5)	4 stories or 48' (4)_(2) (5)	4 stories or 48' (4)_(2) (5)	4 stories or 48' (4)_(2) (6)
Lot coverage	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area ⁽³⁾	Minimum 5% of gross area

TABLE 618.B
R-5 Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,
1998)

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
ALLOWED DEVELOPMENT	SINGLE-FAMILY DETACHED, SINGLE-FAMILY ATTACHED, AND MULTIFAMILY	SINGLE-FAMILY DETACHED, SINGLE-FAMILY ATTACHED, AND MULTIFAMILY	SINGLE-FAMILY DETACHED, SINGLE-FAMILY ATTACHED, AND MULTIFAMILY	SINGLE-FAMILY ATTACHED AND SINGLE-FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway, alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

* ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~

(1) ~~1.3 for efficiency; 1.5 for one or two bedrooms; 2.0 for more than two bedrooms or for single-family detached. PUBLIC STREETS MAY BE REQUIRED AS A PART~~

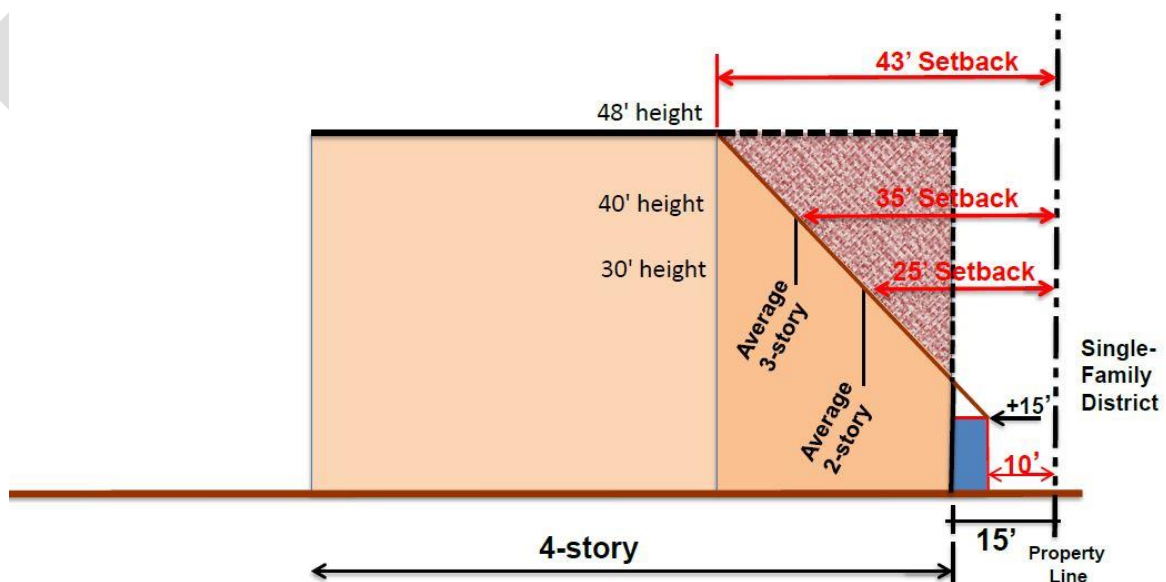
OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.

- (2) ~~The height limitation of four stories or 48 feet applies to residential uses. FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.~~
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.
- (4) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

Single-Family Infill Stepbacks

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

- R-5: 4 stories and 48'.
- *There shall be a 15' maximum height within 10' of Single-Family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



- ~~2. Development standards for commercial and mixed uses (including hotels and motels) shall be in accordance with Section 622.E.3 and E.4.~~

~~C.~~ **Special DISTRICT Regulations FOR NON-RESIDENTIAL AND MIXED USES.**
DEVELOPMENT REGULATIONS FOR NON-RESIDENTIAL AND MIXED USES
SHALL BE IN ACCORDANCE WITH C-1 STANDARDS (SECTIONS 622.E.3 AND E.4).

- ~~1. A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single family dwellings on individual lots.~~

D. ADDITIONAL Permitted Uses.

- ~~1. Adult day care center, subject to a use permit; and provided, that:~~
 - ~~a. Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
- ~~2.1. Bed and breakfast establishment.~~
- ~~3.2. Biomedical and Medical Research Offices. A biomedical or medical research laboratory shall be permitted as an accessory use to a biomedical and medical research office, subject to the following limitations:~~
 - ~~a. The use shall be subject to obtaining a use permit in accordance with the procedures and standards of Section 307.~~
 - ~~b. Entrance to the laboratory shall only be from within the building and shall not be through doors which open to the outside of the building.~~
 - ~~c. No sign or display for the laboratory shall be visible from adjacent public rights-of-way.~~
 - ~~d. Access to a property containing a laboratory shall only be from a major arterial or arterial, as designated on the street classification map.~~
- ~~4.3. Biomedical and Medical Research Offices. A biomedical or medical research laboratory shall be permitted as an accessory use to a biomedical and medical research office, subject to the following limitations:~~
- ~~5. Boarding house, subject to a use permit and the following conditions:~~

- a. ~~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.~~
 - b. ~~No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
 - e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
6. 4. Branch offices of the following uses are permitted subject to a use permit: banks, building and loan associations, brokerage houses, savings and loan associations, finance companies, title insurance companies, and trust companies.
7. ~~Community residence center, subject to a use permit and the following conditions:~~
- a. ~~Such center 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.~~
 - b. ~~No community residence center 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 or center within a residential zoning district.~~
 - c. ~~Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~
 - d. ~~A maximum lot coverage of 25 percent.~~
 - e. ~~A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
 - f. ~~The lot shall only have vehicular access from an arterial or collector street.~~

- 8- 5. Copy and reproduction center, subject to a use permit.
9. ~~Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~
10. ~~Group foster home, subject to a use permit.~~
11. ~~Group home, subject to a use permit and the following conditions:~~
- a. ~~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.~~
 - b. ~~No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
12. ~~Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
- 13- 6. Hospice, subject to a use permit.
- 14- 7. Hotel or Motel. The following accessory uses are permitted; provided, that the entrance to said accessory uses shall be from within the building only and that no sign or display for the accessory uses shall be located so as to be visible from a public thoroughfare or adjacent property:
- a. Auto rental agency; provided, that there are no more than three vehicles stored on the hotel property.
 - b. Child care, for hotel/motel guests only.
 - c. Cocktail lounges with recorded music or one musician.
 - d. Convention or private group activities.
 - e. Gift shop.
 - f. News stand.

- g. Restaurants with recorded music or one musician.
 - h. Other services customarily accessory thereto.
- ~~15-~~ 8. Office for Administrative, Clerical, or Sales Services. No commodity or tangible personal property, either by way of inventory or sample, shall be stored, kept, or exhibited for purposes of sale in any said office or on the premises wherein the said office is located. Seminars shall be permitted as an accessory use; provided, that they are clearly accessory to the office use.
- ~~16-~~ 9. Office for professional use, including medical center, wellness center, and counseling services (provided that services are administered or overseen by a State licensed professional).
- a. The following accessory uses are permitted; provided, that the entrance to said accessory uses shall be from within the building only, that no sign or display for the accessory uses shall be located so as to be visible from a public thoroughfare or adjacent property, and that no more than 25 percent of the floor area can be used for the accessory uses:
 - (1) Fitness center.
 - (2) Massage therapy, administered by a State licensed massage therapist.
 - (3) Ophthalmic materials dispensing.
 - (4) Pharmacy.
 - (5) Sleep disorder testing with less than a 24-hour stay duration.
 - (6) Snack bar.
 - (7) Surgical center, provided there are no overnight stays.
 - b. The following accessory uses are permitted, subject to a use permit and provided that the entrance to said accessory uses shall be from within the building only, that no sign or display for the accessory uses shall be located so as to be visible from a public thoroughfare or adjacent property:
 - (1) Medical and dental laboratories.
 - (2) Orthotics and prosthetic laboratories.

47- 10. Nursing home, subject to a use permit and the following conditions:

- a. A maximum lot coverage of 25 percent.
- b. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.

48- 11. Private clubs and lodges qualifying by law as a nonprofit entity, subject to a use permit. The use permit is not required if a special permit, according to Section 647, is obtained. Bingo may be operated as an accessory use on the premises of the club no more than two days per week.

19- ~~A residential convenience market is permitted as an accessory use to a multiple-family development, subject to the following conditions:~~

- ~~a. Signage shall be allowed only as part of a Comprehensive Sign Plan pursuant to Section 705. The Zoning Administrator may approve wall mounted signage up to a maximum height of 30 feet as part of an approved Comprehensive Sign Plan.~~
- ~~b. The development shall contain a minimum of 400 dwelling units.~~
- ~~c. The market shall not exceed 1,000 square feet in total floor area (display and storage) if the development contains less than 850 dwelling units. The market shall not exceed 3,000 square feet in total floor area (display and storage) if the development contains 850 or more dwelling units.~~
- ~~d. No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.~~

20- 12. Teaching of the fine arts, subject to use permit.

24-13. Volunteer community blood centers qualifying by law as a nonprofit entity, subject to a use permit.

SECTION 19: That Chapter 6, Section 619 (R-4A District—Multifamily Residence—General), is amended to read as follows:

A. **Permitted Uses.** PRIMARY USES AND ACCESSORY USES ARE PERMITTED AS INDICATED IN THE RESIDENTIAL DISTRICTS LAND USE MATRIX, SECTION 608.D, PLUS THE FOLLOWING:

1. ~~All uses permitted in the RE-24, R-3 and R-4 districts.~~
2. ~~Same accessory uses and buildings as RE-24.~~
3. ~~Adult day care center, subject to a use permit; and provided, that:~~
 - a. ~~Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
4. ~~Boarding house, subject to a use permit and the following conditions:~~
 - a. ~~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.~~
 - b. ~~No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
5. ~~Community residence center, subject to a use permit and the following conditions:~~
 - a. ~~Such center 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.~~
 - b. ~~No community residence center 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 or center within a residential zoning district.~~
 - c. ~~Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~
 - d. ~~A maximum lot coverage of 25 percent.~~

- e. ~~A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
- 6. ~~Group foster home, subject to a use permit.~~
- 7. ~~Group home, subject to a use permit and the following conditions:~~
 - a. ~~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.~~
 - b. ~~No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
- 8. 1. Hospice, subject to a use permit.
- 9. 2. Nursing home, subject to a use permit and the following conditions:
 - a. A maximum lot coverage of 25 percent.
 - b. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.
- 10. ~~Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
- 11. ~~A residential convenience market is permitted as an accessory use to a multiple-family development, subject to the following conditions:~~
 - a. ~~Signage shall be allowed only as part of a Comprehensive Sign Plan pursuant to Section 705. The Zoning Administrator may approve wall mounted signage up to a maximum height of 30 feet as part of an approved Comprehensive Sign Plan.~~
 - b. ~~The development shall contain a minimum of 400 dwelling units.~~

- c. ~~The market shall not exceed 1,000 square feet in total floor area (display and storage) if the development contains less than 850 dwelling units. The market shall not exceed 3,000 square feet in total floor area (display and storage) if the development contains 850 or more dwelling units.~~
 - d. ~~No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.~~
12. ~~The display for sale of a vehicle, which for purposes of this provision includes trailers, watercraft or other types of transportation that are built to carry passengers or cargo, shall be subject to the following restrictions:~~
- a. ~~No more than one [1] vehicle can be labeled for sale or show any indication that it is for sale at any given time on a property, whether visible on-site or through some other form of advertising.~~
 - b. ~~No more than two [2] vehicles can be sold on a property during any calendar year.~~
 - c. ~~For purposes of Subsections a and b above, two [2] jet skis, a boat or similar types of recreational vehicles that are transported on one trailer shall, together with the trailer, be considered one vehicle.~~
 - d. ~~The ownership of the vehicle[s] must be registered to the location where the vehicle is listed for sale.~~
 - e. ~~No vehicle can be labeled for sale or show any indication that it is for sale at an unoccupied house or on a vacant lot or parcel.~~
 - f. ~~No vehicle can be labeled for sale or show any indication that it is for sale in conjunction with a retail or wholesale vehicle sales dealership or business without obtaining a temporary use permit.~~
13. ~~Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~
3. SINGLE-FAMILY INFILL DEVELOPMENTS, PER THE PROVISIONS OF SECTION 608.F.6 AND SECTION 617 (R-4) TABLE B, COLUMN D.

B. **Yard, Height and Area Requirements.** Except as required by Section 701, the following yard, height and area provisions shall be required for this district:

7. Yards for ACCESSORY DWELLING UNITS and ~~detached~~ OTHER accessory ~~buildings~~ STRUCTURES shall be ~~permitted~~ as in ACCORDANCE WITH THE PROVISIONS OF Section 706.
 8. Single-family ~~attached~~ INFILL development must comply with R-4 ~~standards~~ ALL REGULATIONS APPLICABLE TO SFI DEVELOPMENT IN THE R-4 DISTRICT EXCEPT FOR DENSITY, WHICH SHALL BE PERMITTED PER SECTION 619.B.1.
 9. OFFSITE MANUFACTURED HOME DEVELOPMENTS, UPON OBTAINING USE PERMIT APPROVAL, SHALL COMPLY WITH THE R-4 STANDARDS FOR PLANNED RESIDENTIAL DEVELOPMENTS (TABLE 617.B, COLUMN C) EXCEPT FOR DENSITY, WHICH SHALL BE PERMITTED PER SECTION 619.B.1
- G. **Site Plan Required.** ~~A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single-family dwellings on individual lots.~~

SECTION 20: That Chapter 6, Section 635 (Planned Area Development), is amended to read as follows:

C. **Use Regulations.**

1. **Uses permitted.** In the planned area development districts only the following uses are permitted:
 - a. ~~Single-family detached, duplex, and multiple dwellings; apartment houses.~~ AS STATED IN SECTION 608.D, RESIDENTIAL DISTRICTS LAND USE MATRIX.
 - b. ~~Other uses as permitted in Sections 608 and 703.A.~~
 - c. b. Neighborhood retail uses and other nonresidential uses limited to those enumerated in the C-1 district may be specifically and selectively authorized as to type and size only when integrated by design as an accessory element of the project, and only when located in an area proposed to be appropriately zoned for said use and approved as provided below, provided that the development is planned for more than four hundred dwelling units.
 - d. ~~Same accessory uses and buildings as RE-24.~~

- e. ~~The display for sale of a vehicle, which for purposes of this provision includes trailers, watercraft or other types of transportation that are built to carry passengers or cargo shall be subject to the following restrictions:~~
- ~~(1) No more than one [1] vehicle can be labeled for sale or show any indication that it is for sale at any given time on a property, whether visible on-site or through some other form of advertising.~~
 - ~~(2) No more than two [2] vehicles can be sold on a property during any calendar year.~~
 - ~~(3) For purposes of subsections a and b above, two [2] jet skis, a boat or similar types of recreational vehicles that are transported on one trailer shall, together with the trailer, be considered one vehicle.~~
 - ~~(4) The ownership of the vehicle[s] must be registered to the location where the vehicle is listed for sale.~~
 - ~~(5) No vehicle can be labeled for sale or show any indication that it is for sale at an unoccupied house or on a vacant lot or parcel.~~
 - ~~(6) No vehicle can be labeled for sale or show any indication that it is for sale in conjunction with a retail or wholesale vehicle sales dealership or business without obtaining a temporary use permit.~~

SECTION 21: That Chapter 6, Section 649 (Mixed Use Agricultural (MUA) District),
is amended to read as follows:

- E. **Permitted Accessory Uses.** Land in the MUA District may be used as permitted accessory uses and structures, incidental to and on the same zoning lot as the primary use, for the following uses:

4. ~~Guesthouse, provided that it does not exceed six hundred square feet or twenty-five percent of the floor area of the principal structure, whichever is larger.~~ ACCESSORY DWELLING UNIT, PER THE PROVISIONS OF SECTION 706.A.

SECTION 22: That Chapter 6, Section 651 (Baseline Area Overlay District), is amended to read as follows:

- C. **Use Regulations.** The regulations governing the uses of land and structures shall be as set forth in the underlying zoning districts except as expressly modified by the following regulations.

~~Detached guesthouses are permitted in R1-18 to R1-6 single family districts, provided that:~~

- ~~1. The structure shall not exceed seven hundred square feet. A use permit is required to exceed seven hundred square feet.~~
- ~~2. The minimum lot size is eight thousand square feet.~~
- ~~3. An additional parking space shall be provided.~~
- ~~4. There shall be no more than one guesthouse per lot.~~
- ~~5. The guesthouse shall maintain the same setbacks as the primary structure.~~
- ~~6. The guesthouse shall maintain the same architectural style, color and building materials as the primary dwelling in order to be viewed as an accessory to the main unit and not a separate dwelling.~~
- ~~7. A use permit shall be required for all guests homes where the primary structure existed prior to the effective date of this section of the ordinance.~~
- ~~8. There shall be a minimum lot width of sixty-five feet.~~

SECTION 23: That Chapter 6, Section 653 (Desert Character Overlay Districts), is amended to read as follows:

B. Desert Maintenance Overlay (Sub-Districts A and B).

4. **Permitted uses for Sub-Districts A and B.** Land and structures in the Desert Maintenance Overlay Sub-Districts A and B shall only be used for the following purposes subject to the standards and procedures in Chapters 3 and 5 of the Zoning Ordinance and the regulations and special standards set forth herein. In the event there is a conflict these provisions shall prevail.

- c. ~~AN guesthouse~~ **ACCESSORY DWELLING UNIT, WHEN PERMITTED, shall be allowed as a structure subordinate to a residence. It is to be sited within the building envelope. The SHOULD HAVE AN architectural character and detailing must be consistent with the main residence. and should appear to tie in to the main residence.**

5. **District regulations for Desert Maintenance Overlay Sub-District A.**

- s. Model homes are allowed prior to recording a subdivision plat, subject to submitting a final plat which shall show the following information for each model home lot as well as meet other requirements of this ordinance and ~~Section 608.C.3~~ 608.D.7 of the Zoning Ordinance.

6. **District regulations for Desert Maintenance Overlay Sub-District B.**

- h. Model homes are allowed prior to recording a subdivision plat, subject to submitting a final plat which shall show the following information for each model home lot as well as meet other requirements of this ordinance and ~~Section 608.C.3~~ 608.D.7 of the Zoning Ordinance.

SECTION 24: That Chapter 6, Section 658 (Deer Valley Airport Overlay (DVAO)

District), is amended to read as follows:

- C. **Regulation Areas:** The DVAO District is divided into three separate regulation areas. When a parcel falls partially into one or more of the regulation areas, the most restrictive regulation area shall apply to the entire parcel.

2. **Prohibited uses, Areas 2 & 3:** Same as Area 1 and the following:

- d. Church or similar place of worship; including parish houses, parsonages, rectories and convents, and dormitories (including all elements of such as defined in Section ~~608.E.1~~ 608.E.21).

SECTION 25: That Chapter 6, Section 664 (North Central Avenue Special Planning District (SPD) Overlay District), is amended to read as follows:

- D. **District Regulations.** The following table establishes variations to the current standards for the R1-10 Subdivision Option. The definitions of terms used in these standards are found in Section ~~608.D~~ 608.I. Development standards that are not listed here shall follow the standards in the R1-10 Subdivision Option, Section 611, Table 611.B. Variances to these regulations should also consider objectives of the Special Planning District Plan. To use a development option other than subdivision requires approval through the rezoning public hearing process, Section 506.B.

SECTION 26: That Chapter 7, Section 701.A.3 (Projections), is amended to read as follows:

- A. **Lots.**

3. **Projections.**

- a. The following provisions apply to development in ~~the subdivision~~
~~option of Sections 604 through 607 AND 619, and IN THE~~
SUBDIVISION OPTION OF Sections 609 through 618:

(2) Closed Projections.

- (d) ~~The main building in a residence district (WHICH MAY INCLUDE AN ATTACHED ADU) may project five feet into the required rear yard for no more than one-half the maximum width of the structure. WHEN NO PORTION OF THE PROJECTION EXCEEDS 15 FEET IN HEIGHT; THE PROJECTION IS NO CLOSER TO THE REAR PROPERTY LINE THAN 3 FEET, AND THE PROJECTION IS NO CLOSER TO A SIDE PROPERTY LINE THAN ALLOWED BY THE DISTRICT; UNLESS A greater projection than five feet is subject to obtaining a use permit IS OBTAINED in accordance with the provisions of Section 307.~~

SECTION 27: That Chapter 7, Section 702.F (Special Parking Standards), is amended to read as follows:

F. Special Parking Standards.

1. Residential lots.

- a. Required parking spaces for single-family ~~and duplex~~ residential uses may not be located in the required front yard.
- b. Spaces in excess of those required for single family ~~and duplex~~ residential uses may be located in the required front yard. However, all parking and maneuvering areas within the required front yard shall not exceed ~~forty-five percent (45%)~~ 50% OF THE AREA OF THE REQUIRED FRONT YARD, EXCEPT THAT A DRIVEWAY SHALL NOT BE REQUIRED TO BE LESS THAN 18 FEET IN WIDTH UNLESS OTHERWISE STIPULATED BY HISTORIC PRESERVATION.

- (1) ~~The area of the required front yard, or~~
- (2) ~~An area equal to the required front yard setback times the average lot width when the adjoining side property lines are not parallel. Notwithstanding the above requirements, the parking and maneuvering area shall not be required to be less than:~~
 - (a) ~~Eighteen (18) feet in width, or~~
 - (b) ~~The cumulative width of all front facing garage doors or carports plus three (3) feet, whichever is greater.~~

SECTION 28: That Chapter 7, Section 703.B (Landscaping and Open Areas In Multiple-Family Development), is amended to read as follows:

- B. 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** ~~in any district containing a structure with two~~ **FOUR** or more dwelling units.

SECTION 29: That Chapter 7, Section 706 (Accessory Uses and Structures), is amended to read as follows:

Section 706. Accessory Uses and Structures.

- A. ~~No detached accessory structures or swimming pools are permitted within the required front yard(s) of any residential district.~~
- B. ~~All detached accessory structures in the side and rear yard, not used for sleeping or living purposes, are to maintain a minimum setback of three feet from property lines. Swimming pools are to maintain a minimum setback of three feet from exterior property lines.~~
- C. ~~All accessory structures located within the required side yard are not to exceed eight feet in height.~~

- D. ~~On any corner lot contiguous to a key lot, detached structures with a height which exceeds eight feet must be set back from the street side a distance equal to the required front yard setback of the adjoining key lot.~~
- E. ~~On any other corner lot no detached accessory building over eight feet high shall be closer to the side street property line than a distance of ten feet.~~
- F. ~~Detached accessory structures may be constructed on the property line where the rear lot line is adjacent to a fully dedicated alley.~~
- G. ~~No detached accessory structure located within the required rear yard of a residentially zoned property shall exceed a height of one story or fifteen feet except as approved by a use permit in accordance with the provisions of Section 307.~~

A. **ACCESSORY DWELLING UNITS (ADU)**

1. IN ZONING DISTRICTS WHERE ACCESSORY DWELLING UNITS ARE A PERMITTED USE, ONE (1) ADU IS PERMITTED PER LOT WHEN A SINGLE-FAMILY DETACHED PRIMARY DWELLING UNIT IS ALSO PROVIDED, UNLESS OTHERWISE PERMITTED BY THE 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.
3. AN ADU MAY BE EITHER ATTACHED TO OR DETACHED FROM THE PRIMARY DWELLING UNIT, 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, 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.

4. A DETACHED ADU MAY BE LOCATED WITHIN THE REQUIRED REAR YARD, SUBJECT TO THE FOLLOWING:
 - a. SETBACKS.
 - (1) MINIMUM 10 FEET FROM A STREET SIDE PROPERTY LINE.
 - (2) MINIMUM 3 FEET FROM AN INTERIOR PROPERTY LINE.
 - (3) NO SETBACK IS REQUIRED ADJACENT TO A FULLY DEDICATED ALLEY.
 - b. HEIGHT. MAXIMUM 15 FEET UNLESS USE PERMIT APPROVAL FOR A GREATER HEIGHT IS OBTAINED PER SECTION 307.
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. 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. 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. AN ADU SHALL COMPLY WITH THE LOT COVERAGE REQUIREMENTS APPLICABLE TO THE PROPERTY.
9. AN 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 OR ATTACHED SHADE STRUCTURE CONSTRUCTED AS PART OF A DETACHED ADU SHALL COUNT TOWARD THE GROSS FLOOR AREA OF THE ADU. ANY ATTACHED SHADE STRUCTURES SHALL COUNT TOWARDS LOT COVERAGE, BUT NOT GROSS FLOOR AREA.

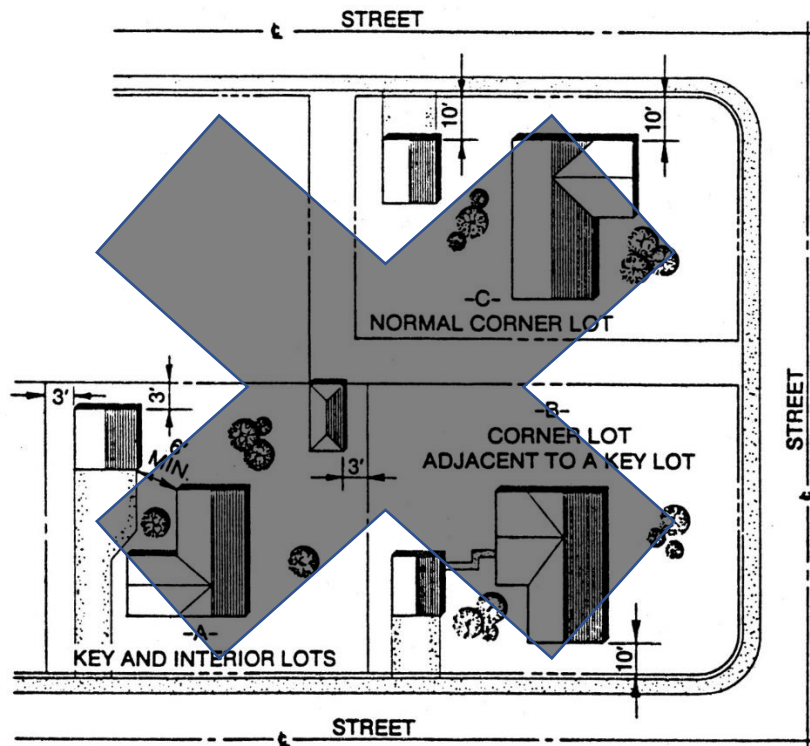
- 10. PERMIT ISSUANCE AND RESTRICTIVE COVENANT. PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR AN ADU, THE PROPERTY OWNER SHALL SIGN BEFORE A NOTARY PUBLIC A RESTRICTIVE COVENANT THAT RUNS WITH THE LAND ON A FORM PREPARED BY THE CITY ATTORNEY OR DESIGNEE AFFIRMING THAT THE PROPERTY OWNER SHALL:

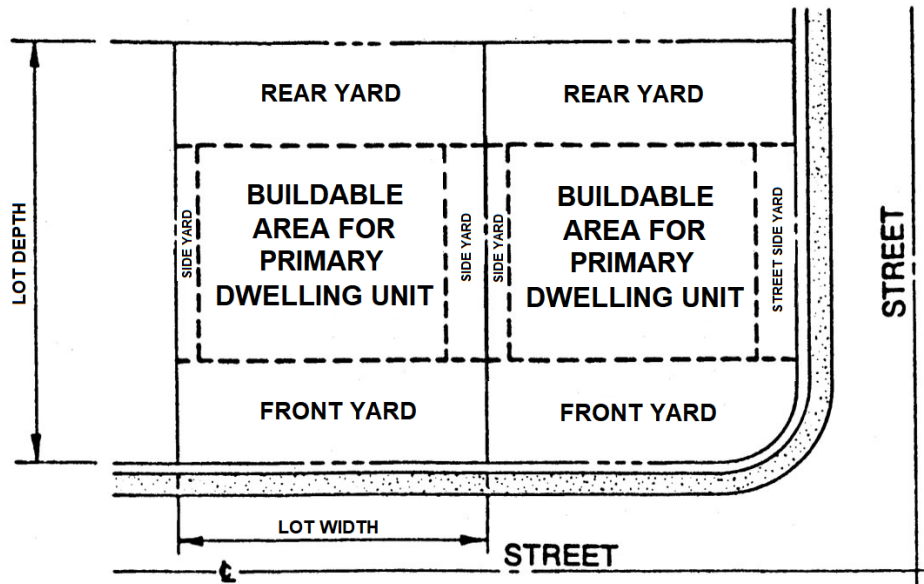
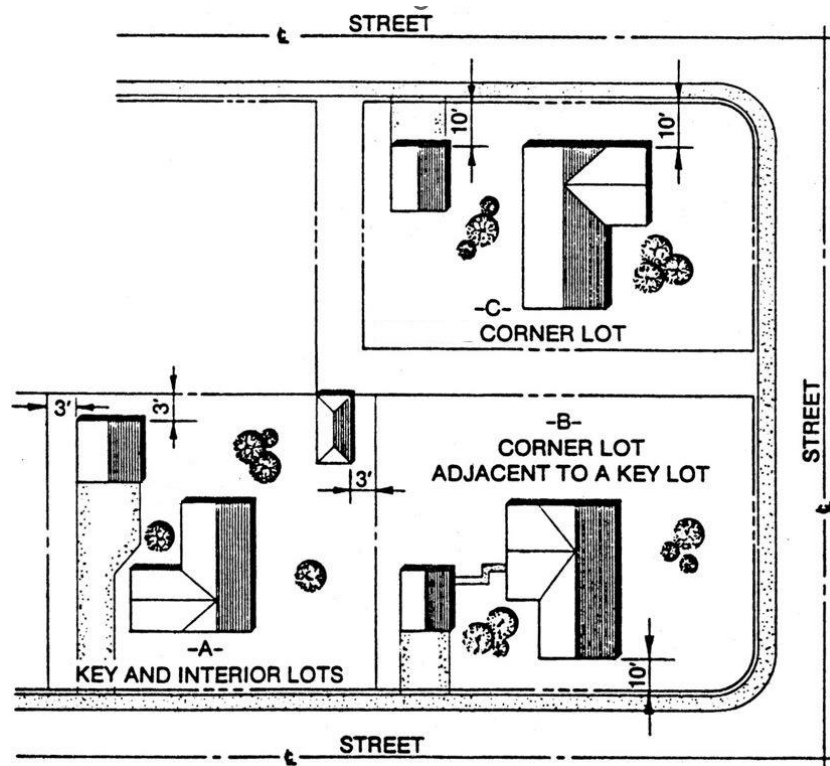
- a. OCCUPY EITHER THE PRIMARY DWELLING UNIT OR THE ADU, OR
 - b. IF THE PROPERTY OWNER RENTS OR LEASES A PROPERTY WITH BOTH A PRIMARY DWELLING UNIT AND AN ADU TO A THIRD PARTY, THEN NEITHER THE PRIMARY RESIDENCE NOR THE ADU SHALL BE RENTED OR LEASED SEPARATELY FROM THE REMAINDER OF THE PROPERTY, NOR SUB-LEASED.

- B. **SINGLE-FAMILY RESIDENTIAL ACCESSORY STRUCTURES.** THE FOLLOWING REGULATIONS APPLY TO ACCESSORY STRUCTURES WHICH ARE NOT USED FOR SLEEPING OR LIVING PURPOSES, 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. PERMITTED HEIGHTS.
 - a. MAXIMUM HEIGHT OF 8 FEET WHEN LOCATED WITHIN 10 FEET OF A STREET SIDE PROPERTY LINE, OR 15 FEET WHEN LOCATED ELSEWHERE WITHIN THE REQUIRED REAR OR SIDE YARD.

- b. HEIGHTS IN EXCESS OF 15 FEET, WHEN NOT LOCATED WITHIN 10 FEET OF 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 3 FEET ADJACENT TO A REAR OR SIDE PROPERTY LINE, EXCEPT THAT NO SETBACK IS REQUIRED ADJACENT TO A FULLY DEDICATED ALLEY.





C. SWIMMING POOLS.

1. SWIMMING POOLS SHALL NOT BE LOCATED IN THE REQUIRED FRONT YARD, NOR IN ANY REQUIRED LANDSCAPE SETBACK.
2. SWIMMING POOLS SHALL MAINTAIN A MINIMUM SETBACK OF THREE FEET FROM PROPERTY LINES, EXCEPT THAT POOLS LOCATED ON A LOT DESIGNATED "HILLSIDE" PER SECTION 710 SHALL COMPLY WITH ALL HILLSIDE DEVELOPMENT REGULATIONS, INCLUDING SETBACKS.

SECTION 30: That Chapter 7, Section 708 (Temporary uses), is amended to read as follows:

- L. **Charitable Drop Box Container Permit.** A charitable drop box container permit is subject to the following:

1. An annual permit is required for the following uses or analogous uses:
 - a. Charitable drop box containers.

- (9) Permits are not required when the container is in compliance pursuant to Section ~~608.E.1~~ 608.E.21.

SECTION 31: That Chapter 12, Sections 1204.C and D (Land Use Matrix), is amended to read as follows:

Section 1204. Land Use Matrix.

- C. The following shall apply to uses that are permitted with conditions (pc) as indicated with a number that corresponds with the Land Use Matrix in Section 1204.D:

27. ~~Single-family attached~~ INFILL SUBDIVISION, ~~subject to the following~~; PER THE STANDARDS OF SECTION 608.F.6 AND SECTION 614, TABLE 614.B, COLUMN D, EXCEPT AS MODIFIED BELOW:

- a. Historic preservation designated properties or properties in historic preservation districts cannot use the single-family ~~attached~~ INFILL development option.
- b. ~~Individual unit lot: minimum 20-foot width, no minimum depth.~~ MAXIMUM HEIGHT: AS PER HEIGHT MAP, SECTION 1202.B.
- c. ~~Perimeter standards: maximum ten feet for units fronting street rights-of-way; minimum 15 feet for units siding street rights-of-way. This area is to be in common ownership or management, ten feet adjacent to property line.~~ MAXIMUM DENSITY: AS PER DENSITY MAP, SECTION 1202.C.
- d. ~~Building setbacks, individual unit lot: none.~~ MAXIMUM LOT COVERAGE: 100 PERCENT PER LOT; OVERALL SUBDIVISION LOT COVERAGE PER APPLICABLE CHARACTER AREA.
- e. ~~Maximum stories: as per height map, Section 1202.C.~~ FRONTAGE SETBACKS AND REQUIREMENTS: AS PER THE APPLICABLE CHARACTER AREA; OR, IF LOTS FRONT ON A NEW INTERNAL STREET OR DRIVE, PER THE REGULATIONS OF SECTION 608.F.6 AND SECTION 614, TABLE B, COLUMN D.
- f. ~~Lot coverage per dwelling unit: 100 percent.~~ PERIMETER STANDARDS (NOT ON A STREET): PER THE REGULATIONS OF SECTION 608.F.6.
- g. ~~Common areas: minimum five percent of gross area.~~ INDIVIDUAL LOT SETBACKS.
 - (1) THE STEPBACK REQUIREMENTS OF TABLE 614.B, COLUMN D DO NOT APPLY TO BUILDINGS COMPLYING WITH THE MAXIMUM HEIGHT ALLOWED BY THE HEIGHT MAP, SECTION 1202.B.
 - (2) INDIVIDUAL LOT FRONT: 10 FEET OR THE REQUIRED FRONTAGE SETBACK, WHICHEVER IS GREATER.
 - (3) INDIVIDUAL LOT SIDE AND REAR: 0- FEET OR THE REQUIRED PERIMETER SETBACK, WHICHEVER IS GREATER.

- h. ~~Allowed uses: single-family attached and home occupations per Section 608.~~ PARKING REQUIREMENTS: PER SECTION 608.F.6, AS THE REGULATIONS APPLY TO THE INFILL DEVELOPMENT DISTRICT.
- i. ~~Development review per Section 507.~~ 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. ~~Design: front of units should face right-of-way. No garages allowed to face pedestrian or side streets.~~ 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.
- k. ~~Other requirements of Section 608.F.8 shall apply if not specifically modified by this section.~~

D. Land Use Matrix.

LAND USE CATEGORIES	CHARACTER AREAS				
	ACTIVE USE	***	Commercial Corridor	***	Warehouse
Residential Uses					
***	***	***	***	***	***
Dwelling UNIT, Multi-Family MULTIFAMILY		***	p		p
Dwelling UNIT, Single-Family, Detached (INCLUDING DUPLEX AND TRIPLEX USES)		***	p	***	np
Dwelling UNIT, Single-Family and Duplex, Attached		***	p	***	np
***	***	***	***	***	***
SUBDIVISION, Single-Family Attached-Infill		***	np-PC27	***	pe27-NP

SECTION 32: That Chapter 13, Sections 1303 (Transect lot standards), 1305.C (Fence Standards), 1306 (Land Use Matrix) and 1310 (Open Space Improvements), is amended to read as follows:

Section 1303. Transect lot standards.

A. General Lot Standards.

1. Subdivisions shall comply with development standards per this chapter, including frontage standards, for all existing and newly created lots abutting public streets, private accessways, and private driveways, with the following caveats:
 - a. A development may instead utilize the Single-Family ~~attached~~-INFILL development option standards per Section ~~608(F)(8)~~ 608.F.6 and Section 614, Table 614.B, Column D (except for the density, which is not restricted) if it meets all three of the following conditions:
 - (1) The development consists solely of ~~attached~~-SINGLE-FAMILY dwelling units and allowable accessory uses;
 - (2) The development is located within the applicable area for the single-family ~~attached~~-INFILL development option or the Infill Development District as depicted on the map provided in Section ~~608(F)(8)~~ 608.F.6; and
2. All developments adjacent to single-family zoning districts shall follow the same setback and stepback standards as the single-family ~~attached~~-INFILL development option (Section 614, Table 614.B, Column D); with additional requirements as follows:

B. Transect Setbacks and Lot Standards.

Table 1303.2 Transect T4

BUILDING HEIGHT			BUILDING STEPBACKS		
a	Main Building	T4:2 30-foot maximum			
		T4:3 40-foot maximum			
		SFA-SFI: 48-foot maximum		Required for SFA-SFI as per Sections 1303.A.1 and 2	

* Lot coverage maximum may be modified for SFA-SFI development option.

Table 1303.2 Transect T5

BUILDING HEIGHT	BUILDING STEPBACKS

* a. Lot coverage maximum may be modified for SFA-SFI development option.

b. Lot coverage maximum may vary depending on setback requirements when adjacent to existing single-family residential districts and historic preservation properties or districts.

Table 1303.2 Transect T6

Minimum glazing shall apply to commercial building frontages only, as per Section 1305.B.2. For residential products T4 glazing standards shall apply.

	* a. Lot coverage maximum may be modified for SFA-SFI development option.
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	<i>b. Lot coverage maximum may vary depending on setback requirements when adjacent to existing single-family residential districts and historic preservation properties or districts.</i>
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1305. Frontage Standards.

C. Fence Standards.

1. T3 and T4.

- a. Primary frontages: 40 inches maximum height.
- b. Secondary frontages: 72 inches maximum height. For SFA-SFI development: 48 inches maximum height solid fence. Above 48 inches to 72 inches allowed only as a 70 percent open view fence, unless screening above grade utilities or trash enclosures.

Section 1306. Land Use Matrix.

Table 1306.1. Land Use Matrix

CATEGORY: RESIDENTIAL USES	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR
***	***	***	***	***	***
Dwelling UNIT, Multifamily	NP	P		P	P
Dwelling UNIT, Single-Family, Detached (INCLUDING DUPLEX AND TRIPLEX USES)	P	P	***	NP	NP
Dwelling UNIT, Single-Family and Duplex, Attached	P	P	***	P	P

C. Residential Uses, Land Use Conditions.

3. Dependent Care Facility.

- a. One to six dependents: standards as per Section ~~608.D.5~~ 608.E.15.
 Use permit required for ~~s~~Seven to 12 dependents: USE PERMIT,
 AND STANDARDS AS PER SECTION 608.E.16.

Table 1306.1. Land Use Matrix

CATEGORY: SERVICES	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR

Home Occupation As per Section 608.E.3	PG	PG	***	P	P
***	***	***	***	***	***
Hotel As per Section 618.D.14-7	NP	PC	***	PC	PC
***	***	***	***	***	***
Office, Professional As per Section 618.D.15-8 and 16-9	PC	PC	***	PC	PC

CATEGORY: LOCAL FOOD PRODUCTION	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR
Community Garden As per Section 608.F.6-608.E.24	UP	UP	***	UP	UP
Farmers Markets As per Section 608.F.7-608.E.25	UP	UP	***	UP	UP

CATEGORY: ACCESSORY USES	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR
Accessory Dwelling Unit	P	P	***	P	P
Accessory Dwelling Unit— Guest	P	P	***	P	P

Home Occupation As per Section 608.E.3-608.E.27	PC	PC	***	PC	PC

CATEGORY: INTERIM USES	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR

Environmental Remediation Facility As per 608.F.5 608.E.23	UP	UP	***	UP	UP
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Section 1310. Open space improvements.

A. Open Space Guidelines.

1. Parcels zoned T3 are exempt from required public open space improvements.
2. Open space requirements for developments within the T4, T5, and T6 transects are as follows:
 - a. For sites of one gross acre or larger, minimum open space of at least five percent of the gross site area shall be required. For developments utilizing the single-family attached-INFILL development option standards in accordance with Section ~~1303(A)(1)(a)~~ 1303.A.1.a., open space shall be provided as required by Section 614, Table 614,B, Column D, regardless of lot size.

Table 1310.1 Public Open Space Type Guidelines

[table unchanged]

* Single-family attached-INFILL developments must provide open space as required per Section ~~1310(A)(2)(a)~~ 1310.A.2.a.

PASSED by the Council of the City of Phoenix this 6th day of September, 2023

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report
Zoning Ordinance Text Amendment
Z-TA-5-23-Y
June 30, 2023

Application No Z-TA-5-23-Y: Amend the following sections of the Phoenix Zoning Ordinance to permit Accessory Dwelling Units (ADUs) in residential districts; create and/or amend related development standards and definitions; clarify related terms and references and reorganize sections of the Zoning Ordinance as necessary to allow ADUs.

Section 202 (Definitions), Section 507 Tab A.II.C.8 (Single-Family Design Review), Section 603 (Suburban S-1 District—Ranch or Farm Residence), Section 604 (Suburban S-2 District—Ranch or Farm Commercial), Section 605 (Residential Estate RE-43 District—One-Family Residence), Section 606 (Residential Estate RE-24 District—One-Family Residence), Section 607 (Residential R1-14 District—One-Family Residence), Section 608 (Residence Districts), Section 609 (RE-35 Single-Family Residence District), Section 610 (R1-18 Single-Family Residence District), Section 611 (R1-10 Single-Family Residence District), Section 612 (R1-8 Single-Family Residence District), Section 613 (R1-6 Single-Family Residence District), Section 614 (R-2 Multifamily Residence District), Section 615 (R-3 Multifamily Residence District), Section 616 (R-3A Multifamily Residence District), Section 617 (R-4 Multifamily Residence District), Section 618 (R-5 Multifamily Residence District), Section 619 (Residential R-4A District—Multifamily Residence—General), Section 635 (Planned Area Development), Section 649 (Mixed Use Agricultural (MUA) District), Section 651 (Baseline Area Overlay District), Section 653 (Desert Character Overlay District), Section 658 (Deer Valley Airport Overlay (DVAO) District), Section 664 (North Central Avenue Special Planning District (SPD) Overlay District), Section 701.A.3 (Projections), Section 702.F (Special Parking Standards), Section 703.B (Landscaping and Open Areas In Multiple-Family Development), Section 706 (Accessory Uses and Structures), Section 708 (Temporary uses), Sections 1204.C and D (Land Use Matrix), Section 1303 (Transect lot standards), Section 1305.C (Fence Standards), Section 1306 (Land Use Matrix), and Section 1310 (Open Space Improvements).

Staff recommendation: Staff recommends approval of Z-TA-5-23-Y as shown in the recommended text in Attachment A.

BACKGROUND

In 2020, City Council unanimously approved the Housing Phoenix Plan to create a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. The Plan's primary goal is to create or preserve 50,000 homes by 2030, and increase overall supply of market, workforce, and affordable housing to address the housing shortage in Phoenix. In order to implement this goal, nine policy initiatives were identified. Policy Initiative 2 is "Amend Current Zoning Ordinance to Facilitate More Housing Options - Amend Current Zoning Ordinance in Target Areas to Allow for Accessory Dwelling Units". These proposed changes will expand housing options for a diverse population at every income level.

PURPOSE

The intent of the proposed text amendment is to allow an Accessory Dwelling Unit (ADU) to be constructed on a lot with a detached single-family home only, by providing reasonable increases in permitted lot coverage, and by allowing an ADU to be required within the rear yard, with conditions. Related definitions have been revised and/or deleted, with new definitions provided as necessary; "ADU" has been added to the use lists in appropriate zoning districts; development regulations specific to ADUs have been added; existing development regulations have been modified to address ADUs, related terms and references to ADUs have been clarified and updated, and certain sections have been reorganized for ease of use and clarity.

DESCRIPTION OF THE PROPOSED TEXT

The proposed text amendment includes four main components: Definitions, regulations in each respective zoning district, ADU-specific development regulations, and ordinance clarifications/cleanup:

1. Definitions:

Terms that are proposed to be deleted include "Guesthouse" (replaced by "Accessory Dwelling Unit". Terms proposed to revised or added are "Accessory Dwelling Unit", "Apartment", "Building, Main", "Dwelling Unit", "Dwelling Unit, Primary", and many residential terms to make clear the differentiation between them ("duplex", "triplex", "single-family attached", "townhome", etc.).

Accessory Dwelling Unit (ADU)

The proposed definition states that the ADU must be subordinate to the Primary Dwelling Unit on the same lot. The criteria for being subordinate generally refers to the size of the ADU, which is restricted in all cases to 75% of the primary dwelling, but not to exceed 1000 square feet if on a lot up to 10,000 square feet in net area, or the lesser of 10% of the net lot area, or 3000 square feet, if the lot is larger than 10,000 square feet in net area.

Regulations in each respective zoning district:

The Zoning Ordinance currently does not have development regulations for anything with the term “Accessory Dwelling Unit”. Certain larger-lot districts, such as RE-43, RE-35, RE-24, and R1-14, have existing permissions and regulations for a “Guesthouse”. These districts have had the terminology updated to use “Accessory Dwelling Unit”, and they will be subject to the proposed ADU development standards (which allow ADUs within required rear yards when 15 feet or less in height). Lot coverage has not been proposed to be increased for these districts, since there was relatively recent text amendment in 2015 which allowed an additional 5% lot coverage when all structures on the lot are one-story, maximum 20 feet in height. All of the other residential zoning districts that did not have any permissions for ADUs have had such permissions granted, together with reasonable increases (about 10%) in lot coverage.

2. ADU-specific development regulations:

The proposed regulations for ADUs were based upon both established practices in other municipalities, as well as existing permissions for detached accessory structures (which are not dwelling units) located within the rear yard. In general, ADUs would be allowed to be constructed within a required rear yard when subject to the same development regulations as detached accessory structures, as follows:

- One ADU per single-family detached lot may be constructed.
- A detached ADU may be located within the required rear yard and may not exceed 15 feet in height, unless use permit approval is granted.
- An attached ADU may project into the rear yard if the same side yard setbacks as the primary dwelling unit are maintained, and a maximum height of 15 feet is provided.
- An attached ADU which meets all required standard setbacks may be constructed to the full height permitted by the zoning district.
- An ADU must comply with lot coverage requirements for the lot, though most have been increased.
- For up to lots 10,000 square feet in area, the maximum size of the ADU is 1000 square feet.
- For lots over 10,000 square feet in area, the maximum size of the ADU is 3000 square feet, or 10% of the net lot area, whichever is less.
- But in no case may an ADU exceed 75% of the gross floor area of the primary dwelling unit.

Restrictive Covenant

The proposed text also includes a provision similar to one adopted in 2021 by the City of Flagstaff which requires a property owner to record a restrictive covenant prior to issuance of a building permit for an ADU stating that either the ADU or the primary dwelling unit will be owner-occupied.

3. Ordinance clarifications/cleanup:

Other updates and corrections are proposed to ensure consistency with the proposed language. This includes the following:

- Updating language that referenced “guesthouse” to reference “accessory dwelling unit”
- Changing numbers to numeric form.
- Renaming the “Single-Family Attached” development option to “Single-Family Infill” to end confusion of the term with a type of dwelling unit and updating all associated references.
- Creating a new Residential Land Use Matrix table to add Accessory Dwelling Unit, as well as recently added conditional use, “Off-Site Manufactured Home Development”, and relocating/reformatting the conditions of certain uses within Section 608, and many associated references throughout the Zoning Ordinance.
- Updating language in the Mixed Use Agricultural (MUA) District (Section 649), Baseline Area Overlay District (Section 651), and the Desert Character Overlay Districts (Section 653) to revise the permissions regarding “guesthouses” to be consistent with the new “accessory dwelling unit” provisions.
- Update the permission for paving in the front yard to increase from 45% to 50%, which removes the need for the special exception for 3-car garages and allows slightly wider driveways to accommodate potential increases in on-site parking for ADUs.
- Update the land use matrix and references in the Downtown Code (Chapter 12 of the Zoning Ordinance) to match the revised Section 608.
- Update the land use matrix and references in the Walkable Urban Code (Chapter 13 of the Zoning Ordinance) to match the revised Section 608.
- Fix various typographical errors in the existing ordinance within the sections being modified to permit ADUs.

Conclusion:

This text amendment is quite extensive due to the many references which need to be updated due to the inclusion of the new term “Accessory Dwelling Unit” (generally replacing “Guesthouse”), as well as the reorganization of Section 608 to clarify uses and associated conditions for all residential districts. The development standards were also revised for all districts to include standards for ADUs, and to fix some typographical errors and outdated terminology such as “Single-Family Architectural Appeals Board”, which changed to the “Design Review Committee” over 10 years ago. All of the revisions proposed are directly related to changes needed to allow accessory dwelling units, including those made to clarify what are not ADUs (duplex, triplex, single-family attached).

Staff recommends approval of the changes to the Zoning Ordinance as proposed in Attachment A.

Writer

C. DePerro

6/30/2023

Attachments

A. Proposed Language

Exhibit A

Staff proposed language that may be modified during the public hearing process is as follows:

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 subordinate dwelling UNIT, AS DEFINED IN THIS SECTION, SUBORDINATE TO THE PRIMARY DWELLING UNIT AND situated on the same lot ~~with the main dwelling~~ and used as ~~FOR an~~ A RESIDENTIAL accessory use. ADUs, WHERE PERMITTED, DO NOT COUNT TOWARDS CALCULATIONS OF GROSS DENSITY.

Apartment: ~~See "Dwelling, Multiple-Family".~~ A DWELLING UNIT WITHIN A DUPLEX, TRIPLEX, TOWNHOME DEVELOPMENT, AND/OR MULTIFAMILY DEVELOPMENT WHERE EACH UNIT HAS A PRIMARY ACCESS TO A SHARED WALKWAY OR CORRIDOR, AND EACH UNIT IS NOT INDIVIDUALLY OWNED.

Building, Main: A building, or buildings, in which is conducted the principal use of the lot on which it is situated. ~~In any residential district, any dwelling shall be deemed to be the main building of the lot on which the same is situated.~~ ON LOTS WITH ONLY SINGLE-FAMILY RESIDENTIAL USES, THE PRIMARY DWELLING UNIT SHALL BE CONSIDERED THE MAIN BUILDING.

DUPLEX: A BUILDING ON ONE LOT, WHICH HOUSES EXACTLY TWO DWELLING UNITS, NEITHER OF WHICH MAY BE CONSIDERED AN ACCESSORY DWELLING UNIT. EACH DUPLEX UNIT COUNTS TOWARDS THE CALCULATION OF GROSS DENSITY.

Dwelling, Multifamily: ~~A building or buildings attached to each other and containing two or more dwelling units. The term "multifamily dwelling" is intended to apply to dwelling types~~

~~as triplex, fourplex, and apartments where any dwellings have their primary access to a common hallway or corridor.~~

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

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

Dwelling Unit: One (1) or more rooms within a building arranged, designed, or used for residential purposes for one (1) family and containing INDEPENDENT LIVING AND SLEEPING AREAS, TOGETHER WITH independent sanitary (TOILET, SINK, AND BATH/SHOWER) and cooking facilities. The presence of cooking facilities conclusively establishes the intent to use for residential purposes.

DWELLING UNIT, PRIMARY: A DWELLING UNIT THAT IS EITHER 1) THE ONLY DWELLING UNIT PROVIDED ON A SINGLE-FAMILY LOT, OR 2) THE LARGEST DWELLING UNIT PROVIDED ON A SINGLE-FAMILY LOT WHEN THE APPLICABLE ZONING REGULATIONS OTHERWISE ALLOW AN ACCESSORY DWELLING UNIT OR OTHER TYPES OF DWELLING UNITS.

~~*Guesthouse:* A free-standing building which is designed to house guests or servants of the occupants of the primary dwelling unit. SEE "ACCESSORY DWELLING UNIT".~~

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

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

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

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

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

~~*Interior Suite with Accessory Cooking Facilities:* A room or group of rooms located within a single dwelling unit designed or arranged to allow for semi-private residential use and includes accessory cooking facilities.~~

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

MULTIFAMILY/MULTIPLE-FAMILY: A LOT OR PARCEL WHERE TWO OR MORE DWELLING UNITS ARE PROVIDED.

Offsite Manufactured Home Development: any SINGLE lot, tract, or parcel of land, NOT TO BE FURTHER SUBDIVIDED, used or offered for use in whole or in part, with or without charge, for the parking of occupied offsite manufactured homes.

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

SINGLE-FAMILY: A LOT OR DEVELOPMENT WHERE NO MORE THAN ONE PRIMARY DWELLING UNIT IS PROVIDED PER LOT.

SINGLE-FAMILY ATTACHED: A SINGLE-FAMILY LOT OR DEVELOPMENT WHERE EACH DWELLING UNIT IS ATTACHED TO AT LEAST ONE, BUT NO MORE THAN

TWO NEIGHBORING PRIMARY DWELLING UNITS AT THE ABUTTING SIDE PROPERTY LINE(S). EACH DWELLING UNIT MUST ALSO COMPLY WITH THE DEFINITION OF "TOWNHOME/TOWNHOUSE".

SINGLE-FAMILY DETACHED: A SINGLE-FAMILY LOT OR DEVELOPMENT WHERE EACH DWELLING UNIT IS NOT ATTACHED TO ANY OTHER DWELLING UNIT OTHER THAN A PERMITTED ADU.

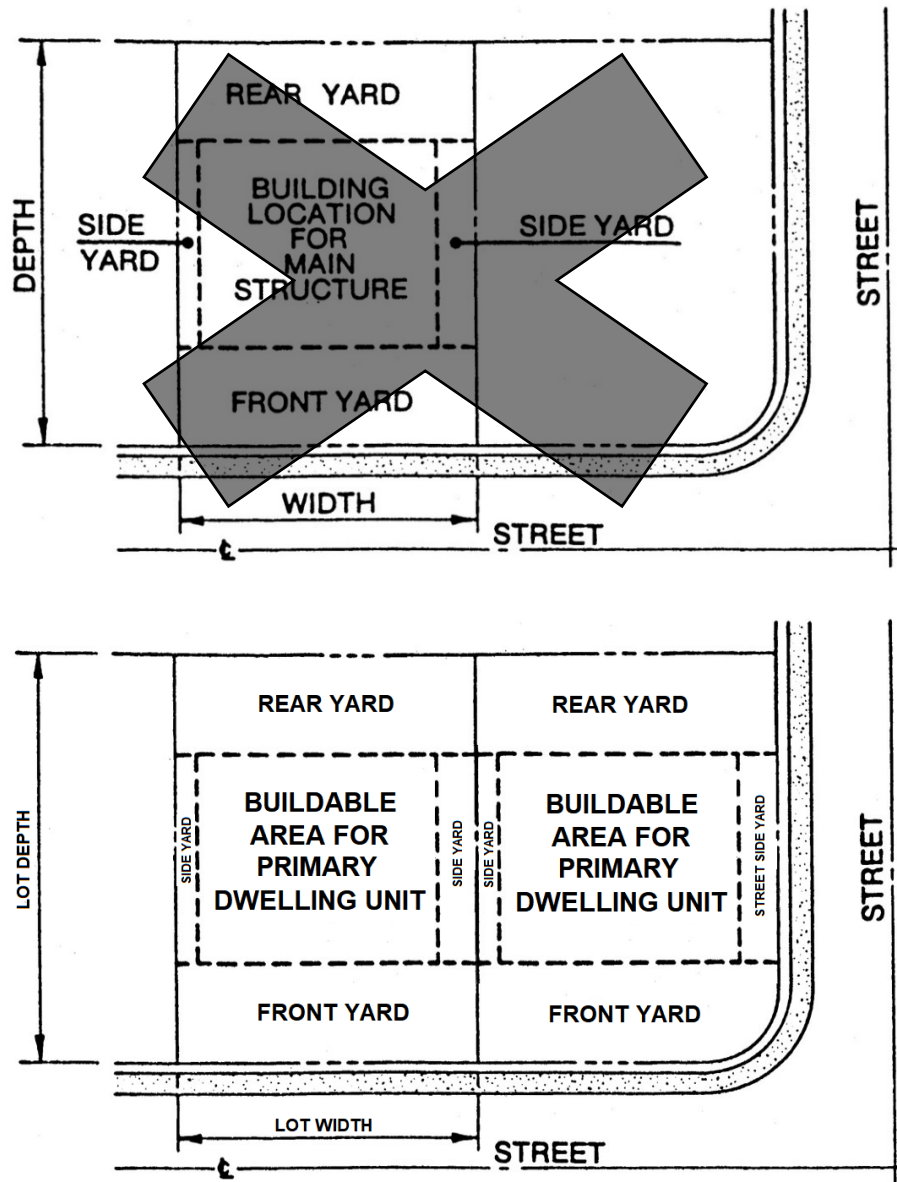
SINGLE-FAMILY INFILL (SFI) DEVELOPMENT: A TYPE OF SINGLE-FAMILY DEVELOPMENT CONSISTING OF TOWNHOUSES AND A LIMITED NUMBER OF DETACHED DWELLING UNITS. PERIMETER STANDARDS ARE DEFINED AND POTENTIAL BONUS DENSITY AND DESIGN FLEXIBILITY ALLOW FOR QUALITY INDIVIDUAL PROPERTY OWNERSHIP WITHIN A LARGER DEVELOPMENT.

TOWNHOME/TOWNHOUSE: A TYPE OF DWELLING UNIT WHICH IS ATTACHED TO AT LEAST ONE OTHER DWELLING UNIT. THE DWELLING UNITS MAY BE ATTACHED AT A PROPERTY LINE (SEE "SINGLE-FAMILY ATTACHED"), OR THEY MAY BE MULTIPLE UNITS ON A SINGLE LOT (SEE "DUPLEX", "TRIPLEX", AND/OR "MULTIFAMILY"). THE KEY CHARACTERISTIC OF A TOWNHOME IS THAT THERE IS NO VERTICAL OVERLAP OF ANY DWELLING UNITS.

TRIPLEX: A BUILDING ON ONE LOT WHICH HOUSES EXACTLY THREE DWELLING UNITS, NONE OF WHICH MAY BE CONSIDERED AN ACCESSORY DWELLING UNIT. EACH TRIPLEX UNIT COUNTS TOWARDS THE CALCULATION OF GROSS DENSITY.

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

[remove existing picture]



Amend Chapter 5, Section 507 Tab A II.C. (Subdivision Design/Development) and Section 507 Tab A II.C. 8 (Single-Family Design Review) to clarify and simplify Single-Family Design Review requirements for individual lots, especially as related to duplex and triplex uses, and to read as follows:

C. Subdivision AND SINGLE-FAMILY DETACHED Design REVIEW/Development

8. **Single-Family DETACHED Design Review.** New single-family detached dwelling units, LOTS HAVING A SINGLE individual duplex OR TRIPLEX (~~duplex developments consisting of ten or more duplex buildings located on the same lot or adjacent lots are not subject to single-family design review~~), manufactured homes, and modular homes ~~that have not received preliminary site plan or subdivision approval, or building permit issuance prior to August 1, 2005~~ shall be subject to single-family design review, as follows ~~(R*)(R)~~:
- (a) Single-family detached developments where 10% or more of the lots are equal to or less than 65' FEET in width ~~or any residential horizontal property regime~~ shall incorporate Design Guidelines Sections 8.1 through 8.4.
 - (b) Individual single-family detached dwelling units, not subject to Subdivision Design Guidelines 8.1 through 8.4, on a lot or parcel of 65 feet in width, or less, shall incorporate Design Guidelines Section 8.5. THIS REQUIREMENT INCLUDES LOTS WITH A SINGLE DUPLEX OR TRIPLEX WHEN NOT LOCATED IN A SUBDIVISION SUBJECT TO II.C.8(a).
 - (c) ~~Individual duplexes (as specified above) shall incorporate Design Guidelines Section 8.5.~~ DWELLING UNITS ON LOTS ZONED OR DESIGNATED HP ARE EXEMPT FROM THE PROVISIONS OF SECTION 8.5, SO LONG AS THE PLANS ARE REVIEWED AND APPROVED THROUGH HISTORIC PRESERVATION PRIOR TO ISSUANCE OF ANY BUILDING PERMITS. .
 - (d) Individual manufactured and modular homes, regardless of lot width, shall incorporate Design Guidelines Section 8.5.
 - (e) Manufactured and modular home subdivisions, regardless of lot width, shall incorporate Design Guidelines Sections 8.1 through 8.4.

- (8.5) **Individual Unit Design Standards.** The goal of these individual unit design standards is to ensure a minimum level of design quality for detached single-family dwelling units, duplexes, manufactured homes, and modular homes. For information on relief from requirements (R) AND ~~(R*)~~, and presumptions (P) refer to Section 507.C of the Zoning Ordinance.

- ~~(a) Plot plans shall show all required design guidelines as plan details or general notes. (R)~~

~~*Rationale:* Design guidelines should be shown on plans to help ensure they are easily understood by the public and equally applied by City staff.~~

- ~~(b) Where two detached units are placed on a single lot, a notice that the lots are not to be split without prior City approval shall be recorded with the Maricopa County Recorder's Office prior to issuance of building permits. The recorded document shall be on a form approved by the City Attorney's Office. A copy of the recorded document shall be submitted with the application for building permit approval and the recorded document noted on the submitted site plan. (R)~~

~~*Rationale:* The public is often unaware that the City has lot split requirements and may unknowingly create an illegal lot, causing self-imposed obstacles to development.~~

- ~~(c) All driveways and parking spaces shall be hard surfaced with brick, pavers, concrete, asphalt or equivalent. (R)~~

~~*Rationale:* A defined driveway and parking area reduces vehicle maneuvering on areas not suitable for vehicles. Hard surfaces contribute to dust emissions substantially less than loose or unimproved surfaces. Hard surfaces are generally more attractive and compatible with surrounding residences.~~

- ~~(d)(a) Each dwelling unit shall have at least one covered parking space located in a garage or under a carport. The design of the covered parking shall be substantially similar with regard to texture, color and material to that of the housing. (R*)(R)~~

~~*Rationale:* Covered parking reduces the visual impact of parked cars. Carports and garages that are designed with the same level of quality as the house are more attractive and more compatible with surrounding residences.~~

- ~~(e)(b) The FRONT YARD area between the front building line and the front property line, excluding areas necessary approved for VEHICLE access, should be landscaped with the following elements: (P)~~

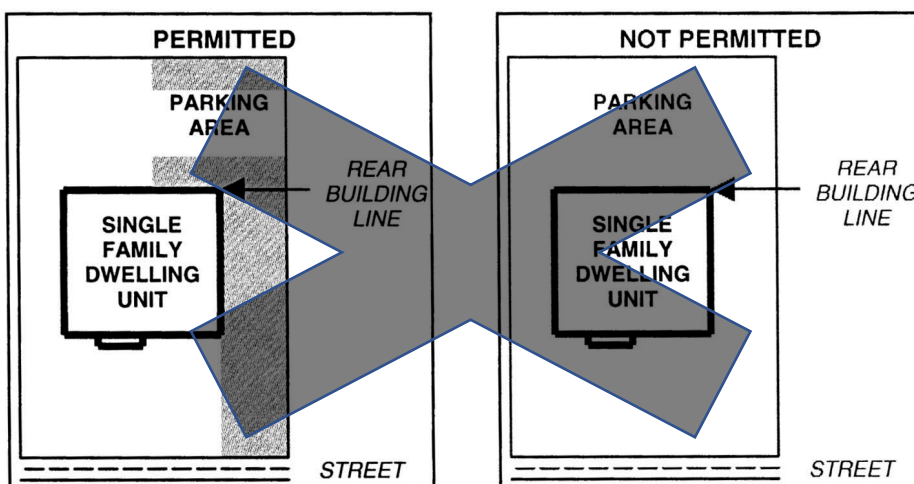
- (1) A minimum of one, two inch caliper or greater, drought resistant, accent tree. ~~(P*)~~
- (2) A minimum of five, five gallon or greater, drought resistant shrubs. ~~(P*)~~
- (3) Dustproofed with ground cover, turf, rock, decomposed granite, or equivalent material as approved by the Planning and Development Department. ~~(P*)~~
- (4) An irrigation system. ~~(P*)~~

Rationale: Landscaping contributes to an attractive environment, provides shade, and contributes to neighborhood identity.

- (f) ~~Unless all parking is provided off an alley, no more than half of the area between the rear lot line and the rear building line of a single family dwelling unit, or two-thirds of said area for duplexes, should be used for parking. (P*)~~

Rationale: ~~Excessive vehicle parking areas reduces compatibility with surrounding residences and minimizes the opportunity for recreational activity and landscaped space.~~

[remove picture, do not replace]

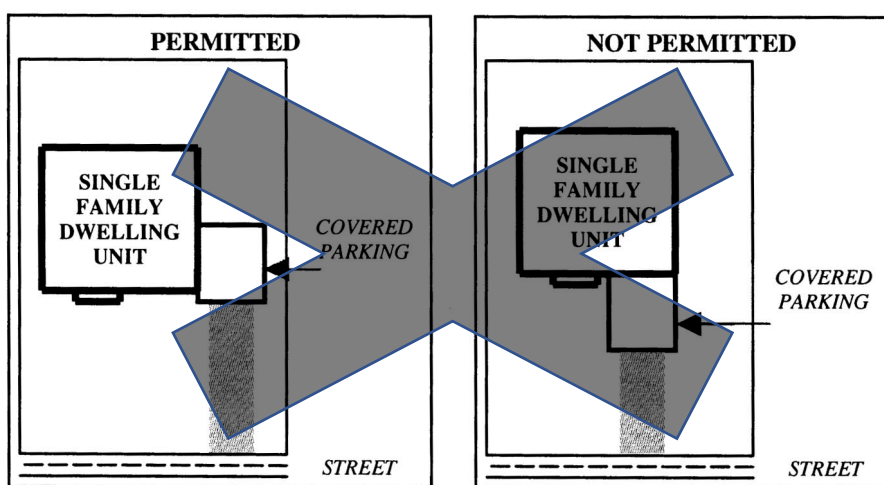


Parking—Rear Building Line

- ~~(g)(c)~~ Required covered parking for single family dwelling units, duplexes, manufactured homes, and modular homes shall not protrude BE LOCATED more than ten feet beyond CLOSER TO THE FRONT PROPERTY LINE THAN the front ENTRY building line. (R*)

Rationale: When parking structures are concentrated in front of a dwelling unit, the building loses its residential character and compatibility with surrounding residences is negatively impacted.

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Covered Parking 2

- ~~(h)~~ The area between the rear building line and the rear lot line shall be enclosed by a block wall, wrought iron fence, or equivalent enclosure, a minimum of four feet in height, as approved by the Planning and Development Department. (R*)

Rationale: Rear yard enclosures provide physical security and also ensure rear yard activities, such as pool areas and material storage, are not readily visible. In addition, enclosures are visually appealing and benefit the neighborhood.

- ~~(i)-(d)~~ Walls, fences, and enclosure materials shall not include chain link fencing with, or without, plastic or metal slats, sheeting, non-decorative corrugated metal and fencing made or topped with razor, concertina, OR barbed wire, ~~or equivalent as approved by the Planning and Development Department.~~ (R*)

~~*Rationale:* Certain enclosure materials are not durable, and are incompatible with surrounding residences.~~

- ~~(j)-(e)~~ Development of ~~two detached dwelling units on a lot, duplexes, manufactured homes, or modular homes~~ LOTS WITH MORE THAN ONE DWELLING UNIT should provide a single, common access drive to parking areas. (P*) (P)

~~*Rationale:* Shared access and common parking minimize unnecessary curb cuts and breaks in the streetscape. Common parking areas also reduce the paved area of a site~~

- ~~(k)-(f)~~ ~~Single family~~ ALL dwelling units, ~~duplexes, manufactured homes, and modular homes~~ should provide the following architectural design elements: (P)

- (1) Consistent detailing and design for each side of the building. (P*)
- (2) Window and door trim as well as accent detailing should be incorporated and vary from the primary color and materials of the building. (P*)
- (3) Garage doors should be provided with windows, raised or recessed panels, architectural trim, or single doors. (P*)
- (4) ~~The front entry of the building should be clearly defined and identifiable from the street.~~ (P*)
- ~~(5)~~(4) Materials such as untextured concrete, unfinished block, steel panels, and shiny or highly reflective detailing should not be used as a predominant exterior material. (P*)

~~*Rationale:* High quality design promotes neighborhood pride and visual interest in residential architecture.~~

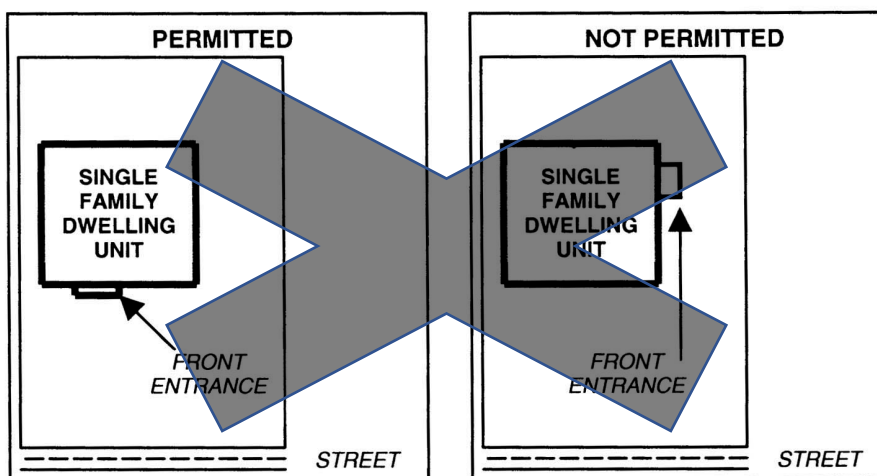
- ~~(f)~~(g) Garage doors FACING visible from the public street AND ATTACHED TO THE PRIMARY DWELLING UNIT should not exceed 50% of the house-BUILDING width. ~~(P*)~~ (P)

Rationale: Garage doors should not be the aesthetic focus of a house; they should complement COMPLEMENT and appear subordinate to the main structure. THIS IS PARTICULARLY IMPORTANT IF A DUPLEX OR TRIPLEX IS CONSTRUCTED.

- ~~(m)~~(h) The front entrance, of buildings within 50 feet of the front property line, shall face the street and shall not be set back more than ten feet behind the front building line. A FRONT ENTRY SHALL BE PROVIDED THAT FACES AND IS VISIBLE FROM THE STREET, AND INCLUDES AN ARCHITECTURAL FEATURE TO CALL ATTENTION TO IT (SUCH AS A PORCH, ENTRY PATIO, STOOP, AWNING/CANOPY, COURTYARD, OR ARCHWAY). FOR LOTS HAVING MORE THAN ONE DWELLING UNIT, A MINIMUM OF ONE UNIT SHALL COMPLY WITH THIS REQUIREMENT. (R*)

Rationale: Emphasizing the entrance and front facade adds to the residential character of new dwelling units and provides eyes on the street.

[remove picture, do not replace]



Parking—Front Entrance

- ~~(n)~~(i) Manufactured homes shall provide the following additional architectural design elements:

- (1) Materials such as wood, hardboard, brick veneer, hardiplank, stucco, or horizontal vinyl siding shall be used as a predominant exterior material. ~~(P*)~~ (P)
- (2) The exposed roof pitch shall be at a minimum of 3/12 for units twenty-eight (28) feet or less in width and be covered with shingles, tile or metal, excluding aluminum. (R*)
- (3) A minimum fifty (50) square foot recessed entry or covered porch shall be provided along the front entry of the building. (R*)
- (4) Permanent access to the porch or recessed entry should be constructed with materials and colors that are compatible with the dwelling unit. ~~(P*)~~ (P)
- (5) A masonry stem wall shall be provided under the dwelling unit with no more than seven (7) inches of exposed foundation measured from highest finished grade. (R*)
- (6) The exposed masonry stem wall color should be compatible to the dwelling unit. ~~(P*)~~ (P)

Rationale: High quality design promotes neighborhood pride and visual interest in residential architecture for manufactured homes.

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. ~~A maximum of one dwelling unit for one acre and one additional dwelling unit for each ten additional acres. These dwelling units are for farm owner and farm employees only.~~ DWELLING UNITS. EACH LOT MAY HAVE THE FOLLOWING:

- a. ONE PRIMARY DWELLING UNIT.
- b. ONE ACCESSORY DWELLING UNIT, 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.

12. ~~Same accessory uses and buildings as RE-24.~~ THE FOLLOWING ADDITIONAL USES, WHEN ACCESSORY TO THE RESIDENTIAL USE OF LAND OR STRUCTURES BY RESIDENTS, SHALL BE PERMITTED:

- a. RECREATIONAL FACILITIES, FOR WHICH ALL NECESSARY CONSTRUCTION AND OTHER REQUIRED PERMITS HAVE BEEN OBTAINED.
- b. PARKING OF VEHICLES IN FACILITIES AND LOCATIONS ON THE PROPERTY NOT OTHERWISE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.
- c. MATERIALS USED IN CONJUNCTION WITH A HOBBY, AVOCATION OR PASTIME, THE USE OF WHICH DOES NOT OTHERWISE CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.
- d. FACILITIES FOR HOUSEHOLD PETS, THE MAINTENANCE OF WHICH IS NOT OTHERWISE PROHIBITED BY STATUTE, REGULATION OF THE CITY CODE OF THE CITY OF PHOENIX AND WHICH FACILITIES ARE IN COMPLIANCE WITH ALL APPLICABLE ORDINANCES OF THE CITY OF PHOENIX.

B. Yard, Height and Area Requirements.

- 1. ~~There shall be a~~ EACH lot SHALL HAVE A NET AREA of not less than one acre.
- 2. For all ~~residential uses~~ DWELLING UNITS:
 - a. ~~There shall be a front yard of not less than~~ THE MINIMUM FRONT SETBACK IS ~~forty~~ 40 feet.

- b. ~~There shall be two side yards each having a width of not less than~~
THE MINIMUM SIDE SETBACK IS ~~thirty~~ 30 feet.
- c. ~~There shall be a rear yard having a depth of not less than~~ THE
MINIMUM REAR SETBACK IS ~~thirty~~ 30 feet.
- 3. Sales stands ~~or~~ AND NON-RESIDENTIAL accessory buildings shall NOT be
located ~~not~~ nearer than ~~fifty~~ 50 feet from any side or rear property line and
shall not be located nearer than ~~forty~~ 40 feet from the front property line.
- 4. ~~The main building and all accessory buildings shall not occupy more than~~
~~twenty percent of the total area of the lot for all lots under two acres or not~~
~~more than ten percent of all lots two acres or over in total area.~~
LOT COVERAGE:
 - a. FOR LOTS TWO ACRES OR LESS IN NET AREA, THE
PERMITTED LOT COVERAGE IS 20%, WITH AN ADDITIONAL 5%
PERMITTED FOR ACCESSORY DWELLING UNITS AND/OR
ATTACHED SHADE STRUCTURES.
 - b. FOR LOTS GREATER THAN TWO ACRES IN NET AREA, THE
PERMITTED LOT COVERAGE IS 10%, WITH AN ADDITIONAL 5%
PERMITTED FOR ACCESSORY DWELLING UNITS AND/OR
ATTACHED SHADE STRUCTURES.
- 5. No building shall exceed a height of two stories, not to exceed ~~thirty~~ 30 feet.
- 6. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL
PROVISIONS 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. ~~There shall be a~~ EACH lot SHALL HAVE A NET AREA of not less than three
acres.
- 2. For all ~~residential uses~~ DWELLING UNITS:

- a. ~~There shall be a front yard of not less than~~ THE MINIMUM FRONT SETBACK IS ~~forty~~ 40 feet.
 - b. ~~There shall be two side yards each having a width of not less than~~ THE MINIMUM SIDE SETBACK IS ~~thirty~~ 30 feet.
 - c. ~~There shall be a rear yard having a depth of not less than~~ THE MINIMUM REAR SETBACK IS ~~thirty~~ 30 feet.
3. Sales stands ~~or~~ AND NON-RESIDENTIAL accessory buildings shall NOT be located ~~not~~ nearer than ~~fifty~~ 50 feet from any side or rear property line and shall not be located nearer than ~~forty~~ 40 feet from the front property line.
 4. ~~The main building and all accessory buildings shall not occupy more than ten percent of the total lot area.~~
LOT COVERAGE: THE PERMITTED LOT COVERAGE IS 10%, WITH AN ADDITIONAL 5% PERMITTED FOR ACCESSORY DWELLING UNITS AND/OR ATTACHED SHADE STRUCTURES.
 5. No building shall exceed a height of two stories, not to exceed ~~thirty~~ 30 feet.
 6. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS 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.

A. Permitted Uses.

1. ~~One single family dwelling on any lot or parcel, except that a developer of a subdivision shall be allowed to build model homes prior to recording a subdivision plat, subject to the provisions of paragraph 7 below and subject to submitting a final plat which shall show the following information for each model home lot:~~
DWELLING UNITS. EACH LOT MAY HAVE THE FOLLOWING:

- a. ~~Street addresses for each model home as assigned by the Water Services Department.~~
ONE PRIMARY DWELLING UNIT.
- b. ~~Finished floor elevations for each model home as assigned by the Division of Engineering.~~
ONE ACCESSORY DWELLING UNIT.
- c. ~~Proposed lots for model homes shall be in conformance with lot lines as shown on the approved preliminary plan.~~
MODEL HOMES ARE PERMITTED SUBJECT TO THE PROVISIONS OF SECTION 608.E.19.
- d. ~~Each model home shall be located on each proposed lot in conformance with yard requirements of the district.~~

~~Such final plat need not have the required approvals for purposes of obtaining permits for model homes.~~

11. ~~RESERVED. Guesthouse, subject to the following conditions:~~

- a. ~~The square footage of the guesthouse shall not exceed fifty percent of the gross floor area of the primary dwelling unit with a maximum of nine hundred square feet, except as set forth in subsection b, below. Any garage area attached to the guesthouse which is more than the area of a single-car garage shall be counted toward the allowable square footage of the guesthouse.~~
- b. ~~On lots with more than forty-three thousand five hundred sixty square feet in net area with a primary dwelling unit of at least three thousand six hundred square feet in gross floor area, the square footage of the guesthouse may be twenty-five percent of the gross floor area of the primary dwelling unit.~~
- c. ~~The floor area of the connecting structure shall be included in the floor area of the guesthouse.~~
- d. ~~Pergolas and other roofed structures without walls shall not be considered a connecting structure.~~

- ~~e. Vehicular access to the accessory dwelling unit must be provided from the same curb (driveway) as the primary dwelling unit, except that separate access may be permitted from a paved alley.~~
- ~~f. One parking space must be provided for the accessory dwelling unit in addition to the parking required for the primary dwelling unit.~~
- ~~g. Only one guesthouse is permitted on a single lot.~~
- ~~h. The guesthouse shall be constructed of similar building materials and in the same architectural style as that of the primary dwelling unit and shall not exceed the height in feet or number of stories of the primary dwelling unit.~~
- ~~i. A guesthouse shall not:~~
 - ~~(1) Provide more parking than the one required space;~~
 - ~~(2) Be advertised for occupancy through any print or electronic media or through placement of signs on the property;~~
 - ~~(3) Provide separate mail service or have a separate address from the primary dwelling unit; or~~
 - ~~(4) Be separately metered for utilities.~~
- ~~(j) Single-family use requirements shall apply to the guesthouse and the primary dwelling unit as a single unit.~~
- ~~(k) Any guesthouse existing as of (the effective date of this ordinance) may qualify as "connected to the primary dwelling unit" by being connected to the primary dwelling unit without meeting the minimum width requirements.~~

12. Accessory uses and buildings.

- ~~a. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS OF SECTION 706.A.~~
- ~~a-b. Any OTHER accessory building(S) shall maintain the same yard requirements as the main building. No accessory use shall be maintained in which there is solicitation of recipients for a service or product, or the operation of the use so that it is commonly known as offering a commercial service or product.~~

- ~~b.-c.~~ No accessory use of land or structures shall be maintained except as hereinafter provided or except as may be permitted as a home occupation.
- ~~e.-d.~~ The following uses, when accessory to the residential use of land or structures by residents, shall be permitted:
- (1) ~~Sleeping, eating, and r~~Recreational facilities, for which all necessary construction and other required permits have been obtained.
 - (2) Parking of vehicles in facilities and locations on the property not otherwise in conflict with the provisions of this ordinance.
 - (3) Materials used in conjunction with a hobby, avocation or pastime, the use of which does not otherwise conflict with the provisions of this ordinance.
 - (4) Facilities for household pets, the maintenance of which is not otherwise prohibited by statute, regulation or the City Code of the City of Phoenix and which facilities are in compliance with all applicable ordinances of the City of Phoenix.
 - ~~(5) Reserved.~~
- ~~d.-e.~~ Except as may be provided by use permit approval in conjunction with a home occupation, no accessory use shall include outdoor display or storage of any of the following listed items, when such items are visible or emit odor, dust, gas, noise, vibration, smoke, heat, or glare beyond any boundary of the lot on which such items are displayed or stored:

- 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 ~~forty-three thousand five hundred sixty~~ 43,560 square feet. No lot shall hereafter be subdivided to provide less than ~~forty-three thousand five hundred sixty~~ 43,560 square feet of lot area, nor to have a width of less than ~~one hundred sixty-five~~ 165 feet, nor to have a lot depth of less than ~~one hundred seventy-five~~ 175 feet. ~~The provisions of Section 701.A.3, as it refers to carports, porches, and balconies in the side yard, shall not be applicable.~~

7. YARDS FOR ACCESSORY DWELLING UNITS AND OTHER ACCESSORY STRUCTURES SHALL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 706.
8. PROJECTIONS 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.

A. Permitted Uses.

1. ~~One single family dwelling on any lot or parcel, except that a developer of a subdivision shall be allowed to build model homes prior to recording a subdivision plat, subject to the provisions of Section 606A.4.b below and subject to submitting a final plat which shall show the following information for each model home lot:~~

DWELLING UNITS. EACH LOT MAY HAVE THE FOLLOWING:

- a. ~~Street addresses for each model home as assigned by the Water Services Department.~~
ONE PRIMARY DWELLING UNIT.
- b. ~~Finished floor elevations for each model home as approved by the Engineering Department.~~
ONE ACCESSORY DWELLING UNIT.
- c. ~~Proposed lots for model homes shall be in conformance with lot lines as shown on the approved preliminary plat.~~
MODEL HOMES ARE PERMITTED SUBJECT TO THE PROVISIONS OF SECTION 608.E.19.
- d. ~~Each model home shall be located on each proposed lot in conformance with yard requirements of the district.~~

~~Such final plat need not have the required approvals for purposes of obtaining permits for model homes.~~

11. Accessory uses and buildings.

a. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS OF SECTION 706.A.

~~a.~~ b. OTHER ACCESSORY BUILDING(S) SHALL MAINTAIN THE SAME YARD REQUIREMENTS AS THE MAIN BUILDING. No accessory use shall be maintained in which there is solicitation of recipients for a service or product, or the operation of the use so that it is commonly known as offering a commercial service or product.

~~b.~~ c. No accessory use of land or structures shall be maintained except as hereinafter provided or except as may be permitted as a home occupation.

~~c.~~ d. The following uses, when accessory to the residential use of land or structures by residents, shall be permitted:

(1) ~~Sleeping, eating, and~~ Recreational facilities, for which all necessary construction and other required permits have been obtained.

(2) Parking of vehicles in facilities and locations on the property not otherwise in conflict with the provisions of this ordinance.

(3) Materials used in conjunction with a hobby, avocation or pastime, the use of which does not otherwise conflict with the provisions of this ordinance.

(4) Facilities for household pets, the maintenance of which is not otherwise prohibited by statute, regulation or the City Code of the City of Phoenix and which facilities are in compliance with all applicable ordinances of the City of Phoenix.

~~(5) Reserved.~~

~~d.~~ e. Except as may be provided by use permit approval in conjunction with a home occupation, no accessory use shall include outdoor display or storage of any of the following listed items, when such items are visible or emit odor, dust, gas, noise, vibration, smoke, heat, or glare beyond any boundary of the lot on which such items are displayed or stored:

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 ~~twenty-four thousand~~ 24,000 square feet. No lot shall hereafter be subdivided to provide less than ~~twenty-four thousand~~ 24,000 thousand square feet of lot area nor to have a width of less than ~~one hundred thirty~~ 130 feet nor a lot depth of less than ~~one hundred twenty~~ 120 feet. ~~The provisions of Section 701.A.1 and 701.A.2 shall not be applicable. The provisions of Section 701.A.3, as it refers to carports, porches, and balconies in the side yard, shall not be applicable.~~

7. Yards for ACCESSORY DWELLING UNITS AND ~~detached~~ OTHER accessory ~~buildings~~ STRUCTURES shall be ~~permitted as~~ PROVIDED in ACCORDANCE WITH THE PROVISIONS OF Section 706.
8. 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.

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 ~~fourteen thousand~~ 14,000 square feet. No lot shall hereafter be subdivided to provide less than ~~fourteen thousand~~ 14,000 square feet of lot area not to have a width of less than ~~one hundred ten~~ 110 feet nor a depth less than ~~one hundred twenty~~ 120 feet. ~~The provisions of Section 701.A.1 and 701.A.2 shall not be applicable. The provisions of Section 701.A.3, as it refers to carports, porches, and balconies in the side yard, shall not be applicable.~~

7. Yards for ACCESSORY DWELLING UNITS AND ~~detached~~ OTHER accessory ~~buildings~~ STRUCTURES shall be ~~permitted as~~ PROVIDED in ACCORDANCE WITH THE PROVISIONS OF Section 706.
8. 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 (Residence Districts) to read as follows:

Section 608. ~~Residence~~ RESIDENTIAL Districts.

- A. **Purpose.** Residential districts are established in recognition of a need to provide areas of the City devoted primarily to living functions. In order to preserve these areas from the distractions and adverse impacts which can result from immediate association with nonresidential uses, these districts are restricted to residential, limited nonresidential uses, and appropriate accessory uses. These regulations are designed to promote the creation and maintenance of areas in which individuals or families may pursue residential activities with reasonable access to open space, and streets or roads, in a setting which is not negatively impacted by adjacent uses. Limited nonresidential uses may have conditions placed upon them to limit impact to adjacent residential uses and in some cases require a public hearing through a use permit or special permit process to mitigate any negative impacts to surrounding residential uses.

The standards contained in this section and Sections 609 through ~~618-619~~ AND 635 are designed to establish the character of new residential development and also to preserve the quality of residential uses during their lifetime. When applied to new development, these standards are designed to be used in conjunction with the development and improvement standards as contained in the Phoenix Subdivision Ordinance, Chapter 32 of the City Code.

This section applies to the Residential Districts in Sections 609 through ~~618-619~~, IN ADDITION TO SECTION 635 (PLANNED AREA DEVELOPMENT) WHEN SPECIFIED.

Amend Chapter 6, Section 608.B (Residence Districts—Use of district regulations) to read as follows:

- B. ~~Use of district regulations~~ **APPLICABILITY OF DEVELOPMENT OPTIONS.** The development of any parcel of land shall be in accordance with the standards contained in any one development option as contained in Sections 609 through 619. Development of a single lot or a parcel not being further subdivided and located in the RE-35 and R1-18 zoning districts (Sections 609 and 610) shall be in accordance with the requirements for the standard subdivision development option (a), as contained in Sections 609 and 610. For a single lot or parcel not part of a subdivision platted prior to May 1, 1998, not being further subdivided, and located in the R1-10 through R-4A zoning districts (Sections 611 through 619), development shall be in accordance with the requirements of the conventional subdivision option as contained in Sections 611 through 619.

All subsequent development shall be in accordance with the initially selected development option unless a use permit is obtained. Building on any lot which was subdivided or developed prior to the adoption of this chapter shall be done in accordance with the standards under which the initial subdivision or development occurred.

For purposes of conversion to this ordinance, property subdivided prior to May 1, 1998, shall be considered as follows:

2. Residential development with ~~a subplot site plan~~ **AN APPROVED SUBDIVISION SETBACK EXHIBIT** approved by the subdivision committee shall be considered under the average lot development option if located in the RE-35 through ~~R1-5~~ R-5 zoning districts (Sections 609 through 618).

Amend Chapter 6, Section 608.C (Residence Districts—Permitted Uses) to read as follows:

G. ~~Permitted Uses~~

Use	Permitted	Permitted with Conditions (1)	Use Permit and Conditions (2)
Single Family DU	X		
Governmental Uses	X		
Community Residence Home		X	
Interior Suite with Accessory Cooking Facilities		X	

Boarding House		X	X
Group Home		X	X

1—6 Dependent Care Facility		X	
1—4 Adult Day Care Home		X	
Display for Sale of Vehicle		X	
Guestrooms		X	
Public Utility Buildings and Facilities		X	
Schools, Private		X	X
		X	

5—10 Adult Day Care Home		X	X
Churches/Place of Worship		X	X
Construction Facilities and Storage		X	X
Home Occupations		X	X
Model Homes and/or Subdivision Sales Office		X	X
Nondaily Newspaper Delivery Service		X	X
Public Assembly—Residential		X	X

7—12 Dependent Care Facility			X
Environmental Remediation Facility			X

- (1) Please note some uses that are permitted with conditions require a use permit approval if they exceed established thresholds.
- (2) There is also a fourth category of residential uses permitted with approval of a special permit. Please see Section 647.

- G. 1. One single family dwelling on any lot or parcel, except that a developer of a subdivision shall be allowed to build model homes prior to recording a subdivision plat, subject to the provisions of Section 608.C.3 and subject to submitting a final plat which shall show the following information for each model home lot:
- a. Street addresses for each model home as assigned by the Water Services Department.
 - b. Finished floor elevations for each model home as approved by the Engineering Department.

~~c. Proposed lots for model homes shall be in conformance with lot lines as shown on the approved preliminary plat.~~

~~d. Each model home shall be located on each proposed lot in conformance with yard requirements of the district.~~

~~Such final plat need not have the required approvals for purposes of obtaining permits for model homes.~~

~~2. Governmental uses are permitted.~~

~~3. No accessory use of land or structures shall be maintained except as hereinafter provided or except as may be permitted as a home occupation.~~

C. **USE REGULATIONS.** THE REGULATIONS GOVERNING THE USES OF LAND AND STRUCTURES SHALL BE AS SET FORTH IN THE RESIDENTIAL DISTRICTS LAND USE MATRIX, SECTION 608.D, AND LAND USE CONDITIONS IN SECTION 608.E, AS FOLLOWS:

1. ANY USE NOT LISTED IN SECTION 608.D (RESIDENTIAL DISTRICTS LAND USE MATRIX) SHALL NOT BE PERMITTED UNLESS THE USE IS OTHERWISE PERMITTED WITHIN THE REGULATIONS SPECIFIC TO THE ZONING DISTRICT, PER SECTIONS 609 – 619 AND 635.
2. ALL USES INDICATED WITH “P” ARE PERMITTED WITH THE APPLICABLE ZONING DISTRICT, SUBJECT TO DEVELOPMENT REGULATIONS LISTED BELOW AND ELSEWHERE WITHIN THE ZONING ORDINANCE.
3. ALL USES INDICATED WITH “PC” ARE PERMITTED WITHIN THE APPLICABLE ZONING DISTRICT ONLY IF SPECIFIC CONDITIONS ARE MET. THE CONDITIONS ARE DESCRIBED IN SECTION 608.E, LAND USE CONDITIONS, BY THE ASSOCIATED CONDITION NUMBER (E.G. “pc15” IS DESCRIBED UNDER SECTION 608.E.15). IN SOME CASES, A USE PERMIT PER SECTION 307 MAY BE REQUIRED AS OUTLINED IN THE CONDITIONS.
4. ALL USES INDICATED WITH “UP” ARE PERMITTED WITHIN THE APPLICABLE ZONING DISTRICT ONLY UPON APPROVAL OF A USE PERMIT PER SECTION 307. IF A NUMBER IS ALSO PROVIDED (E.G. “UP25”), THERE ARE ALSO CONDITIONS WHICH MUST BE COMPLIED WITH BEFORE APPLYING FOR A USE PERMIT.

5. ALL USES INDICATED WITH “SP” ARE PERMITTED WITHIN THE APPLICABLE ZONING DISTRICT ONLY UPON APPROVAL OF A SPECIAL PERMIT PER SECTION 504.1.
6. ALL USES INDICATED WITH “NP” ARE NOT PERMITTED WITHIN THE APPLICABLE ZONING DISTRICT.
7. NO ACCESSORY USE OF LAND OR STRUCTURES SHALL BE MAINTAINED EXCEPT AS HEREINAFTER PROVIDED OR EXCEPT AS MAY BE PERMITTED AS A HOME OCCUPATION.

Amend Chapter 6, Section 608.D (Residence Districts—Permitted Uses with Conditions) to read as follows:

D. ~~Permitted Uses with Conditions.~~

1. ~~Adult day care home for the care of one to four adult persons; provided, that:~~
 - a. ~~Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
2. ~~Community residence home; provided, that:~~
 - 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.~~

3. ~~Dependent care facility for six dependents, subject to the following conditions:~~
 - a. ~~Resident dependents under the age of 12 years shall not be counted.~~
 - b. ~~Outdoor play areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
 - c. ~~The employees must reside at the facility unless a nonresident employee is required by the Arizona Department of Health Services.~~
4. ~~The display for sale of a vehicle, which for purposes of this provision includes trailers, watercraft or other types of transportation that are built to carry passengers or cargo shall be subject to the following restrictions:~~
 - a. ~~No more than one vehicle can be labeled for sale or show any indication that it is for sale at any given time on a property, whether visible on site or through some other form of advertising.~~
 - b. ~~No more than two vehicles can be sold on a property during any calendar year.~~
 - c. ~~For purposes of Sections 608.A and B, two jet skis, a boat or similar types of recreational vehicles that are transported on one trailer shall, together with the trailer, be considered one vehicle.~~
 - d. ~~The ownership of the vehicle(s) must be registered to the location where the vehicle is listed for sale.~~
 - e. ~~No vehicle can be labeled for sale or show any indication that it is for sale at an unoccupied house or on a vacant lot or parcel.~~
 - f. ~~No vehicle can be labeled for sale or show any indication that it is for sale in conjunction with a retail or wholesale vehicle sales dealership or business without obtaining a temporary use permit.~~
5. ~~Guestrooms. Each single-family dwelling may contain no more than two guestrooms.~~
6. ~~Public utility buildings and facilities when necessary for serving the surrounding territory; provided, that no public business offices and no repair or storage facilities are maintained therein, are permitted in each district.~~
7. ~~Schools are permitted in each district subject to a site plan being approved in conformance with Section 507.~~

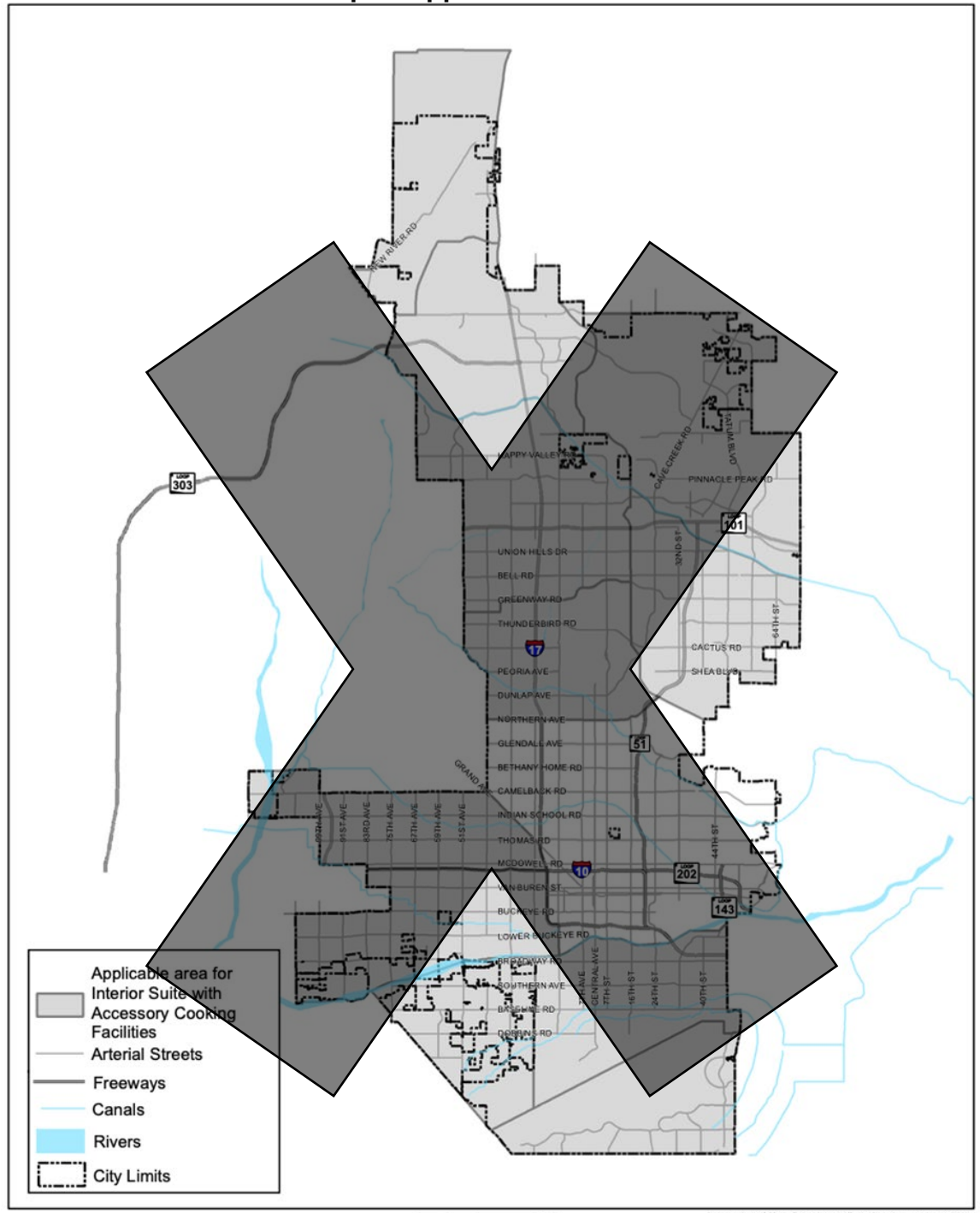
~~8. Interior suite with accessory cooking facilities, subject to the following:~~

~~a. Dwelling units with an interior suite with accessory cooking facilities are permitted only in residential subdivisions of 15 acres or more and located within the boundaries illustrated in Map 1, as follows:~~

~~(1) Subdivided after July 5, 2019; or~~

~~(2) Subdivided prior to July 5, 2019, but with less than 25 percent of the lots having constructed dwelling units or valid building permits as of July 5, 2019.~~

Map 1: Applicable Area



- b. ~~An interior suite with accessory cooking facilities shall only be part of a single-family detached dwelling unit and must be under the same roof structure. Only one interior suite with accessory cooking facilities shall be permitted per lot and shall be located on the ground floor.~~
- c. ~~The square footage of the interior suite with accessory cooking facilities shall not exceed 30 percent of the total net floor area or 800 square feet (whichever is less). Garage or patio areas shall not be included for the purpose of this calculation.~~
- d. ~~An interior suite with accessory cooking facilities shall not have utility services that are metered separately from the remainder of the dwelling unit.~~
- e. ~~At least one internal doorway shall be provided between the interior suite with accessory cooking facilities and the remainder of the dwelling unit.~~
- f. ~~An interior suite with accessory cooking facilities shall not have a private yard area that is fenced or walled off from the remainder of the lot. This requirement shall not prohibit required pool fences, fenced in animal areas, garden fencing, or other fencing used for different purposes.~~
- g. ~~No more than one parking space, which may be covered or enclosed, shall be provided for an interior suite with accessory cooking facilities in addition to the parking provided for the remainder of the dwelling unit, with a maximum of four spaces total. This requirement does not apply to parking that may occur on the driveway in front of the garage(s).~~
- h. ~~An interior suite with accessory cooking facilities shall not have a parking space served by a driveway separated from the main driveway and parking areas provided for the remainder of the dwelling unit.~~
- i. ~~An interior suite with accessory cooking facilities shall not provide separate mail service or have a separate address from the remainder of the dwelling unit.~~
- j. ~~Design requirements. Elevations must minimize any secondary entry visible from the street and have the appearance of a single-family home. This shall be treated as a presumption as outlined in Section 507.C.2.~~

D. RESIDENTIAL DISTRICTS LAND USE MATRIX

LAND USE CATEGORIES	SECTION AND ZONING DISTRICT											
	609	610	611	612	613	614	615	616	617	618	619	635
<u>Single-Family Detached</u> <u>(a)</u> <u>Accessory Dwelling</u> <u>c)</u> <u>Unit (ADU)</u>	<u>RE-35</u>	<u>R1-18</u>	<u>R1-10</u>	<u>R1-8</u>	<u>R1-6</u>	<u>R-2</u>	<u>R-3</u>	<u>R-3A</u>	<u>R-4</u>	<u>R-5</u>	<u>R-4A</u>	<u>PAD</u>
	<u>pc1</u>	<u>pc1</u>	<u>pc1</u>	<u>pc1</u>	<u>pc1</u>	<u>pc1</u>	<u>pc1</u>	<u>pc1</u>	<u>pc1</u>	<u>pc1</u>	<u>pc1</u>	<u>pc1</u>
	<u>pc2</u>	<u>pc2</u>	<u>pc2</u>	<u>pc2</u>	<u>pc2</u>	<u>pc2</u>	<u>pc2</u>	<u>pc2</u>	<u>pc2</u>	<u>pc2</u>	<u>pc2</u>	<u>pc2</u>
<u>(a)</u> <u>Guestroom(s)</u> <u>c)</u>	<u>pc3</u>	<u>pc3</u>	<u>pc3</u>	<u>pc3</u>	<u>pc3</u>	<u>pc3</u>	<u>pc3</u>	<u>pc3</u>	<u>pc3</u>	<u>pc3</u>	<u>pc3</u>	<u>pc3</u>
<u>Duplex</u>	<u>np</u>	<u>np</u>	<u>pc4</u>	<u>pc4</u>	<u>pc4</u>	<u>pc4</u>	<u>pc4</u>	<u>pc4</u>	<u>pc4</u>	<u>pc4</u>	<u>pc4</u>	<u>pc4</u>
<u>Triplex</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>pc5</u>	<u>pc5</u>	<u>pc5</u>	<u>pc5</u>	<u>pc5</u>	<u>pc5</u>	<u>pc5</u>
<u>Single-Family Attached</u>	<u>pc6</u>	<u>pc6</u>	<u>pc6</u>	<u>pc6</u>	<u>pc6</u>	<u>pc6</u>	<u>pc6</u>	<u>pc6</u>	<u>pc6</u>	<u>pc6</u>	<u>pc6</u>	<u>pc6</u>
<u>Multifamily</u>	<u>np</u>	<u>np</u>	<u>pc7</u>	<u>pc7</u>	<u>pc7</u>	<u>pc7</u>	<u>pc7</u>	<u>pc7</u>	<u>pc7</u>	<u>pc7</u>	<u>pc7</u>	<u>pc7</u>
<u>(a)</u> <u>Residential</u> <u>c)</u> <u>Convenience Market</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>pc8</u>	<u>pc8</u>	<u>pc8</u>	<u>pc8</u>	<u>pc8</u>
<u>Off-Site Manufactured</u> <u>Home Developments</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>up35</u>	<u>up35</u>	<u>up35</u>	<u>up35</u>	<u>up35</u>	<u>up35</u>	<u>np</u>
<u>Boarding House</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>up9</u>	<u>up9</u>	<u>up9</u>	<u>up9</u>	<u>up9</u>	<u>up9</u>
<u>1-4 Adult Day Care Home</u>	<u>pc10</u>	<u>pc10</u>	<u>pc10</u>	<u>pc10</u>	<u>pc10</u>	<u>pc10</u>	<u>pc10</u>	<u>pc10</u>	<u>pc10</u>	<u>pc10</u>	<u>pc10</u>	<u>pc10</u>
<u>5-10 Adult Day Care Home</u>	<u>up11</u>	<u>up11</u>	<u>up11</u>	<u>up11</u>	<u>up11</u>	<u>up11</u>	<u>up11</u>	<u>up11</u>	<u>up11</u>	<u>up11</u>	<u>up11</u>	<u>up11</u>
<u>11+ Adult Day Care Center</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>up12</u>	<u>up12</u>	<u>up12</u>	<u>up12</u>	<u>up12</u>	<u>np</u>
<u>1-10 Community Residence</u> <u>Home</u>	<u>pc13</u>	<u>pc13</u>	<u>pc13</u>	<u>pc13</u>	<u>pc13</u>	<u>pc13</u>	<u>pc13</u>	<u>pc13</u>	<u>pc13</u>	<u>pc13</u>	<u>pc13</u>	<u>pc13</u>
<u>11 + Community Residence</u> <u>Center</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>up14</u>	<u>up14</u>	<u>up14</u>	<u>up14</u>	<u>up14</u>	<u>np</u>
<u>1-6 Dependent Care Facility</u>	<u>pc15</u>	<u>pc15</u>	<u>pc15</u>	<u>pc15</u>	<u>pc15</u>	<u>pc15</u>	<u>pc15</u>	<u>pc15</u>	<u>pc15</u>	<u>pc15</u>	<u>pc15</u>	<u>pc15</u>
<u>7-12 Dependent Care</u> <u>Facility</u>	<u>up16</u>	<u>up16</u>	<u>up16</u>	<u>up16</u>	<u>up16</u>	<u>up16</u>	<u>up16</u>	<u>up16</u>	<u>up16</u>	<u>up16</u>	<u>up16</u>	<u>up16</u>
<u>13 + Dependent Care</u> <u>Facility</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>up17</u>	<u>up17</u>	<u>up17</u>	<u>up17</u>	<u>up17</u>	<u>np</u>
<u>Group Home</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>up18</u>	<u>up18</u>	<u>up18</u>	<u>up18</u>	<u>up18</u>	<u>up18</u>
<u>Group Foster Home</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>np</u>	<u>up</u>	<u>up</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>np</u>

LAND USE CATEGORIES		SECTION AND ZONING DISTRICT												
		609	610	611	612	613	614	615	616	617	618	619	635	
Governmental Uses Model Homes and Subdivision Sales Offices Public Utility Buildings and Facilities	RE-35	<u>p</u>	<u>R1-18</u>	<u>R1-10</u>	<u>R1-8</u>	<u>R1-6</u>	<u>R-2</u>	<u>R-3</u>	<u>R-3A</u>	<u>R-4</u>	<u>R-5</u>	<u>R-4A</u>	<u>PAD</u>	
		<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	
		<u>pc19</u>	<u>pc19</u>	<u>pc19</u>	<u>pc19</u>	<u>pc19</u>	<u>pc19</u>	<u>pc19</u>	<u>pc19</u>	<u>pc19</u>	<u>pc19</u>	<u>pc19</u>	<u>pc19</u>	
		<u>pc20</u>	<u>pc20</u>	<u>pc20</u>	<u>pc20</u>	<u>pc20</u>	<u>pc20</u>	<u>pc20</u>	<u>pc20</u>	<u>pc20</u>	<u>pc20</u>	<u>pc20</u>	<u>pc20</u>	
Schools, Private	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	
Schools, Public	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	
Church/Place of Worship	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	<u>p</u>	
(a) c) Accessory To Church/Place Of Worship	<u>pc21</u>	<u>pc21</u>	<u>pc21</u>	<u>pc21</u>	<u>pc21</u>	<u>pc21</u>	<u>pc21</u>	<u>pc21</u>	<u>pc21</u>	<u>pc21</u>	<u>pc21</u>	<u>pc21</u>	<u>pc21</u>	
Public Assembly-- Residential	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	<u>pc22</u>	
Environmental Remediation Facility	<u>up23</u>	<u>up23</u>	<u>up23</u>	<u>up23</u>	<u>up23</u>	<u>up23</u>	<u>up23</u>	<u>up23</u>	<u>up23</u>	<u>up23</u>	<u>up23</u>	<u>up23</u>	<u>up23</u>	
Community Garden	<u>pc24</u>	<u>pc24</u>	<u>pc24</u>	<u>pc24</u>	<u>pc24</u>	<u>pc24</u>	<u>pc24</u>	<u>pc24</u>	<u>pc24</u>	<u>pc24</u>	<u>pc24</u>	<u>pc24</u>	<u>np</u>	
Farmer's Market	<u>pc25</u>	<u>pc25</u>	<u>pc25</u>	<u>pc25</u>	<u>pc25</u>	<u>pc25</u>	<u>pc25</u>	<u>pc25</u>	<u>pc25</u>	<u>pc25</u>	<u>pc25</u>	<u>pc25</u>	<u>np</u>	
ACCESSORY USES IN RESIDENCE DISTRICTS														
	<u>pc26</u>	<u>pc26</u>	<u>pc26</u>	<u>pc26</u>	<u>pc26</u>	<u>pc26</u>	<u>pc26</u>	<u>pc26</u>	<u>pc26</u>	<u>pc26</u>	<u>pc26</u>	<u>pc26</u>	<u>pc26</u>	
	<u>pc27</u>	<u>pc27</u>	<u>pc27</u>	<u>pc27</u>	<u>pc27</u>	<u>pc27</u>	<u>pc27</u>	<u>pc27</u>	<u>pc27</u>	<u>pc27</u>	<u>pc27</u>	<u>pc27</u>	<u>pc27</u>	
	<u>pc28</u>	<u>pc28</u>	<u>pc28</u>	<u>pc28</u>	<u>pc28</u>	<u>pc28</u>	<u>pc28</u>	<u>pc28</u>	<u>pc28</u>	<u>pc28</u>	<u>pc28</u>	<u>pc28</u>	<u>pc28</u>	
	<u>pc29</u>	<u>pc29</u>	<u>pc29</u>	<u>pc29</u>	<u>pc29</u>	<u>pc29</u>	<u>pc29</u>	<u>pc29</u>	<u>pc29</u>	<u>pc29</u>	<u>pc29</u>	<u>pc29</u>	<u>pc29</u>	
	<u>pc30</u>	<u>pc30</u>	<u>pc30</u>	<u>pc30</u>	<u>pc30</u>	<u>pc30</u>	<u>pc30</u>	<u>pc30</u>	<u>pc30</u>	<u>pc30</u>	<u>pc30</u>	<u>pc30</u>	<u>pc30</u>	
	<u>pc31</u>	<u>pc31</u>	<u>pc31</u>	<u>pc31</u>	<u>pc31</u>	<u>pc31</u>	<u>pc31</u>	<u>pc31</u>	<u>pc31</u>	<u>pc31</u>	<u>pc31</u>	<u>pc31</u>	<u>pc31</u>	
	<u>pc32</u>	<u>pc32</u>	<u>pc32</u>	<u>pc32</u>	<u>pc32</u>	<u>pc32</u>	<u>pc32</u>	<u>pc32</u>	<u>pc32</u>	<u>pc32</u>	<u>pc32</u>	<u>pc32</u>	<u>pc32</u>	
	<u>pc33</u>	<u>pc33</u>	<u>pc33</u>	<u>pc33</u>	<u>pc33</u>	<u>pc33</u>	<u>pc33</u>	<u>pc33</u>	<u>pc33</u>	<u>pc33</u>	<u>pc33</u>	<u>pc33</u>	<u>pc33</u>	

LAND USE CATEGORIES		SECTION AND ZONING DISTRICT											
		609	610	611	612	613	614	615	616	617	618	619	635
		RE-35	R1-18	R1-10	R1-8	R1-6	R-2	R-3	R-3A	R-4	R-5	R-4A	PAD
		pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34
	<u>Private Tennis /</u> <u>Outdoor Game Courts</u>												

Amend Chapter 6, Section 608.E (Residence Districts—Permitted Uses with Conditions and May Require Approval of a Use Permit Pursuant to Section 307) to read as follows:

E. ~~Permitted Uses with Conditions and May Require Approval of a Use Permit Pursuant to Section 307.~~

1. ~~Churches or similar places of worship, including parish houses, parsonages, rectories, and convents and dormitories with no more than ten residents accessory thereto, are permitted in each district, except temporary tents or buildings. Athletic activities in conjunction with the above and on the same lot or contiguous lots may be permitted. See Public Assembly—Residential.~~
 - a. ~~Bingo may be operated as an accessory use on the premises of the church when conducted no more than two days a week. Fundraising events located on the same lot or contiguous lots shall be permitted, subject to the following requirements:~~
 - (1) ~~The sponsoring, organizing and benefiting entities shall be nonprofit or religious organizations.~~
 - b. ~~Events held entirely within a building or buildings shall not be further regulated; however, events to be conducted wholly or in part outdoors shall be subject to the following additional conditions:~~
 - (1) ~~Any outdoor portion of the event must be located a minimum of 50 feet from a property line adjacent to a residential zoning district and a residential use.~~
 - (2) ~~The event shall not be conducted between the hours of 10:00 p.m. and 5:00 a.m.~~
 - (3) ~~The event shall not be conducted in such manner as to reduce the number of parking spaces required for any normal functions of the primary use which are held during the event.~~
 - (4) ~~Lighting shall be so placed as to reflect the light away from adjacent residences.~~
 - c. ~~Pocket shelters as accessory uses to churches or similar places of worship, subject to the following standards (and applicable Maricopa County and City of Phoenix health and safety regulations):~~

- (1) ~~A pocket shelter shall house no more than 12 unrelated persons. A pocket shelter may house up to 20 unrelated persons upon approval of a use permit in accordance with the procedures and standards of Section 307. Minors (age 18 years or younger) accompanied by a parent or a guardian shall not be counted in the number of unrelated persons.~~
- (2) ~~The church or similar place of worship shall be located on an arterial or collector street as defined on the street classification map. A shelter at a church or similar place of worship which is not on an arterial or collector street shall be permitted upon approval of a use permit in accordance with the procedures and provisions of Section 307.~~
- (3) ~~The church or similar place of worship shall provide on-site supervision of shelter residents at all times that two or more unrelated residents are at the shelter.~~
- (4) ~~Drug, alcohol, other substance abuse, or mental health rehabilitation programs shall not be allowed as part of the shelter services. This provision shall not prevent the church or similar place of worship from referring shelter residents to other appropriate programs at the church or similar place of worship or elsewhere, e.g., Alcoholics Anonymous, which are not part of the shelter services.~~
- (5) ~~Shelter residents shall not possess alcohol, weapons, or illegal drugs at the shelter.~~
- (6) ~~Open areas surrounding pocket shelter structures shall be screened from view from abutting and/or adjoining properties by hedges, trees, other landscaping, or walls.~~
- (7) ~~Pocket shelter structures shall not have direct access to abutting and/or adjoining properties.~~
- (8) ~~Pocket shelters shall be housed in permanent structures rather than in tents or other similar temporary structures.~~
- (9) ~~A church or similar place of worship shall house no more than one pocket shelter.~~

2. ~~Construction facilities and storage, incidental to a construction project and located on the project site, are permitted. When such facilities or storage are used for construction on a lot or lots other than the lot or lots used for such facilities or storage, such use shall maintain the setbacks provided by the requirements of this chapter and shall be subject to securing a use permit. When such facilities and storage serve a residential subdivision, are approved in conjunction with model homes by the Planning and Development Department, and meet all of the standards listed below, no use permit is required:~~
 - a. ~~The facilities shall not be placed on a lot which abuts, joins at the corners, or is across a street or alley from a dwelling unit which is under construction or occupied at the time of said placement, unless written agreement to the placement is given by the owner or occupant of the affected property.~~
 - b. ~~All outside storage shall be screened by a six foot high solid fence or masonry wall. No construction vehicles or machinery shall be placed within ten feet of the screen fence or wall.~~
 - c. ~~All signs on the facility shall fully comply with Section 705, the Sign Code.~~
 - d. ~~All facilities and storage shall be removed within three months of the closure of the model homes.~~
3. ~~Home occupations including but not limited to architect, lawyer, off-site sales businesses, accountant, real estate agent, telemarketing sales, and psychologist. For purposes of this section, off-site sales means processing orders by mail, facsimile, phone, modem or Internet.~~
 - a. ~~No one outside the family residing in the dwelling unit shall be employed in the home occupation.~~
 - b. ~~No exterior display, no exterior storage of materials, no sign, and no other exterior indication of the home occupation or variation from the residential character of the principal or accessory building, except as authorized in Section 608.E.3.h.~~
 - c. ~~No home occupation shall emit odor, dust, gas, noise, vibration, smoke, heat, or glare beyond any boundary of the lot on which the home occupation is conducted.~~

- d. ~~Activity shall be limited to the hours between 7:00 a.m. and 10:00 p.m.~~
- e. ~~No mechanical equipment shall be used except that normally used for domestic, hobby, standard office, or household purposes.~~
- f. ~~Not more than 25 percent of the total area under roof on the site shall be used for any home occupation.~~
- g. ~~Any parking incidental to the home occupation shall be provided on the site.~~
- h. ~~Home occupations shall obtain a use permit from the Zoning Administrator in accordance with Section 307 when:~~
 - (1) ~~Traffic (other than trips by occupants of the household) is generated by the home occupation; or~~
 - (2) ~~The home occupation is conducted in an accessory building; or~~
 - (3) ~~The home occupation is conducted as an outside use; or~~
 - (4) ~~Minor variations to Section 608.E.3.c are required to conduct the home occupation; or~~
 - (5) ~~An applicant desires an official approval of a home occupation.~~
- i. ~~A home occupation shall not include, but such exclusion shall not be limited to, the following uses:~~
 - (1) ~~Barbershops and beauty parlors.~~
 - (2) ~~Commercial stables, veterinary offices.~~
 - (3) ~~Dog grooming.~~
 - (4) ~~Massage parlors.~~
 - (5) ~~Reserved.~~
 - (6) ~~Restaurants.~~
 - (7) ~~Veterinary hospitals and commercial kennels.~~

4. ~~Model homes and/or subdivision sales offices when located in model homes subject to approval of the Planning and Development Department's representative to the Site Planning Division, and subject to the following conditions:~~
- a. ~~Such model home and/or subdivision sales offices shall be located in a subdivision or portion thereof 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 608.E.4.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 608.E.4.b or upon expiration of the extension granted by the Zoning Administrator pursuant to Section 608.E.4.c, or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever comes 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 400 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 Section 608.E.4.a and d, the term "subdivision" shall mean all the land included within the preliminary plat submitted to the 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 608.C.1.~~

g. ~~Modular subdivision sales office, subject to the following criteria:~~

(1) ~~The structure shall be integrated with, architecturally compatible to, and blend in color to the model homes approved for the subdivision, as determined by the Planning and Development Department.~~

(2) ~~Modular subdivision sales offices shall be permitted for a period not to exceed 36 months from the date of approval for the sales offices.~~

(3) ~~The time limit allowed in Section 608.E.4.g.2 for an additional 36 months shall be extended only upon securing a use permit.~~

(4) ~~The modular subdivision sales office shall be removed on or before the termination date set forth in Section 608.E.4.g.2 or upon expiration of the extension granted by the Zoning Administrator or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever comes first.~~

(5) ~~For the purposes of this section, the term "subdivision" shall mean all of the land included within the preliminary plat submitted to the Planning and Development Department.~~

(6) ~~Prior to issuance of any sales office permits, a site plan shall be approved by the Planning and Development Department for verification of setback conformance.~~

(7) ~~Two signs are permitted. Signs shall not exceed a combined total of 32 square feet.~~

(8) ~~One sales office shall be permitted for each model home complex allowed in accordance with Section 608.E.4.h.~~

h. ~~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 400 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 dust proofed.~~
- ~~(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.~~

5. ~~Nondaily newspaper delivery service shall be permitted subject to the following limitations:~~

- ~~a. Delivered bulk materials related to nondaily publications shall be transferred to an enclosed building or secured area so that materials are not visible from the street or adjacent properties unless for preparation of materials for same day distribution. Preparation of materials for same day distribution may occur on or about adjacent public rights-of-way; provided, that materials do not remain in public view for longer than 24 hours.~~
- ~~b. Materials stored for periods greater than 24 hours shall be enclosed within a building or secured by a wall or fence of such material, construction, and height so as to conceal the materials located.~~
- ~~c. Activities relating to and/or accessory to the preparation of materials stored for periods greater than 24 hours shall occur within an enclosed building or an area secured by a wall or fence of such material, construction, and height so as to completely conceal the activities.~~

- d. ~~Such delivery shall be limited to two bulk deliveries in a seven-day period. More frequent deliveries shall require a use permit in accordance with the procedures of Section 307.~~
 - e. ~~No traffic other than that required for the bulk delivery and pickup shall be allowed by outside employees. Any other business-related traffic shall require a use permit in accordance with the procedures of Section 307.~~
6. ~~Public Assembly—Residential. A use permit shall be required for all public assembly—residential uses with vehicular access on local or minor collector streets.~~

E. LAND USE CONDITIONS.

- 1. **SINGLE-FAMILY DETACHED DWELLING UNIT.** EACH SINGLE-FAMILY LOT IS PERMITTED ONE (1) 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 (1) ACCESSORY DWELLING UNIT IN ADDITION TO THE PRIMARY DWELLING UNIT, EXCEPT THAT LOTS HAVING A DUPLEX OR TRIPLEX MAY NOT HAVE AN ADU.
 - b. AN ADU IS SUBJECT TO THE DEVELOPMENT REGULATIONS OF SECTION 706.A.
- 3. **GUESTROOMS.** EACH SINGLE-FAMILY DWELLING UNIT MAY CONTAIN NO MORE THAN TWO GUESTROOMS.
- 4. **DUPLEX:**
 - a. SINGLE-FAMILY LOTS: ONE (1) DUPLEX IS PERMITTED PER LOT WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION. THE LOT MUST BE OF THE MINIMUM SIZE REQUIRED BY THE APPLICABLE DENSITY TO PERMIT TWO DWELLING UNITS.

- b. MULTIFAMILY LOTS: DUPLEXES ARE PERMITTED WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION. THE LOT MUST BE OF THE MINIMUM SIZE REQUIRED BY THE APPLICABLE DENSITY TO PERMIT THE NUMBER OF DWELLING UNITS PROPOSED.

5. **TRIPLEX:**

- a. SINGLE-FAMILY LOTS: ONE (1) TRIPLEX IS PERMITTED PER LOT WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION. THE LOT MUST BE OF THE MINIMUM SIZE REQUIRED BY THE APPLICABLE DENSITY TO PERMIT THREE DWELLING UNITS.
 - b. MULTIFAMILY LOTS: TRIPLEXES ARE PERMITTED WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION. THE LOT MUST BE OF THE MINIMUM SIZE REQUIRED BY THE APPLICABLE DENSITY TO PERMIT THE NUMBER OF DWELLING UNITS PROPOSED.

6. **SINGLE-FAMILY ATTACHED DWELLING UNIT.** ONE (1) SINGLE-FAMILY ATTACHED DWELLING UNIT IS PERMITTED PER SINGLE-FAMILY LOT WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION.

7 **MULTIFAMILY DWELLING UNITS.** MULTIFAMILY DWELLING UNITS ARE PERMITTED WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION.

8. **RESIDENTIAL CONVENIENCE MARKET.** A RESIDENTIAL CONVENIENCE MARKET IS PERMITTED AS AN ACCESSORY USE TO A MULTIFAMILY DEVELOPMENT WHERE SPECIFIED IN THE RESIDENTIAL DISTRICT LAND USE MATRIX, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. THE DEVELOPMENT SHALL CONTAIN A MINIMUM OF 400 DWELLING UNITS.

- b. THE MARKET SHALL NOT EXCEED 1,000 SQUARE FEET IN TOTAL FLOOR AREA (DISPLAY AND STORAGE) IF THE DEVELOPMENT CONTAINS LESS THAN 850 DWELLING UNITS. THE MARKET SHALL NOT EXCEED 3,000 SQUARE FEET IN TOTAL FLOOR AREA (DISPLAY AND STORAGE) IF THE DEVELOPMENT CONTAINS 850 OR MORE DWELLING UNITS.
 - c. NO PARKING SPACES SHALL BE REQUIRED OR PERMITTED FOR THE MARKET EXCEPT FOR SPACES DESIGNATED FOR DELIVERIES OR HANDICAPPED INDIVIDUALS.
 - d. SIGNAGE SHALL BE ALLOWED ONLY AS PART OF A COMPREHENSIVE SIGN PLAN PURSUANT TO SECTION 705. THE ZONING ADMINISTRATOR MAY APPROVE WALL MOUNTED SIGNAGE UP TO A MAXIMUM HEIGHT OF 30 FEET AS PART OF AN APPROVED COMPREHENSIVE SIGN PLAN.
- 9. **BOARDING HOUSE**, SUBJECT TO A USE PERMIT AND THE FOLLOWING CONDITIONS:
 - a. 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.
 - b. NO BOARDING HOUSE 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 BOARDING HOUSE, GROUP HOME, OR COMMUNITY RESIDENCE HOME OR CENTER WITHIN A RESIDENTIAL ZONING DISTRICT.
 - c. A MAXIMUM LOT COVERAGE OF 25 PERCENT.
 - d. A MINIMUM OF 100 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED SHALL BE PROVIDED, WHICH MAY BE REDUCED TO 50 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED IN THE R-5 AND R-4A DISTRICTS.
 - e. THE LOT SHALL ONLY HAVE VEHICULAR ACCESS FROM AN ARTERIAL OR COLLECTOR STREET.

10. **ADULT DAY CARE HOME FOR THE CARE OF ONE TO FOUR ADULT PERSONS**; PROVIDED THAT:
 - a. OUTDOOR RECREATION AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
11. **ADULT DAY CARE HOME FOR THE CARE OF FIVE TO TEN ADULT PERSONS**, SUBJECT TO A USE PERMIT; AND PROVIDED THAT:
 - a. OUTDOOR RECREATION AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
12. **ADULT DAY CARE CENTER FOR THE CARE OF ELEVEN OR MORE ADULT PERSONS**, SUBJECT TO A USE PERMIT; AND PROVIDED THAT:
 - a. OUTDOOR RECREATION AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
13. **COMMUNITY RESIDENCE HOME**; PROVIDED, THAT:
 - a. THE HOME HAS NO MORE THAN FIVE RESIDENTS, NOT INCLUDING STAFF (UNLESS PERMITTED BY SECTION 36-582(A), ARIZONA REVISED STATUTES).
 - 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.

14. **COMMUNITY RESIDENCE CENTER**, SUBJECT TO A USE PERMIT AND THE FOLLOWING CONDITIONS:

- a. SUCH CENTER 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.
- b. NO COMMUNITY RESIDENCE CENTER 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 OR CENTER WITHIN A RESIDENTIAL ZONING DISTRICT.
- c. DISABILITY ACCOMMODATION FROM THE SPACING REQUIREMENT MAY BE REQUESTED BY AN APPLICANT PER SECTION 701.E.3.
- d. A MAXIMUM LOT COVERAGE OF 25 PERCENT.
- e. A MINIMUM OF 100 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED SHALL BE PROVIDED, WHICH MAY BE REDUCED TO 50 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED IN THE R-5 AND R-4A DISTRICTS.
- f. THE LOT SHALL ONLY HAVE VEHICULAR ACCESS FROM AN ARTERIAL OR COLLECTOR STREET.

15. **DEPENDENT CARE FACILITY FOR UP TO SIX DEPENDENTS**, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. RESIDENT DEPENDENTS UNDER THE AGE OF 12 YEARS SHALL NOT BE COUNTED.
- b. OUTDOOR PLAY AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.

- c. THE EMPLOYEES MUST RESIDE AT THE FACILITY UNLESS A NONRESIDENT EMPLOYEE IS REQUIRED BY THE ARIZONA DEPARTMENT OF HEALTH SERVICES.
- 16. **DEPENDENT CARE FACILITY FOR SEVEN TO 12 DEPENDENTS**, SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 AND SUBJECT TO THE FOLLOWING STANDARDS:
 - a. RESIDENT DEPENDENTS UNDER THE AGE OF 12 YEARS SHALL NOT BE COUNTED WHEN THEY ARE PRESENT ON THE PREMISES.
 - b. OUTDOOR PLAY AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
 - c. HOURS OF OPERATION SHALL BE ONLY BETWEEN 6:00 A.M. AND 10:00 P.M. THESE HOURS MAY BE RESTRICTED AS PART OF THE USE PERMIT APPROVAL.
 - d. NONRESIDENT EMPLOYEES MAY BE PERMITTED WITH THE USE PERMIT IF NECESSARY TO MEET STATE REQUIREMENTS.
 - e. ONE PARKING SPACE SHALL BE PROVIDED FOR EACH EMPLOYEE WHO DOES NOT RESIDE AT THE FACILITY.
 - f. NO SIGNAGE SHALL BE PERMITTED.
 - g. THE FACILITY SHALL BE SUBJECT TO ARIZONA LICENSING REQUIREMENTS.
- 17. **DEPENDENT CARE FACILITY FOR 13 OR MORE DEPENDENTS AND SCHOOLS FOR THE MENTALLY OR PHYSICALLY HANDICAPPED** SUBJECT TO SECURING A USE PERMIT PURSUANT TO SECTION 307.
- 18. **GROUP HOME**, SUBJECT TO A USE PERMIT AND THE FOLLOWING CONDITIONS:

- a. 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.
- b. NO GROUP 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 GROUP HOME, BOARDING HOUSE, OR COMMUNITY RESIDENCE HOME OR CENTER WITHIN A RESIDENTIAL ZONING DISTRICT.
- c. A MAXIMUM LOT COVERAGE OF 25 PERCENT.
- d. A MINIMUM OF 100 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED SHALL BE PROVIDED, WHICH MAY BE REDUCED TO 50 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED IN THE R-5 AND R-4A DISTRICTS.
- e. THE LOT SHALL ONLY HAVE VEHICULAR ACCESS FROM AN ARTERIAL OR COLLECTOR STREET.

19. **MODEL HOMES AND/OR SUBDIVISION SALES OFFICES** WHEN LOCATED IN MODEL HOMES; PROVIDED THAT:

- a. MODEL HOMES ARE PERMITTED SUBJECT TO THE FOLLOWING:
 - (1) A DEVELOPER OF A SINGLE-FAMILY SUBDIVISION SHALL BE ALLOWED TO BUILD MODEL HOMES PRIOR TO RECORDING A SUBDIVISION PLAT, SUBJECT TO THE PROVISIONS BELOW AND SUBJECT TO SUBMITTING MODEL COMPLEX SITE PLAN WHICH SHALL SHOW THE FOLLOWING INFORMATION FOR EACH MODEL HOME LOT:
 - (2) STREET ADDRESSES FOR EACH MODEL HOME AS ASSIGNED BY THE WATER SERVICES DEPARTMENT.
 - (3) FINISHED FLOOR ELEVATIONS FOR EACH MODEL HOME AS ASSIGNED BY THE DIVISION OF ENGINEERING.

- (4) PROPOSED LOTS FOR MODEL HOMES SHALL BE IN CONFORMANCE WITH LOT LINES AS SHOWN ON THE APPROVED PRELIMINARY PLAN.
 - (5) EACH MODEL HOME SHALL BE LOCATED ON EACH PROPOSED LOT IN CONFORMANCE WITH YARD REQUIREMENTS OF THE DISTRICT.
 - (6) THE FINAL PLAT IS NOT REQUIRED TO HAVE FINAL APPROVAL PRIOR TO OBTAINING PERMITS FOR MODEL HOMES.
- b. MODEL HOMES AND/OR SUBDIVISION SALES OFFICES SHALL BE LOCATED IN A SUBDIVISION OR PORTION THEREOF 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.
 - c. 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.
 - d. THE TIME LIMIT ALLOWED IN SECTION 608.E.19.C FOR AN ADDITIONAL 36 MONTHS SHALL BE EXTENDED ONLY UPON SECURING A USE PERMIT.

- e. 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 608.E.19.C OR UPON EXPIRATION OF THE EXTENSION GRANTED BY THE ZONING ADMINISTRATOR PURSUANT TO SECTION 608.E.19.D, OR AFTER SIX MONTHS FOLLOWING SALE OR OCCUPANCY OF ALL LOTS IN THE SUBDIVISION OTHER THAN THE MODEL HOMES, WHICHEVER COMES 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 400 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.
- f. FOR THE PURPOSES OF SECTION 608.E.19.C AND D, THE TERM "SUBDIVISION" SHALL MEAN ALL THE LAND INCLUDED WITHIN THE PRELIMINARY PLAT SUBMITTED TO THE PLANNING AND DEVELOPMENT DEPARTMENT.
- g. 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 608.E.19.A.
- h. MODULAR SUBDIVISION SALES OFFICE, SUBJECT TO THE FOLLOWING CRITERIA:

- (1) THE STRUCTURE SHALL BE INTEGRATED WITH, ARCHITECTURALLY COMPATIBLE TO, AND BLEND IN COLOR TO THE MODEL HOMES APPROVED FOR THE SUBDIVISION, AS DETERMINED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- (2) MODULAR SUBDIVISION SALES OFFICES SHALL BE PERMITTED FOR A PERIOD NOT TO EXCEED 36 MONTHS FROM THE DATE OF APPROVAL FOR THE SALES OFFICES.
- (3) THE TIME LIMIT ALLOWED IN SECTION 608.E.19.H(2) FOR AN ADDITIONAL 36 MONTHS SHALL BE EXTENDED ONLY UPON SECURING A USE PERMIT.
- (4) THE MODULAR SUBDIVISION SALES OFFICE SHALL BE REMOVED ON OR BEFORE THE TERMINATION DATE SET FORTH IN SECTION 608.E.19.H(2) OR UPON EXPIRATION OF THE EXTENSION GRANTED BY THE ZONING ADMINISTRATOR OR AFTER SIX MONTHS FOLLOWING SALE OR OCCUPANCY OF ALL LOTS IN THE SUBDIVISION OTHER THAN THE MODEL HOMES, WHICHEVER COMES FIRST.
- (5) FOR THE PURPOSES OF THIS SECTION, THE TERM "SUBDIVISION" SHALL MEAN ALL OF THE LAND INCLUDED WITHIN THE PRELIMINARY PLAT SUBMITTED TO THE PLANNING AND DEVELOPMENT DEPARTMENT.
- (6) PRIOR TO ISSUANCE OF ANY SALES OFFICE PERMITS, A SITE PLAN SHALL BE APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT FOR VERIFICATION OF SETBACK CONFORMANCE.
- (7) TWO SIGNS ARE PERMITTED. SIGNS SHALL NOT EXCEED A COMBINED TOTAL OF 32 SQUARE FEET.
- (8) ONE SALES OFFICE SHALL BE PERMITTED FOR EACH MODEL HOME COMPLEX ALLOWED IN ACCORDANCE WITH SECTION 608.E.19.I.

i. 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 400 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 DUST PROOFED.
- (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.

20. **PUBLIC UTILITY BUILDINGS AND FACILITIES** WHEN NECESSARY FOR SERVING THE SURROUNDING TERRITORY; PROVIDED, THAT NO PUBLIC BUSINESS OFFICES AND NO REPAIR OR STORAGE FACILITIES ARE MAINTAINED THEREIN, ARE PERMITTED IN EACH DISTRICT.
21. **CHURCHES OR SIMILAR PLACES OF WORSHIP**, INCLUDING PARISH HOUSES, PARSONAGES, RECTORIES, AND CONVENTS AND DORMITORIES WITH NO MORE THAN TEN RESIDENTS ACCESSORY THERETO, ARE PERMITTED IN EACH DISTRICT, EXCEPT TEMPORARY TENTS OR BUILDINGS. ATHLETIC ACTIVITIES IN CONJUNCTION WITH THE ABOVE AND ON THE SAME LOT OR CONTIGUOUS LOTS MAY BE PERMITTED. ALL CHURCH USES ARE ALSO CONSIDERED "PUBLIC ASSEMBLY—RESIDENTIAL", AND ARE SUBJECT TO SECTION 608.E.22.

a. BINGO MAY BE OPERATED AS AN ACCESSORY USE ON THE PREMISES OF THE CHURCH WHEN CONDUCTED NO MORE THAN TWO DAYS A WEEK. FUNDRAISING EVENTS LOCATED ON THE SAME LOT OR CONTIGUOUS LOTS SHALL BE PERMITTED, SUBJECT TO THE FOLLOWING REQUIREMENTS:

- (1) THE SPONSORING, ORGANIZING AND BENEFITING ENTITIES SHALL BE NONPROFIT OR RELIGIOUS ORGANIZATIONS.

b. EVENTS HELD ENTIRELY WITHIN A BUILDING OR BUILDINGS SHALL NOT BE FURTHER REGULATED; HOWEVER, EVENTS TO BE CONDUCTED WHOLLY OR IN PART OUTDOORS SHALL BE SUBJECT TO THE FOLLOWING ADDITIONAL CONDITIONS:

- (1) ANY OUTDOOR PORTION OF THE EVENT MUST BE LOCATED A MINIMUM OF 50 FEET FROM A PROPERTY LINE ADJACENT TO A RESIDENTIAL ZONING DISTRICT AND A RESIDENTIAL USE.
- (2) THE EVENT SHALL NOT BE CONDUCTED BETWEEN THE HOURS OF 10:00 P.M. AND 5:00 A.M.
- (3) THE EVENT SHALL NOT BE CONDUCTED IN SUCH MANNER AS TO REDUCE THE NUMBER OF PARKING SPACES REQUIRED FOR ANY NORMAL FUNCTIONS OF THE PRIMARY USE WHICH ARE HELD DURING THE EVENT.
- (4) LIGHTING SHALL BE SO PLACED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENCES.

c. **POCKET SHELTERS** AS ACCESSORY USES TO CHURCHES OR SIMILAR PLACES OF WORSHIP, SUBJECT TO THE FOLLOWING STANDARDS (AND APPLICABLE MARICOPA COUNTY AND CITY OF PHOENIX HEALTH AND SAFETY REGULATIONS):

- (1) A POCKET SHELTER SHALL HOUSE NO MORE THAN 12 UNRELATED PERSONS. A POCKET SHELTER MAY HOUSE UP TO 20 UNRELATED PERSONS UPON APPROVAL OF A USE PERMIT IN ACCORDANCE WITH THE PROCEDURES AND STANDARDS OF SECTION 307. MINORS (AGE 18 YEARS OR YOUNGER) ACCOMPANIED BY A PARENT OR A GUARDIAN SHALL NOT BE COUNTED IN THE NUMBER OF UNRELATED PERSONS.
- (2) THE CHURCH OR SIMILAR PLACE OF WORSHIP SHALL BE LOCATED ON AN ARTERIAL OR COLLECTOR STREET AS DEFINED ON THE STREET CLASSIFICATION MAP. A SHELTER AT A CHURCH OR SIMILAR PLACE OF WORSHIP WHICH IS NOT ON AN ARTERIAL OR COLLECTOR STREET SHALL BE PERMITTED UPON APPROVAL OF A USE PERMIT IN ACCORDANCE WITH THE PROCEDURES AND PROVISIONS OF SECTION 307.
- (3) THE CHURCH OR SIMILAR PLACE OF WORSHIP SHALL PROVIDE ON-SITE SUPERVISION OF SHELTER RESIDENTS AT ALL TIMES THAT TWO OR MORE UNRELATED RESIDENTS ARE AT THE SHELTER.
- (4) (DRUG, ALCOHOL, OTHER SUBSTANCE ABUSE, OR MENTAL HEALTH REHABILITATION PROGRAMS SHALL NOT BE ALLOWED AS PART OF THE SHELTER SERVICES. THIS PROVISION SHALL NOT PREVENT THE CHURCH OR SIMILAR PLACE OF WORSHIP FROM REFERRING SHELTER RESIDENTS TO OTHER APPROPRIATE PROGRAMS AT THE CHURCH OR SIMILAR PLACE OF WORSHIP OR ELSEWHERE, E.G., ALCOHOLICS ANONYMOUS, WHICH ARE NOT PART OF THE SHELTER SERVICES.
- (5) SHELTER RESIDENTS SHALL NOT POSSESS ALCOHOL, WEAPONS, OR ILLEGAL DRUGS AT THE SHELTER.
- (6) OPEN AREAS SURROUNDING POCKET SHELTER STRUCTURES SHALL BE SCREENED FROM VIEW FROM ABUTTING AND/OR ADJOINING PROPERTIES BY HEDGES, TREES, OTHER LANDSCAPING, OR WALLS.

- (7) POCKET SHELTER STRUCTURES SHALL NOT HAVE DIRECT ACCESS TO ABUTTING AND/OR ADJOINING PROPERTIES.
 - (8) POCKET SHELTERS SHALL BE HOUSED IN PERMANENT STRUCTURES RATHER THAN IN TENTS OR OTHER SIMILAR TEMPORARY STRUCTURES.
 - (9) A CHURCH OR SIMILAR PLACE OF WORSHIP SHALL HOUSE NO MORE THAN ONE POCKET SHELTER.
- 22. **PUBLIC ASSEMBLY—RESIDENTIAL.** A USE PERMIT SHALL BE REQUIRED FOR ALL PUBLIC ASSEMBLY—RESIDENTIAL USES HAVING VEHICULAR ACCESS TO LOCAL OR MINOR COLLECTOR STREETS, INCLUDING PRIVATE SCHOOLS AND CHURCH USES.
- 23. **ENVIRONMENTAL REMEDIATION FACILITY,** SUBJECT TO THE FOLLOWING CONDITIONS:
 - a. A USE PERMIT SHALL BE OBTAINED IN ACCORDANCE WITH SECTION 307.
 - b. THE ABOVE GROUND AREA OF LAND OCCUPIED BY THE ENVIRONMENTAL REMEDIATION FACILITY SHALL NOT EXCEED THE MINIMUM NUMBER OF SQUARE FEET NECESSARY TO IMPLEMENT THE REMEDIAL OR CORRECTIVE ACTION.
 - c. ALL STRUCTURES AND DEVICES CONSTRUCTED ABOVE GROUND LEVEL SHALL BE SHIELDED FROM THE VIEW OF PERSONS OUTSIDE THE PROPERTY BOUNDARY BY AN OPAQUE FENCE CONSTRUCTED OF MATERIALS OF SIMILAR COMPOSITION AND APPEARANCE TO FENCES AND STRUCTURES ON NEARBY PROPERTY.
 - d. OUTDOOR EQUIPMENT INSTALLED AS PART OF THE FINAL ENVIRONMENTAL REMEDIATION FACILITY SHALL NOT EXCEED A HEIGHT OF TEN FEET AND SHALL BE SET BACK FROM THE PERIMETER WALL A MINIMUM OF THREE FEET FOR EVERY ONE FOOT OF HEIGHT OVER SIX FEET.
 - e. AFTER INSTALLATION, NO EQUIPMENT OR MATERIALS BEYOND THAT NECESSARY TO OPERATE THE FACILITY SHALL BE STORED ON THE LOT.

- f. A PERIMETER LANDSCAPING PLAN SHALL BE APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AS NECESSARY UNLESS AN APPLICABLE APPROVED LANDSCAPE PLAN ALREADY EXISTS.
 - g. ANY LIGHTING SHALL BE PLACED SO AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL DISTRICTS. NOISE, ODOR, OR VIBRATION SHALL NOT BE EMITTED ANY TIME BY THE FACILITY SO THAT IT EXCEEDS THE GENERAL LEVEL OF NOISE, ODOR, OR VIBRATION EMITTED BY USES OUTSIDE THE SITE. SUCH COMPARISON SHALL BE MADE AT THE BOUNDARY OF THE LOT ON WHICH THE TREATMENT FACILITY IS LOCATED.
 - h. THE FACILITY SHALL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE FIRE CODE.
 - i. A PERMIT ISSUED UNDER SECTION 307 SHALL INCLUDE REASONABLE RESTRICTIONS ON THE OPERATION OF THE FACILITY TO MITIGATE ANY ADVERSE IMPACTS ON NEARBY LAND, INCLUDING BUT NOT LIMITED TO RESTRICTIONS ON VEHICULAR TRAFFIC AND HOURS OF OPERATION OF THE FACILITY.
 - j. THIS SECTION ALLOWS AUTHORIZATION OF ACTIVITIES TO UNDERTAKE ALL ON-SITE INVESTIGATIVE, CONSTRUCTION, AND MAINTENANCE ACTIVITIES ANCILLARY TO THE OPERATION OF THE FACILITY. ALL OFF-SITE DISCHARGES OF ANY SUBSTANCE SHALL BE SEPARATELY AUTHORIZED PURSUANT TO APPLICABLE LAWS.
 - k. THE STRUCTURES USED FOR THE FACILITY SHALL NOT EXCEED A TOTAL AREA OF 5,000 SQUARE FEET.
24. **COMMUNITY GARDEN.** ACCESSORY SALES OF PRODUCTS CULTIVATED ON SITE WITHIN TEN DAYS OF HARVESTING SUBJECT TO APPROVAL OF A USE PERMIT PURSUANT TO SECTION 307. ON-SITE OPERATIONAL CONDITIONS AND IMPROVEMENTS MAY BE STIPULATED AS A CONDITION OF USE PERMIT APPROVAL.

25. **FARMERS MARKET**, SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 AND SUBJECT TO THE FOLLOWING STANDARDS: FARMERS MARKET, SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 AND SUBJECT TO THE FOLLOWING STANDARDS:
- a. NO MORE THAN SIX ONE-DAY MARKET EVENTS IN ANY 30-DAY PERIOD.
 - b. HOURS OF OPERATION SHALL BE ONLY BETWEEN 7:00 A.M. AND 9:00 P.M. THESE HOURS MAY BE RESTRICTED AS PART OF THE USE PERMIT APPROVAL.
 - c. NO SIGNAGE SHALL BE PERMITTED.
 - d. ON-SITE IMPROVEMENTS AND OTHER OPERATIONAL CONDITIONS MAY BE STIPULATED AS A CONDITION OF USE PERMIT APPROVAL.
26. **CONSTRUCTION FACILITIES AND STORAGE**, INCIDENTAL TO A CONSTRUCTION PROJECT AND LOCATED ON THE PROJECT SITE, ARE PERMITTED. WHEN SUCH FACILITIES OR STORAGE ARE USED FOR CONSTRUCTION ON A LOT OR LOTS OTHER THAN THE LOT OR LOTS USED FOR SUCH FACILITIES OR STORAGE, SUCH USE SHALL MAINTAIN THE SETBACKS PROVIDED BY THE REQUIREMENTS OF THIS CHAPTER AND SHALL BE SUBJECT TO SECURING A USE PERMIT. WHEN SUCH FACILITIES AND STORAGE SERVE A RESIDENTIAL SUBDIVISION, ARE APPROVED IN CONJUNCTION WITH MODEL HOMES BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND MEET ALL OF THE STANDARDS LISTED BELOW, NO USE PERMIT IS REQUIRED:
- a. THE FACILITIES SHALL NOT BE PLACED ON A LOT WHICH ABUTS, JOINS AT THE CORNERS, OR IS ACROSS A STREET OR ALLEY FROM A DWELLING UNIT WHICH IS UNDER CONSTRUCTION OR OCCUPIED AT THE TIME OF SAID PLACEMENT, UNLESS WRITTEN AGREEMENT TO THE PLACEMENT IS GIVEN BY THE OWNER OR OCCUPANT OF THE AFFECTED PROPERTY.
 - b. ALL OUTSIDE STORAGE SHALL BE SCREENED BY A SIX-FOOT-HIGH SOLID FENCE OR MASONRY WALL. NO CONSTRUCTION

VEHICLES OR MACHINERY SHALL BE PLACED WITHIN TEN FEET OF THE SCREEN FENCE OR WALL.

c. ALL SIGNS ON THE FACILITY SHALL FULLY COMPLY WITH SECTION 705, THE SIGN CODE.

d. ALL FACILITIES AND STORAGE SHALL BE REMOVED WITHIN THREE MONTHS OF THE CLOSURE OF THE MODEL HOMES.

27. **HOME OCCUPATIONS** INCLUDING BUT NOT LIMITED TO ARCHITECT, LAWYER, OFF-SITE SALES BUSINESSES, ACCOUNTANT, REAL ESTATE AGENT, TELEMARKETING SALES, AND PSYCHOLOGIST. FOR PURPOSES OF THIS SECTION, OFF-SITE SALES MEANS PROCESSING ORDERS BY MAIL, FACSIMILE, PHONE, MODEM OR INTERNET.

a. NO ONE OUTSIDE THE FAMILY RESIDING IN THE DWELLING UNIT SHALL BE EMPLOYED IN THE HOME OCCUPATION.

b. NO EXTERIOR DISPLAY, NO EXTERIOR STORAGE OF MATERIALS, NO SIGN, AND NO OTHER EXTERIOR INDICATION OF THE HOME OCCUPATION OR VARIATION FROM THE RESIDENTIAL CHARACTER OF THE PRINCIPAL OR ACCESSORY BUILDING, EXCEPT AS AUTHORIZED IN SECTION 608.E.3.H.

c. NO HOME OCCUPATION SHALL EMIT ODOR, DUST, GAS, NOISE, VIBRATION, SMOKE, HEAT, OR GLARE BEYOND ANY BOUNDARY OF THE LOT ON WHICH THE HOME OCCUPATION IS CONDUCTED.

d. ACTIVITY SHALL BE LIMITED TO THE HOURS BETWEEN 7:00 A.M. AND 10:00 P.M.

e. NO MECHANICAL EQUIPMENT SHALL BE USED EXCEPT THAT NORMALLY USED FOR DOMESTIC, HOBBY, STANDARD OFFICE, OR HOUSEHOLD PURPOSES.

f. NOT MORE THAN 25 PERCENT OF THE TOTAL AREA UNDER ROOF ON THE SITE SHALL BE USED FOR ANY HOME OCCUPATION.

g. ANY PARKING INCIDENTAL TO THE HOME OCCUPATION SHALL BE PROVIDED ON THE SITE.

h. HOME OCCUPATIONS SHALL OBTAIN A USE PERMIT FROM THE ZONING ADMINISTRATOR IN ACCORDANCE WITH SECTION 307 WHEN:

- (1) TRAFFIC (OTHER THAN TRIPS BY OCCUPANTS OF THE HOUSEHOLD) IS GENERATED BY THE HOME OCCUPATION; OR
- (2) THE HOME OCCUPATION IS CONDUCTED IN AN ACCESSORY BUILDING, INCLUDING AN ADU; OR
- (3) THE HOME OCCUPATION IS CONDUCTED AS AN OUTSIDE USE; OR
- (4) MINOR VARIATIONS TO SECTION 608.E.3.C ARE REQUIRED TO CONDUCT THE HOME OCCUPATION; OR
- (5) AN APPLICANT DESIRES AN OFFICIAL APPROVAL OF A HOME OCCUPATION.

i. A HOME OCCUPATION SHALL NOT INCLUDE, BUT SUCH EXCLUSION SHALL NOT BE LIMITED TO, THE FOLLOWING USES:

- (1) BARBERSHOPS AND BEAUTY PARLORS.
- (2) COMMERCIAL STABLES, VETERINARY OFFICES.
- (3) DOG GROOMING.
- (4) MASSAGE PARLORS.
- (5) RESTAURANTS.
- (6) VETERINARY HOSPITALS AND COMMERCIAL KENNELS.

28. **NONDAILY NEWSPAPER DELIVERY SERVICE** SHALL BE PERMITTED SUBJECT TO THE FOLLOWING LIMITATIONS:

a. DELIVERED BULK MATERIALS RELATED TO NONDAILY PUBLICATIONS SHALL BE TRANSFERRED TO AN ENCLOSED BUILDING OR SECURED AREA SO THAT MATERIALS ARE NOT

VISIBLE FROM THE STREET OR ADJACENT PROPERTIES UNLESS FOR PREPARATION OF MATERIALS FOR SAME DAY DISTRIBUTION. PREPARATION OF MATERIALS FOR SAME DAY DISTRIBUTION MAY OCCUR ON OR ABOUT ADJACENT PUBLIC RIGHTS-OF-WAY; PROVIDED, THAT MATERIALS DO NOT REMAIN IN PUBLIC VIEW FOR LONGER THAN 24 HOURS.

- b. MATERIALS STORED FOR PERIODS GREATER THAN 24 HOURS SHALL BE ENCLOSED WITHIN A BUILDING OR SECURED BY A WALL OR FENCE OF SUCH MATERIAL, CONSTRUCTION, AND HEIGHT SO AS TO CONCEAL THE MATERIALS LOCATED.
- c. ACTIVITIES RELATING TO AND/OR ACCESSORY TO THE PREPARATION OF MATERIALS STORED FOR PERIODS GREATER THAN 24 HOURS SHALL OCCUR WITHIN AN ENCLOSED BUILDING OR AN AREA SECURED BY A WALL OR FENCE OF SUCH MATERIAL, CONSTRUCTION, AND HEIGHT SO AS TO COMPLETELY CONCEAL THE ACTIVITIES.
- d. SUCH DELIVERY SHALL BE LIMITED TO TWO BULK DELIVERIES IN A SEVEN-DAY PERIOD. MORE FREQUENT DELIVERIES SHALL REQUIRE A USE PERMIT IN ACCORDANCE WITH THE PROCEDURES OF SECTION 307.
- e. NO TRAFFIC OTHER THAN THAT REQUIRED FOR THE BULK DELIVERY AND PICKUP SHALL BE ALLOWED BY OUTSIDE EMPLOYEES. ANY OTHER BUSINESS-RELATED TRAFFIC SHALL REQUIRE A USE PERMIT IN ACCORDANCE WITH THE PROCEDURES OF SECTION 307.

29. **THE DISPLAY FOR SALE OF A VEHICLE**, WHICH FOR PURPOSES OF THIS PROVISION INCLUDES TRAILERS, WATERCRAFT OR OTHER TYPES OF TRANSPORTATION THAT ARE BUILT TO CARRY PASSENGERS OR CARGO SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS:

- a. NO MORE THAN ONE VEHICLE CAN BE LABELED FOR SALE OR SHOW ANY INDICATION THAT IT IS FOR SALE AT ANY GIVEN TIME ON A PROPERTY, WHETHER VISIBLE ON SITE OR THROUGH SOME OTHER FORM OF ADVERTISING.
- b. NO MORE THAN TWO VEHICLES CAN BE SOLD ON A PROPERTY DURING ANY CALENDAR YEAR.

- c. FOR PURPOSES OF SECTIONS 608.A AND B, TWO JET SKIS, A BOAT OR SIMILAR TYPES OF RECREATIONAL VEHICLES THAT ARE TRANSPORTED ON ONE TRAILER SHALL, TOGETHER WITH THE TRAILER, BE CONSIDERED ONE VEHICLE.
 - d. THE OWNERSHIP OF THE VEHICLE(S) MUST BE REGISTERED TO THE LOCATION WHERE THE VEHICLE IS LISTED FOR SALE.
 - e. NO VEHICLE CAN BE LABELED FOR SALE OR SHOW ANY INDICATION THAT IT IS FOR SALE AT AN UNOCCUPIED HOUSE OR ON A VACANT LOT OR PARCEL.
 - f. NO VEHICLE CAN BE LABELED FOR SALE OR SHOW ANY INDICATION THAT IT IS FOR SALE IN CONJUNCTION WITH A RETAIL OR WHOLESALE VEHICLE SALES DEALERSHIP OR BUSINESS WITHOUT OBTAINING A TEMPORARY USE PERMIT.
- 30. **FACILITIES FOR HOUSEHOLD PETS**, THE MAINTENANCE OF WHICH IS NOT OTHERWISE PROHIBITED BY STATUTE, REGULATIONS, OR THE CITY CODE OF THE CITY OF PHOENIX AND WHICH FACILITIES ARE IN COMPLIANCE WITH ALL APPLICABLE ORDINANCES OF THE CITY OF PHOENIX, ARE PERMITTED.
- 31. **GARAGE OR YARD SALES** MAY BE CONDUCTED TWICE EVERY 12 MONTHS ON ANY RESIDENTIALLY ZONED PROPERTY OCCUPIED BY A DWELLING UNIT. ANY SALE SHALL NOT EXCEED THE TIME PERIOD OF THREE CONSECUTIVE DAYS.
- 32. **MATERIALS USED IN CONJUNCTION WITH A HOBBY, AVOCATION, OR PASTIME**, THE USE OF WHICH DOES NOT OTHERWISE CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE, ARE PERMITTED.
- 33. **PARKING OF VEHICLES** IN FACILITIES AND LOCATIONS ON THE PROPERTY NOT OTHERWISE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE, IS PERMITTED.
- 34. **PRIVATE TENNIS OR OUTDOOR GAME COURTS** AS AN ACCESSORY USE IS PERMITTED. TENNIS OR OUTDOOR GAME COURT FENCES OVER SIX FEET HIGH IN REQUIRED REAR YARD OR REQUIRED SIDE YARD ARE PERMITTED SUBJECT TO A USE PERMIT. TENNIS OR OUTDOOR GAME COURT LIGHTS ARE ALSO SUBJECT TO A USE PERMIT.

35. **OFFSITE MANUFACTURED HOME DEVELOPMENTS ARE PERMITTED WITH USE PERMIT APPROVAL PER SECTION 307, AND SUBJECT TO THE DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.7.**

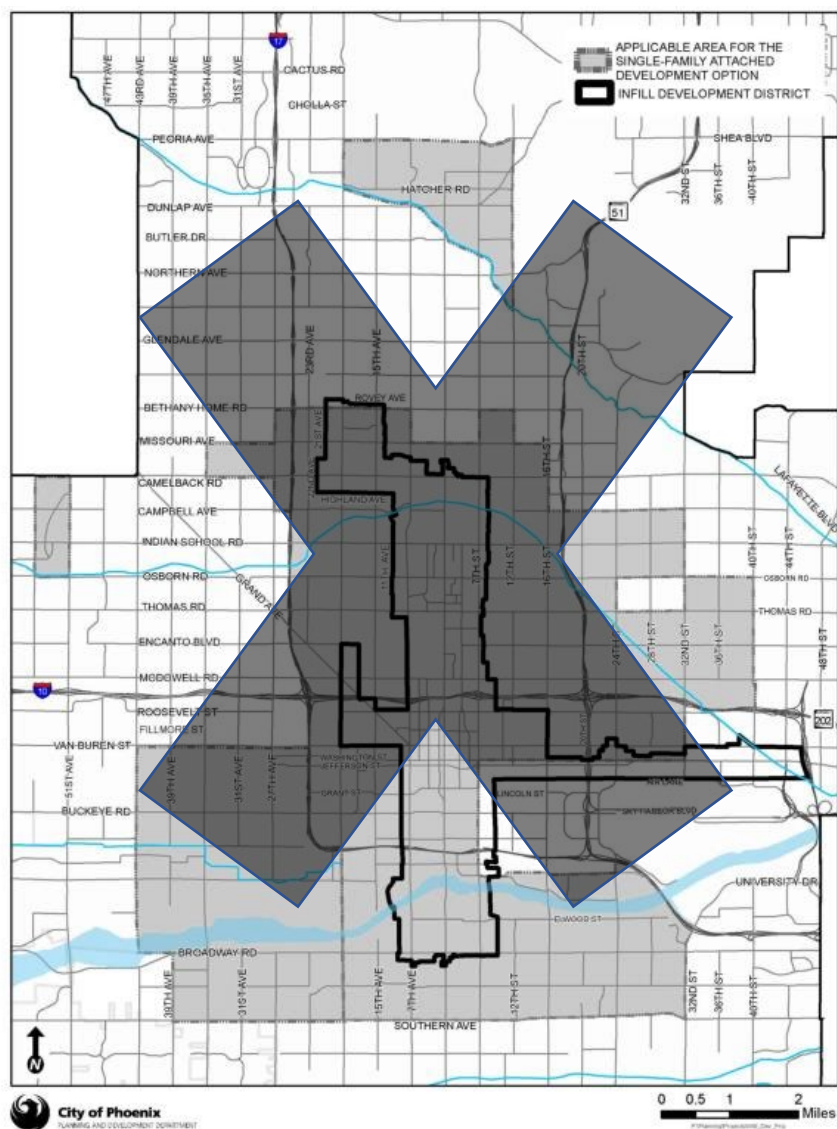
Amend Chapter 6, Section 608.F (Residence Districts—Permitted with Use Permit Approval Pursuant to Section 307) to read as follows:

F. ~~Permitted Uses with Use Permit Approval Pursuant to Section 307.~~

1. ~~Boarding house permitted in the R-3, R-3A, R-4, R-4A, and R-5 zoning districts, subject to a use permit and conditions as outlined in each respective zoning district.~~
2. ~~Group home permitted in the R-3, R-3A, R-4, R-4A, and R-5 zoning districts, subject to a use permit and conditions as outlined in each respective zoning district.~~
3. ~~Adult day care home for the care of five to ten adult persons, subject to a use permit; and provided, that:~~
 - a. ~~Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
4. ~~Dependent care facility for seven to 12 dependents, subject to obtaining a use permit in accordance with the provisions of Section 307 and subject to the following standards:~~
 - a. ~~Resident dependents under the age of 12 years shall not be counted when they are present on the premises.~~
 - b. ~~Outdoor play areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
 - c. ~~Hours of operation shall be only between 6:00 a.m. and 10:00 p.m. These hours may be restricted as part of the use permit approval.~~
 - d. ~~Nonresident employees may be permitted with the use permit if necessary to meet state requirements.~~

- e. ~~One parking space shall be provided for each employee who does not reside at the facility.~~
- f. ~~No signage shall be permitted.~~
- g. ~~The facility shall be subject to Arizona licensing requirements.~~
- 5. Environmental remediation facility, subject to the following conditions:
 - a. ~~A use permit shall be obtained in accordance with Section 307.~~
 - b. ~~The above ground area of land occupied by the environmental remediation facility shall not exceed the minimum number of square feet necessary to implement the remedial or corrective action.~~
 - c. ~~All structures and devices constructed above ground level shall be shielded from the view of persons outside the property boundary by an opaque fence constructed of materials of similar composition and appearance to fences and structures on nearby property.~~
 - d. ~~Outdoor equipment installed as part of the final environmental remediation facility shall not exceed a height of ten feet and shall be set back from the perimeter wall a minimum of three feet for every one foot of height over six feet.~~
 - e. ~~After installation, no equipment or materials beyond that necessary to operate the facility shall be stored on the lot.~~
 - f. ~~A perimeter landscaping plan shall be approved by the Planning and Development Department as necessary unless an applicable approved landscape plan already exists.~~
 - g. ~~Any lighting shall be placed so as to reflect the light away from adjacent residential districts. Noise, odor, or vibration shall not be emitted any time by the facility so that it exceeds the general level of noise, odor, or vibration emitted by uses outside the site. Such comparison shall be made at the boundary of the lot on which the treatment facility is located.~~
 - h. ~~The facility shall comply with all applicable provisions of the Fire Code.~~

- i. ~~A permit issued under Section 307 shall include reasonable restrictions on the operation of the facility to mitigate any adverse impacts on nearby land, including but not limited to restrictions on vehicular traffic and hours of operation of the facility.~~
 - j. ~~This section allows authorization of activities to undertake all on-site investigative, construction, and maintenance activities ancillary to the operation of the facility. All off-site discharges of any substance shall be separately authorized pursuant to applicable laws.~~
 - k. ~~The structures used for the facility shall not exceed a total area of 5,000 square feet.~~
- 6. ~~Community Garden. Accessory sales of products cultivated on site within ten days of harvesting subject to approval of a use permit pursuant to Section 307. On-site operational conditions and improvements may be stipulated as a condition of use permit approval.~~
- 7. ~~Farmers market, subject to obtaining a use permit in accordance with the provisions of Section 307 and subject to the following standards: Farmers market, subject to obtaining a use permit in accordance with the provisions of Section 307 and subject to the following standards:~~
 - a. ~~No more than six one-day market events in any 30-day period.~~
 - b. ~~Hours of operation shall be only between 7:00 a.m. and 9:00 p.m. These hours may be restricted as part of the use permit approval.~~
 - c. ~~No signage shall be permitted.~~
 - d. ~~On-site improvements and other operational conditions may be stipulated as a condition of use permit approval.~~
- 8. ~~Single family attached (SFA) development option is allowed within the infill development district identified in the General Plan or with use permit approval for R-2, R-3, R-3A, R-4, R-5, R-4A, C-1, and C-3 zoned properties within the following boundaries:~~



- a. The SFA development option does not eliminate any redevelopment area, special planning district or overlays. Where conflicts occur between the requirements of the SFA development option and redevelopment areas, overlay zoning districts, special planning districts, and specific plans, the requirements of the overlay zoning districts, special planning districts, redevelopment areas or specific plans shall apply.

Historic preservation designated properties or properties in historic preservation districts cannot use the single-family attached development option.

- b. ~~Design Requirements. Applicants must provide photographs of the property surrounding their site and an explanation of how the single-family attached project architecture would complement and be integrated into the surrounding neighborhood.~~
 - (1) ~~Individual units fronting on street rights-of-way shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall to accentuate the primary entrance.~~
 - (2) ~~Required covered parking spaces shall not front on street rights-of-way.~~
- c. ~~Perimeter Landscape Setbacks and Requirements.~~
 - (1) ~~Residences that front on arterial, collector, or local street rights-of-way shall provide a minimum ten-foot wide landscape tract or community maintained landscaping abutting the street, except when within 2,000 feet of a light rail station.~~
 - (2) ~~Residences that side on arterial, collector, or local street rights-of-way shall provide a minimum 15-foot wide landscape tract or community maintained landscaping abutting the street.~~
 - (3) ~~Perimeter of the development not abutting rights-of-way must provide a minimum five-foot landscape setback, except that development adjacent to a single-family residential district or historic preservation designated property must provide a minimum ten-foot landscape setback.~~
 - (4) ~~Minimum trees spaced 20 feet on center or equivalent groupings in required landscape setbacks.~~

~~Minimum one and one-half inch caliper (50 percent of required trees). Minimum two-inch caliper or multi-trunk tree (25 percent of required trees). Minimum three-inch caliper or multi-trunk tree (25 percent of required trees). Provide minimum five five-gallon shrubs per tree.~~
- d. ~~Open Space. Only fences to enclose pool or community amenities allowed within required open space.~~

e. ~~Attached single-family units in a row shall not exceed a total length of 200 feet without having a minimum 20-foot wide open area.~~

f. ~~Parking Requirements:~~

(1) ~~Within infill development district: 1.3 spaces per efficiency unit, 1.5 spaces per two-bedroom unit and two spaces per three or more bedroom unit must be provided that are covered or located within a garage and a minimum 0.25 unreserved guest parking space per unit must be provided on site.~~

(2) ~~Within the applicable area that is not located within the infill development district: Two parking spaces per dwelling unit must be provided that are covered or located within a garage. The required spaces for each unit must be located on the lot that the unit is on. A minimum 0.25 unreserved guest parking space per unit must be provided on site.~~

g. ~~Alley Access:~~

(1) ~~Within infill development district: alley access allowed.~~

(2) ~~Within the applicable area that is not located within the infill development district: No alley access allowed if adjacent to single-family or historic preservation zoning district unless approved as part of the use permit hearing and all necessary technical appeals have been approved.~~

h. ~~Maximum 40-inch fence height allowed in the required building setback along perimeter rights-of-way.~~

i. ~~Signage subject to the regulations of Section 705, Table D-1, Single-Family Residential.~~

9. **~~Offsite manufactured home developments.~~**

A. ~~Offsite manufactured home development is allowed in the R-2, R-3, R-3A, R-4, R-5, R-4A, C-1, C-2, and C-3 zoning districts subject to a use permit and the conditions outlined below:~~

(1) ~~Placement for each offsite manufactured home shall be provided as follows:~~

- (a) ~~There shall be a minimum of twenty feet between offsite manufactured homes and ten feet between awnings and canopies. All annexes or structural additions shall be considered part of the offsite manufactured home.~~
- (b) ~~There shall be at least forty feet between offsite manufactured homes on opposite sides of a private accessway.~~
- (c) ~~No offsite manufactured home, annex or structural addition shall be closer than eight feet to any private accessway or private drive.~~
- (2) ~~Each offsite manufactured home space shall have private outdoor living space of at least 150 square feet. The dimension of this space shall be at least fifteen feet in width.~~
- (3) ~~At each occupied offsite manufactured home space, there shall be an enclosed storage locker for yard tools and other bulky items convenient to the space with a storage capacity of at least one hundred fifty cubic feet.~~
- (4) ~~All areas not covered by structures or paved surfaces shall be landscaped and maintained in accordance with the site plans required under ssection 507.~~
- (5) ~~Screening the perimeter of an offsite manufactured home development by a wall or other approved material may be required.~~
- (6) ~~There shall be a network of pedestrian walks connecting offsite manufactured home spaces with each other and with development facilities.~~
- (7) ~~If storage yards are provided, there shall be a screened storage yard or yards for boats, recreational vehicles, etc. Such storage yards shall have a minimum of sixty square feet of storage space for each offsite manufactured home space in the development and shall be located so as to not detract from surrounding properties. All boats and recreational vehicles shall be parked in the storage yard.~~

- (8) ~~Each offsite manufactured home shall a): be affixed permanently to the ground or b): have "skirting" around its perimeter to screen its wheels and undercarriage.~~
- (9) ~~All utilities and the wires of any central television or radio antenna system shall be underground.~~
- (10) ~~Not more than fifteen percent of the spaces in any one offsite manufactured home development shall be developed or used for recreational vehicles.~~
- (11) ~~Development of offsite manufactured home communities shall be under the Planned Residential Development option of the underlying zoning district.~~
- (12) ~~Private drives may be used for access to each offsite manufactured homes only when there is no subdivision of the mobile home development into individual lots.~~
- (13) ~~There shall be a minimum of five percent of the total area of the offsite manufactured home development dedicated or reserved as usable common "open space" land. Common "open space" lands shall be clearly designated on the plan as to the character of use and development but shall not include:~~
 - (a) ~~Areas reserved for the exclusive use or benefit of an individual tenant or owner; nor~~
 - (b) ~~Dedicated streets, alleys, and other public rights-of-way; nor~~
 - (c) ~~Vehicular drives, parking, loading, and storage areas; nor~~
 - (d) ~~Required setback areas at exterior boundaries of the site; nor~~
 - (e) ~~Golf courses.~~

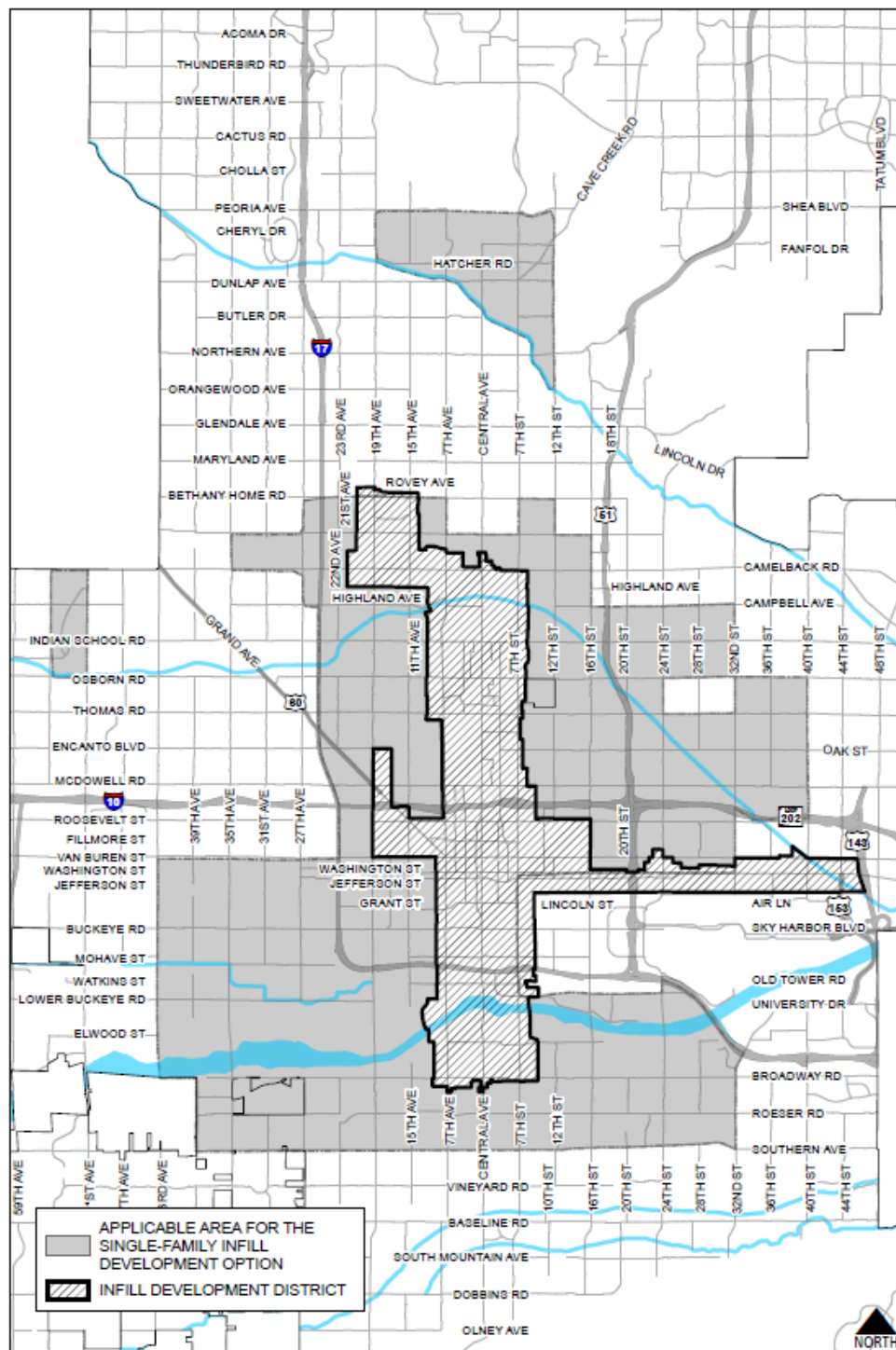
~~Adequate guarantees must be provided to ensure permanent retention of "open space" land area resulting from the application of these regulations, either by private reservation for the use of the residents within the development or by dedication to the public, or a combination thereof.~~

F. SPECIAL REGULATIONS

1. NO STRUCTURE MAY BE BUILT ON A LOT WHICH DOES NOT FRONT ON A STREET WHICH IS IN ACCORDANCE WITH THE ADOPTED STREET CLASSIFICATION MAP UNLESS EXEMPTED BY THIS SECTION.
2. IN ANY DISTRICT WHERE A HALF STREET NOT LESS THAN ONE-HALF OF THAT WIDTH PRESCRIBED FOR THAT STREET BY THE STREET CLASSIFICATION MAP, AND AMENDMENTS THERETO, HAS BEEN DEDICATED, ANY LOTS FACING OR SIDING ON SUCH HALF STREET FROM WHICH SIDE THE REQUIRED WIDTH OF DEDICATION HAS BEEN MADE SHALL BE DEEMED TO HAVE FRONTAGE ON A STREET.
3. NO PERMIT SHALL BE ISSUED FOR BUILDINGS ON A LOT FRONTING ON A HALF STREET OF LESS THAN THAT PRESCRIBED BY THE STREET CLASSIFICATION MAP FOR AN ARTERIAL OR COLLECTOR STREET OR 25 FEET FOR ALL OTHER STREETS EXCEPT FOR SINGLE-FAMILY ATTACHED DEVELOPMENT INDIVIDUAL DWELLING UNITS.
 - a. FOR DEVELOPMENT UTILIZING AN AVERAGE LOT OR PRD DEVELOPMENT OPTION OR FOR DEVELOPMENT BUILT UNDER A PLANNED AREA DEVELOPMENT DISTRICT, A MINIMUM OF 16.58-FOOT HALF-STREET RIGHT-OF-WAY MAY BE PROVIDED WHEN ALL OF THE FOLLOWING CONDITIONS ARE MET:
 - (1) THE STREET IS NOT DESIGNATED AS A COLLECTOR OR ARTERIAL STREET.
 - (2) THERE ARE NO RESTRICTIONS TO PUBLIC ACCESS TO THE STREET.
 - (3) PAVEMENT WIDTH SHALL BE 33.16 FEET FROM BACK OF CURB TO BACK OF CURB.

- (4) PAVEMENT THICKNESS AND DESIGN SHALL BE IN ACCORDANCE WITH MARICOPA ASSOCIATION OF GOVERNMENTS' STANDARDS.
 - (5) ALL TERMINATIONS SHALL CONTAIN A 40-FOOT-RADIUS RIGHT-OF-WAY.
 - (6) THE STREET HAS BEEN CONSTRUCTED PRIOR TO MARCH 19, 1986.
- 4. THERE SHALL BE NO OUTDOOR STORAGE OF PERSONAL PROPERTY VISIBLE BEYOND THE BOUNDARIES OF THE PROPERTY WITHIN ANY FRONT OR SIDE YARD.
- 5. NO ACCESSORY USE SHALL INCLUDE OUTDOOR DISPLAY OR STORAGE OF ANY OF THE FOLLOWING LISTED ITEMS WHEN SUCH ITEMS ARE VISIBLE OR EMIT ODOR, DUST, GAS, NOISE, VIBRATION, SMOKE, HEAT OR GLARE BEYOND ANY BOUNDARY OF THE LOT ON WHICH SUCH ITEMS ARE DISPLAYED OR STORED:
 - a. ANY BUILDING OR LANDSCAPING MATERIALS.
 - b. ANY MACHINERY, PARTS, SCRAP, OR APPLIANCES.
 - c. VEHICLES WHICH ARE UNLICENSED, INOPERABLE, OR REGISTERED TO OR OWNED BY PERSONS NOT RESIDING ON OR THE GUEST OF PERSONS RESIDING ON THE PREMISES.
 - d. ANY OTHER CHATTEL USED FOR OR INTENDED FOR A COMMERCIAL PURPOSE OR ULTIMATE USE ON OTHER THAN THE SUBJECT PREMISES.
- 6. **SINGLE-FAMILY INFILL (SFI).** SINGLE-FAMILY INFILL DEVELOPMENT REGULATIONS MAY BE APPLIED IN ZONING DISTRICTS WHERE THE SFI DEVELOPMENT OPTION IS OFFERED, BUT ONLY WHEN THE DEVELOPMENT FALLS WITHIN THE INFILL DEVELOPMENT DISTRICT IDENTIFIED IN THE GENERAL PLAN, OR WITH USE PERMIT APPROVAL WITHIN THE FOLLOWING AREAS LOCATED OUTSIDE OF THE INFILL DEVELOPMENT DISTRICT:

MAP 608.F.6. SINGLE-FAMILY INFILL DEVELOPMENT AREAS



- a. THE SFI DEVELOPMENT OPTION DOES NOT ELIMINATE ANY REDEVELOPMENT AREA, SPECIAL PLANNING DISTRICT OR OVERLAYS. WHERE CONFLICTS OCCUR BETWEEN THE REQUIREMENTS OF THE SFI DEVELOPMENT OPTION AND REDEVELOPMENT AREAS, OVERLAY ZONING DISTRICTS, SPECIAL PLANNING DISTRICTS, AND SPECIFIC PLANS, THE REQUIREMENTS OF THE OVERLAY ZONING DISTRICTS, SPECIAL PLANNING DISTRICTS, REDEVELOPMENT AREAS OR SPECIFIC PLANS SHALL APPLY.
- b. HISTORIC PRESERVATION DESIGNATED PROPERTIES OR PROPERTIES IN HISTORIC PRESERVATION DISTRICTS CANNOT USE THE SFI DEVELOPMENT OPTION.
- c. DWELLING UNITS. THE SFI DEVELOPMENT OPTION IS INTENDED PRIMARILY FOR SINGLE-FAMILY ATTACHED DWELLING UNITS; HOWEVER, UP TO 20% OF THE UNITS IN A DEVELOPMENT MAY BE SINGLE-FAMILY DETACHED DWELLING UNITS TO ALLOW FOR VARIETY AND EFFICIENCY OF DESIGN.

 - (1) ANY PROVIDED DETACHED DWELLING UNITS SHALL COMPLY WITH THE SAME DEVELOPMENT REGULATIONS APPLICABLE TO THAT SFI DEVELOPMENT.
- d. DESIGN REQUIREMENTS.

 - (1) INDIVIDUAL UNITS FRONTING ON STREET RIGHTS-OF-WAY SHALL PROVIDE AN ENTRYWAY THAT IS EITHER ELEVATED, DEPRESSED OR INCLUDES A FEATURE SUCH AS A LOW WALL TO ACCENTUATE THE PRIMARY ENTRANCE.
 - (2) REQUIRED COVERED PARKING SPACES SHALL NOT FRONT ON PERIMETER STREET RIGHTS-OF-WAY.
 - (3) INDIVIDUAL UNIT REAR YARDS SHALL NOT ABUT PERIMETER STREET ROW OR AN ADJACENT PERIMETER STREET LANDSCAPE AREA.
 - (4) ATTACHED DWELLING UNITS CONSTRUCTED IN A ROW SHALL NOT EXCEED A TOTAL LENGTH OF 200 FEET WITHOUT HAVING A MINIMUM 20-FOOT-WIDE OPEN AREA

e. PERIMETER LANDSCAPE SETBACKS AND REQUIREMENTS.

- (1) RESIDENCES THAT FRONT ON ARTERIAL, COLLECTOR, OR LOCAL STREET RIGHTS-OF-WAY SHALL PROVIDE A MINIMUM TEN-FOOT-WIDE LANDSCAPE TRACT OR COMMUNITY MAINTAINED LANDSCAPING ABUTTING THE STREET, EXCEPT WHEN WITHIN 2,000 FEET OF A LIGHT RAIL STATION.
- (2) RESIDENCES THAT SIDE ON ARTERIAL, COLLECTOR, OR LOCAL STREET RIGHTS-OF-WAY SHALL PROVIDE A MINIMUM 15-FOOT-WIDE LANDSCAPE TRACT OR COMMUNITY MAINTAINED LANDSCAPING ABUTTING THE STREET.
- (3) PERIMETER OF THE DEVELOPMENT NOT ABUTTING RIGHTS-OF-WAY AND ADJACENT TO A SINGLE-FAMILY RESIDENTIAL DISTRICT OR HISTORIC PRESERVATION DESIGNATED PROPERTY MUST PROVIDE A MINIMUM TEN-FOOT LANDSCAPE SETBACK. WALLS/FENCES UP TO 6 FEET HIGH WITHIN PRIVATE REAR YARDS MAY BE PROVIDED WITHIN THE PERIMETER SETBACK SO LONG AS THE REQUIRED LANDSCAPE IS STILL PROVIDED.
- (4) TREES SHALL BE PROVIDED IN REQUIRED LANDSCAPE SETBACKS AT A MINIMUM RATE OF 20 FEET ON CENTER OR EQUIVALENT GROUPINGS, AS APPROVED BY THE PDD LANDSCAPE ARCHITECT, SUBJECT TO THE FOLLOWING:
 - (a) 50% OF THE REQUIRED TREES SHALL BE MINIMUM ONE-AND-ONE-HALF-INCH CALIPER AT THE TIME OF INSTALLATION.
 - (b) 25% OF THE REQUIRED TREES SHALL BE MINIMUM TWO-INCH CALIPER OR MULTI-TRUNKED TREES AT THE TIME OF INSTALLATION.
 - (c) 25% OF THE REQUIRED TREES SHALL BE MINIMUM THREE-INCH CALIPER OR MULTI-TRUNKED TREES AT THE TIME OF INSTALLATION.

- (5) A MINIMUM OF FIVE FIVE-GALLON SHRUBS PER TREE SHALL BE PROVIDED.

f. OPEN SPACE REGULATIONS. THE ONLY WALLS/FENCES ALLOWED WITHIN REQUIRED COMMON AREA OPEN SPACE ARE REQUIRED POOL SECURITY FENCES AND OTHER NECESSARY SECURITY FENCES, AS APPROVED BY PDD.

g. PARKING REQUIREMENTS. SECTION 702 APPLIES TO SFI DEVELOPMENT, EXCEPT WHERE SPECIFICALLY MODIFIED BY THIS SECTION.

- (1) WITHIN THE INFILL DEVELOPMENT DISTRICT: ONE (1) PARKING SPACE PER DWELLING UNIT MUST BE PROVIDED THAT IS COVERED OR LOCATED WITHIN A GARAGE.
- (2) WITHIN THE APPLICABLE SFI AREA THAT IS NOT LOCATED WITHIN THE INFILL DEVELOPMENT DISTRICT: TWO (2) PARKING SPACES PER DWELLING UNIT MUST BE PROVIDED THAT ARE COVERED OR LOCATED WITHIN A GARAGE.
- (3) THE REQUIRED SPACES FOR EACH DWELLING UNIT MUST BE LOCATED ON THE SAME LOT AS THE UNIT FOR WHICH THEY ARE PROVIDED.
- (4) A MINIMUM 0.25 ADDITIONAL UNRESERVED GUEST PARKING SPACE PER DWELLING UNIT MUST BE PROVIDED WITHIN ANY SFI DEVELOPMENT.

h. ALLEY ACCESS AND MANEUVERING.

- (1) ALL MANEUVERING FOR ON-SITE PARKING MUST BE LOCATED ON PRIVATE PROPERTY AND NOT IN PUBLIC ROW.
- (2) ACCESS TO THE SITE FROM A FULLY DEDICATED AND PAVED ALLEY IS PERMITTED WITHIN THE INFILL DEVELOPMENT DISTRICT.

(3) ACCESS TO THE SITE FROM A FULLY DEDICATED AND PAVED ALLEY IS PERMITTED WITHIN THE SFI APPLICABLE AREA OUTSIDE OF THE INFILL DEVELOPMENT DISTRICT IF ALL THREE CONDITIONS ARE MET, AS FOLLOWS:

(a) THE SITE IS NOT ACROSS THE ALLEY FROM EITHER A SINGLE-FAMILY OR HISTORIC PRESERVATION ZONING DISTRICT;

(b) ALLEY ACCESS IS SPECIFICALLY APPROVED AS PART OF THE USE PERMIT HEARING; AND

(c) ALL NECESSARY TECHNICAL APPEALS HAVE BEEN APPROVED.

h. MAXIMUM 40-INCH FENCE HEIGHT ALLOWED IN THE REQUIRED SETBACKS ALONG PERIMETER STREET RIGHTS-OF-WAY.

i. SIGNAGE IS SUBJECT TO THE REGULATIONS OF SECTION 705, TABLE D-1, SINGLE-FAMILY RESIDENTIAL.

7. **OFFSITE MANUFACTURED HOME DEVELOPMENTS.** OFFSITE MANUFACTURED HOME DEVELOPMENT IS SUBJECT TO USE PERMIT APPROVAL IN THE C-1, C-2, AND C-3 DISTRICTS, IN ADDITION TO ZONING DISTRICTS INDICATED IN SECTION 608.D; AND SUBJECT TO THE FOLLOWING ADDITIONAL DEVELOPMENT REGULATIONS:

a. THESE REGULATIONS APPLY TO DEVELOPMENT OF A SINGLE LOT OR PARCEL, NOT TO BE FURTHER SUBDIVIDED.

b. PLACEMENT FOR EACH OFFSITE MANUFACTURED HOME SHALL BE PROVIDED AS FOLLOWS:

(1) THERE SHALL BE A MINIMUM OF TWENTY FEET BETWEEN OFFSITE MANUFACTURED HOMES AND TEN FEET BETWEEN AWNINGS AND CANOPIES. ALL ANNEXES OR STRUCTURAL ADDITIONS SHALL BE CONSIDERED PART OF THE OFFSITE MANUFACTURED HOME.

- (2) THERE SHALL BE AT LEAST FORTY FEET BETWEEN OFFSITE MANUFACTURED HOMES ON OPPOSITE SIDES OF A PRIVATE ACCESSWAY.
 - (3) NO OFFSITE MANUFACTURED HOME, ANNEX OR STRUCTURAL ADDITION SHALL BE CLOSER THAN EIGHT FEET TO ANY PRIVATE ACCESSWAY OR PRIVATE DRIVE.
- c. EACH OFFSITE MANUFACTURED HOME SPACE SHALL HAVE PRIVATE OUTDOOR LIVING SPACE OF AT LEAST 150 SQUARE FEET. THE DIMENSION OF THIS SPACE SHALL BE AT LEAST FIFTEEN FEET IN WIDTH.
- d. AT EACH OCCUPIED OFFSITE MANUFACTURED HOME SPACE, THERE SHALL BE AN ENCLOSED STORAGE LOCKER FOR YARD TOOLS AND OTHER BULKY ITEMS CONVENIENT TO THE SPACE WITH A STORAGE CAPACITY OF AT LEAST ONE HUNDRED FIFTY CUBIC FEET.
- e. ALL AREAS NOT COVERED BY STRUCTURES OR PAVED SURFACES SHALL BE LANDSCAPED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED DEVELOPMENT REVIEW DOCUMENTS REQUIRED UNDER SECTION 507.
- f. SCREENING THE PERIMETER OF AN OFFSITE MANUFACTURED HOME DEVELOPMENT BY A WALL OR OTHER APPROVED MATERIAL MAY BE REQUIRED AS A CONDITION OF USE PERMIT APPROVAL.
- g. THERE SHALL BE A NETWORK OF PEDESTRIAN WALKWAYS CONNECTING OFFSITE MANUFACTURED HOME SPACES WITH EACH OTHER AND WITH DEVELOPMENT FACILITIES AND AMENITIES.
- h. IF STORAGE YARDS ARE PROVIDED, THERE SHALL BE A SCREENED STORAGE YARD OR YARDS FOR BOATS, RECREATIONAL VEHICLES, ETC. SUCH STORAGE YARDS SHALL HAVE A MINIMUM OF SIXTY SQUARE FEET OF STORAGE SPACE FOR EACH OFFSITE MANUFACTURED HOME SPACE IN THE DEVELOPMENT AND SHALL BE LOCATED SO AS TO NOT DETRACT FROM SURROUNDING PROPERTIES. ALL BOATS AND RECREATIONAL VEHICLES SHALL BE PARKED IN THE STORAGE YARD.

- i. EACH OFFSITE MANUFACTURED HOME SHALL A): BE AFFIXED PERMANENTLY TO THE GROUND OR B): HAVE "SKIRTING" AROUND ITS PERIMETER TO SCREEN ITS WHEELS AND UNDERCARRIAGE.
- j. ALL UTILITIES AND THE WIRES OF ANY CENTRAL TELEVISION OR RADIO ANTENNA SYSTEM SHALL BE UNDERGROUND.
- k. NOT MORE THAN FIFTEEN PERCENT OF THE SPACES IN ANY ONE OFFSITE MANUFACTURED HOME DEVELOPMENT SHALL BE DEVELOPED OR USED FOR RECREATIONAL VEHICLES.
- l. DEVELOPMENT OF OFFSITE MANUFACTURED HOME COMMUNITIES SHALL BE UNDER THE PLANNED RESIDENTIAL DEVELOPMENT OPTION APPLICABLE IN THE UNDERLYING ZONING DISTRICT.
- m. PRIVATE DRIVES MAY BE USED FOR ACCESS TO EACH OFFSITE MANUFACTURED HOMES.
- n. THERE SHALL BE A MINIMUM OF FIVE PERCENT OF THE TOTAL AREA OF THE OFFSITE MANUFACTURED HOME DEVELOPMENT DEDICATED OR RESERVED AS USABLE COMMON "OPEN SPACE" LAND. COMMON "OPEN SPACE" LANDS SHALL BE CLEARLY DESIGNATED ON THE PLAN AS TO THE CHARACTER OF USE AND DEVELOPMENT BUT SHALL NOT INCLUDE:
 - (1) AREAS RESERVED FOR THE EXCLUSIVE USE OR BENEFIT OF AN INDIVIDUAL TENANT OR OWNER; NOR
 - (2) DEDICATED STREETS, ALLEYS, AND OTHER PUBLIC RIGHTS-OF-WAY; NOR
VEHICULAR DRIVES, PARKING, LOADING, AND STORAGE AREAS; NOR
 - (3) REQUIRED SETBACK AREAS AT EXTERIOR BOUNDARIES OF THE SITE; NOR
 - (4) GOLF COURSES.

ADEQUATE GUARANTEES MUST BE PROVIDED TO ENSURE PERMANENT RETENTION OF "OPEN SPACE" LAND AREA RESULTING FROM THE APPLICATION OF THESE REGULATIONS, EITHER BY PRIVATE RESERVATION FOR THE USE OF THE RESIDENTS WITHIN THE DEVELOPMENT OR BY DEDICATION TO THE PUBLIC, OR A COMBINATION THEREOF.

Amend Chapter 6, Section 608.G (Accessory Uses) to read as follows:

G. ~~Accessory Uses. RESERVED.~~

1. ~~Facilities for household pets, the maintenance of which is not otherwise prohibited by statute, regulations, or the City Code of the City of Phoenix and which facilities are in compliance with all applicable ordinances of the City of Phoenix.~~
2. ~~Garage or yard sales may be conducted twice every 12 months on any residentially zoned property occupied by a dwelling unit. Any sale shall not exceed the time period of three consecutive days.~~
3. ~~Materials used in conjunction with a hobby, avocation, or pastime, the use of which does not otherwise conflict with the provisions of this ordinance.~~
4. ~~Parking of vehicles in facilities and locations on the property not otherwise in conflict with the provisions of this ordinance.~~
5. ~~Private tennis or outdoor game courts as an accessory use. Tennis or outdoor game court fences over six feet high in required rear yard or required side yard, subject to a use permit. Tennis or outdoor game court lights, subject to a use permit.~~
6. ~~No accessory use of land or structures shall be maintained except as hereinafter provided or except as may be permitted as a home occupation.~~
7. ~~No accessory use shall include outdoor display or storage of any of the following listed items when such items are visible or emit odor, dust, gas, noise, vibration, smoke, heat or glare beyond any boundary of the lot on which such items are displayed or stored:~~
 - a. ~~Any building or landscaping materials.~~

- b. ~~Any machinery, parts, scrap, or appliances.~~
- c. ~~Vehicles which are unlicensed, inoperable, or registered to or owned by persons not residing on or the guest of persons residing on the premises.~~
- d. ~~Any other chattel used for or intended for a commercial purpose or ultimate use on other than the subject premises.~~

Amend Chapter 6, Section 608.H (General Provisions) to read as follows:

H. ~~General Provisions.~~ RESERVED.

- 1. ~~No structure may be built on a lot which does not front on a street which is in accordance with the adopted street classification map unless exempted by this section.~~

~~In any district where a half street not less than one-half of that width prescribed for that street by the street classification map, and amendments thereto, has been dedicated, any lots facing or siding on such half street from which side the required width of dedication has been made shall be deemed to have frontage on a street.~~

~~No permit shall be issued for buildings on a lot fronting on a half street of less than that prescribed by the street classification map for an arterial or collector street or 25 feet for all other streets except for single-family attached development individual dwelling units.~~

- a. ~~For development utilizing an average lot or PRD development option or for development built under a planned area development district, a minimum of 16.58 foot half street right of way may be provided when all of the following conditions are met:~~
 - (1) ~~The street is not designated as a collector or arterial street.~~
 - (2) ~~There are no restrictions to public access to the street.~~
 - (3) ~~Pavement width shall be 33.16 feet from back of curb to back of curb.~~

- (4) ~~Pavement thickness and design shall be in accordance with Maricopa Association of Governments' standards.~~
 - (5) ~~All terminations shall contain a 40-foot radius right-of-way.~~
 - (6) ~~The street has been constructed prior to March 19, 1986.~~
2. ~~There shall be no outdoor storage of personal property visible beyond the boundaries of the property within any front or side yard.~~

Amend Chapter 6, Section 608.I (Development Regulations) to read as follows:

- I. **Development Regulations.** Following are definitions of terms used in the development standards tables for each district:

2. **Dwelling unit density:** The total number of dwelling units on a site divided by the gross area of the site.
- a. ~~Under the planned residential development, additional density may be granted in the R1-10 through R-4A districts (Sections 611 through 619) for detached single-family development by providing site enhancements from the following list. In R1-10 through R1-6, an increase of 0.1 du/ac may be achieved for each ten bonus points earned up to the maximum listed in Table A. In R-2 through R-4A, an increase of 0.275 du/ac may be achieved for each five bonus points earned up to a maximum of 12 du/ac. However, at least half of the bonus points used to achieve densities in excess of seven and one-half du/ac must be from the architectural design category.~~
- DENSITY BONUS POINTS.** ADDITIONAL DENSITY MAY BE GRANTED BY EARNING DENSITY BONUS POINTS BY PROVIDING SITE ENHANCEMENTS FROM THE TABLE BELOW, AS FOLLOWS:

- (1) SINGLE-FAMILY DETACHED DEVELOPMENT IN THE R1-10 THROUGH R1-6 DISTRICTS (SECTIONS 611 THROUGH 613) MAY EARN INCREASED DENSITY OF 0.1 DU/AC FOR EACH TEN (10) DENSITY BONUS POINTS EARNED WHEN ALSO USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION, UP TO THE MAXIMUM DENSITY ALLOWED BY THE DISTRICT.
- (2) SINGLE-FAMILY DETACHED DEVELOPMENT IN THE R-2 THROUGH R-4A DISTRICTS (SECTIONS 614 THROUGH 619) MAY EARN INCREASED DENSITY OF 0.275 DU/AC FOR EACH FIVE (5) DENSITY BONUS POINTS EARNED WHEN ALSO USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION, UP TO THE MAXIMUM DENSITY ALLOWED BY THE DISTRICT. HOWEVER, AT LEAST HALF OF THE BONUS POINTS USED TO ACHIEVE DENSITIES IN EXCESS OF SEVEN AND ONE-HALF (7.5) DU/AC MUST BE FROM THE ARCHITECTURAL DESIGN BONUS POINT CATEGORY.

- b. ~~Under the planned residential development option, additional density may be granted in the R1-10 through R-4A districts (Sections 611 through 619) for attached single-family and multifamily development, and under the single-family attached development additional density may be granted in the R-2 through R-4A districts (Sections 614 through 619) up to the maximum shown in Table B by providing open space areas beyond the minimum required in each district in accordance with the following:~~

ADDITIONAL COMMON AREA/OPEN SPACE. ADDITIONAL DENSITY MAY BE GRANTED BY PROVIDING ADDITIONAL COMMON AREA, ABOVE ANY MINIMUM REQUIREMENTS, AS FOLLOWS:

- (1) QUALIFYING DEVELOPMENTS (LISTED BELOW) MAY EARN: ~~A one percent density bonus for each four percent of basic common area; or~~

- (a) A ONE PERCENT DENSITY BONUS FOR EACH FOUR PERCENT OF BASIC COMMON AREA; OR

(b) A ONE PERCENT DENSITY BONUS FOR EACH TWO PERCENT OF IMPROVED COMMON AREA.

(c) THE PLANNING AND DEVELOPMENT DEPARTMENT SHALL DETERMINE THE ADEQUACY OF BOTH BASIC AND IMPROVED COMMON AREAS AS PART OF THE DEVELOPMENT REVIEW PROCESS. OPEN SPACE SHALL NOT INCLUDE:

i. PUBLIC RIGHT-OF-WAY.

ii. VEHICULAR DRIVES OR PARKING AREAS.

iii. PRIVATE PATIO AREAS, NARROW STRIPS BETWEEN OR IN FRONT OF UNITS; OR, IN GENERAL, AREAS RESERVED FOR THE EXCLUSIVE USE OF INDIVIDUAL TENANTS.

iv. REQUIRED SETBACK AREAS AT THE EXTERIOR BOUNDARIES OF THE SITE.

v. GOLF COURSES.

(d) IN NO CASE SHALL THE DENSITY OF THE DEVELOPMENT EXCEED THE MAXIMUM DENSITY ALLOWED BY THE DISTRICT.

(2) ~~A one percent density bonus for each two percent of improved common area.~~

DEVELOPMENTS QUALIFYING FOR THE ADDITIONAL COMMON AREA/OPEN SPACE DENSITY BONUS ARE AS FOLLOWS:

(a) SINGLE-FAMILY DEVELOPMENT IN THE RE-35 AND R1-18 ZONING DISTRICTS (SECTIONS 609 AND 610), WHEN ALSO USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION.

(b) SINGLE-FAMILY ATTACHED DEVELOPMENT IN THE R1-10 THROUGH R-4A ZONING DISTRICTS (SECTIONS 611 THROUGH 619), WHEN USING THE PLANNED RESIDENTIAL DEVELOPMENT.

- (c) SINGLE-FAMILY DEVELOPMENT IN THE R-2 THROUGH R-4A ZONING DISTRICTS (SECTIONS 614 THROUGH 619), WHEN USING THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION.
 - (d) MULTIFAMILY DEVELOPMENT IN THE R1-10 THROUGH R-4A ZONING DISTRICTS (SECTIONS 611 THROUGH 619), WHEN USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION.
 - (3) ~~Review and determination of the adequacy of common areas, basic and improved, will be part of development review by the Site Planning Division of the Planning and Development Department. Open space shall not include:~~
 - ~~(a) Public right-of-way.~~
 - ~~(b) Vehicular drives or parking areas.~~
 - ~~(c) Private patio areas, narrow strips between or in front of units; or, in general, areas reserved for the exclusive use of individual tenants.~~
 - ~~(d) Required setback areas at the exterior boundaries of the site.~~
 - ~~(e) Golf courses.~~

- 8. **Allowed uses-DEVELOPMENT:** ~~Refer to the following tables for uses allowed in each district and to chapter 2 for definitions of permitted uses. THE DEVELOPMENT OPTIONS TABLES PROVIDED IN SECTIONS 609 THROUGH 619 INDICATE THE ONLY TYPES OF RESIDENTIAL DEVELOPMENT PERMITTED UNDER EACH DEVELOPMENT OPTION AND ASSOCIATED DEVELOPMENT REGULATIONS. THE COMPLETE LIST OF ALL PERMITTED USES, INCLUDING ACCESSORY AND TEMPORARY USES, IS PROVIDED IN SECTION 608.C.~~

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

Section 609. RE-35 Single-Family Residence District

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

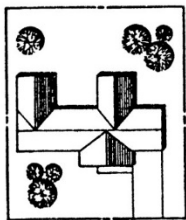
- B. **District Regulations.** The following tables establishes standards to be used for each district in the RE-35 district. ~~Following are definitions of terms used in these standards:~~ THE DEFINITIONS OF TERMS USED IN THESE STANDARDS ARE FOUND IN SECTION 608.I.

1. ~~**Minimum Lot Dimension:** The minimum width and depth of lot lines and where specified, the minimum area of each lot.~~
2. ~~**Dwelling Unit Density:** The total number of dwelling units on a site divided by the gross area of the site. Under the planned residential development option, additional density may be granted for areas beyond minimum required in each district in accordance with the following:~~
 - a. ~~A one percent density bonus for each four percent of basic common area; or~~
 - b. ~~A one percent density bonus for each two percent of improved common area.~~
 - c. ~~Review and determination of the adequacy of common areas, basic and improved, will be part of the development review by the Site Planning Division of the Planning and Development Department. Open space shall not include:~~
 - (1) ~~Public right-of-way.~~
 - (2) ~~Vehicular drives or parking areas.~~

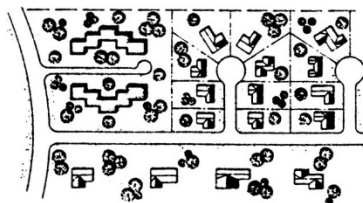
- ~~(3) Private patio areas, narrow strips between or in front of units; or, in general, areas reserved for the exclusive use of individual tenants.~~
 - ~~(4) Required setback areas at the exterior boundaries of the site.~~
 - ~~(5) Golf courses.~~
- 3. **Perimeter standards:** ~~Setbacks for structures which are required at the perimeter of a development. These standards shall apply only to lots which are created by a subdivision or a project approved under the provisions of Section 507. These standards shall not apply in the following circumstances: when contiguous developments are to be developed using the same development option with the same perimeter standards and are on the same preliminary plat or are platted concurrently; when the perimeter of a development is contiguous to a permanent open space, such as a natural wash, hillside preserve, or existing golf course, the depth of which is at least forty feet; or when the development was properly platted prior to September 13, 1981.~~
- 4. **Building setback:** ~~The required separation of buildings from lot lines.~~
- 5. **Maximum height:** ~~The maximum allowed height as measured from natural grade which measurement shall be as in chapter 2~~
- 6. **Lot coverage:** ~~The maximum area of a lot occupied by structures and open projections as defined in chapter 2~~
- 7. **Common areas:** ~~Required areas in a planned residential development to be used and enjoyed by residents of a development and either improved in accordance with the standards in chapter 2 or maintained in a natural state as approved by the Planning and Development Department.~~
- 8. **Allowed uses:** ~~Refer to the following tables for uses allowed in each district and to chapter 2 for definitions of permitted uses.~~
- 9. **Required review:** ~~Where a site plan is required, development shall be according to Section 507 of this ordinance. Development on land for which neither a subdivision nor a site plan has been approved shall be according to standards in option (a), subdivision.~~
- 10 **Required parking:** ~~The minimum number of off-street parking spaces to be provided and which shall be according to Section 702.A.~~

11. **Street standards:** ~~The class of street required to provide access to any parcel or subdivided lot within a development.~~

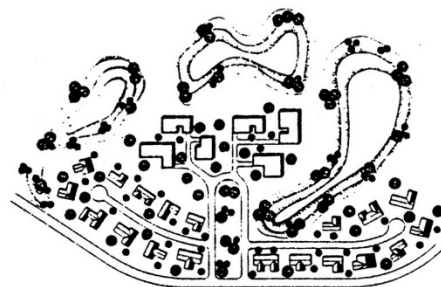
ILLUSTRATIONS OF DEVELOPMENT OPTIONS



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 609.A
RE-35 Development Option OPTIONS

Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Minimum lot dimensions (width and depth)	150' width, 175' depth (Minimum area 35,000 sq. ft.)	100' width, 125' depth	None
Dwelling unit density (units/gross acre)	1.10	1.10	1.15; 1.32 with bonus
Perimeter standards	None	40' front or rear, 20' side	40' adjacent to a public street-STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 20' adjacent to property line

TABLE 609.A RE-35 Development Option OPTIONS			
Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Building setbacks	40' front, 40' rear, 20' side	25' front, 50' total front and rear	25' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30'
Lot coverage	25%, except if all structures are less than 20' and 1 story in height then a maximum of 30% lot coverage is allowed.	Primary structure, not including attached shade structures: 25% Total: 30%	Primary structure, not including attached shade structures: 25% Total: 30%
Common areas	None	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached	Single-family attached; plus (a)	Single-family attached; plus (a)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Site plan per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾ (1)

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.

C. Special Regulations.

1. ~~Guesthouse, subject to the following conditions:~~

- a. ~~The square footage of the guesthouse shall not exceed fifty percent of the gross floor area of the primary dwelling unit with a maximum of nine hundred square feet, except as set forth in subsection b, below. Any garage area attached to the guesthouse which is more than the area of a single car garage shall be counted toward the allowable square footage of the guesthouse.~~
- b. ~~On lots with more than forty three thousand five hundred sixty square feet in net area with a primary dwelling unit of at least three thousand six hundred square feet in gross floor area, the square footage of the guesthouse may be twenty five percent of the gross floor area of the primary dwelling unit.~~
- c. ~~The floor area of the connecting structure shall be included in the floor area of the guesthouse.~~
- d. ~~Pergolas and other roofed structures without walls shall not be considered a connecting structure.~~
- e. ~~Vehicular access to the accessory dwelling unit must be provided from the same curb (driveway) as the primary dwelling unit, except that separate access may be permitted from a paved alley.~~
- f. ~~One parking space must be provided for the accessory dwelling unit in addition to the parking required for the primary dwelling unit.~~
- g. ~~Only one guesthouse is permitted on a single lot.~~
- h. ~~The guesthouse shall be constructed of similar building materials and in the same architectural style as that of the primary dwelling unit and shall not exceed the height in feet or number of stories of the primary dwelling unit.~~
- i. ~~A guesthouse shall not:~~
 - (1) ~~Provide more parking than the one required space;~~
 - (2) ~~Be advertised for occupancy through any print or electronic media or through placement of signs on the property;~~
 - (3) ~~Provide separate mail service or have a separate address from the primary dwelling unit; or~~

~~(4) Be separately metered for utilities.~~

~~(j) Single family use requirements shall apply to the guesthouse and the primary dwelling unit as a single unit.~~

~~(k) Any guesthouse existing as of (the effective date of this ordinance) may qualify as "connected to the primary dwelling unit" by being connected to the primary dwelling unit without meeting the minimum width requirements.~~

Amend Chapter 6, Section 610 (R1-18 Single-Family Residence District) to read as follows:

Section 610. R1-18 Single-Family Residence District.

A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

B. **District Regulations.** The following tables establishes standards to be used for each district in the R1-18 district. ~~Following are definitions of terms used in these standards:~~ THE DEFINITIONS OF TERMS USED IN THESE STANDARDS ARE FOUND IN SECTION 608.I.

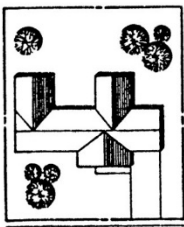
1. ~~**Minimum Lot Dimension:** The minimum width and depth of lot lines and where specified, the minimum area of each lot.~~

2. ~~**Dwelling Unit Density:** The total number of dwelling units on a site divided by the gross area of the site. Under the planned residential development option, additional density may be granted for areas beyond minimum required in each district in accordance with the following:~~

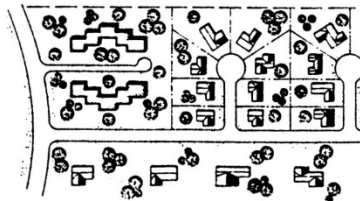
- a. ~~A one percent density bonus for each four percent of basic common area; or~~
 - b. ~~A one percent density bonus for each two percent of improved common area.~~
 - c. ~~Review and determination of the adequacy of common areas, basic and improved, will be part of the development review by the Site Planning Division of the Planning and Development Department. Open space shall not include:~~
 - ~~(1) Public right-of-way.~~
 - ~~(2) Vehicular drives or parking areas.~~
 - ~~(3) Private patio areas, narrow strips between or in front of units; or, in general, areas reserved for the exclusive use of individual tenants.~~
 - ~~(4) Required setback areas at the exterior boundaries of the site.~~
 - ~~(5) Golf courses.~~
3. **~~Perimeter standards:~~** ~~Setbacks for structures which are required at the perimeter of a development. These standards shall apply only to lots which are created by a subdivision or a project approved under the provisions of Section 507. These standards shall not apply in the following circumstances: when contiguous developments are to be developed using the same development option with the same perimeter standards and are on the same preliminary plat or are platted concurrently; when the perimeter of a development is contiguous to a permanent open space, such as a natural wash, hillside preserve, or existing golf course, the depth of which is at least forty feet; or when the development was properly platted prior to September 13, 1981.~~
4. **~~Building setback:~~** ~~The required separation of buildings from lot lines.~~
5. **~~Maximum height:~~** ~~The maximum allowed height as measured from natural grade which measurement shall be as in chapter 2~~
6. **~~Lot coverage:~~** ~~The maximum area of a lot occupied by structures and open projections as defined in chapter 2~~

7. **Common areas:** Required areas in a planned residential development to be used and enjoyed by residents of a development and either improved in accordance with the standards in chapter 2 or maintained in a natural state as approved by the Planning and Development Department.
8. **Allowed uses:** Refer to the following tables for uses allowed in each district and to chapter 2 for definitions of permitted uses.
9. **Required review:** Where a site plan is required, development shall be according to Section 507 of this ordinance. Development on land for which neither a subdivision nor a site plan has been approved shall be according to standards in option (a), subdivision.
10. **Required parking:** The minimum number of off-street parking spaces to be provided and which shall be according to Section 702.A.
11. **Street standards:** The class of street required to provide access to any parcel or subdivided lot within a development.

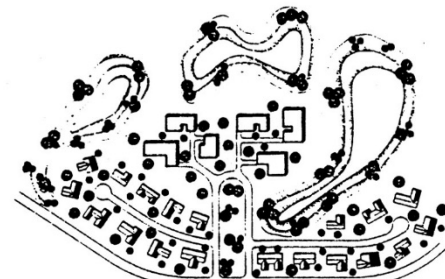
ILLUSTRATIONS OF DEVELOPMENT OPTIONS



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 610.A
R1-18 Development Option OPTIONS

<i>Standards</i>	<i>(a) Subdivision</i>	<i>(b) Average Lot</i>	<i>(c) Planned Residential Development</i>
Minimum lot dimensions (width and depth)	130' width, 120' depth (Minimum area 18,000 sq. ft.)	90' width, 80' depth	None

TABLE 610.A R1-18 Development Option OPTIONS			
Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Dwelling unit density (units/gross acre)	1.95	1.95	2.05; 2.34 with bonus
Perimeter standards	None	30' front or rear, 10' side	20' adjacent to a public street STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line
Building setbacks	25' front, 30' rear, 10' side	25' front, 50' total front plus rear	25' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30'
Lot coverage	25%-30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%	Primary structure, not including attached shade structures: 25% Total: 30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%	Primary structure, not including attached shade structures: 25% Total: 30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%
Common areas	None	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached	Single-family attached; plus (a)	Single-family attached; plus (a)

TABLE 610.A R1-18 Development Option OPTIONS			
<i>Standards</i>	<i>(a)</i> <i>Subdivision</i>	<i>(b)</i> <i>Average Lot</i>	<i>(c)</i> <i>Planned Residential</i> <i>Development</i>
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Site plan per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾ (1)

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.

~~C.~~ **Reserved.**

Amend Chapter 6, Section 611 (R1-10 Single-Family Residence District) to read as follows:

Section 611. R1-10 Single-Family Residence District.

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

- B. **District Regulations.** The following tables establish standards to be used is-IN the R1-10 district. The definitions of terms used in these standards are found in Section 608.D-608.I.

**Table A. Single-Family Detached Development
R1-10 Development Options**

TABLE 611.A R-10 R1-10 Development Option OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	75' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	3.0	3.5; 4.5 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)

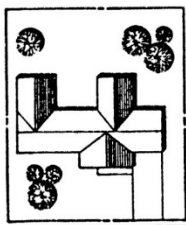
TABLE 611.A R-10 R1-10 Development Option OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)

TABLE 611.A R-10 R1-10 Development Option OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements

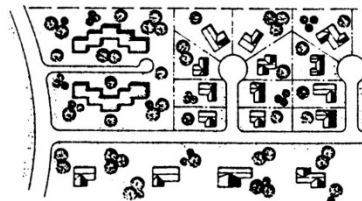
TABLE 611.A R-10 R1-10 Development Option OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single family, detached development built or subdivided under the subdivision option prior to June 2, 1999, refer to the subdivision option in table B. FOR~~ PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way. FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO JUNE 2, 1999, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 611.B.~~

~~Table B. Single-Family Detached (Subdivided Prior to June 2, 1999), Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 611.B R1-10 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2, 1999)			
<i>Standards</i>	<i>(a)</i> <i>Subdivision</i>	<i>(b)</i> <i>Average Lot</i>	<i>(c)</i> <i>Planned Residential Development</i>
Minimum lot dimensions (width and depth)	80' width, 94' depth (Minimum area 10,000 sq. ft.)	60' width, 65' depth	None
Dwelling unit density (units/gross acre)	3.50	3.50	3.68; 4.20 with bonus
Perimeter standards	None	30' front, 25' rear, 10' side	20' adjacent to a public street -STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line
Building setbacks	25' front, 25' rear, 10' and 3' side	10' front, 35' front plus rear	10' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30' for first 150'; 1' in 5' increase to 48' high and 4 stories

TABLE 611.B R1-10 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2, 1999)			
Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Lot coverage	40%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 45%-. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 45%-. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached ⁽³⁾ AND DUPLEX	Single-family attached; plus (a)	Multiple-family MULTIFAMILY plus (b)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Site plan per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾⁽¹⁾

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.

- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO JUNE 2, 1999.

~~G.~~ Reserved.

Amend Chapter 6, Section 612 (R1-8 Single-Family Residence District) to read as follows:

Section 612. R1-8 Single-Family Residence District.

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

- B. **District Regulations.** The following tables establish standards to be used ~~is~~ IN the R1-8 district. The definitions of terms used in these standards are found in Section ~~608.D~~ 608.I.

~~Table A. Single-Family Detached Development~~

TABLE 612.A R1-8 Development Option OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	65' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	4.0	4.5; 5.5 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)

TABLE 612.A
R1-8 Development Option OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

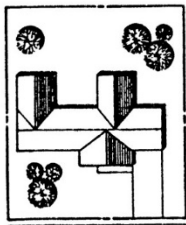
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35'; street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%

TABLE 612.A R1-8 Development Option OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Common areas	None	Minimum 5% of gross area
Allowed uses-DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20' to 30' on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

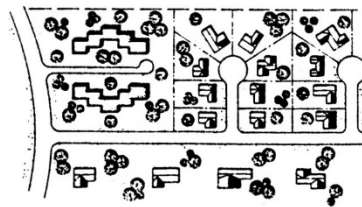
- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.

- (2) ~~For single-family detached development built or subdivided under the subdivision option prior to June 2, 1999, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO JUNE 2, 1999, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 612.B.

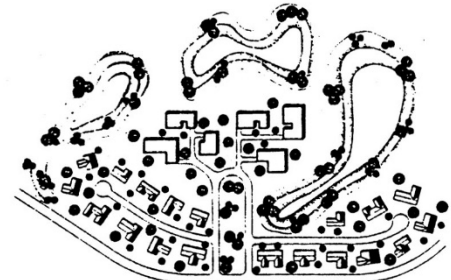
~~Table B. Single-Family Detached (Subdivided Prior to June 2, 1998), Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 612.B R1-8 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2, 1999)			
Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Minimum lot dimensions (width and depth)	70' width, 94' depth (Minimum area 8,000 sq. ft.)	50' width, 65' depth	None
Dwelling unit density (units/gross acre)	4.30	4.30	4.52; 5.16 with bonus

TABLE 612.B R1-8 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2, 1999)			
Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Perimeter standards	None	25' front or rear 10' side	20' adjacent to a public street STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line
Building setbacks	20' front, 25' rear, 10' and 3' side	10' front, 35' front plus rear	10' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30' for first 150'; 1' in 5' increase to 48' high and 4 stories
Lot coverage	40%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	None	Minimum 5% of gross area

TABLE 612.B R1-8 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2, 1999)			
Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾ AND DUPLEX	Single-family attached; plus (a)	Multiple-family MULTIFAMILY plus (b)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Site plan per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾ (1)

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO JUNE 2, 1999.

G. ~~Reserved.~~

Amend Chapter 6, Section 613 (R1-6 Single-Family Residence District) to read as follows:

Section 613. R1-6 Single-Family Residence District.

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

- B. **District Regulations.** The following tables establish standards to be used in the R1-6 district. The definitions of terms used in these standards are found in Section ~~608.D~~ 608.I.

Table A. Single-Family, Detached Development

TABLE 613.A R1-6 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	5.5; 6.5 with bonus

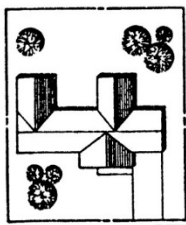
TABLE 613.A R1-6 Development Option-Options SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum

TABLE 613.A R1-6 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements

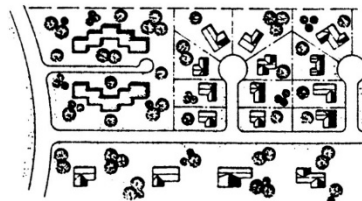
TABLE 613.A R1-6 Development Option-Options SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 613.B

Table B. ~~Single-Family Detached (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 613.B R1-6 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)			
<i>Standards</i>	<i>(a)</i> <i>Subdivision⁽³⁾</i>	<i>(b)</i> <i>Average Lot</i>	<i>(c)</i> <i>Planned Residential</i> <i>Development</i>
Minimum lot dimensions (width and depth)	60' width, 94' depth (Minimum area 6,000 sq. ft.)	40' width, 60' depth	None
Dwelling unit density (units/gross acre)	5.30	5.30	5.54; 6.34 with bonus
Perimeter standards	None	25' front or rear 10' side	20' adjacent to a public street -STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line
Building setbacks	20' front, 25' rear, 10' and 3' side	10' front, 35' front plus rear	10' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30' for first 150'; 1' in 5' increase to 48' high and 4 stories

TABLE 613.B R1-6 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)			
Standards	(a) Subdivision⁽³⁾	(b) Average Lot	(c) Planned Residential Development
Lot coverage	40%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	None	Minimum 5% of gross area ⁽³⁾ AREA
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾ AND DUPLEX	Single-family attached; PLUS (a)	Multiple-family MULTIFAMILY and single-family attached PLUS (b)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾⁽¹⁾

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.

- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) ~~These standards apply only to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.

G. ~~Reserved.~~

Amend Chapter 6, Section 614 (R-2 Multifamily Residence District) to read as follows:

Section 614. R-2 Multifamily Residence District.

- B. **District Regulations.** The following tables establish standards to be used in the R-2 district. The definitions of terms used in these standards are found in Section 608.I. The single-family ~~attached~~ INFILL development option must meet Section 608.F.6 requirements.

~~Table A. Single-Family, Detached Development~~⁽²⁾

TABLE 614.A R-2 Development Option-Options SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)

TABLE 614.A
R-2 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

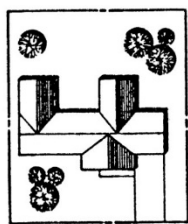
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area

TABLE 614.A R-2 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507 , and subdivision to create 4 or more lots	Development review per Section 507 , and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

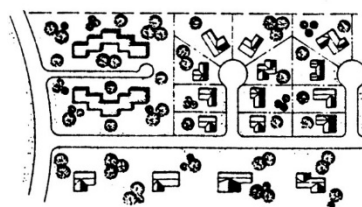
- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single family detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.

- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 614.B

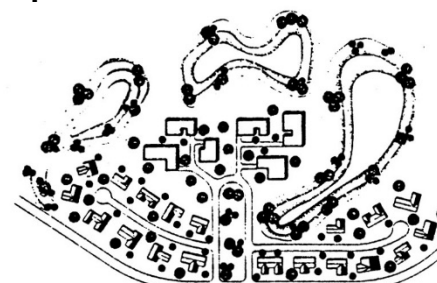
Table B. Single-Family Detached (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 614.B R-2 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Development site: none. Individual dwelling lot: 20'.
Dwelling unit density (units/gross acre)	10.0	10.0	10.50; 12.00 with bonus	10.50; 12.00 with bonus

TABLE 614.B R-2 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 10' 15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line.
Building setbacks	25' front, 25' rear, 10' and 3' side	10' front, 35' front plus rear	10' front	Individual unit lot: none
Maximum height	2 stories and 30' 30' ⁽⁵⁾	2 stories and 30' 30' ⁽⁵⁾	2 stories and 30' for first 150'; 1' in 5' increase to 48' high HEIGHT, and 4- stories* STORY MAXIMUM ⁽⁵⁾	3 stories or AND 40' for first 150'; 1' in 1' increase to 48' height, 4-story maximum* MAXIMUM ⁽⁶⁾

TABLE 614.B R-2 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Lot coverage	40%–50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%–50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%–50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES . TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area ⁽²⁾	Minimum 5% of gross area ⁽²⁾
Allowed uses DEVELOPMENT	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family attached and SINGLE-FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY) home occupations per Section 608
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507

TABLE 614.B R-2 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway, alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

* ~~There shall be a 15-foot maximum height within ten feet of a single family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~

(1) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way. PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.~~

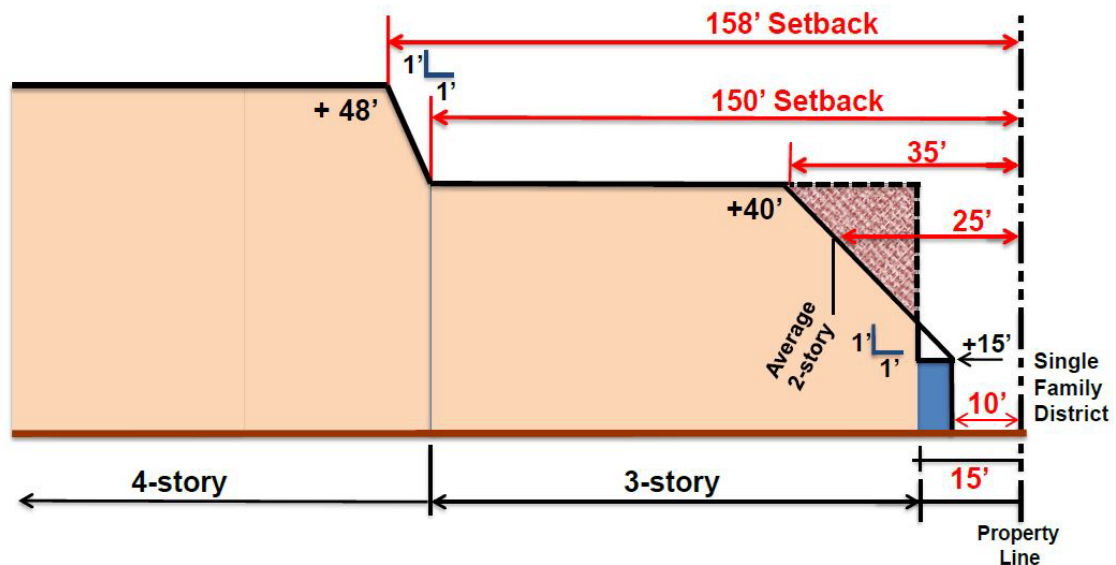
(2) ~~These standards also apply to single family, detached development built or subdivided under the subdivision option prior to May 1, 1998. FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.~~

- (3) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.
- (4) THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

(6) **Single-Family Infill Stepbacks**

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

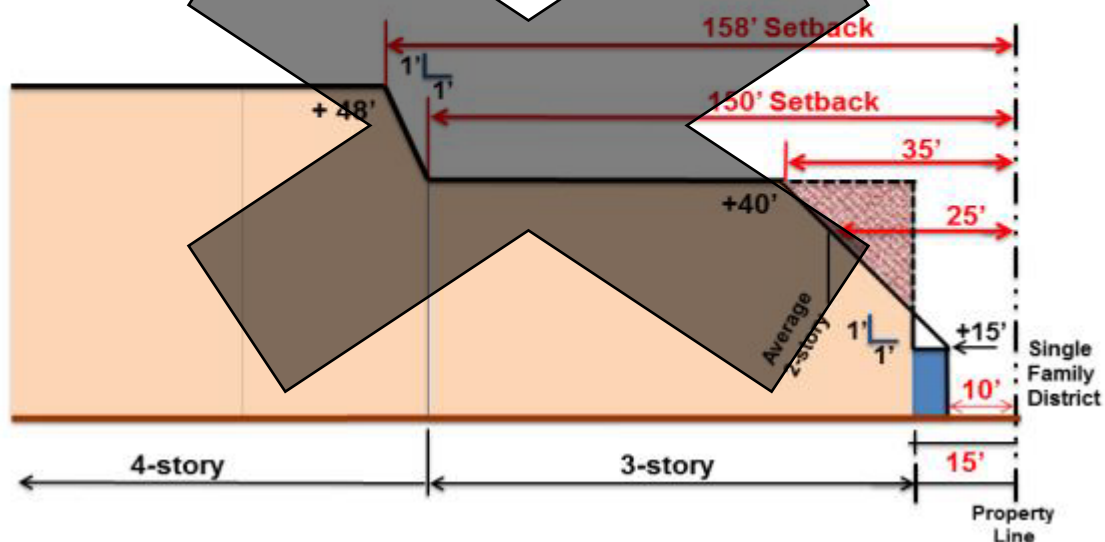
- 3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story).
- There shall be a 15' maximum height within 10' of single-family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



~~Single-Family Attached~~

PROPOSED BUFFER FROM ADJACENT SINGLE-FAMILY DISTRICT

3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story). *There shall be a 15' maximum height within 10' of Single-Family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



~~C. Special Regulations~~

- ~~1. A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single-family dwellings on individual lots.~~
- ~~2. Reserved.~~

Amend Chapter 6, Section 615 (R-3 Multifamily Residence District) to read as follows:

Section 615. R-3 Multifamily Residence District.

- B. District Regulations.** The following tables establish standards to be used in the R-3 district. The definitions of terms used in these standards are found in Section

608.I. The single-family ~~attached~~-INFILL development option must meet Section 608.F.6 requirements.

~~Table A. Single-Family Development~~⁽²⁾

TABLE 615.A R-3 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)

TABLE 615.A
R-3 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

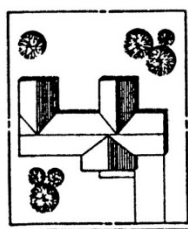
Standards	Conventional	Planned Residential Development
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area

TABLE 615.A R-3 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

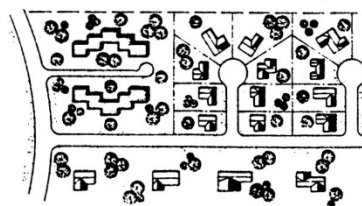
- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.

- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 615.B

Table B. Single-Family (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 615.B R-3 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Individual unit lot: 20' width, no minimum depth
Dwelling unit density (units/gross acre)	14.5	14.5	15.23; 17.40 with bonus	15.23; 17.40 with bonus

TABLE 615.B R-3 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line.
Building setbacks	25' front, 15' rear, 10' and 3' side	10' front, 30' front plus rear	10' front	Individual unit lot: none
Maximum height	2 stories and 30' 30' ⁽⁵⁾	2 stories and 30' 30' ⁽⁵⁾	2 stories and 30' for first 150'; 1' in 5' increase to 48' high -HEIGHT, and 4- stories* STORY MAXIMUM ⁽⁵⁾	3 stories or AND 40' for first 150'; 1' in 1' increase to 48' height, 4-story maximum* MAXIMUM ⁽⁶⁾

TABLE 615.B R-3 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Lot coverage	40%–50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%–50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%–50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area (2)	Minimum 5% of gross area
Allowed uses DEVELOPMENTS	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family attached and SINGLE- FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY) home occupations per Section <u>608</u>
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507

TABLE 615.B R-3 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway, alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

* ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~

(1) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.

(2) ~~These standards also apply to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.

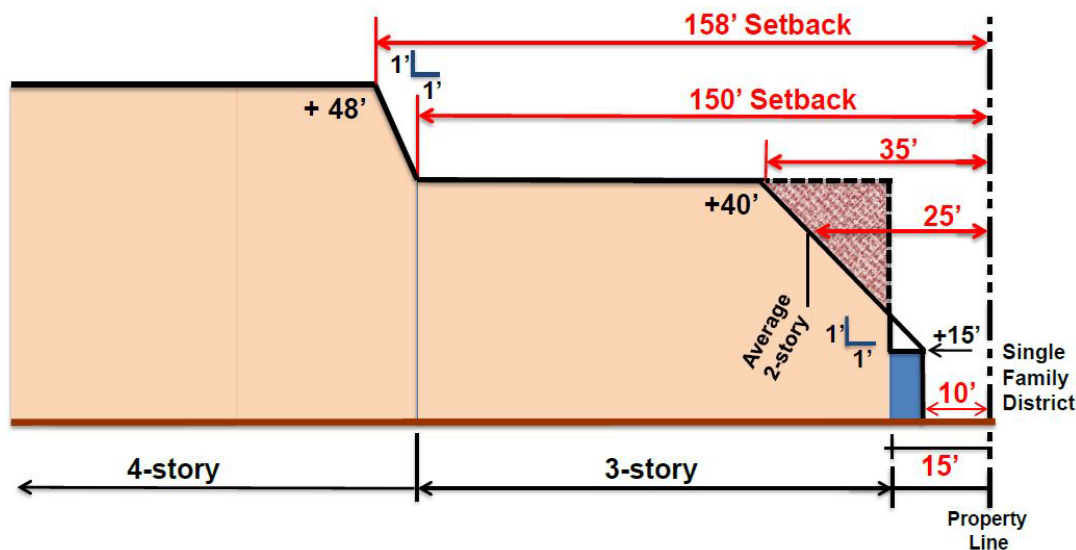
- (3) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.
- (4) THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

(6)

Single-Family Infill Stepbacks

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

- 3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story).
- There shall be a 15' maximum height within 10' of single-family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



C. Special Regulations

1. ~~Adult day care home for the care of one to four adult persons; provided, that:~~

- a. ~~Outdoor recreation areas shall be screened from adjacent properties by a six-foot high landscape hedge, solid fence, or solid wall.~~
- 2. ~~Boarding house, subject to a use permit and the following conditions:~~
 - a. ~~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.~~
 - b. ~~No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
- 3. ~~Community residence center, subject to a use permit and the following conditions:~~
 - a. ~~Such center 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.~~
 - b. ~~No community residence center 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 or center within a residential zoning district.~~
 - c. ~~Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~
 - d. ~~A maximum lot coverage of 25 percent.~~
 - e. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~

- f. ~~The lot shall only have vehicular access from an arterial or collector street.~~
- 4. ~~Group home, subject to a use permit and the following conditions:~~
 - a. ~~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.~~
 - b. ~~No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
- 5. ~~Group foster home, subject to a use permit.~~
- 6. ~~Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
- 7. ~~A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single family dwellings on individual lots.~~
- 8. ~~Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~

Amend Chapter 6, Section 616 (R-3A Multifamily Residence District) to read as follows:

Section 616. R-3A Multifamily Residence District.

- B. **District Regulations.** The following tables establish standards to be used in the R-3A district. The definitions of terms used in these standards are found in Section 608.I. The single-family attached-INFILL development option must meet Section 608.F.6 requirements.

~~Table A. Single-Family Development⁽²⁾~~

TABLE 616.A R-3A Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)

TABLE 616.A
R-3A Development Option-~~Options~~ OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)

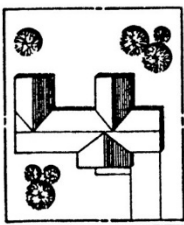
TABLE 616.A R-3A Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements

TABLE 616.A
R-3A Development Option-~~Options~~
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

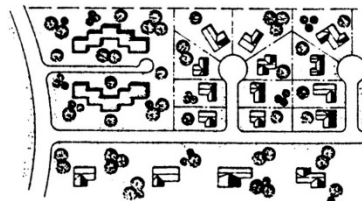
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 616.B

~~Table B. Single-Family (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 616.B R-3A Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Individual unit lot: 20' width, no minimum depth
Dwelling unit density (units/gross acre)	22	22	23.1; 26.4 with bonus	23.1; 26.4 with bonus
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line
Building setbacks	25' front, 15' rear, 10' and 3' side	10' front, 30' front plus rear	10' front	Individual unit lot: none

TABLE 616.B R-3A Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Maximum height	3 stories or 40' * 40' ⁽⁵⁾	3 stories or 40' * 40' ⁽⁵⁾	3 stories or 40' for 150'; 1' in 5' increase to 48' HEIGHT, 4-story maximum ⁽⁵⁾	3 stories or 40' for first 150'; 1' in 1' increase to 48' height, 4-story maximum* MAXIMUM ⁽⁶⁾
Lot coverage	40% 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45% 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45% 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area ⁽²⁾	Minimum 5% of gross area

TABLE 616.B R-3A Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Allowed uses DEVELOPMENT	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family attached and SINGLE-FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY) home occupations per Section 608
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway; alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

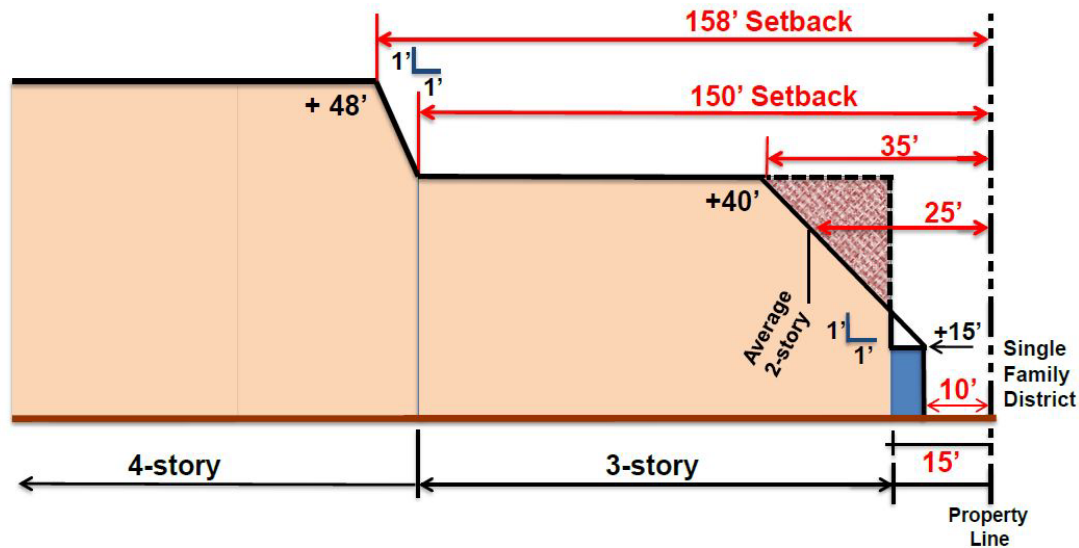
- * ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~
- (1) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.
- (2) ~~These standards also apply to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.
- (4) THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

(6)

Single-Family Infill Stepbacks

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

- 3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story).
- There shall be a 15' maximum height within 10' of single-family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



G. Special Regulations

1. Adult day care center, subject to a use permit; and provided, that:
 - a. Outdoor recreation areas shall be screened from adjacent properties by a six foot high landscape hedge, solid fence, or solid wall.
2. Boarding house, subject to a use permit and the following conditions:
 - a. 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.
 - b. No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.

- ~~c. A maximum lot coverage of 25 percent.~~
 - ~~d. A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - ~~e. The lot shall only have vehicular access from an arterial or collector street.~~
- 3. ~~Community residence center, subject to a use permit and the following conditions:~~
 - ~~a. Such center 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.~~
 - ~~b. No community residence center 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 or center within a residential zoning district.~~
 - ~~c. Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~
 - ~~d. A maximum lot coverage of 25 percent.~~
 - ~~e. A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - ~~f. The lot shall only have vehicular access from an arterial or collector street.~~
- 4. ~~Group home, subject to a use permit and the following conditions:~~
 - ~~a. 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.~~
 - ~~b. No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~

- ~~e. A maximum lot coverage of 25 percent.~~
 - ~~d. A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - ~~e. The lot shall only have vehicular access from an arterial or collector street.~~
- ~~5. Group foster home, subject to a use permit.~~
- ~~6. Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
- ~~7. A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single family dwellings on individual lots.~~
- ~~8. A residential convenience market is permitted as an accessory use to a multiple family development, subject to the following conditions:~~
 - ~~a. Signage shall be allowed only as part of a Comprehensive Sign Plan pursuant to Section 705. The Zoning Administrator may approve wall mounted signage up to a maximum height of 30 feet as part of an approved Comprehensive Sign Plan.~~
 - ~~b. The development shall contain a minimum of 400 dwelling units.~~
 - ~~c. The market shall not exceed 1,000 square feet in total floor area (display and storage) if the development contains less than 850 dwelling units. The market shall not exceed 3,000 square feet in total floor area (display and storage) if the development contains 850 or more dwelling units.~~
 - ~~d. No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.~~
- ~~9. Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~

Amend Chapter 6, Section 617 (R-4 Multifamily Residence District) to read as follows:

Section 617. R-4 Multifamily Residence District.

- B. **District Regulations.** The following tables establish standards to be used in the R-4 district. The definitions of terms used in these standards are found in Section 608.I. The single-family ~~attached~~-INFILL development option must meet Section 608.F.6 requirements.

Table A. Single-Family Development⁽²⁾—

TABLE 617.A R-4 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus

TABLE 617.A R-4 Development Option-Options SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots, 60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for

TABLE 617.A
R-4 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

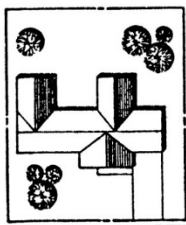
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
		demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements

TABLE 617.A
R-4 Development Option-~~OPTION~~S
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

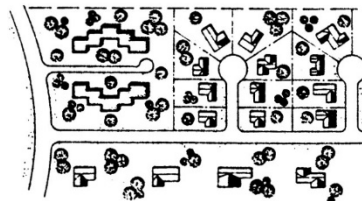
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 617.B

~~Table B. Single-Family (Subdivided Prior to May 1, 1998) Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 617.B R-4 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Individual unit lot: 20' width, no minimum depth
Dwelling unit density (units/gross acre)	29.0	29.0	30.45; 34.80 with bonus	30.45; 34.80 with bonus
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 10'-15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line
Building setbacks	20' front, 15' rear, 10' and 3' side	10' front, 30' front plus rear	10' front	Individual unit lot: none

TABLE 617.B R-4 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Maximum height	3 stories or 40' 40' ⁽⁵⁾	3 stories or 40' 40' ⁽⁵⁾	3 stories or 40' for 150'; 1' in 5' increase to 48' HEIGHT, 4-story maximum ⁽⁵⁾	3 stories or 40' for first 150'; 1' in 1' increase to 48' height, 4-story maximum* MAXIMUM ⁽⁶⁾
Lot coverage	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area ⁽³⁾	Minimum 5% of gross area

TABLE 617.B R-4 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Allowed uses DEVELOPMENT	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family attached and SINGLE-FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY) home occupations per Section 608
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway; alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

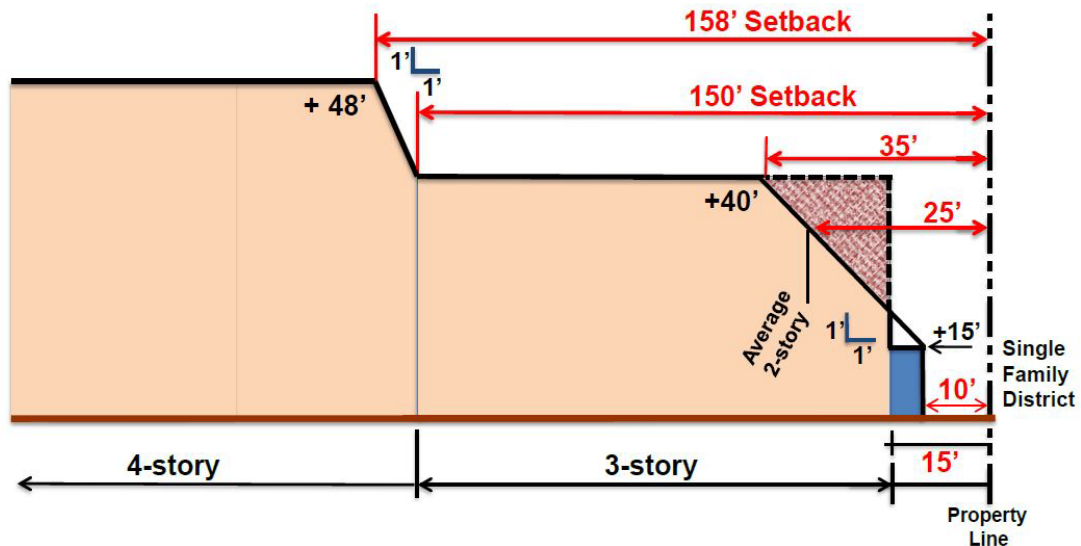
- * ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~
- (1) ~~1.3 for efficiency; 1.5 for one or two bedrooms; 2.0 for more than two bedrooms or for single-family detached.~~ PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) ~~These standards also apply to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.
- (4) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

(6)

Single-Family Infill Stepbacks

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

- 3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story).
- There shall be a 15' maximum height within 10' of single-family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



Special Regulations

1. Adult day care center, subject to a use permit; and provided, that:
 - a. Outdoor recreation areas shall be screened from adjacent properties by a six-foot high landscape hedge, solid fence, or solid wall.
2. Boarding house, subject to a use permit and the following conditions:
 - a. 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.
 - b. No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.

- ~~c. A maximum lot coverage of 25 percent.~~
 - ~~d. A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - ~~e. The lot shall only have vehicular access from an arterial or collector street.~~
- ~~3. Community residence center, subject to a use permit and the following conditions:~~
 - ~~a. Such center 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.~~
 - ~~b. No community residence center 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 or center within a residential zoning district.~~
 - ~~c. Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~
 - ~~d. A maximum lot coverage of 25 percent.~~
 - ~~e. A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - ~~f. The lot shall only have vehicular access from an arterial or collector street.~~
- ~~4. Group home, subject to a use permit and the following conditions:~~
 - ~~a. 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.~~
 - ~~b. No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~

- ~~e. A maximum lot coverage of 25 percent.~~
 - ~~d. A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - ~~e. The lot shall only have vehicular access from an arterial or collector street.~~
- ~~5. Group foster home, subject to a use permit.~~
- ~~6. Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
- ~~7. A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single family dwellings on individual lots.~~
- ~~8. A residential convenience market is permitted as an accessory use to a multiple family development, subject to the following conditions:~~
 - ~~a. Signage shall be allowed only as part of a Comprehensive Sign Plan pursuant to Section 705. The Zoning Administrator may approve wall mounted signage up to a maximum height of 30 feet as part of an approved Comprehensive Sign Plan.~~
 - ~~b. The development shall contain a minimum of 400 dwelling units.~~
 - ~~c. The market shall not exceed 1,000 square feet in total floor area (display and storage) if the development contains less than 850 dwelling units. The market shall not exceed 3,000 square feet in total floor area (display and storage) if the development contains 850 or more dwelling units.~~
 - ~~d. No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.~~
- ~~9. Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~

Amend Chapter 6, Section 618 (R-5 Multifamily Residence District) to read as follows:

Section 618. R-5 Multifamily Residence District – RESTRICTED COMMERCIAL.

B.	District Regulations - RESIDENTIAL USES. THE FOLLOWING TABLES ESTABLISH STANDARDS TO BE USED FOR RESIDENTIAL DEVELOPMENTS IN THE R-5 DISTRICT. THE DEFINITIONS OF TERMS USED IN THESE STANDARDS ARE FOUND IN SECTION 608.I. THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST MEET SECTION 608.F.6 REQUIREMENTS.
1.	Development Standards for Residential Uses. The following tables establish standards to be used in the R-5 District. The definitions of terms used in these standards are found in Section 608.I. The single-family attached development option must meet Section 608.F.8 requirements.

~~Table A. Single-Family, Detached Development (Subdivided on or after May 1, 1998)–~~

TABLE 618.A R-5 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))

TABLE 618.A R-5 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets ⁽²⁾	None	15' average, 10' minimum (does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum

TABLE 618.A R-5 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
ALLOWED DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements

TABLE 618.A R-5 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 618.B

~~Table B. Single-Family (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development~~

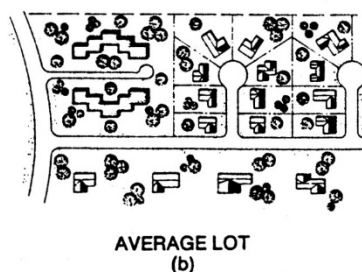
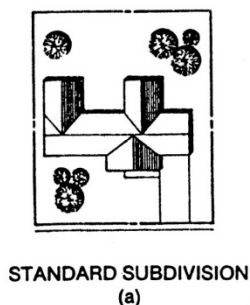


TABLE 618.B R-5 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Individual unit lot: 20' width, no minimum depth
Dwelling unit density (units/gross acre)	43.5	43.5	45.68; 52.20 with bonus	45.68; 52.20 with bonus
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 10'-15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line
Building setbacks	20' front, 15' rear, 10' and 3' side	10' front, 30' front plus rear	10' front	Individual unit lot: none
Maximum height	4 stories or 48' (1)-(2) (5)	4 stories or 48' (1)-(2) (5)	4 stories or 48' (1)-(2) (5)	4 stories or 48' (1)-(2) (6)

TABLE 618.B R-5 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Lot coverage	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area ⁽³⁾	Minimum 5% of gross area
ALLOWED DEVELOPMENT	SINGLE-FAMILY DETACHED, SINGLE-FAMILY ATTACHED, AND MULTIFAMILY	SINGLE-FAMILY DETACHED, SINGLE-FAMILY ATTACHED, AND MULTIFAMILY	SINGLE-FAMILY DETACHED, SINGLE-FAMILY ATTACHED, AND MULTIFAMILY	SINGLE-FAMILY ATTACHED AND SINGLE-FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507

TABLE 618.B R-5 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway, alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

* ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~

(1) ~~1.3 for efficiency; 1.5 for one or two bedrooms; 2.0 for more than two bedrooms or for single-family detached.~~ PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.

(2) ~~The height limitation of four stories or 48 feet applies to residential uses.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.

(3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ THE ONLY SINGLE-FAMILY DETACHED

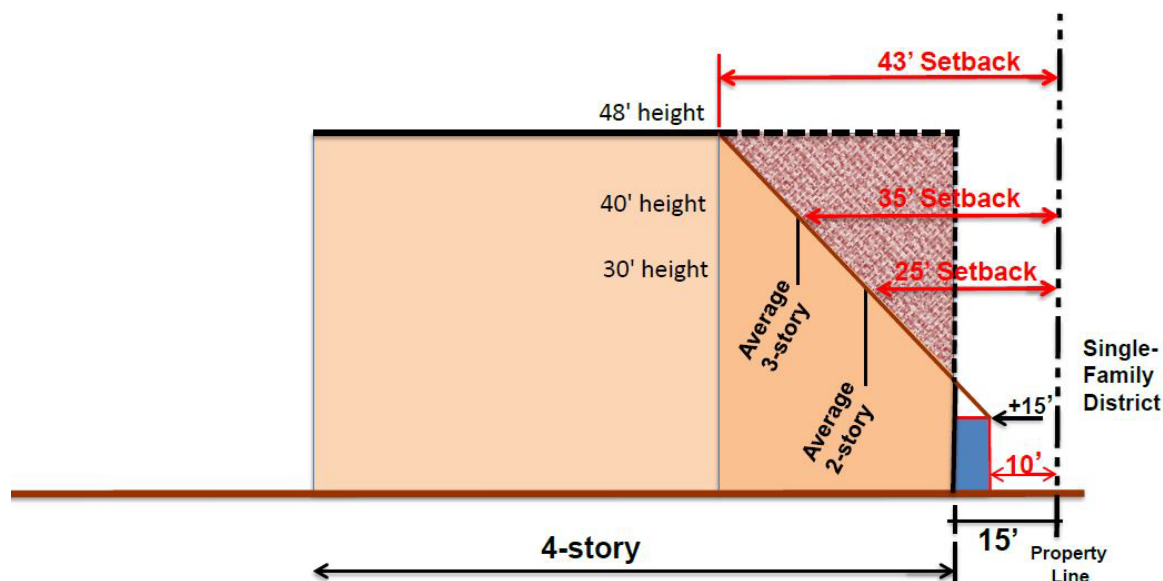
DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.

- (4) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

(6) **Single-Family Infill Stepbacks**

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

- R-5: 4 stories and 48'.
- *There shall be a 15' maximum height within 10' of Single-Family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



2. ~~Development standards for commercial and mixed uses (including hotels and motels) shall be in accordance with Section 622.E.3 and E.4.~~

C. ~~Special~~DISTRICT Regulations FOR NON-RESIDENTIAL AND MIXED USES.
DEVELOPMENT REGULATIONS FOR NON-RESIDENTIAL AND MIXED USES
SHALL BE IN ACCORDANCE WITH C-1 STANDARDS (SECTIONS 622.E.3 AND
E.4).

- ~~1. A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single family dwellings on individual lots.~~

D. ADDITIONAL Permitted Uses.

- ~~1. Adult day care center, subject to a use permit; and provided, that:~~
 - ~~a. Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
- ~~2-1.~~ Bed and breakfast establishment.
- ~~3-2.~~ Biomedical and Medical Research Offices. A biomedical or medical research laboratory shall be permitted as an accessory use to a biomedical and medical research office, subject to the following limitations:
 - a. The use shall be subject to obtaining a use permit in accordance with the procedures and standards of Section 307.
 - b. Entrance to the laboratory shall only be from within the building and shall not be through doors which open to the outside of the building.
 - c. No sign or display for the laboratory shall be visible from adjacent public rights-of-way.
 - d. Access to a property containing a laboratory shall only be from a major arterial or arterial, as designated on the street classification map.
- ~~4-3.~~ Biomedical and Medical Research Offices. A biomedical or medical research laboratory shall be permitted as an accessory use to a biomedical and medical research office, subject to the following limitations:
- ~~5. Boarding house, subject to a use permit and the following conditions:~~

- a. ~~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.~~
 - b. ~~No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
 - e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
6. 4. Branch offices of the following uses are permitted subject to a use permit: banks, building and loan associations, brokerage houses, savings and loan associations, finance companies, title insurance companies, and trust companies.
7. ~~Community residence center, subject to a use permit and the following conditions:~~
- a. ~~Such center 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.~~
 - b. ~~No community residence center 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 or center within a residential zoning district.~~
 - c. ~~Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~
 - d. ~~A maximum lot coverage of 25 percent.~~
 - e. ~~A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~

- ~~f. The lot shall only have vehicular access from an arterial or collector street.~~
- ~~8.~~ 5. Copy and reproduction center, subject to a use permit.
- ~~9.~~ Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.
- ~~10.~~ Group foster home, subject to a use permit.
- ~~11.~~ Group home, subject to a use permit and the following conditions:
 - ~~a. 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.~~
 - ~~b. No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~
 - ~~c. A maximum lot coverage of 25 percent.~~
 - ~~d. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
- ~~12.~~ Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.
- ~~13.~~ 6. Hospice, subject to a use permit.
- ~~14.~~ 7. Hotel or Motel. The following accessory uses are permitted; provided, that the entrance to said accessory uses shall be from within the building only and that no sign or display for the accessory uses shall be located so as to be visible from a public thoroughfare or adjacent property:
 - a. Auto rental agency; provided, that there are no more than three vehicles stored on the hotel property.
 - b. Child care, for hotel/motel guests only.

- c. Cocktail lounges with recorded music or one musician.
 - d. Convention or private group activities.
 - e. Gift shop.
 - f. News stand.
 - g. Restaurants with recorded music or one musician.
 - h. Other services customarily accessory thereto.
- ~~15~~. 8. Office for Administrative, Clerical, or Sales Services. No commodity or tangible personal property, either by way of inventory or sample, shall be stored, kept, or exhibited for purposes of sale in any said office or on the premises wherein the said office is located. Seminars shall be permitted as an accessory use; provided, that they are clearly accessory to the office use.
- ~~16~~. 9. Office for professional use, including medical center, wellness center, and counseling services (provided that services are administered or overseen by a State licensed professional).
- a. The following accessory uses are permitted; provided, that the entrance to said accessory uses shall be from within the building only, that no sign or display for the accessory uses shall be located so as to be visible from a public thoroughfare or adjacent property, and that no more than 25 percent of the floor area can be used for the accessory uses:
 - (1) Fitness center.
 - (2) Massage therapy, administered by a State licensed massage therapist.
 - (3) Ophthalmic materials dispensing.
 - (4) Pharmacy.
 - (5) Sleep disorder testing with less than a 24-hour stay duration.
 - (6) Snack bar.

(7) Surgical center, provided there are no overnight stays.

- b. The following accessory uses are permitted, subject to a use permit and provided that the entrance to said accessory uses shall be from within the building only, that no sign or display for the accessory uses shall be located so as to be visible from a public thoroughfare or adjacent property:

(1) Medical and dental laboratories.

(2) Orthotics and prosthetic laboratories.

47. 10. Nursing home, subject to a use permit and the following conditions:

- a. A maximum lot coverage of 25 percent.
- b. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.

48. 11. Private clubs and lodges qualifying by law as a nonprofit entity, subject to a use permit. The use permit is not required if a special permit, according to Section 647, is obtained. Bingo may be operated as an accessory use on the premises of the club no more than two days per week.

~~19. A residential convenience market is permitted as an accessory use to a multiple-family development, subject to the following conditions:~~

- ~~a. Signage shall be allowed only as part of a Comprehensive Sign Plan pursuant to Section 705. The Zoning Administrator may approve wall mounted signage up to a maximum height of 30 feet as part of an approved Comprehensive Sign Plan.~~
- ~~b. The development shall contain a minimum of 400 dwelling units.~~
- ~~c. The market shall not exceed 1,000 square feet in total floor area (display and storage) if the development contains less than 850 dwelling units. The market shall not exceed 3,000 square feet in total floor area (display and storage) if the development contains 850 or more dwelling units.~~

- d. ~~No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.~~

~~20-12.~~ Teaching of the fine arts, subject to use permit.

~~21-13.~~ Volunteer community blood centers qualifying by law as a nonprofit entity, subject to a use permit.

Amend Chapter 6, Section 619 (R-4A District—Multifamily Residence—General) to read as follows:

Section 619. R-4A District—Multifamily Residence—General

A. **Permitted Uses.** PRIMARY USES AND ACCESSORY USES ARE PERMITTED AS INDICATED IN THE RESIDENTIAL DISTRICTS LAND USE MATRIX, SECTION 608.D, PLUS THE FOLLOWING:

- 1. ~~All uses permitted in the RE 24, R 3 and R 4 districts.~~
- 2. ~~Same accessory uses and buildings as RE 24.~~
- 3. ~~Adult day care center, subject to a use permit; and provided, that:~~
 - a. ~~Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
- 4. ~~Boarding house, subject to a use permit and the following conditions:~~
 - a. ~~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.~~
 - b. ~~No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.~~

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- ~~d. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
- ~~8.~~ 1. Hospice, subject to a use permit.
- ~~9.~~ 2. Nursing home, subject to a use permit and the following conditions:
 - a. A maximum lot coverage of 25 percent.
 - b. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.
- ~~10.~~ ~~Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
- ~~11.~~ A residential convenience market is permitted as an accessory use to a multiple-family development, subject to the following conditions:
 - ~~a. Signage shall be allowed only as part of a Comprehensive Sign Plan pursuant to Section 705. The Zoning Administrator may approve wall mounted signage up to a maximum height of 30 feet as part of an approved Comprehensive Sign Plan.~~
 - ~~b. The development shall contain a minimum of 400 dwelling units.~~
 - ~~c. The market shall not exceed 1,000 square feet in total floor area (display and storage) if the development contains less than 850 dwelling units. The market shall not exceed 3,000 square feet in total floor area (display and storage) if the development contains 850 or more dwelling units.~~
 - ~~d. No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.~~
- ~~12.~~ The display for sale of a vehicle, which for purposes of this provision includes trailers, watercraft or other types of transportation that are built to carry passengers or cargo, shall be subject to the following restrictions:
 - ~~a. No more than one [1] vehicle can be labeled for sale or show any indication that it is for sale at any given time on a property, whether visible on site or through some other form of advertising.~~

- b. ~~No more than two [2] vehicles can be sold on a property during any calendar year.~~
 - c. ~~For purposes of Subsections a and b above, two [2] jet skis, a boat or similar types of recreational vehicles that are transported on one trailer shall, together with the trailer, be considered one vehicle.~~
 - d. ~~The ownership of the vehicle[s] must be registered to the location where the vehicle is listed for sale.~~
 - e. ~~No vehicle can be labeled for sale or show any indication that it is for sale at an unoccupied house or on a vacant lot or parcel.~~
 - f. ~~No vehicle can be labeled for sale or show any indication that it is for sale in conjunction with a retail or wholesale vehicle sales dealership or business without obtaining a temporary use permit.~~
13. ~~Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~
3. SINGLE-FAMILY INFILL DEVELOPMENTS, PER THE PROVISIONS OF SECTION 608.F.6 AND SECTION 617 (R-4) TABLE B, COLUMN D.

B. **Yard, Height and Area Requirements.** Except as required by Section 701, the following yard, height and area provisions shall be required for this district:

- 7. Yards for ACCESSORY DWELLING UNITS and ~~detached~~ OTHER accessory ~~buildings~~ STRUCTURES shall be ~~permitted~~ as in ACCORDANCE WITH THE PROVISIONS OF Section 706.
- 8. Single-family ~~attached~~ INFILL development must comply with R-4 ~~standards~~ ALL REGULATIONS APPLICABLE TO SFI DEVELOPMENT IN THE R-4 DISTRICT EXCEPT FOR DENSITY, WHICH SHALL BE PERMITTED PER SECTION 619.B.1.

9. OFFSITE MANUFACTURED HOME DEVELOPMENTS, UPON OBTAINING USE PERMIT APPROVAL, SHALL COMPLY WITH THE R-4 STANDARDS FOR PLANNED RESIDENTIAL DEVELOPMENTS (TABLE 617.B, COLUMN C) EXCEPT FOR DENSITY, WHICH SHALL BE PERMITTED PER SECTION 619.B.1

- ~~C. **Site Plan Required.** A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single-family dwellings on individual lots.~~

Amend Chapter 6, Section 635 (Planned Area Development) to read as follows:

Section 635. Planned Area Development.

C. Use Regulations.

1. **Uses permitted.** In the planned area development districts only the following uses are permitted:
 - a. ~~Single-family detached, duplex, and multiple dwellings; apartment houses.~~ AS STATED IN SECTION 608.D, RESIDENTIAL DISTRICTS LAND USE MATRIX.
 - b. ~~Other uses as permitted in Sections 608 and 703.A.~~
 - c. b. Neighborhood retail uses and other nonresidential uses limited to those enumerated in the C-1 district may be specifically and selectively authorized as to type and size only when integrated by design as an accessory element of the project, and only when located in an area proposed to be appropriately zoned for said use and approved as provided below, provided that the development is planned for more than four hundred dwelling units.
 - d. ~~Same accessory uses and buildings as RE-24.~~
 - e. ~~The display for sale of a vehicle, which for purposes of this provision includes trailers, watercraft or other types of transportation that are built to carry passengers or cargo shall be subject to the following restrictions:~~

- (1) ~~No more than one [1] vehicle can be labeled for sale or show any indication that it is for sale at any given time on a property, whether visible on-site or through some other form of advertising.~~
- (2) ~~No more than two [2] vehicles can be sold on a property during any calendar year.~~
- (3) ~~For purposes of subsections a and b above, two [2] jet skis, a boat or similar types of recreational vehicles that are transported on one trailer shall, together with the trailer, be considered one vehicle.~~
- (4) ~~The ownership of the vehicle[s] must be registered to the location where the vehicle is listed for sale.~~
- (5) ~~No vehicle can be labeled for sale or show any indication that it is for sale at an unoccupied house or on a vacant lot or parcel.~~
- (6) ~~No vehicle can be labeled for sale or show any indication that it is for sale in conjunction with a retail or wholesale vehicle sales dealership or business without obtaining a temporary use permit.~~

Amend Chapter 6, Section 649 (Mixed Use Agricultural (MUA) District) to read as follows:

Section 649. Mixed Use Agricultural (MUA) District.

- E. **Permitted Accessory Uses.** Land in the MUA District may be used as permitted accessory uses and structures, incidental to and on the same zoning lot as the primary use, for the following uses:

4. ~~Guesthouse, provided that it does not exceed six hundred square feet or twenty-five percent of the floor area of the principal structure, whichever is larger.~~ ACCESSORY DWELLING UNIT, PER THE PROVISIONS OF SECTION 706.A.

Amend Chapter 6, Section 651 (Baseline Area Overlay District) to read as follows:

Section 651. Baseline Area Overlay District (BAOD).

- C. **Use Regulations.** The regulations governing the uses of land and structures shall be as set forth in the underlying zoning districts except as expressly modified by the following regulations.

~~Detached guesthouses are permitted in R1-18 to R1-6 single family districts, provided that:~~

1. ~~The structure shall not exceed seven hundred square feet. A use permit is required to exceed seven hundred square feet.~~
2. ~~The minimum lot size is eight thousand square feet.~~
3. ~~An additional parking space shall be provided.~~
4. ~~There shall be no more than one guesthouse per lot.~~
5. ~~The guesthouse shall maintain the same setbacks as the primary structure.~~
6. ~~The guesthouse shall maintain the same architectural style, color and building materials as the primary dwelling in order to be viewed as an accessory to the main unit and not a separate dwelling.~~
7. ~~A use permit shall be required for all guests homes where the primary structure existed prior to the effective date of this section of the ordinance.~~
8. ~~There shall be a minimum lot width of sixty-five feet.~~

Amend Chapter 6, Section 653 (Desert Character Overlay Districts) to read as follows:

Section 653. Desert Character Overlay Districts.

B. Desert Maintenance Overlay (Sub-Districts A and B).

4. **Permitted uses for Sub-Districts A and B.** Land and structures in the Desert Maintenance Overlay Sub-Districts A and B shall only be used for the following purposes subject to the standards and procedures in Chapters 3 and 5 of the Zoning Ordinance and the regulations and special standards set forth herein. In the event there is a conflict these provisions shall prevail.

- c. ~~AN guesthouse~~ **ACCESSORY DWELLING UNIT, WHEN PERMITTED, shall be allowed as a structure subordinate to a residence. It is to be sited within the building envelope. The SHOULD HAVE AN architectural character and detailing must be consistent with the main residence. and should appear to tie in to the main residence.**

5. **District regulations for Desert Maintenance Overlay Sub-District A.**

- s. Model homes are allowed prior to recording a subdivision plat, subject to submitting a final plat which shall show the following information for each model home lot as well as meet other requirements of this ordinance and Section ~~608.C.3~~ 608.D.7 of the Zoning Ordinance.

6. **District regulations for Desert Maintenance Overlay Sub-District B.**

- h. Model homes are allowed prior to recording a subdivision plat, subject to submitting a final plat which shall show the following information for each model home lot as well as meet other requirements of this ordinance and Section ~~608.C.3~~ 608.D.7 of the Zoning Ordinance.

Amend Chapter 6, Section 658 (Deer Valley Airport Overlay (DVAO) District) to read as follows:

Section 658. Deer Valley Airport Overlay (DVAO) District.

- C. **Regulation Areas:** The DVAO District is divided into three separate regulation areas. When a parcel falls partially into one or more of the regulation areas, the most restrictive regulation area shall apply to the entire parcel.

- 2. **Prohibited uses, Areas 2 & 3:** Same as Area 1 and the following:

- d. Church or similar place of worship; including parish houses, parsonages, rectories and convents, and dormitories (including all elements of such as defined in Section ~~608.E.4~~ 608.E.21).

Amend Chapter 6, Section 664 (North Central Avenue Special Planning District (SPD) Overlay District) to read as follows:

Section 664. North Central Avenue Special Planning District (SPD) Overlay District.

- D. **District Regulations.** The following table establishes variations to the current standards for the R1-10 Subdivision Option. The definitions of terms used in these standards are found in Section ~~608.D~~ 608.I. Development standards that are not listed here shall follow the standards in the R1-10 Subdivision Option, Section 611, Table 611.B. Variances to these regulations should also consider objectives of the

Special Planning District Plan. To use a development option other than subdivision requires approval through the rezoning public hearing process, Section 506.B.

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

A. Lots.

3. Projections.

- a. The following provisions apply to development in ~~the subdivision option of~~ Sections 604 through 607 AND 619, and IN THE SUBDIVISION OPTION OF Sections 609 through 618:

(2) Closed Projections.

- (d) The main building in ~~a residence district~~ (WHICH MAY INCLUDE AN ATTACHED ADU) may project ~~five feet~~ into the required rear yard ~~for no more than one half the maximum width of the structure.~~ WHEN NO PORTION OF THE PROJECTION EXCEEDS 15' IN HEIGHT; THE PROJECTION IS NO CLOSER TO THE REAR PROPERTY LINE THAN 3', AND THE PROJECTION IS NO CLOSER TO A SIDE PROPERTY LINE THAN ALLOWED BY THE DISTRICT; ~~UNLESS A greater projection than five feet is subject to obtaining a use permit IS OBTAINED~~ in accordance with the provisions of Section 307.

Amend Chapter 7, Section 702.F (Special Parking Standards) to read as follows:

F. Special Parking Standards.

1. **Residential lots.**

- a. Required parking spaces for single-family ~~and duplex~~ residential uses may not be located in the required front yard.
- b. Spaces in excess of those required for single family ~~and duplex~~ residential uses may be located in the required front yard. However, all parking and maneuvering areas within the required front yard shall not exceed ~~forty-five percent (45%)~~ 50% OF THE AREA OF THE REQUIRED FRONT YARD, EXCEPT THAT A DRIVEWAY SHALL NOT BE REQUIRED TO BE LESS THAN 18' IN WIDTH UNLESS OTHERWISE STIPULATED BY HISTORIC PRESERVATION.
 - (1) ~~The area of the required front yard, or~~
 - (2) ~~An area equal to the required front yard setback times the average lot width when the adjoining side property lines are not parallel. Notwithstanding the above requirements, the parking and maneuvering area shall not be required to be less than:~~
 - (a) ~~Eighteen (18) feet in width, or~~
 - (b) ~~The cumulative width of all front facing garage doors or carports plus three (3) feet, whichever is greater.~~

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

- B. 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 in any district containing a structure with ~~two~~ FOUR or more dwelling units.

Amend Chapter 7, Section 706 (Accessory Uses and Structures) to add language regarding Accessory Dwelling Units, and revising the existing language to apply only to other types of accessory structures, and to read as follows:

Section 706. Accessory Uses and Structures.

- A. ~~No detached accessory structures or swimming pools are permitted within the required front yard(s) of any residential district.~~
- B. ~~— All detached accessory structures in the side and rear yard, not used for sleeping or living purposes, are to maintain a minimum setback of three feet from property lines. Swimming pools are to maintain a minimum setback of three feet from exterior property lines.~~
- C. ~~All accessory structures located within the required side yard are not to exceed eight feet in height.~~
- D. ~~On any corner lot contiguous to a key lot, detached structures with a height which exceeds eight feet must be set back from the street side a distance equal to the required front yard setback of the adjoining key lot.~~
- E. ~~On any other corner lot no detached accessory building over eight feet high shall be closer to the side street property line than a distance of ten feet.~~
- F. ~~Detached accessory structures may be constructed on the property line where the rear lot line is adjacent to a fully dedicated alley.~~

- G. ~~No detached accessory structure located within the required rear yard of a residentially zoned property shall exceed a height of one story or fifteen feet except as approved by a use permit in accordance with the provisions of Section 307.~~

A. **ACCESSORY DWELLING UNITS (ADU)**

1. IN ZONING DISTRICTS WHERE ACCESSORY DWELLING UNITS ARE A PERMITTED USE, ONE (1) ADU IS PERMITTED PER LOT WHEN A SINGLE-FAMILY DETACHED PRIMARY DWELLING UNIT IS ALSO PROVIDED, UNLESS OTHERWISE PERMITTED BY THE 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.
3. AN ADU MAY BE EITHER ATTACHED TO OR DETACHED FROM THE PRIMARY DWELLING UNIT, 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, 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.

4. A DETACHED ADU MAY BE LOCATED WITHIN THE REQUIRED REAR YARD, SUBJECT TO THE FOLLOWING:
 - a. SETBACKS.
 - (1) MINIMUM 10 FEET FROM A STREET SIDE PROPERTY LINE.
 - (2) MINIMUM 3 FEET FROM AN INTERIOR PROPERTY LINE.
 - (3) NO SETBACK IS REQUIRED ADJACENT TO A FULLY DEDICATED ALLEY.
 - b. HEIGHT. MAXIMUM 15 FEET UNLESS USE PERMIT APPROVAL FOR A GREATER HEIGHT IS OBTAINED PER SECTION 307.
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. 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. 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. AN ADU SHALL COMPLY WITH THE LOT COVERAGE REQUIREMENTS APPLICABLE TO THE PROPERTY.
9. AN 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 OR ATTACHED SHADE STRUCTURE CONSTRUCTED AS PART OF A DETACHED ADU SHALL COUNT TOWARD THE GROSS FLOOR AREA OF THE ADU. ANY ATTACHED SHADE STRUCTURES SHALL COUNT TOWARDS LOT COVERAGE, BUT NOT GROSS FLOOR AREA.

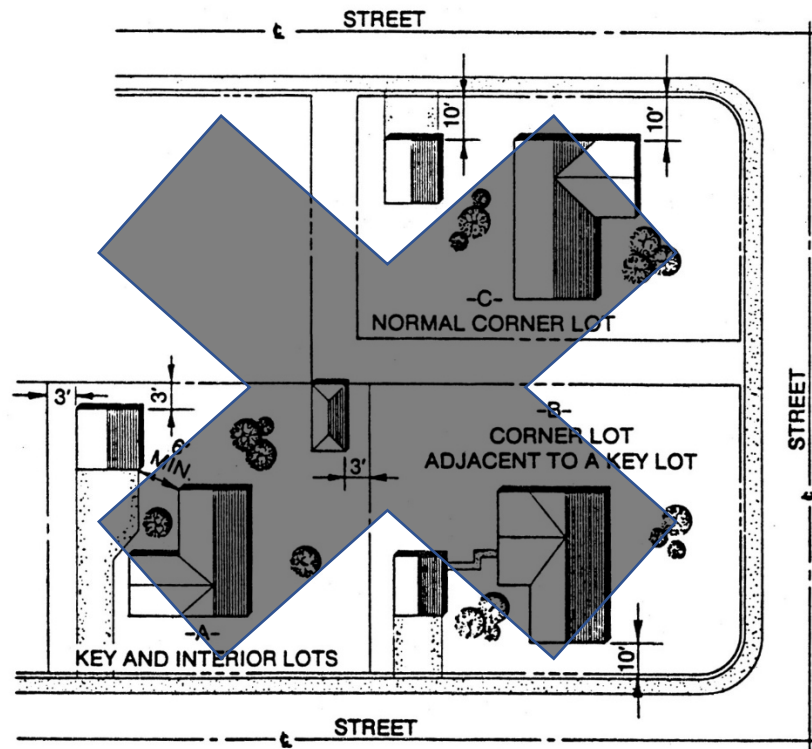
10. PERMIT ISSUANCE AND RESTRICTIVE COVENANT. PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR AN ADU, THE PROPERTY OWNER SHALL SIGN BEFORE A NOTARY PUBLIC A RESTRICTIVE COVENANT THAT RUNS WITH THE LAND ON A FORM PREPARED BY THE CITY ATTORNEY OR DESIGNEE AFFIRMING THAT THE PROPERTY OWNER SHALL:

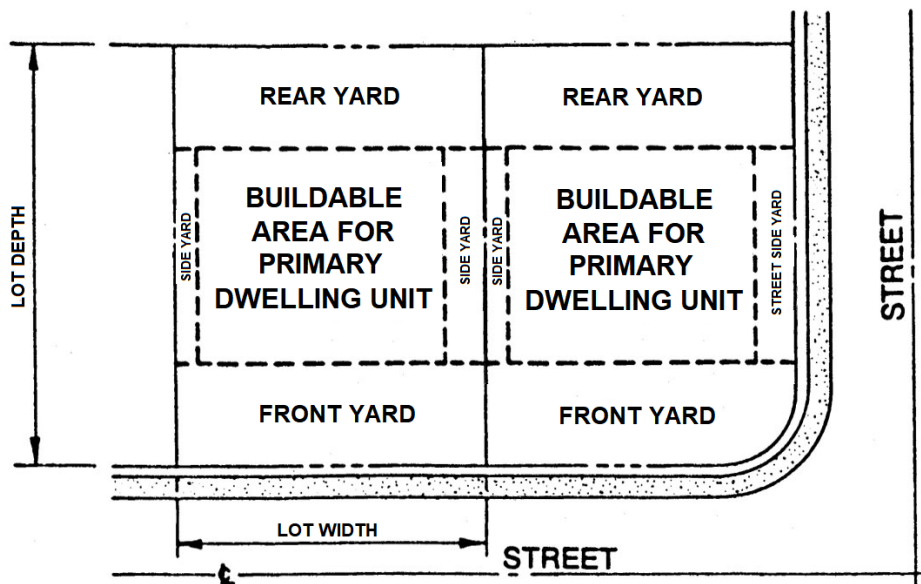
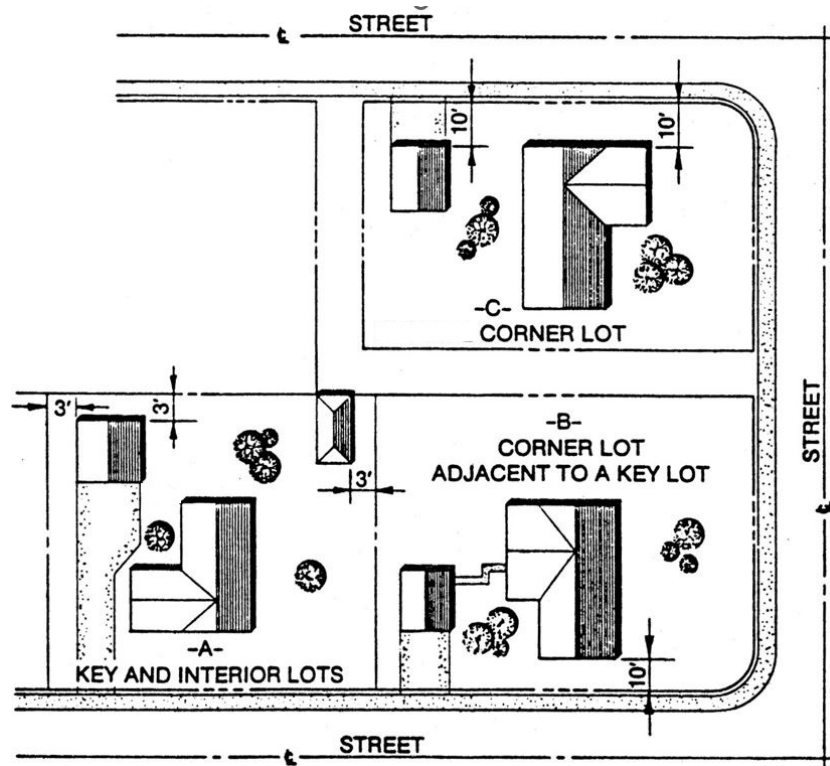
- a. OCCUPY EITHER THE PRIMARY DWELLING UNIT OR THE ADU, OR
 - b. IF THE PROPERTY OWNER RENTS OR LEASES A PROPERTY WITH BOTH A PRIMARY DWELLING UNIT AND AN ADU TO A THIRD PARTY, THEN NEITHER THE PRIMARY RESIDENCE NOR THE ADU SHALL BE SUB-LEASED.

- B. **SINGLE-FAMILY RESIDENTIAL ACCESSORY STRUCTURES.** THE FOLLOWING REGULATIONS APPLY TO ACCESSORY STRUCTURES WHICH ARE NOT USED FOR SLEEPING OR LIVING PURPOSES, 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. PERMITTED HEIGHTS.
 - a. MAXIMUM HEIGHT OF 8 FEET WHEN LOCATED WITHIN 10 FEET OF A STREET SIDE PROPERTY LINE, OR 15 FEET WHEN LOCATED ELSEWHERE WITHIN THE REQUIRED REAR OR SIDE YARD.

- b. HEIGHTS IN EXCESS OF 15 FEET, WHEN NOT LOCATED WITHIN 10' OF 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 3 FEET ADJACENT TO A REAR OR SIDE PROPERTY LINE, EXCEPT THAT NO SETBACK IS REQUIRED ADJACENT TO A FULLY DEDICATED ALLEY.





C. SWIMMING POOLS.

1. SWIMMING POOLS SHALL NOT BE LOCATED IN THE REQUIRED FRONT YARD, NOR IN ANY REQUIRED LANDSCAPE SETBACK.
2. SWIMMING POOLS SHALL MAINTAIN A MINIMUM SETBACK OF THREE FEET FROM PROPERTY LINES, EXCEPT THAT POOLS LOCATED ON A LOT DESIGNATED "HILLSIDE" PER SECTION 710 SHALL COMPLY WITH ALL HILLSIDE DEVELOPMENT REGULATIONS, INCLUDING SETBACKS.

Amend Chapter 7, Section 708. (Temporary uses) to read as follows:

Section 708. Temporary uses.

- L. Charitable Drop Box Container Permit.** A charitable drop box container permit is subject to the following:

1. An annual permit is required for the following uses or analogous uses:
 - a. Charitable drop box containers.

- (9) Permits are not required when the container is in compliance pursuant to Section ~~608.E.1~~ 608.E.21.

Amend Chapter 12, Sections 1204.C and D (Land Use Matrix) to correct references of "Single-Family Attached" to "Single-Family Infill", and to read as follows:

**Chapter 12
DOWNTOWN CODE**

Section 1204. Land Use Matrix.

- C. The following shall apply to uses that are permitted with conditions (pc) as indicated with a number that corresponds with the Land Use Matrix in Section 1204.D:

27. Single-family ~~attached~~ INFILL SUBDIVISION, ~~subject to the following~~; PER THE STANDARDS OF SECTION 608.F.6 AND SECTION 614, TABLE 614.B, COLUMN D, EXCEPT AS MODIFIED BELOW:
- a. Historic preservation designated properties or properties in historic preservation districts cannot use the single-family ~~attached~~ INFILL development option.
 - b. ~~Individual unit lot: minimum 20-foot width, no minimum depth.~~ MAXIMUM HEIGHT: AS PER HEIGHT MAP, SECTION 1202.B.
 - c. ~~Perimeter standards: maximum ten feet for units fronting street rights-of-way; minimum 15 feet for units siding street rights-of-way. This area is to be in common ownership or management, ten feet adjacent to property line.~~ MAXIMUM DENSITY: AS PER DENSITY MAP, SECTION 1202.C.
 - d. ~~Building setbacks, individual unit lot: none.~~ MAXIMUM LOT COVERAGE: 100 PERCENT PER LOT; OVERALL SUBDIVISION LOT COVERAGE PER APPLICABLE CHARACTER AREA.
 - e. ~~Maximum stories: as per height map, Section 1202.C.~~ FRONTAGE SETBACKS AND REQUIREMENTS: AS PER THE APPLICABLE CHARACTER AREA; OR, IF LOTS FRONT ON A NEW INTERNAL STREET OR DRIVE, PER THE REGULATIONS OF SECTION 608.F.6 AND SECTION 614, TABLE B, COLUMN D.
 - f. ~~Lot coverage per dwelling unit: 100 percent.~~ PERIMETER STANDARDS (NOT ON A STREET): PER THE REGULATIONS OF SECTION 608.F.6.
 - g. ~~Common areas: minimum five percent of gross area.~~ INDIVIDUAL LOT SETBACKS.

- (1) THE STEPBACK REQUIREMENTS OF TABLE 614.B, COLUMN D DO NOT APPLY TO BUILDINGS COMPLYING WITH THE MAXIMUM HEIGHT ALLOWED BY THE HEIGHT MAP, SECTION 1202.B.
 - (2) INDIVIDUAL LOT FRONT: 10' OR THE REQUIRED FRONTAGE SETBACK, WHICHEVER IS GREATER.
 - (3) INDIVIDUAL LOT SIDE AND REAR: 0' OR THE REQUIRED PERIMETER SETBACK, WHICHEVER IS GREATER.
- h. ~~Allowed uses: single family attached and home occupations per Section 608.~~ PARKING REQUIREMENTS: PER SECTION 608.F.6, AS THE REGULATIONS APPLY TO THE INFILL DEVELOPMENT DISTRICT.
 - i. ~~Development review per Section 507.~~ 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. ~~Design: front of units should face right of way. No garages allowed to face pedestrian or side streets.~~ 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.
 - k. ~~Other requirements of Section 608.F.8 shall apply if not specifically modified by this section.~~

D. Land Use Matrix.

LAND USE CATEGORIES	CHARACTER AREAS				
	ACTIVE USE	***	Comm erc ial Corridor	***	Warehous e

Residential Uses					
***	***	***	***	***	***
Dwelling UNIT, Multi-Family MULTIFAMILY		***	p		p
Dwelling UNIT, Single-Family, Detached (INCLUDING DUPLEX AND TRIPLEX USES)		***	p	***	np
Dwelling UNIT, Single-Family and Duplex, Attached		***	p	***	np
***	***	***	***	***	***
SUBDIVISION, Single-Family Attached-Infill		***	np-PC27	***	pc27-NP

Amend Chapter 13, Sections 1303 (Transect lot standards), 1305.C (Fence Standards), 1306 (Land Use Matrix) and 1310 (Open Space Improvements) to correct references of “Single-Family Attached” to “Single-Family Infill”, and to read as follows:

Chapter 13 WALKABLE URBAN (WU) CODE

Section 1303. Transect lot standards.

A. General Lot Standards.

1. Subdivisions shall comply with development standards per this chapter, including frontage standards, for all existing and newly created lots abutting public streets, private accessways, and private driveways, with the following caveats:
 - a. A development may instead utilize the Single-Family ~~attached~~ INFILL development option standards per Section ~~608(F)(8)~~ 608.F.6 and Section 614, Table 614.B, Column D (except for the density, which is not restricted) if it meets all three of the following conditions:
 - (1) The development consists solely of ~~attached~~ SINGLE-FAMILY dwelling units and allowable accessory uses;

- (2) The development is located within the applicable area for the single-family ~~attached~~-INFILL development option or the Infill Development District as depicted on the map provided in Section ~~608(F)(8)~~-608.F.6; and

2. All developments adjacent to single-family zoning districts shall follow the same setback and stepback standards as the single-family ~~attached~~-INFILL development option (Section 614, Table 614.B, Column D); with additional requirements as follows:

B. Transect Setbacks and Lot Standards.

Table 1303.2 Transect T4

BUILDING HEIGHT			BUILDING STEPBACKS		
a	Main Building	T4:2 30-foot maximum			
		T4:3 40-foot maximum			
		SFA-SFI: 48-foot maximum		Required for SFA-SFI as per Sections 1303.A.1 and 2	

* Lot coverage maximum may be modified for SFA-SFI development option.

Table 1303.2 Transect T5

BUILDING HEIGHT

BUILDING STEPBACKS

* a. Lot coverage maximum may be modified for SFA-SFI development option.

b. Lot coverage maximum may vary depending on setback requirements when adjacent to existing single-family residential districts and historic preservation properties or districts.

Table 1303.2 Transect T6

Minimum glazing shall apply to commercial building frontages only, as per Section 1305.B.2. For residential products T4 glazing standards shall apply.

	<p><i>* a. Lot coverage maximum may be modified for SFA-SFI development option.</i></p> <p><i>b. Lot coverage maximum may vary depending on setback requirements when adjacent to existing single-family residential districts and historic preservation properties or districts.</i></p>
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1305. Frontage Standards.

C. Fence Standards.

1. T3 and T4.

- a. Primary frontages: 40 inches maximum height.
- b. Secondary frontages: 72 inches maximum height. For SFA-SFI development: 48 inches maximum height solid fence. Above 48 inches to 72 inches allowed only as a 70 percent open view fence, unless screening above grade utilities or trash enclosures.

Section 1306. Land Use Matrix.

Table 1306.1. Land Use Matrix

CATEGORY: RESIDENTIAL USES	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR
***	***	***	***	***	***
Dwelling UNIT, Multif	NP	P		P	P
Dwelling UNIT, Single-Family, Detached (INCLUDING DUPLEX AND TRIPLEX USES)	P	P	***	NP	NP
Dwelling UNIT, Single-Family and Duplex, Attached	P	P	***	P	P

C. Residential Uses, Land Use Conditions.

3. Dependent Care Facility.

- a. One to six dependents: standards as per Section 608.D.5-608.E.15.
~~Use permit required for s~~Seven to 12 dependents: USE PERMIT,
 AND STANDARDS AS PER SECTION 608.E.16.

Table 1306.1. Land Use Matrix

CATEGORY: SERVICES	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR

Home Occupation As per Section 608.E.3	PG	PG	***	P	P
***	***	***	***	***	***
Hotel As per Section 618.D.14-7	NP	PC	***	PC	PC
***	***	***	***	***	***
Office, Professional As per Section 618.D.15-8 and 16-9	PC	PC	***	PC	PC

CATEGORY: LOCAL FOOD PRODUCTION	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR
Community Garden As per Section 608.F.6 608.E.24	UP	UP	***	UP	UP
Farmers Markets As per Section 608.F.7 608.E.25	UP	UP	***	UP	UP

CATEGORY: ACCESSORY USES	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR
Accessory Dwelling Unit	P	P	***	P	P
Accessory Dwelling Unit Guest	P	P	***	P	P

Home Occupation As per Section 608.E.3 608.E.27	PC	PC	***	PC	PC

CATEGORY: INTERIM USES	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR
Environmental Remediation Facility As per 608.F.5 608.E.23	UP	UP	***	UP	UP

Section 1310. Open space improvements.

A. Open Space Guidelines.

1. Parcels zoned T3 are exempt from required public open space improvements.
2. Open space requirements for developments within the T4, T5, and T6 transects are as follows:
 - a. For sites of one gross acre or larger, minimum open space of at least five percent of the gross site area shall be required. For developments utilizing the single-family attached-INFILL development option standards in accordance with Section ~~1303(A)(1)(a)~~ 1303.A.1.a., open space shall be provided as required by Section 614, Table 614,B, Column D, regardless of lot size.

Table 1310.1 Public Open Space Type Guidelines

.....
[table unchanged]

* Single-family ~~attached~~ INFILL developments must provide open space as required per Section ~~1310(A)(2)(a)~~ 1310.A.2.a.

ATTACHMENT C



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A

Staff Report: Z-TA-5-23-Y

Zoning Ordinance Text Amendment

July 27, 2023

Application No. Z-TA-5-23-Y: Amend the following sections of the Phoenix Zoning Ordinance to permit Accessory Dwelling Units (ADUs) in residential districts; create and/or amend related development standards and definitions; clarify related terms and references and reorganize sections of the Zoning Ordinance as necessary to allow ADUs.

Section 202 (Definitions), Section 507 Tab A.II.C.8 (Single-Family Design Review), Section 603 (Suburban S-1 District—Ranch or Farm Residence), Section 604 (Suburban S-2 District—Ranch or Farm Commercial), Section 605 (Residential Estate RE-43 District—One-Family Residence), Section 606 (Residential Estate RE-24 District—One-Family Residence), Section 607 (Residential R1-14 District—One-Family Residence), Section 608 (Residence Districts), Section 609 (RE-35 Single-Family Residence District), Section 610 (R1-18 Single-Family Residence District), Section 611 (R1-10 Single-Family Residence District), Section 612 (R1-8 Single-Family Residence District), Section 613 (R1-6 Single-Family Residence District), Section 614 (R-2 Multifamily Residence District), Section 615 (R-3 Multifamily Residence District), Section 616 (R-3A Multifamily Residence District), Section 617 (R-4 Multifamily Residence District), Section 618 (R-5 Multifamily Residence District), Section 619 (Residential R-4A District—Multifamily Residence—General), Section 635 (Planned Area Development), Section 649 (Mixed Use Agricultural (MUA) District), Section 651 (Baseline Area Overlay District), Section 653 (Desert Character Overlay District), Section 658 (Deer Valley Airport Overlay (DVAO) District), Section 664 (North Central Avenue Special Planning District (SPD) Overlay District), Section 701.A.3 (Projections), Section 702.F (Special Parking Standards), Section 703.B (Landscaping and Open Areas In Multiple-Family Development), Section 706 (Accessory Uses and Structures), Section 708 (Temporary uses), Sections 1204.C and D (Land Use Matrix), Section 1303 (Transect lot standards), Section 1305.C (Fence Standards), Section 1306 (Land Use Matrix), and Section 1310 (Open Space Improvements).

Staff Recommendation

Staff recommends approval of Z-TA-5-23-Y as shown in the proposed text in Exhibit A.

Reason for Addendum

The purpose of this Addendum is to address minor revisions to the recommended text in Exhibit A. Upon additional review of the proposed text revisions, staff identified some typographical errors and omissions, and also identified a few necessary clarifications from questions posed at the Village Planning Committee meetings. Below is a summary of the proposed revisions to the text amendment which are denoted as **BOLD/UNDELINE** text in Exhibit A dated July 27, 2023.

Proposed Changes

Following the VPC meetings, staff proposes that the following changes be made to the proposed language for Z-TA-5-23-Y, as follows:

- A. Revise Section 202 to revise the definition of “multifamily / multiple-family” to clarify that an ADU on a single-family lot in addition to the primary dwelling unit will not cause a lot to be considered multifamily:

MULTIFAMILY/MULTIPLE-FAMILY: A LOT OR PARCEL WHERE TWO OR MORE DWELLING UNITS ARE PROVIDED, NOT INCLUDING A PERMITTED ACCESSORY DWELLING UNIT.

- B. Revise Section 605.A.12.b to remove a contradictory provision regarding setbacks for accessory structures:

12. Accessory uses and buildings.

- a. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS OF SECTION 706.A.

- a. ~~b. **Any OTHER accessory building(S) shall maintain the same yard requirements as the main building.**~~ No accessory use shall be maintained in which there is solicitation of recipients for a service or product, or the operation of the use so that it is commonly known as offering a commercial service or product.

- C. Revise Section 606.A.11.b to remove a contradictory provision regarding setbacks for accessory structures:

11. Accessory uses and buildings.

- a. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS OF SECTION 706.A.

- a. ~~b.~~ **OTHER ACCESSORY BUILDING(S) SHALL MAINTAIN THE SAME YARD REQUIREMENTS AS THE MAIN BUILDING.** No accessory use shall be maintained in which there is solicitation of recipients for a service or product, or the operation of the use so that it is commonly known as offering a commercial service or product.

D. Revise Section 608.D to add the following footnote following the Residential Land Use Table Matrix:

***(ac) = accessory use permitted only with primary use listed immediately prior in the table.**

E. Revise Section 608.E.8.c to update “handicapped individuals” to “accessible spaces”:

- c. NO PARKING SPACES SHALL BE REQUIRED OR PERMITTED FOR THE MARKET EXCEPT FOR SPACES DESIGNATED FOR DELIVERIES OR ~~HANDICAPPED INDIVIDUALS~~ **ACCESSIBLE SPACES.**

F. Revise Section 608.E.19.a to add an omitted word and fix two incorrect references:

19. **MODEL HOMES AND/OR SUBDIVISION SALES OFFICES WHEN LOCATED IN MODEL HOMES; PROVIDED THAT:**

a. MODEL HOMES ARE PERMITTED SUBJECT TO THE FOLLOWING:

- (1) A DEVELOPER OF A SINGLE-FAMILY SUBDIVISION SHALL BE ALLOWED TO BUILD MODEL HOMES PRIOR TO RECORDING A SUBDIVISION PLAT, SUBJECT TO THE PROVISIONS BELOW AND SUBJECT TO SUBMITTING **A** MODEL COMPLEX SITE PLAN WHICH SHALL SHOW THE FOLLOWING INFORMATION FOR EACH MODEL HOME LOT:
- (2) STREET ADDRESSES FOR EACH MODEL HOME AS ASSIGNED BY THE **WATER SERVICES PLANNING AND DEVELOPMENT** DEPARTMENT.
- (3) FINISHED FLOOR ELEVATIONS FOR EACH MODEL HOME AS ASSIGNED BY THE DIVISION OF ENGINEERING.
- (4) PROPOSED LOTS FOR MODEL HOMES SHALL BE IN CONFORMANCE WITH LOT LINES AS SHOWN ON THE APPROVED PRELIMINARY **PLAN PLAT**.

- (5) EACH MODEL HOME SHALL BE LOCATED ON EACH PROPOSED LOT IN CONFORMANCE WITH YARD REQUIREMENTS OF THE DISTRICT.
- (6) THE FINAL PLAT IS NOT REQUIRED TO HAVE FINAL APPROVAL PRIOR TO OBTAINING PERMITS FOR MODEL HOMES.

G. Revise Section 608.E.25 to remove an unnecessary repeated sentence:

- 25. **FARMERS MARKET**, SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 AND SUBJECT TO THE FOLLOWING STANDARDS: ~~**FARMERS MARKET, SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 AND SUBJECT TO THE FOLLOWING STANDARDS:**~~

H. Revise Section 608.E.27.b to revise an incorrect code reference:

- 27. **HOME OCCUPATIONS** INCLUDING BUT NOT LIMITED TO ARCHITECT, LAWYER, OFF-SITE SALES BUSINESSES, ACCOUNTANT, REAL ESTATE AGENT, TELEMARKETING SALES, AND PSYCHOLOGIST. FOR PURPOSES OF THIS SECTION, OFF-SITE SALES MEANS PROCESSING ORDERS BY MAIL, FACSIMILE, PHONE, MODEM OR INTERNET.
 - a. NO ONE OUTSIDE THE FAMILY RESIDING IN THE DWELLING UNIT SHALL BE EMPLOYED IN THE HOME OCCUPATION.
 - b. NO EXTERIOR DISPLAY, NO EXTERIOR STORAGE OF MATERIALS, NO SIGN, AND NO OTHER EXTERIOR INDICATION OF THE HOME OCCUPATION OR VARIATION FROM THE RESIDENTIAL CHARACTER OF THE PRINCIPAL OR ACCESSORY BUILDING, EXCEPT AS AUTHORIZED IN SECTION ~~**608.E.3.H.608.E.27.h.**~~

I. Revise Section 608.F.7.b to include a clarification that multi-family landscape and open space standards to not apply to offsite manufactured home developments, and to renumber the remaining section accordingly:

- 7. **OFFSITE MANUFACTURED HOME DEVELOPMENTS.** OFFSITE MANUFACTURED HOME DEVELOPMENT IS SUBJECT TO USE PERMIT APPROVAL IN THE C-1, C-2, AND C-3 DISTRICTS, IN ADDITION TO ZONING DISTRICTS INDICATED IN SECTION 608.D; AND SUBJECT TO THE FOLLOWING ADDITIONAL DEVELOPMENT REGULATIONS:

a. THE PROVISIONS OF SECTION 703.B DO NOT APPLY TO OFFSITE MANUFACTURED HOME DEVELOPMENTS.

a.b. THESE REGULATIONS APPLY TO DEVELOPMENT OF A SINGLE LOT OR PARCEL, NOT TO BE FURTHER SUBDIVIDED.

b.c. PLACEMENT FOR EACH OFFSITE MANUFACTURED HOME SHALL BE PROVIDED AS FOLLOWS:

- (1) THERE SHALL BE A MINIMUM OF TWENTY FEET BETWEEN OFFSITE MANUFACTURED HOMES AND TEN FEET BETWEEN AWNINGS AND CANOPIES. ALL ANNEXES OR STRUCTURAL ADDITIONS SHALL BE CONSIDERED PART OF THE OFFSITE MANUFACTURED HOME.
- (2) THERE SHALL BE AT LEAST FORTY FEET BETWEEN OFFSITE MANUFACTURED HOMES ON OPPOSITE SIDES OF A PRIVATE ACCESSWAY.
- (3) NO OFFSITE MANUFACTURED HOME, ANNEX OR STRUCTURAL ADDITION SHALL BE CLOSER THAN EIGHT FEET TO ANY PRIVATE ACCESSWAY OR PRIVATE DRIVE.

c.d. EACH OFFSITE MANUFACTURED HOME SPACE SHALL HAVE PRIVATE OUTDOOR LIVING SPACE OF AT LEAST 150 SQUARE FEET. THE DIMENSION OF THIS SPACE SHALL BE AT LEAST FIFTEEN FEET IN WIDTH.

d.e. AT EACH OCCUPIED OFFSITE MANUFACTURED HOME SPACE, THERE SHALL BE AN ENCLOSED STORAGE LOCKER FOR YARD TOOLS AND OTHER BULKY ITEMS CONVENIENT TO THE SPACE WITH A STORAGE CAPACITY OF AT LEAST ONE HUNDRED FIFTY CUBIC FEET.

e.f. ALL AREAS NOT COVERED BY STRUCTURES OR PAVED SURFACES SHALL BE LANDSCAPED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED DEVELOPMENT REVIEW DOCUMENTS REQUIRED UNDER SECTION 507.

f.g. SCREENING THE PERIMETER OF AN OFFSITE MANUFACTURED HOME DEVELOPMENT BY A WALL OR OTHER APPROVED MATERIAL MAY BE REQUIRED AS A CONDITION OF USE PERMIT APPROVAL.

g. h. THERE SHALL BE A NETWORK OF PEDESTRIAN WALKWAYS CONNECTING OFFSITE MANUFACTURED HOME SPACES WITH EACH OTHER AND WITH DEVELOPMENT FACILITIES AND AMENITIES.

h. i. IF STORAGE YARDS ARE PROVIDED, THERE SHALL BE A SCREENED STORAGE YARD OR YARDS FOR BOATS, RECREATIONAL VEHICLES, ETC. SUCH STORAGE YARDS SHALL HAVE A MINIMUM OF SIXTY SQUARE FEET OF STORAGE SPACE FOR EACH OFFSITE MANUFACTURED HOME SPACE IN THE DEVELOPMENT AND SHALL BE LOCATED SO AS TO NOT DETRACT FROM SURROUNDING PROPERTIES. ALL BOATS AND RECREATIONAL VEHICLES SHALL BE PARKED IN THE STORAGE YARD.

i. j. EACH OFFSITE MANUFACTURED HOME SHALL A): BE AFFIXED PERMANENTLY TO THE GROUND OR B): HAVE "SKIRTING" AROUND ITS PERIMETER TO SCREEN ITS WHEELS AND UNDERCARRIAGE.

j. k. ALL UTILITIES AND THE WIRES OF ANY CENTRAL TELEVISION OR RADIO ANTENNA SYSTEM SHALL BE UNDERGROUND.

k. l. NOT MORE THAN FIFTEEN PERCENT OF THE SPACES IN ANY ONE OFFSITE MANUFACTURED HOME DEVELOPMENT SHALL BE DEVELOPED OR USED FOR RECREATIONAL VEHICLES.

l. m. DEVELOPMENT OF OFFSITE MANUFACTURED HOME COMMUNITIES SHALL BE UNDER THE PLANNED RESIDENTIAL DEVELOPMENT OPTION APPLICABLE IN THE UNDERLYING ZONING DISTRICT.

m. n. PRIVATE DRIVES MAY BE USED FOR ACCESS TO EACH OFFSITE MANUFACTURED HOMES.

n. o. THERE SHALL BE A MINIMUM OF FIVE PERCENT OF THE TOTAL AREA OF THE OFFSITE MANUFACTURED HOME DEVELOPMENT DEDICATED OR RESERVED AS USABLE COMMON "OPEN SPACE" LAND. COMMON "OPEN SPACE" LANDS SHALL BE CLEARLY DESIGNATED ON THE PLAN AS TO THE CHARACTER OF USE AND DEVELOPMENT BUT SHALL NOT INCLUDE:

- (1) AREAS RESERVED FOR THE EXCLUSIVE USE OR BENEFIT OF AN INDIVIDUAL TENANT OR OWNER; NOR
- (2) DEDICATED STREETS, ALLEYS, AND OTHER PUBLIC RIGHTS-OF-WAY; NOR
VEHICULAR DRIVES, PARKING, LOADING, AND STORAGE AREAS; NOR
- (3) REQUIRED SETBACK AREAS AT EXTERIOR BOUNDARIES OF THE SITE; NOR
- (4) GOLF COURSES.

ADEQUATE GUARANTEES MUST BE PROVIDED TO ENSURE PERMANENT RETENTION OF "OPEN SPACE" LAND AREA RESULTING FROM THE APPLICATION OF THESE REGULATIONS, EITHER BY PRIVATE RESERVATION FOR THE USE OF THE RESIDENTS WITHIN THE DEVELOPMENT OR BY DEDICATION TO THE PUBLIC, OR A COMBINATION THEREOF.

J. Revise Section 608.I.2.b(2)(b) to add the omitted word "option":

- (b) SINGLE-FAMILY ATTACHED DEVELOPMENT IN THE R1-10 THROUGH R-4A ZONING DISTRICTS (SECTIONS 611 THROUGH 619), WHEN USING THE PLANNED RESIDENTIAL DEVELOPMENT **OPTION**.

K. Revise Section 706.A.10 to further clarify that a property must be rented as a whole if either the ADU or the primary dwelling unit are not owner-occupied:

- 10. PERMIT ISSUANCE AND RESTRICTIVE COVENANT. PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR AN ADU, THE PROPERTY OWNER SHALL SIGN BEFORE A NOTARY PUBLIC A RESTRICTIVE COVENANT THAT RUNS WITH THE LAND ON A FORM PREPARED BY THE CITY ATTORNEY OR DESIGNEE AFFIRMING THAT THE PROPERTY OWNER SHALL:

- a. OCCUPY EITHER THE PRIMARY DWELLING UNIT OR THE ADU, OR

- b. IF THE PROPERTY OWNER RENTS OR LEASES A PROPERTY WITH BOTH A PRIMARY DWELLING UNIT AND AN ADU TO A THIRD PARTY, THEN NEITHER THE PRIMARY RESIDENCE NOR THE ADU SHALL BE **RENTED OR LEASED SEPARATELY FROM THE REMAINDER OF THE PROPERTY, NOR** SUB-LEASED.

- L. Revise Section 706.B.2.b to clarify that the required setback applies to a street side property line:

- b. HEIGHTS IN EXCESS OF 15 FEET, WHEN NOT LOCATED WITHIN 10' OF **A STREET** SIDE PROPERTY LINE, MAY BE APPROVED THROUGH A USE PERMIT OBTAINED PER SECTION 307.

Exhibit A

Staff proposed language that may be modified during the public hearing process is as follows:

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 subordinate dwelling UNIT, AS DEFINED IN THIS SECTION, SUBORDINATE TO THE PRIMARY DWELLING UNIT AND situated on the same lot ~~with the main dwelling~~ and used as ~~FOR an~~ A RESIDENTIAL accessory use. ADUs, WHERE PERMITTED, DO NOT COUNT TOWARDS CALCULATIONS OF GROSS DENSITY.

Apartment: ~~See "Dwelling, Multiple-Family".~~ A DWELLING UNIT WITHIN A DUPLEX, TRIPLEX, TOWNHOME DEVELOPMENT, AND/OR MULTIFAMILY DEVELOPMENT WHERE EACH UNIT HAS A PRIMARY ACCESS TO A SHARED WALKWAY OR CORRIDOR, AND EACH UNIT IS NOT INDIVIDUALLY OWNED.

Building, Main: A building, or buildings, in which is conducted the principal use of the lot on which it is situated. ~~In any residential district, any dwelling shall be deemed to be the main building of the lot on which the same is situated.~~ ON LOTS WITH ONLY SINGLE-FAMILY RESIDENTIAL USES, THE PRIMARY DWELLING UNIT SHALL BE CONSIDERED THE MAIN BUILDING.

DUPLEX: A BUILDING ON ONE LOT, WHICH HOUSES EXACTLY TWO DWELLING UNITS, NEITHER OF WHICH MAY BE CONSIDERED AN ACCESSORY DWELLING UNIT. EACH DUPLEX UNIT COUNTS TOWARDS THE CALCULATION OF GROSS DENSITY.

Dwelling, Multifamily: ~~A building or buildings attached to each other and containing two or more dwelling units. The term "multifamily dwelling" is intended to apply to dwelling types~~

~~as triplex, fourplex, and apartments where any dwellings have their primary access to a common hallway or corridor.~~

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

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

Dwelling Unit: One (1) or more rooms within a building arranged, designed, or used for residential purposes for one (1) family and containing INDEPENDENT LIVING AND SLEEPING AREAS, TOGETHER WITH independent sanitary (TOILET, SINK, AND BATH/SHOWER) and cooking facilities. The presence of cooking facilities conclusively establishes the intent to use for residential purposes.

DWELLING UNIT, PRIMARY: A DWELLING UNIT THAT IS EITHER 1) THE ONLY DWELLING UNIT PROVIDED ON A SINGLE-FAMILY LOT, OR 2) THE LARGEST DWELLING UNIT PROVIDED ON A SINGLE-FAMILY LOT WHEN THE APPLICABLE ZONING REGULATIONS OTHERWISE ALLOW AN ACCESSORY DWELLING UNIT OR OTHER TYPES OF DWELLING UNITS.

~~*Guesthouse:* A free-standing building which is designed to house guests or servants of the occupants of the primary dwelling unit. SEE "ACCESSORY DWELLING UNIT".~~

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

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

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

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

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

~~*Interior Suite with Accessory Cooking Facilities:* A room or group of rooms located within a single dwelling unit designed or arranged to allow for semi-private residential use and includes accessory cooking facilities.~~

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

MULTIFAMILY/MULTIPLE-FAMILY: A LOT OR PARCEL WHERE TWO OR MORE DWELLING UNITS ARE PROVIDED, **NOT INCLUDING A PERMITTED ACCESSORY DWELLING UNIT.**

Offsite Manufactured Home Development: any SINGLE lot, tract, or parcel of land, NOT TO BE FURTHER SUBDIVIDED, used or offered for use in whole or in part, with or without charge, for the parking of occupied offsite manufactured homes.

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

SINGLE-FAMILY: A LOT OR DEVELOPMENT WHERE NO MORE THAN ONE PRIMARY DWELLING UNIT IS PROVIDED PER LOT.

SINGLE-FAMILY ATTACHED: A SINGLE-FAMILY LOT OR DEVELOPMENT WHERE EACH DWELLING UNIT IS ATTACHED TO AT LEAST ONE, BUT NO MORE THAN TWO NEIGHBORING PRIMARY DWELLING UNITS AT THE ABUTTING SIDE PROPERTY LINE(S). EACH DWELLING UNIT MUST ALSO COMPLY WITH THE DEFINITION OF “TOWNHOME/TOWNHOUSE”.

SINGLE-FAMILY DETACHED: A SINGLE-FAMILY LOT OR DEVELOPMENT WHERE EACH DWELLING UNIT IS NOT ATTACHED TO ANY OTHER DWELLING UNIT OTHER THAN A PERMITTED ADU.

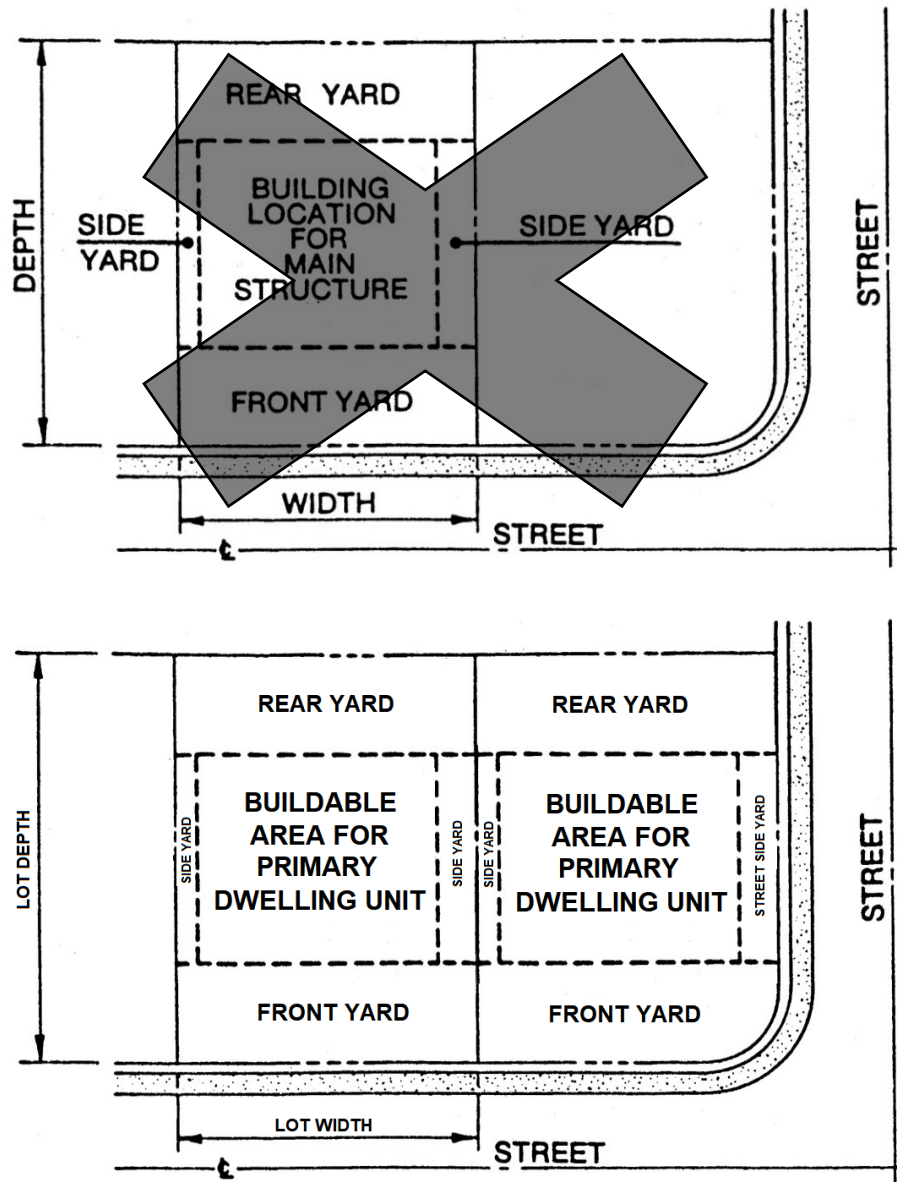
SINGLE-FAMILY INFILL (SFI) DEVELOPMENT: A TYPE OF SINGLE-FAMILY DEVELOPMENT CONSISTING OF TOWNHOUSES AND A LIMITED NUMBER OF DETACHED DWELLING UNITS. PERIMETER STANDARDS ARE DEFINED AND POTENTIAL BONUS DENSITY AND DESIGN FLEXIBILITY ALLOW FOR QUALITY INDIVIDUAL PROPERTY OWNERSHIP WITHIN A LARGER DEVELOPMENT.

TOWNHOME/TOWNHOUSE: A TYPE OF DWELLING UNIT WHICH IS ATTACHED TO AT LEAST ONE OTHER DWELLING UNIT. THE DWELLING UNITS MAY BE ATTACHED AT A PROPERTY LINE (SEE “SINGLE-FAMILY ATTACHED”), OR THEY MAY BE MULTIPLE UNITS ON A SINGLE LOT (SEE “DUPLEX”, “TRIPLEX”, AND/OR “MULTIFAMILY”). THE KEY CHARACTERISTIC OF A TOWNHOME IS THAT THERE IS NO VERTICAL OVERLAP OF ANY DWELLING UNITS.

TRIPLEX: A BUILDING ON ONE LOT WHICH HOUSES EXACTLY THREE DWELLING UNITS, NONE OF WHICH MAY BE CONSIDERED AN ACCESSORY DWELLING UNIT. EACH TRIPLEX UNIT COUNTS TOWARDS THE CALCULATION OF GROSS DENSITY.

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

[remove existing picture]



Amend Chapter 5, Section 507 Tab A II.C. (Subdivision Design/Development) and Section 507 Tab A II.C. 8 (Single-Family Design Review) to clarify and simplify Single-Family Design Review requirements for individual lots, especially as related to duplex and triplex uses, and to read as follows:

C. Subdivision AND SINGLE-FAMILY DETACHED Design REVIEW/Development

8. **Single-Family DETACHED Design Review.** New single-family detached dwelling units, LOTS HAVING A SINGLE individual duplexes OR TRIPLEX ~~(duplex developments consisting of ten or more duplex buildings located on the same lot or adjacent lots are not subject to single-family design review)~~, manufactured homes, and modular homes ~~that have not received preliminary site plan or subdivision approval, or building permit issuance prior to August 1, 2005~~ shall be subject to single-family design review, as follows ~~(R*)(R)~~:

- (a) Single-family detached developments where 10% or more of the lots are equal to or less than 65' FEET in width ~~or any residential horizontal property regime~~ shall incorporate Design Guidelines Sections 8.1 through 8.4.
- (b) Individual single-family detached dwelling units, not subject to Subdivision Design Guidelines 8.1 through 8.4, on a lot or parcel of 65 feet in width, or less, shall incorporate Design Guidelines Section 8.5. THIS REQUIREMENT INCLUDES LOTS WITH A SINGLE DUPLEX OR TRIPLEX WHEN NOT LOCATED IN A SUBDIVISION SUBJECT TO II.C.8(a).
- (c) ~~Individual duplexes (as specified above) shall incorporate Design Guidelines Section 8.5.~~ DWELLING UNITS ON LOTS ZONED OR DESIGNATED HP ARE EXEMPT FROM THE PROVISIONS OF SECTION 8.5, SO LONG AS THE PLANS ARE REVIEWED AND APPROVED THROUGH HISTORIC PRESERVATION PRIOR TO ISSUANCE OF ANY BUILDING PERMITS. .
- (d) Individual manufactured and modular homes, regardless of lot width, shall incorporate Design Guidelines Section 8.5.
- (e) Manufactured and modular home subdivisions, regardless of lot width, shall incorporate Design Guidelines Sections 8.1 through 8.4.

- (8.5) **Individual Unit Design Standards.** The goal of these individual unit design standards is to ensure a minimum level of design quality for detached single-family dwelling units, duplexes, manufactured homes, and modular homes. For information on relief from requirements (R) AND (R*), and presumptions (P) refer to Section 507.C of the Zoning Ordinance.

- (a) ~~Plot plans shall show all required design guidelines as plan details or general notes. (R)~~

~~*Rationale:* Design guidelines should be shown on plans to help ensure they are easily understood by the public and equally applied by City staff.~~

- (b) ~~Where two detached units are placed on a single lot, a notice that the lots are not to be split without prior City approval shall be recorded with the Maricopa County Recorder's Office prior to issuance of building permits. The recorded document shall be on a form approved by the City Attorney's Office. A copy of the recorded document shall be submitted with the application for building permit approval and the recorded document noted on the submitted site plan. (R)~~

~~*Rationale:* The public is often unaware that the City has lot split requirements and may unknowingly create an illegal lot, causing self-imposed obstacles to development.~~

- (c) ~~All driveways and parking spaces shall be hard surfaced with brick, pavers, concrete, asphalt or equivalent. (R)~~

~~*Rationale:* A defined driveway and parking area reduces vehicle maneuvering on areas not suitable for vehicles. Hard surfaces contribute to dust emissions substantially less than loose or unimproved surfaces. Hard surfaces are generally more attractive and compatible with surrounding residences.~~

- (d)(a) ~~Each dwelling unit shall have at least one covered parking space located in a garage or under a carport. The design of the covered parking shall be substantially similar with regard to texture, color and material to that of the housing. (R*)(R)~~

~~*Rationale:* Covered parking reduces the visual impact of parked cars. Carports and garages that are designed with the same level of quality as the house are more attractive and more compatible with surrounding residences.~~

- (e)(b) ~~The FRONT YARD area between the front building line and the front property line, excluding areas necessary approved for VEHICLE access, should be landscaped with the following elements: (P)~~

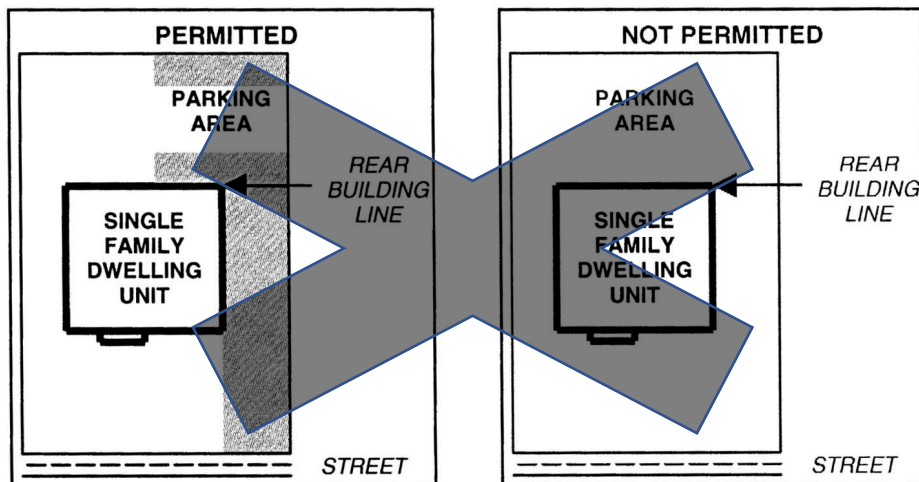
- (1) A minimum of one, two inch caliper or greater, drought resistant, accent tree. ~~(P*)~~
- (2) A minimum of five, five gallon or greater, drought resistant shrubs. ~~(P*)~~
- (3) Dustproofed with ground cover, turf, rock, decomposed granite, or equivalent material as approved by the Planning and Development Department. ~~(P*)~~
- (4) An irrigation system. ~~(P*)~~

Rationale: Landscaping contributes to an attractive environment, provides shade, and contributes to neighborhood identity.

- (f) ~~Unless all parking is provided off an alley, no more than half of the area between the rear lot line and the rear building line of a single family dwelling unit, or two-thirds of said area for duplexes, should be used for parking. (P*)~~

~~*Rationale:* Excessive vehicle parking areas reduces compatibility with surrounding residences and minimizes the opportunity for recreational activity and landscaped space.~~

[remove picture, do not replace]

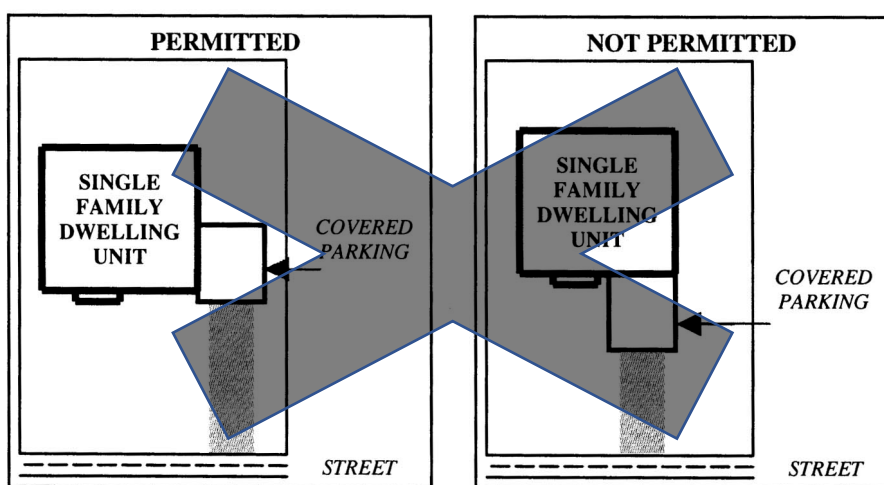


Parking—Rear Building Line

- ~~(g)(c)~~ Required covered parking for single family dwelling units, duplexes, manufactured homes, and modular homes shall not protrude BE LOCATED more than ten feet beyond CLOSER TO THE FRONT PROPERTY LINE THAN the front ENTRY building line. (R*)

Rationale: When parking structures are concentrated in front of a dwelling unit, the building loses its residential character and compatibility with surrounding residences is negatively impacted.

[remove picture, do not replace]



Covered Parking 2

- ~~(h)~~ The area between the rear building line and the rear lot line shall be enclosed by a block wall, wrought iron fence, or equivalent enclosure, a minimum of four feet in height, as approved by the Planning and Development Department. (R*)

Rationale: Rear yard enclosures provide physical security and also ensure rear yard activities, such as pool areas and material storage, are not readily visible. In addition, enclosures are visually appealing and benefit the neighborhood.

- ~~(i)-(d)~~ Walls, fences, and enclosure materials shall not include chain link fencing with, or without, plastic or metal slats, sheeting, non-decorative corrugated metal and fencing made or topped with razor, concertina, OR barbed wire, ~~or equivalent as approved by the Planning and Development Department.~~ (R*)

~~*Rationale:* Certain enclosure materials are not durable, and are incompatible with surrounding residences.~~

- ~~(j)-(e)~~ Development of ~~two detached dwelling units on a lot, duplexes, manufactured homes, or modular homes~~ LOTS WITH MORE THAN ONE DWELLING UNIT should provide a single, common access drive to parking areas. (P*) (P)

~~*Rationale:* Shared access and common parking minimize unnecessary curb cuts and breaks in the streetscape. Common parking areas also reduce the paved area of a site~~

- ~~(k)-(f)~~ ~~Single family~~ ALL dwelling units, ~~duplexes, manufactured homes, and modular homes~~ should provide the following architectural design elements: (P)

- (1) Consistent detailing and design for each side of the building. (P*)
- (2) Window and door trim as well as accent detailing should be incorporated and vary from the primary color and materials of the building. (P*)
- (3) Garage doors should be provided with windows, raised or recessed panels, architectural trim, or single doors. (P*)
- (4) The front entry of the building should be clearly defined and identifiable from the street. (P*)
- ~~(5)~~(4) Materials such as untextured concrete, unfinished block, steel panels, and shiny or highly reflective detailing should not be used as a predominant exterior material. (P*)

~~*Rationale:* High quality design promotes neighborhood pride and visual interest in residential architecture.~~

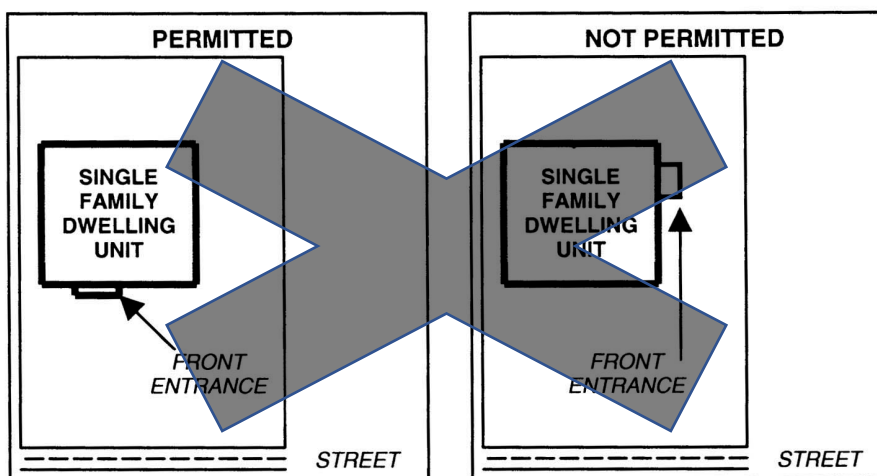
- ~~(f)~~(g) Garage doors FACING visible from the public street AND ATTACHED TO THE PRIMARY DWELLING UNIT should not exceed 50% of the house-BUILDING width. ~~(P*)~~ (P)

Rationale: Garage doors should not be the aesthetic focus of a house; they should complement COMPLEMENT and appear subordinate to the main structure. THIS IS PARTICULARLY IMPORTANT IF A DUPLEX OR TRIPLEX IS CONSTRUCTED.

- ~~(m)~~(h) The front entrance, of buildings within 50 feet of the front property line, shall face the street and shall not be set back more than ten feet behind the front building line. A FRONT ENTRY SHALL BE PROVIDED THAT FACES AND IS VISIBLE FROM THE STREET, AND INCLUDES AN ARCHITECTURAL FEATURE TO CALL ATTENTION TO IT (SUCH AS A PORCH, ENTRY PATIO, STOOP, AWNING/CANOPY, COURTYARD, OR ARCHWAY). FOR LOTS HAVING MORE THAN ONE DWELLING UNIT, A MINIMUM OF ONE UNIT SHALL COMPLY WITH THIS REQUIREMENT. (R*)

Rationale: Emphasizing the entrance and front facade adds to the residential character of new dwelling units and provides eyes on the street.

[remove picture, do not replace]



Parking—Front Entrance

- ~~(n)~~(i) Manufactured homes shall provide the following additional architectural design elements:

- (1) Materials such as wood, hardboard, brick veneer, hardiplank, stucco, or horizontal vinyl siding shall be used as a predominant exterior material. ~~(P*)~~ (P)
- (2) The exposed roof pitch shall be at a minimum of 3/12 for units twenty-eight (28) feet or less in width and be covered with shingles, tile or metal, excluding aluminum. (R*)
- (3) A minimum fifty (50) square foot recessed entry or covered porch shall be provided along the front entry of the building. (R*)
- (4) Permanent access to the porch or recessed entry should be constructed with materials and colors that are compatible with the dwelling unit. ~~(P*)~~ (P)
- (5) A masonry stem wall shall be provided under the dwelling unit with no more than seven (7) inches of exposed foundation measured from highest finished grade. (R*)
- (6) The exposed masonry stem wall color should be compatible to the dwelling unit. ~~(P*)~~ (P)

Rationale: High quality design promotes neighborhood pride and visual interest in residential architecture for manufactured homes.

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. ~~A maximum of one dwelling unit for one acre and one additional dwelling unit for each ten additional acres. These dwelling units are for farm owner and farm employees only.~~ DWELLING UNITS. EACH LOT MAY HAVE THE FOLLOWING:

- a. ONE PRIMARY DWELLING UNIT.
- b. ONE ACCESSORY DWELLING UNIT, 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.

12. ~~Same accessory uses and buildings as RE-24.~~ THE FOLLOWING ADDITIONAL USES, WHEN ACCESSORY TO THE RESIDENTIAL USE OF LAND OR STRUCTURES BY RESIDENTS, SHALL BE PERMITTED:

- a. RECREATIONAL FACILITIES, FOR WHICH ALL NECESSARY CONSTRUCTION AND OTHER REQUIRED PERMITS HAVE BEEN OBTAINED.
- b. PARKING OF VEHICLES IN FACILITIES AND LOCATIONS ON THE PROPERTY NOT OTHERWISE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.
- c. MATERIALS USED IN CONJUNCTION WITH A HOBBY, AVOCATION OR PASTIME, THE USE OF WHICH DOES NOT OTHERWISE CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.
- d. FACILITIES FOR HOUSEHOLD PETS, THE MAINTENANCE OF WHICH IS NOT OTHERWISE PROHIBITED BY STATUTE, REGULATION OF THE CITY CODE OF THE CITY OF PHOENIX AND WHICH FACILITIES ARE IN COMPLIANCE WITH ALL APPLICABLE ORDINANCES OF THE CITY OF PHOENIX.

B. Yard, Height and Area Requirements.

- 1. ~~There shall be a~~ EACH lot SHALL HAVE A NET AREA of not less than one acre.
- 2. For all ~~residential uses~~ DWELLING UNITS:
 - a. ~~There shall be a front yard of not less than~~ THE MINIMUM FRONT SETBACK IS ~~forty~~ 40 feet.

- ~~b. There shall be two side yards each having a width of not less than~~
THE MINIMUM SIDE SETBACK IS ~~thirty~~ 30 feet.
 - ~~c. There shall be a rear yard having a depth of not less than~~ THE
MINIMUM REAR SETBACK IS ~~thirty~~ 30 feet.
- 3. Sales stands ~~or~~ AND NON-RESIDENTIAL accessory buildings shall NOT be located ~~not~~ nearer than ~~fifty~~ 50 feet from any side or rear property line and shall not be located nearer than ~~forty~~ 40 feet from the front property line.
- 4. ~~The main building and all accessory buildings shall not occupy more than twenty percent of the total area of the lot for all lots under two acres or not more than ten percent of all lots two acres or over in total area.~~
LOT COVERAGE:
 - a. FOR LOTS TWO ACRES OR LESS IN NET AREA, THE PERMITTED LOT COVERAGE IS 20%, WITH AN ADDITIONAL 5% PERMITTED FOR ACCESSORY DWELLING UNITS AND/OR ATTACHED SHADE STRUCTURES.
 - b. FOR LOTS GREATER THAN TWO ACRES IN NET AREA, THE PERMITTED LOT COVERAGE IS 10%, WITH AN ADDITIONAL 5% PERMITTED FOR ACCESSORY DWELLING UNITS AND/OR ATTACHED SHADE STRUCTURES.
- 5. No building shall exceed a height of two stories, not to exceed ~~thirty~~ 30 feet.
- 6. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS 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. ~~There shall be a~~ EACH lot SHALL HAVE A NET AREA of not less than three acres.
- 2. For all ~~residential uses~~ DWELLING UNITS:

- a. ~~There shall be a front yard of not less than~~ THE MINIMUM FRONT SETBACK IS ~~forty~~ 40 feet.
 - b. ~~There shall be two side yards each having a width of not less than~~ THE MINIMUM SIDE SETBACK IS ~~thirty~~ 30 feet.
 - c. ~~There shall be a rear yard having a depth of not less than~~ THE MINIMUM REAR SETBACK IS ~~thirty~~ 30 feet.
3. Sales stands ~~or~~ AND NON-RESIDENTIAL accessory buildings shall NOT be located ~~not~~ nearer than ~~fifty~~ 50 feet from any side or rear property line and shall not be located nearer than ~~forty~~ 40 feet from the front property line.
 4. ~~The main building and all accessory buildings shall not occupy more than ten percent of the total lot area.~~
LOT COVERAGE: THE PERMITTED LOT COVERAGE IS 10%, WITH AN ADDITIONAL 5% PERMITTED FOR ACCESSORY DWELLING UNITS AND/OR ATTACHED SHADE STRUCTURES.
 5. No building shall exceed a height of two stories, not to exceed ~~thirty~~ 30 feet.
 6. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS 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.

A. Permitted Uses.

1. ~~One single family dwelling on any lot or parcel, except that a developer of a subdivision shall be allowed to build model homes prior to recording a subdivision plat, subject to the provisions of paragraph 7 below and subject to submitting a final plat which shall show the following information for each model home lot:~~
DWELLING UNITS. EACH LOT MAY HAVE THE FOLLOWING:

- a. ~~Street addresses for each model home as assigned by the Water Services Department.~~
ONE PRIMARY DWELLING UNIT.
- b. ~~Finished floor elevations for each model home as assigned by the Division of Engineering.~~
ONE ACCESSORY DWELLING UNIT.
- c. ~~Proposed lots for model homes shall be in conformance with lot lines as shown on the approved preliminary plan.~~
MODEL HOMES ARE PERMITTED SUBJECT TO THE PROVISIONS OF SECTION 608.E.19.
- d. ~~Each model home shall be located on each proposed lot in conformance with yard requirements of the district.~~

~~Such final plat need not have the required approvals for purposes of obtaining permits for model homes.~~

11. ~~RESERVED. Guesthouse, subject to the following conditions:~~

- a. ~~The square footage of the guesthouse shall not exceed fifty percent of the gross floor area of the primary dwelling unit with a maximum of nine hundred square feet, except as set forth in subsection b, below. Any garage area attached to the guesthouse which is more than the area of a single-car garage shall be counted toward the allowable square footage of the guesthouse.~~
- b. ~~On lots with more than forty-three thousand five hundred sixty square feet in net area with a primary dwelling unit of at least three thousand six hundred square feet in gross floor area, the square footage of the guesthouse may be twenty-five percent of the gross floor area of the primary dwelling unit.~~
- c. ~~The floor area of the connecting structure shall be included in the floor area of the guesthouse.~~
- d. ~~Pergolas and other roofed structures without walls shall not be considered a connecting structure.~~

- e. ~~Vehicular access to the accessory dwelling unit must be provided from the same curb (driveway) as the primary dwelling unit, except that separate access may be permitted from a paved alley.~~
- f. ~~One parking space must be provided for the accessory dwelling unit in addition to the parking required for the primary dwelling unit.~~
- g. ~~Only one guesthouse is permitted on a single lot.~~
- h. ~~The guesthouse shall be constructed of similar building materials and in the same architectural style as that of the primary dwelling unit and shall not exceed the height in feet or number of stories of the primary dwelling unit.~~
- i. ~~A guesthouse shall not:~~
 - (1) ~~Provide more parking than the one required space;~~
 - (2) ~~Be advertised for occupancy through any print or electronic media or through placement of signs on the property;~~
 - (3) ~~Provide separate mail service or have a separate address from the primary dwelling unit; or~~
 - (4) ~~Be separately metered for utilities.~~
- (j) ~~Single family use requirements shall apply to the guesthouse and the primary dwelling unit as a single unit.~~
- (k) ~~Any guesthouse existing as of (the effective date of this ordinance) may qualify as "connected to the primary dwelling unit" by being connected to the primary dwelling unit without meeting the minimum width requirements.~~

12. Accessory uses and buildings.

- a. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS OF SECTION 706.A.
- a.b. ~~**Any OTHER accessory building(S) shall maintain the same yard requirements as the main building.**~~ No accessory use shall be maintained in which there is solicitation of recipients for a service or product, or the operation of the use so that it is commonly known as offering a commercial service or product.

- ~~b. c.~~ No accessory use of land or structures shall be maintained except as hereinafter provided or except as may be permitted as a home occupation.
- ~~e. d.~~ The following uses, when accessory to the residential use of land or structures by residents, shall be permitted:
- (1) ~~Sleeping, eating, and r~~Recreational facilities, for which all necessary construction and other required permits have been obtained.
 - (2) Parking of vehicles in facilities and locations on the property not otherwise in conflict with the provisions of this ordinance.
 - (3) Materials used in conjunction with a hobby, avocation or pastime, the use of which does not otherwise conflict with the provisions of this ordinance.
 - (4) Facilities for household pets, the maintenance of which is not otherwise prohibited by statute, regulation or the City Code of the City of Phoenix and which facilities are in compliance with all applicable ordinances of the City of Phoenix.
 - ~~(5) Reserved.~~
- ~~d. e.~~ Except as may be provided by use permit approval in conjunction with a home occupation, no accessory use shall include outdoor display or storage of any of the following listed items, when such items are visible or emit odor, dust, gas, noise, vibration, smoke, heat, or glare beyond any boundary of the lot on which such items are displayed or stored:

- 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 ~~forty-three thousand five hundred sixty~~ 43,560 square feet. No lot shall hereafter be subdivided to provide less than ~~forty-three thousand five hundred sixty~~ 43,560 square feet of lot area, nor to have a width of less than ~~one hundred sixty-five~~ 165 feet, nor to have a lot depth of less than ~~one hundred seventy-five~~ 175 feet. ~~The provisions of Section 701.A.3, as it refers to carports, porches, and balconies in the side yard, shall not be applicable.~~

7. YARDS FOR ACCESSORY DWELLING UNITS AND OTHER ACCESSORY STRUCTURES SHALL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 706.
8. PROJECTIONS 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.

A. Permitted Uses.

1. ~~One single family dwelling on any lot or parcel, except that a developer of a subdivision shall be allowed to build model homes prior to recording a subdivision plat, subject to the provisions of Section 606A.4.b below and subject to submitting a final plat which shall show the following information for each model home lot:~~

DWELLING UNITS. EACH LOT MAY HAVE THE FOLLOWING:

- a. ~~Street addresses for each model home as assigned by the Water Services Department.~~
ONE PRIMARY DWELLING UNIT.
- b. ~~Finished floor elevations for each model home as approved by the Engineering Department.~~
ONE ACCESSORY DWELLING UNIT.
- c. ~~Proposed lots for model homes shall be in conformance with lot lines as shown on the approved preliminary plat.~~
MODEL HOMES ARE PERMITTED SUBJECT TO THE PROVISIONS OF SECTION 608.E.19.
- d. ~~Each model home shall be located on each proposed lot in conformance with yard requirements of the district.~~

~~Such final plat need not have the required approvals for purposes of obtaining permits for model homes.~~

11. Accessory uses and buildings.

a. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS OF SECTION 706.A.

~~a.b.~~ **OTHER ACCESSORY BUILDING(S) SHALL MAINTAIN THE SAME YARD REQUIREMENTS AS THE MAIN BUILDING.** No accessory use shall be maintained in which there is solicitation of recipients for a service or product, or the operation of the use so that it is commonly known as offering a commercial service or product.

~~b.c.~~ No accessory use of land or structures shall be maintained except as hereinafter provided or except as may be permitted as a home occupation.

~~c.d.~~ The following uses, when accessory to the residential use of land or structures by residents, shall be permitted:

(1) ~~Sleeping, eating, and~~ Recreational facilities, for which all necessary construction and other required permits have been obtained.

(2) Parking of vehicles in facilities and locations on the property not otherwise in conflict with the provisions of this ordinance.

(3) Materials used in conjunction with a hobby, avocation or pastime, the use of which does not otherwise conflict with the provisions of this ordinance.

(4) Facilities for household pets, the maintenance of which is not otherwise prohibited by statute, regulation or the City Code of the City of Phoenix and which facilities are in compliance with all applicable ordinances of the City of Phoenix.

~~(5) Reserved.~~

~~d.e.~~ Except as may be provided by use permit approval in conjunction with a home occupation, no accessory use shall include outdoor display or storage of any of the following listed items, when such items are visible or emit odor, dust, gas, noise, vibration, smoke, heat, or glare beyond any boundary of the lot on which such items are displayed or stored:

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 ~~twenty-four thousand~~ 24,000 square feet. No lot shall hereafter be subdivided to provide less than ~~twenty-four thousand~~ 24,000 thousand square feet of lot area nor to have a width of less than ~~one hundred thirty~~ 130 feet nor a lot depth of less than ~~one hundred twenty~~ 120 feet. ~~The provisions of Section 701.A.1 and 701.A.2 shall not be applicable. The provisions of Section 701.A.3, as it refers to carports, porches, and balconies in the side yard, shall not be applicable.~~

7. Yards for ACCESSORY DWELLING UNITS AND ~~detached~~ OTHER accessory buildings STRUCTURES shall be ~~permitted as~~ PROVIDED in ACCORDANCE WITH THE PROVISIONS OF Section 706.
8. 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.

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 ~~fourteen thousand~~ 14,000 square feet. No lot shall hereafter be subdivided to provide less than ~~fourteen thousand~~ 14,000 square feet of lot area not to have a width of less than ~~one hundred ten~~ 110 feet nor a depth less than ~~one hundred twenty~~ 120 feet. ~~The provisions of Section 701.A.1 and 701.A.2 shall not be applicable. The provisions of Section 701.A.3, as it refers to carports, porches, and balconies in the side yard, shall not be applicable.~~

7. Yards for ACCESSORY DWELLING UNITS AND ~~detached~~ OTHER accessory ~~buildings~~ STRUCTURES shall be ~~permitted as~~ PROVIDED in ACCORDANCE WITH THE PROVISIONS OF Section 706.
8. 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 (Residence Districts) to read as follows:

Section 608. ~~Residence~~ RESIDENTIAL Districts.

- A. **Purpose.** Residential districts are established in recognition of a need to provide areas of the City devoted primarily to living functions. In order to preserve these areas from the distractions and adverse impacts which can result from immediate association with nonresidential uses, these districts are restricted to residential, limited nonresidential uses, and appropriate accessory uses. These regulations are designed to promote the creation and maintenance of areas in which individuals or families may pursue residential activities with reasonable access to open space, and streets or roads, in a setting which is not negatively impacted by adjacent uses. Limited nonresidential uses may have conditions placed upon them to limit impact to adjacent residential uses and in some cases require a public hearing through a use permit or special permit process to mitigate any negative impacts to surrounding residential uses.

The standards contained in this section and Sections 609 through ~~618-619~~ AND 635 are designed to establish the character of new residential development and also to preserve the quality of residential uses during their lifetime. When applied to new development, these standards are designed to be used in conjunction with the development and improvement standards as contained in the Phoenix Subdivision Ordinance, Chapter 32 of the City Code.

This section applies to the Residential Districts in Sections 609 through ~~618-619~~, IN ADDITION TO SECTION 635 (PLANNED AREA DEVELOPMENT) WHEN SPECIFIED.

Amend Chapter 6, Section 608.B (Residence Districts—Use of district regulations) to read as follows:

- B. ~~Use of district regulations~~ **APPLICABILITY OF DEVELOPMENT OPTIONS.** The development of any parcel of land shall be in accordance with the standards contained in any one development option as contained in Sections 609 through 619. Development of a single lot or a parcel not being further subdivided and located in the RE-35 and R1-18 zoning districts (Sections 609 and 610) shall be in accordance with the requirements for the standard subdivision development option (a), as contained in Sections 609 and 610. For a single lot or parcel not part of a subdivision platted prior to May 1, 1998, not being further subdivided, and located in the R1-10 through R-4A zoning districts (Sections 611 through 619), development shall be in accordance with the requirements of the conventional subdivision option as contained in Sections 611 through 619.

All subsequent development shall be in accordance with the initially selected development option unless a use permit is obtained. Building on any lot which was subdivided or developed prior to the adoption of this chapter shall be done in accordance with the standards under which the initial subdivision or development occurred.

For purposes of conversion to this ordinance, property subdivided prior to May 1, 1998, shall be considered as follows:

2. Residential development with ~~a subplot site plan~~ **AN APPROVED SUBDIVISION SETBACK EXHIBIT** approved by the subdivision committee shall be considered under the average lot development option if located in the RE-35 through ~~R1-5~~ R-5 zoning districts (Sections 609 through 618).

Amend Chapter 6, Section 608.C (Residence Districts—Permitted Uses) to read as follows:

G. ~~Permitted Uses~~

Use	Permitted	Permitted with Conditions (1)	Use Permit and Conditions (2)
Single Family DU	X		
Governmental Uses	X		
Community Residence Home		X	
Interior Suite with Accessory Cooking Facilities		X	

Boarding House		X	X
Group Home		X	X

1—6 Dependent Care Facility		X	
1—4 Adult Day Care Home		X	
Display for Sale of Vehicle		X	
Guestrooms		X	
Public Utility Buildings and Facilities		X	
Schools, Private		X	X
		X	

5—10 Adult Day Care Home		X	X
Churches/Place of Worship		X	X
Construction Facilities and Storage		X	X
Home Occupations		X	X
Model Homes and/or Subdivision Sales Office		X	X
Nondaily Newspaper Delivery Service		X	X
Public Assembly—Residential		X	X

7—12 Dependent Care Facility			X
Environmental Remediation Facility			X

- (1) Please note some uses that are permitted with conditions require a use permit approval if they exceed established thresholds.
- (2) There is also a fourth category of residential uses permitted with approval of a special permit. Please see Section 647.

- C. 1. One single family dwelling on any lot or parcel, except that a developer of a subdivision shall be allowed to build model homes prior to recording a subdivision plat, subject to the provisions of Section 608.C.3 and subject to submitting a final plat which shall show the following information for each model home lot:
- a. Street addresses for each model home as assigned by the Water Services Department.
 - b. Finished floor elevations for each model home as approved by the Engineering Department.

~~c. Proposed lots for model homes shall be in conformance with lot lines as shown on the approved preliminary plat.~~

~~d. Each model home shall be located on each proposed lot in conformance with yard requirements of the district.~~

~~Such final plat need not have the required approvals for purposes of obtaining permits for model homes.~~

~~2. Governmental uses are permitted.~~

~~3. No accessory use of land or structures shall be maintained except as hereinafter provided or except as may be permitted as a home occupation.~~

C. **USE REGULATIONS.** THE REGULATIONS GOVERNING THE USES OF LAND AND STRUCTURES SHALL BE AS SET FORTH IN THE RESIDENTIAL DISTRICTS LAND USE MATRIX, SECTION 608.D, AND LAND USE CONDITIONS IN SECTION 608.E, AS FOLLOWS:

1. ANY USE NOT LISTED IN SECTION 608.D (RESIDENTIAL DISTRICTS LAND USE MATRIX) SHALL NOT BE PERMITTED UNLESS THE USE IS OTHERWISE PERMITTED WITHIN THE REGULATIONS SPECIFIC TO THE ZONING DISTRICT, PER SECTIONS 609 – 619 AND 635.
2. ALL USES INDICATED WITH “p” ARE PERMITTED WITH THE APPLICABLE ZONING DISTRICT, SUBJECT TO DEVELOPMENT REGULATIONS LISTED BELOW AND ELSEWHERE WITHIN THE ZONING ORDINANCE.
3. ALL USES INDICATED WITH “pc” ARE PERMITTED WITHIN THE APPLICABLE ZONING DISTRICT ONLY IF SPECIFIC CONDITIONS ARE MET. THE CONDITIONS ARE DESCRIBED IN SECTION 608.E, LAND USE CONDITIONS, BY THE ASSOCIATED CONDITION NUMBER (E.G. “pc15” IS DESCRIBED UNDER SECTION 608.E.15). IN SOME CASES, A USE PERMIT PER SECTION 307 MAY BE REQUIRED AS OUTLINED IN THE CONDITIONS.
4. ALL USES INDICATED WITH “up” ARE PERMITTED WITHIN THE APPLICABLE ZONING DISTRICT ONLY UPON APPROVAL OF A USE PERMIT PER SECTION 307. IF A NUMBER IS ALSO PROVIDED (E.G. “UP25”), THERE ARE ALSO CONDITIONS WHICH MUST BE COMPLIED WITH BEFORE APPLYING FOR A USE PERMIT.

5. ALL USES INDICATED WITH “sp” ARE PERMITTED WITHIN THE APPLICABLE ZONING DISTRICT ONLY UPON APPROVAL OF A SPECIAL PERMIT PER SECTION 504.1.
6. ALL USES INDICATED WITH “np” ARE NOT PERMITTED WITHIN THE APPLICABLE ZONING DISTRICT.
7. NO ACCESSORY USE OF LAND OR STRUCTURES SHALL BE MAINTAINED EXCEPT AS HEREINAFTER PROVIDED OR EXCEPT AS MAY BE PERMITTED AS A HOME OCCUPATION.

Amend Chapter 6, Section 608.D (Residence Districts—Permitted Uses with Conditions) to read as follows:

D. ~~Permitted Uses with Conditions.~~

1. ~~Adult day care home for the care of one to four adult persons; provided, that:~~
 - a. ~~Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
2. ~~Community residence home; provided, that:~~
 - 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.~~

3. ~~Dependent care facility for six dependents, subject to the following conditions:~~
 - a. ~~Resident dependents under the age of 12 years shall not be counted.~~
 - b. ~~Outdoor play areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
 - c. ~~The employees must reside at the facility unless a nonresident employee is required by the Arizona Department of Health Services.~~
4. ~~The display for sale of a vehicle, which for purposes of this provision includes trailers, watercraft or other types of transportation that are built to carry passengers or cargo shall be subject to the following restrictions:~~
 - a. ~~No more than one vehicle can be labeled for sale or show any indication that it is for sale at any given time on a property, whether visible on site or through some other form of advertising.~~
 - b. ~~No more than two vehicles can be sold on a property during any calendar year.~~
 - c. ~~For purposes of Sections 608.A and B, two jet skis, a boat or similar types of recreational vehicles that are transported on one trailer shall, together with the trailer, be considered one vehicle.~~
 - d. ~~The ownership of the vehicle(s) must be registered to the location where the vehicle is listed for sale.~~
 - e. ~~No vehicle can be labeled for sale or show any indication that it is for sale at an unoccupied house or on a vacant lot or parcel.~~
 - f. ~~No vehicle can be labeled for sale or show any indication that it is for sale in conjunction with a retail or wholesale vehicle sales dealership or business without obtaining a temporary use permit.~~
5. ~~Guestrooms. Each single-family dwelling may contain no more than two guestrooms.~~
6. ~~Public utility buildings and facilities when necessary for serving the surrounding territory; provided, that no public business offices and no repair or storage facilities are maintained therein, are permitted in each district.~~
7. ~~Schools are permitted in each district subject to a site plan being approved in conformance with Section 507.~~

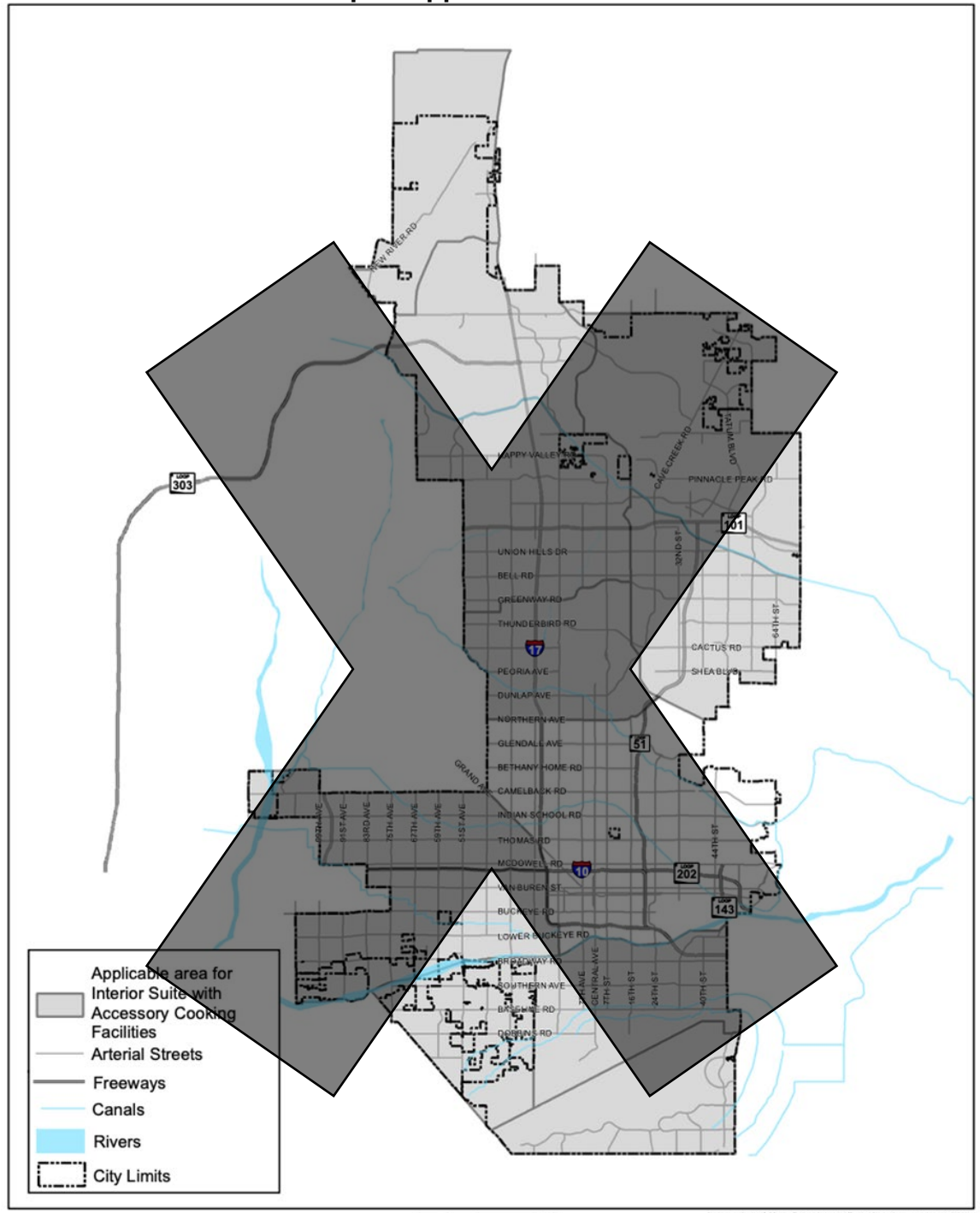
~~8. Interior suite with accessory cooking facilities, subject to the following:~~

~~a. Dwelling units with an interior suite with accessory cooking facilities are permitted only in residential subdivisions of 15 acres or more and located within the boundaries illustrated in Map 1, as follows:~~

~~(1) Subdivided after July 5, 2019; or~~

~~(2) Subdivided prior to July 5, 2019, but with less than 25 percent of the lots having constructed dwelling units or valid building permits as of July 5, 2019.~~

Map 1: Applicable Area



- b. ~~An interior suite with accessory cooking facilities shall only be part of a single-family detached dwelling unit and must be under the same roof structure. Only one interior suite with accessory cooking facilities shall be permitted per lot and shall be located on the ground floor.~~
- c. ~~The square footage of the interior suite with accessory cooking facilities shall not exceed 30 percent of the total net floor area or 800 square feet (whichever is less). Garage or patio areas shall not be included for the purpose of this calculation.~~
- d. ~~An interior suite with accessory cooking facilities shall not have utility services that are metered separately from the remainder of the dwelling unit.~~
- e. ~~At least one internal doorway shall be provided between the interior suite with accessory cooking facilities and the remainder of the dwelling unit.~~
- f. ~~An interior suite with accessory cooking facilities shall not have a private yard area that is fenced or walled off from the remainder of the lot. This requirement shall not prohibit required pool fences, fenced in animal areas, garden fencing, or other fencing used for different purposes.~~
- g. ~~No more than one parking space, which may be covered or enclosed, shall be provided for an interior suite with accessory cooking facilities in addition to the parking provided for the remainder of the dwelling unit, with a maximum of four spaces total. This requirement does not apply to parking that may occur on the driveway in front of the garage(s).~~
- h. ~~An interior suite with accessory cooking facilities shall not have a parking space served by a driveway separated from the main driveway and parking areas provided for the remainder of the dwelling unit.~~
- i. ~~An interior suite with accessory cooking facilities shall not provide separate mail service or have a separate address from the remainder of the dwelling unit.~~
- j. ~~Design requirements. Elevations must minimize any secondary entry visible from the street and have the appearance of a single-family home. This shall be treated as a presumption as outlined in Section 507.C.2.~~

D. RESIDENTIAL DISTRICTS LAND USE MATRIX

LAND USE CATEGORIES		SECTION AND ZONING DISTRICT													
		609	610	611	612	613	614	615	616	617	618	619	635		
Single-Family Detached		RE-35	R1-18	R1-10	R1-8	R1-6	R-2	R-3	R-3A	R-4	R-5	R-4A	PAD		
(ac)	Accessory Dwelling Unit (ADU)	pc1	pc1	pc1	pc1	pc1	pc1	pc1	pc1	pc1	pc1	pc1	pc1		
(ac)	Guestroom(s)	pc2	pc2	pc2	pc2	pc2	pc2	pc2	pc2	pc2	pc2	pc2	pc2		
Duplex		pc3	pc3	pc3	pc3	pc3	pc3	pc3	pc3	pc3	pc3	pc3	pc3		
Triplex		np	np	pc4	pc4	pc4	pc4	pc4	pc4	pc4	pc4	pc4	pc4		
		np	np	np	np	np	pc5	pc5	pc5	pc5	pc5	pc5	pc5		
Single-Family Attached		pc6	pc6	pc6	pc6	pc6	pc6	pc6	pc6	pc6	pc6	pc6	pc6		
Multifamily		np	np	pc7	pc7	pc7	pc7	pc7	pc7	pc7	pc7	pc7	pc7		
(ac)	Residential Convenience Market	np	np	np	np	np	np	np	pc8	pc8	pc8	pc8	pc8		
Off-Site Manufactured Home Developments		np	np	np	np	np	np35	np35	np35	np35	np35	np35	np		
Boarding House		np	np	np	np	np	np	np9	np9	np9	np9	np9	np9		
1-4 Adult Day Care Home		pc10	pc10	pc10	pc10	pc10	pc10	pc10	pc10	pc10	pc10	pc10	pc10		
5-10 Adult Day Care Home		up11	up11	up11	up11	up11	up11	up11	up11	up11	up11	up11	up11		
11+ Adult Day Care Center		np	np	np	np	np	np	up12	up12	up12	up12	up12	np		
1-10 Community Residence Home		pc13	pc13	pc13	pc13	pc13	pc13	pc13	pc13	pc13	pc13	pc13	pc13		
11 + Community Residence Center		np	np	np	np	np	np	up14	up14	up14	up14	up14	np		
1-6 Dependent Care Facility		pc15	pc15	pc15	pc15	pc15	pc15	pc15	pc15	pc15	pc15	pc15	pc15		
7-12 Dependent Care Facility		up16	up16	up16	up16	up16	up16	up16	up16	up16	up16	up16	up16		
13 + Dependent Care Facility		np	np	np	np	np	np	up17	up17	up17	up17	up17	np		
Group Home		np	np	np	np	np	np	up18	up18	up18	up18	up18	up18		
Group Foster Home		np	np	np	np	np	np	up	up	p	p	p	np		
Governmental Uses		p	p	p	p	p	p	p	p	p	p	p	p		
Model Homes and Subdivision Sales Offices		pc19	pc19	pc19	pc19	pc19	pc19	pc19	pc19	pc19	pc19	pc19	pc19		
Public Utility Buildings and Facilities		pc20	pc20	pc20	pc20	pc20	pc20	pc20	pc20	pc20	pc20	pc20	pc20		
Schools, Private		pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22		
Schools, Public		p	p	p	p	p	p	p	p	p	p	p	p		
Church/Place of Worship		p	p	p	p	p	p	p	p	p	p	p	p		

LAND USE CATEGORIES		SECTION AND ZONING DISTRICT													
		609	610	611	612	613	614	615	616	617	618	619	635		
	RE-35	pc21	R1-18	R1-10	R1-8	R1-6	R-2	R-3	R-3A	R-4	R-5	R-4A	PAD		
(ac)	Accessory To Church/Place Of Worship	pc21	pc21	pc21	pc21	pc21	pc21	pc21	pc21	pc21	pc21	pc21	pc21		
	Public Assembly--Residential	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22		
	Environmental Remediation Facility	up23	up23	up23	up23	up23	up23	up23	up23	up23	up23	up23	up23		
	Community Garden	pc24	pc24	pc24	pc24	pc24	pc24	pc24	pc24	pc24	pc24	pc24	np		
	Farmer's Market	pc25	pc25	pc25	pc25	pc25	pc25	pc25	pc25	pc25	pc25	pc25	np		
ACCESSORY USES IN RESIDENCE DISTRICTS															
	Construction Facilities And Storage	pc26	pc26	pc26	pc26	pc26	pc26	pc26	pc26	pc26	pc26	pc26	pc26		
	Home Occupations	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27		
	Non-Daily Newspaper Service	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28		
	Display For Sale Of Vehicle	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29		
	Facilities For Household Pets	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30		
	Garage Or Yard Sales	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31		
	Hobbies And Associated Supplies	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32		
	Parking (Accessory)	pc33	pc33	pc33	pc33	pc33	pc33	pc33	pc33	pc33	pc33	pc33	pc33		
	Private Tennis / Outdoor Game Courts	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34		

*(ac) = accessory use permitted only with primary use listed immediately prior in the table.

Amend Chapter 6, Section 608.E (Residence Districts—Permitted Uses with Conditions and May Require Approval of a Use Permit Pursuant to Section 307) to read as follows:

~~E. Permitted Uses with Conditions and May Require Approval of a Use Permit Pursuant to Section 307.~~

- ~~1. Churches or similar places of worship, including parish houses, parsonages, rectories, and convents and dormitories with no more than ten residents accessory thereto, are permitted in each district, except temporary tents or buildings. Athletic activities in conjunction with the above and on the same lot or contiguous lots may be permitted. See Public Assembly—Residential.~~
 - ~~a. Bingo may be operated as an accessory use on the premises of the church when conducted no more than two days a week. Fundraising events located on the same lot or contiguous lots shall be permitted, subject to the following requirements:~~
 - ~~(1) The sponsoring, organizing and benefiting entities shall be nonprofit or religious organizations.~~
 - ~~b. Events held entirely within a building or buildings shall not be further regulated; however, events to be conducted wholly or in part outdoors shall be subject to the following additional conditions:~~
 - ~~(1) Any outdoor portion of the event must be located a minimum of 50 feet from a property line adjacent to a residential zoning district and a residential use.~~
 - ~~(2) The event shall not be conducted between the hours of 10:00 p.m. and 5:00 a.m.~~
 - ~~(3) The event shall not be conducted in such manner as to reduce the number of parking spaces required for any normal functions of the primary use which are held during the event.~~
 - ~~(4) Lighting shall be so placed as to reflect the light away from adjacent residences.~~
 - ~~c. Pocket shelters as accessory uses to churches or similar places of worship, subject to the following standards (and applicable Maricopa County and City of Phoenix health and safety regulations):~~

- (1) ~~A pocket shelter shall house no more than 12 unrelated persons. A pocket shelter may house up to 20 unrelated persons upon approval of a use permit in accordance with the procedures and standards of Section 307. Minors (age 18 years or younger) accompanied by a parent or a guardian shall not be counted in the number of unrelated persons.~~
- (2) ~~The church or similar place of worship shall be located on an arterial or collector street as defined on the street classification map. A shelter at a church or similar place of worship which is not on an arterial or collector street shall be permitted upon approval of a use permit in accordance with the procedures and provisions of Section 307.~~
- (3) ~~The church or similar place of worship shall provide on-site supervision of shelter residents at all times that two or more unrelated residents are at the shelter.~~
- (4) ~~Drug, alcohol, other substance abuse, or mental health rehabilitation programs shall not be allowed as part of the shelter services. This provision shall not prevent the church or similar place of worship from referring shelter residents to other appropriate programs at the church or similar place of worship or elsewhere, e.g., Alcoholics Anonymous, which are not part of the shelter services.~~
- (5) ~~Shelter residents shall not possess alcohol, weapons, or illegal drugs at the shelter.~~
- (6) ~~Open areas surrounding pocket shelter structures shall be screened from view from abutting and/or adjoining properties by hedges, trees, other landscaping, or walls.~~
- (7) ~~Pocket shelter structures shall not have direct access to abutting and/or adjoining properties.~~
- (8) ~~Pocket shelters shall be housed in permanent structures rather than in tents or other similar temporary structures.~~
- (9) ~~A church or similar place of worship shall house no more than one pocket shelter.~~

2. ~~Construction facilities and storage, incidental to a construction project and located on the project site, are permitted. When such facilities or storage are used for construction on a lot or lots other than the lot or lots used for such facilities or storage, such use shall maintain the setbacks provided by the requirements of this chapter and shall be subject to securing a use permit. When such facilities and storage serve a residential subdivision, are approved in conjunction with model homes by the Planning and Development Department, and meet all of the standards listed below, no use permit is required:~~
 - a. ~~The facilities shall not be placed on a lot which abuts, joins at the corners, or is across a street or alley from a dwelling unit which is under construction or occupied at the time of said placement, unless written agreement to the placement is given by the owner or occupant of the affected property.~~
 - b. ~~All outside storage shall be screened by a six foot high solid fence or masonry wall. No construction vehicles or machinery shall be placed within ten feet of the screen fence or wall.~~
 - c. ~~All signs on the facility shall fully comply with Section 705, the Sign Code.~~
 - d. ~~All facilities and storage shall be removed within three months of the closure of the model homes.~~
3. ~~Home occupations including but not limited to architect, lawyer, off-site sales businesses, accountant, real estate agent, telemarketing sales, and psychologist. For purposes of this section, off-site sales means processing orders by mail, facsimile, phone, modem or Internet.~~
 - a. ~~No one outside the family residing in the dwelling unit shall be employed in the home occupation.~~
 - b. ~~No exterior display, no exterior storage of materials, no sign, and no other exterior indication of the home occupation or variation from the residential character of the principal or accessory building, except as authorized in Section 608.E.3.h.~~
 - c. ~~No home occupation shall emit odor, dust, gas, noise, vibration, smoke, heat, or glare beyond any boundary of the lot on which the home occupation is conducted.~~

- d. ~~Activity shall be limited to the hours between 7:00 a.m. and 10:00 p.m.~~
- e. ~~No mechanical equipment shall be used except that normally used for domestic, hobby, standard office, or household purposes.~~
- f. ~~Not more than 25 percent of the total area under roof on the site shall be used for any home occupation.~~
- g. ~~Any parking incidental to the home occupation shall be provided on the site.~~
- h. ~~Home occupations shall obtain a use permit from the Zoning Administrator in accordance with Section 307 when:~~
 - (1) ~~Traffic (other than trips by occupants of the household) is generated by the home occupation; or~~
 - (2) ~~The home occupation is conducted in an accessory building; or~~
 - (3) ~~The home occupation is conducted as an outside use; or~~
 - (4) ~~Minor variations to Section 608.E.3.c are required to conduct the home occupation; or~~
 - (5) ~~An applicant desires an official approval of a home occupation.~~
- i. ~~A home occupation shall not include, but such exclusion shall not be limited to, the following uses:~~
 - (1) ~~Barbershops and beauty parlors.~~
 - (2) ~~Commercial stables, veterinary offices.~~
 - (3) ~~Dog grooming.~~
 - (4) ~~Massage parlors.~~
 - (5) ~~Reserved.~~
 - (6) ~~Restaurants.~~
 - (7) ~~Veterinary hospitals and commercial kennels.~~

4. ~~Model homes and/or subdivision sales offices when located in model homes subject to approval of the Planning and Development Department's representative to the Site Planning Division, and subject to the following conditions:~~
- a. ~~Such model home and/or subdivision sales offices shall be located in a subdivision or portion thereof 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 608.E.4.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 608.E.4.b or upon expiration of the extension granted by the Zoning Administrator pursuant to Section 608.E.4.c, or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever comes 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 400 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 Section 608.E.4.a and d, the term "subdivision" shall mean all the land included within the preliminary plat submitted to the 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 608.C.1.~~

g. ~~Modular subdivision sales office, subject to the following criteria:~~

(1) ~~The structure shall be integrated with, architecturally compatible to, and blend in color to the model homes approved for the subdivision, as determined by the Planning and Development Department.~~

(2) ~~Modular subdivision sales offices shall be permitted for a period not to exceed 36 months from the date of approval for the sales offices.~~

(3) ~~The time limit allowed in Section 608.E.4.g.2 for an additional 36 months shall be extended only upon securing a use permit.~~

(4) ~~The modular subdivision sales office shall be removed on or before the termination date set forth in Section 608.E.4.g.2 or upon expiration of the extension granted by the Zoning Administrator or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever comes first.~~

(5) ~~For the purposes of this section, the term "subdivision" shall mean all of the land included within the preliminary plat submitted to the Planning and Development Department.~~

(6) ~~Prior to issuance of any sales office permits, a site plan shall be approved by the Planning and Development Department for verification of setback conformance.~~

(7) ~~Two signs are permitted. Signs shall not exceed a combined total of 32 square feet.~~

(8) ~~One sales office shall be permitted for each model home complex allowed in accordance with Section 608.E.4.h.~~

- h. ~~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 400 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 dust proofed.~~
 - (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.~~

- 5. ~~Nondaily newspaper delivery service shall be permitted subject to the following limitations:~~
 - a. ~~Delivered bulk materials related to nondaily publications shall be transferred to an enclosed building or secured area so that materials are not visible from the street or adjacent properties unless for preparation of materials for same day distribution. Preparation of materials for same day distribution may occur on or about adjacent public rights-of-way; provided, that materials do not remain in public view for longer than 24 hours.~~
 - b. ~~Materials stored for periods greater than 24 hours shall be enclosed within a building or secured by a wall or fence of such material, construction, and height so as to conceal the materials located.~~
 - c. ~~Activities relating to and/or accessory to the preparation of materials stored for periods greater than 24 hours shall occur within an enclosed building or an area secured by a wall or fence of such material, construction, and height so as to completely conceal the activities.~~

- d. ~~Such delivery shall be limited to two bulk deliveries in a seven-day period. More frequent deliveries shall require a use permit in accordance with the procedures of Section 307.~~
 - e. ~~No traffic other than that required for the bulk delivery and pickup shall be allowed by outside employees. Any other business-related traffic shall require a use permit in accordance with the procedures of Section 307.~~
6. ~~Public Assembly—Residential. A use permit shall be required for all public assembly—residential uses with vehicular access on local or minor collector streets.~~

E. LAND USE CONDITIONS.

- 1. **SINGLE-FAMILY DETACHED DWELLING UNIT.** EACH SINGLE-FAMILY LOT IS PERMITTED ONE (1) 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 (1) ACCESSORY DWELLING UNIT IN ADDITION TO THE PRIMARY DWELLING UNIT, EXCEPT THAT LOTS HAVING A DUPLEX OR TRIPLEX MAY NOT HAVE AN ADU.
 - b. AN ADU IS SUBJECT TO THE DEVELOPMENT REGULATIONS OF SECTION 706.A.
- 3. **GUESTROOMS.** EACH SINGLE-FAMILY DWELLING UNIT MAY CONTAIN NO MORE THAN TWO GUESTROOMS.
- 4. **DUPLEX:**
 - a. SINGLE-FAMILY LOTS: ONE (1) DUPLEX IS PERMITTED PER LOT WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION. THE LOT MUST BE OF THE MINIMUM SIZE REQUIRED BY THE APPLICABLE DENSITY TO PERMIT TWO DWELLING UNITS.

- b. **MULTIFAMILY LOTS:** DUPLEXES ARE PERMITTED WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION. THE LOT MUST BE OF THE MINIMUM SIZE REQUIRED BY THE APPLICABLE DENSITY TO PERMIT THE NUMBER OF DWELLING UNITS PROPOSED.

5. **TRIPLEX:**

- a. **SINGLE-FAMILY LOTS:** ONE (1) TRIPLEX IS PERMITTED PER LOT WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION. THE LOT MUST BE OF THE MINIMUM SIZE REQUIRED BY THE APPLICABLE DENSITY TO PERMIT THREE DWELLING UNITS.
 - b. **MULTIFAMILY LOTS:** TRIPLEXES ARE PERMITTED WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION. THE LOT MUST BE OF THE MINIMUM SIZE REQUIRED BY THE APPLICABLE DENSITY TO PERMIT THE NUMBER OF DWELLING UNITS PROPOSED.

6. **SINGLE-FAMILY ATTACHED DWELLING UNIT.** ONE (1) SINGLE-FAMILY ATTACHED DWELLING UNIT IS PERMITTED PER SINGLE-FAMILY LOT WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION.

7 **MULTIFAMILY DWELLING UNITS.** MULTIFAMILY DWELLING UNITS ARE PERMITTED WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION.

8. **RESIDENTIAL CONVENIENCE MARKET.** A RESIDENTIAL CONVENIENCE MARKET IS PERMITTED AS AN ACCESSORY USE TO A MULTIFAMILY DEVELOPMENT WHERE SPECIFIED IN THE RESIDENTIAL DISTRICT LAND USE MATRIX, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. THE DEVELOPMENT SHALL CONTAIN A MINIMUM OF 400 DWELLING UNITS.

- b. THE MARKET SHALL NOT EXCEED 1,000 SQUARE FEET IN TOTAL FLOOR AREA (DISPLAY AND STORAGE) IF THE DEVELOPMENT CONTAINS LESS THAN 850 DWELLING UNITS. THE MARKET SHALL NOT EXCEED 3,000 SQUARE FEET IN TOTAL FLOOR AREA (DISPLAY AND STORAGE) IF THE DEVELOPMENT CONTAINS 850 OR MORE DWELLING UNITS.
 - c. NO PARKING SPACES SHALL BE REQUIRED OR PERMITTED FOR THE MARKET EXCEPT FOR SPACES DESIGNATED FOR DELIVERIES OR **HANDICAPPED INDIVIDUALS ACCESSIBLE SPACES**.
 - d. SIGNAGE SHALL BE ALLOWED ONLY AS PART OF A COMPREHENSIVE SIGN PLAN PURSUANT TO SECTION 705. THE ZONING ADMINISTRATOR MAY APPROVE WALL MOUNTED SIGNAGE UP TO A MAXIMUM HEIGHT OF 30 FEET AS PART OF AN APPROVED COMPREHENSIVE SIGN PLAN.
- 9. **BOARDING HOUSE**, SUBJECT TO A USE PERMIT AND THE FOLLOWING CONDITIONS:
 - a. 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.
 - b. NO BOARDING HOUSE 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 BOARDING HOUSE, GROUP HOME, OR COMMUNITY RESIDENCE HOME OR CENTER WITHIN A RESIDENTIAL ZONING DISTRICT.
 - c. A MAXIMUM LOT COVERAGE OF 25 PERCENT.
 - d. A MINIMUM OF 100 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED SHALL BE PROVIDED, WHICH MAY BE REDUCED TO 50 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED IN THE R-5 AND R-4A DISTRICTS.
 - e. THE LOT SHALL ONLY HAVE VEHICULAR ACCESS FROM AN ARTERIAL OR COLLECTOR STREET.

10. **ADULT DAY CARE HOME FOR THE CARE OF ONE TO FOUR ADULT PERSONS;** PROVIDED THAT:
 - a. OUTDOOR RECREATION AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
11. **ADULT DAY CARE HOME FOR THE CARE OF FIVE TO TEN ADULT PERSONS,** SUBJECT TO A USE PERMIT; AND PROVIDED THAT:
 - a. OUTDOOR RECREATION AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
12. **ADULT DAY CARE CENTER FOR THE CARE OF ELEVEN OR MORE ADULT PERSONS,** SUBJECT TO A USE PERMIT; AND PROVIDED THAT:
 - a. OUTDOOR RECREATION AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
13. **COMMUNITY RESIDENCE HOME;** PROVIDED, THAT:
 - a. THE HOME HAS NO MORE THAN FIVE RESIDENTS, NOT INCLUDING STAFF (UNLESS PERMITTED BY SECTION 36-582(A), ARIZONA REVISED STATUTES).
 - 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.
- 14. **COMMUNITY RESIDENCE CENTER**, SUBJECT TO A USE PERMIT AND THE FOLLOWING CONDITIONS:
 - a. SUCH CENTER 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.
 - b. NO COMMUNITY RESIDENCE CENTER 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 OR CENTER WITHIN A RESIDENTIAL ZONING DISTRICT.
 - c. DISABILITY ACCOMMODATION FROM THE SPACING REQUIREMENT MAY BE REQUESTED BY AN APPLICANT PER SECTION 701.E.3.
 - d. A MAXIMUM LOT COVERAGE OF 25 PERCENT.
 - e. A MINIMUM OF 100 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED SHALL BE PROVIDED, WHICH MAY BE REDUCED TO 50 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED IN THE R-5 AND R-4A DISTRICTS.
 - f. THE LOT SHALL ONLY HAVE VEHICULAR ACCESS FROM AN ARTERIAL OR COLLECTOR STREET.
- 15. **DEPENDENT CARE FACILITY FOR UP TO SIX DEPENDENTS**, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. RESIDENT DEPENDENTS UNDER THE AGE OF 12 YEARS SHALL NOT BE COUNTED.
 - b. OUTDOOR PLAY AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
 - c. THE EMPLOYEES MUST RESIDE AT THE FACILITY UNLESS A NONRESIDENT EMPLOYEE IS REQUIRED BY THE ARIZONA DEPARTMENT OF HEALTH SERVICES.
- 16. **DEPENDENT CARE FACILITY FOR SEVEN TO 12 DEPENDENTS,** SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 AND SUBJECT TO THE FOLLOWING STANDARDS:
 - a. RESIDENT DEPENDENTS UNDER THE AGE OF 12 YEARS SHALL NOT BE COUNTED WHEN THEY ARE PRESENT ON THE PREMISES.
 - b. OUTDOOR PLAY AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
 - c. HOURS OF OPERATION SHALL BE ONLY BETWEEN 6:00 A.M. AND 10:00 P.M. THESE HOURS MAY BE RESTRICTED AS PART OF THE USE PERMIT APPROVAL.
 - d. NONRESIDENT EMPLOYEES MAY BE PERMITTED WITH THE USE PERMIT IF NECESSARY TO MEET STATE REQUIREMENTS.
 - e. ONE PARKING SPACE SHALL BE PROVIDED FOR EACH EMPLOYEE WHO DOES NOT RESIDE AT THE FACILITY.
 - f. NO SIGNAGE SHALL BE PERMITTED.
 - g. THE FACILITY SHALL BE SUBJECT TO ARIZONA LICENSING REQUIREMENTS.
- 17. **DEPENDENT CARE FACILITY FOR 13 OR MORE DEPENDENTS AND SCHOOLS FOR THE MENTALLY OR PHYSICALLY HANDICAPPED** SUBJECT TO SECURING A USE PERMIT PURSUANT TO SECTION 307.

18. **GROUP HOME**, SUBJECT TO A USE PERMIT AND THE FOLLOWING CONDITIONS:

- a. 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.
- b. NO GROUP 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 GROUP HOME, BOARDING HOUSE, OR COMMUNITY RESIDENCE HOME OR CENTER WITHIN A RESIDENTIAL ZONING DISTRICT.
- c. A MAXIMUM LOT COVERAGE OF 25 PERCENT.
- d. A MINIMUM OF 100 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED SHALL BE PROVIDED, WHICH MAY BE REDUCED TO 50 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED IN THE R-5 AND R-4A DISTRICTS.
- e. THE LOT SHALL ONLY HAVE VEHICULAR ACCESS FROM AN ARTERIAL OR COLLECTOR STREET.

19. **MODEL HOMES AND/OR SUBDIVISION SALES OFFICES** WHEN LOCATED IN MODEL HOMES; PROVIDED THAT:

- a. MODEL HOMES ARE PERMITTED SUBJECT TO THE FOLLOWING:
 - (1) A DEVELOPER OF A SINGLE-FAMILY SUBDIVISION SHALL BE ALLOWED TO BUILD MODEL HOMES PRIOR TO RECORDING A SUBDIVISION PLAT, SUBJECT TO THE PROVISIONS BELOW AND SUBJECT TO SUBMITTING **A** MODEL COMPLEX SITE PLAN WHICH SHALL SHOW THE FOLLOWING INFORMATION FOR EACH MODEL HOME LOT:
 - (2) STREET ADDRESSES FOR EACH MODEL HOME AS ASSIGNED BY THE **WATER SERVICES PLANNING AND DEVELOPMENT** DEPARTMENT.

- (3) FINISHED FLOOR ELEVATIONS FOR EACH MODEL HOME AS ASSIGNED BY THE DIVISION OF ENGINEERING.
- (4) PROPOSED LOTS FOR MODEL HOMES SHALL BE IN CONFORMANCE WITH LOT LINES AS SHOWN ON THE APPROVED PRELIMINARY ~~PLAN PLAT~~.
- (5) EACH MODEL HOME SHALL BE LOCATED ON EACH PROPOSED LOT IN CONFORMANCE WITH YARD REQUIREMENTS OF THE DISTRICT.
- (6) THE FINAL PLAT IS NOT REQUIRED TO HAVE FINAL APPROVAL PRIOR TO OBTAINING PERMITS FOR MODEL HOMES.

- b. MODEL HOMES AND/OR SUBDIVISION SALES OFFICES SHALL BE LOCATED IN A SUBDIVISION OR PORTION THEREOF 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.
- c. 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.
- d. THE TIME LIMIT ALLOWED IN SECTION 608.E.19.C FOR AN ADDITIONAL 36 MONTHS SHALL BE EXTENDED ONLY UPON SECURING A USE PERMIT.

- e. 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 608.E.19.C OR UPON EXPIRATION OF THE EXTENSION GRANTED BY THE ZONING ADMINISTRATOR PURSUANT TO SECTION 608.E.19.D, OR AFTER SIX MONTHS FOLLOWING SALE OR OCCUPANCY OF ALL LOTS IN THE SUBDIVISION OTHER THAN THE MODEL HOMES, WHICHEVER COMES 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 400 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.
- f. FOR THE PURPOSES OF SECTION 608.E.19.C AND D, THE TERM "SUBDIVISION" SHALL MEAN ALL THE LAND INCLUDED WITHIN THE PRELIMINARY PLAT SUBMITTED TO THE PLANNING AND DEVELOPMENT DEPARTMENT.
- g. 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 608.E.19.A.
- h. MODULAR SUBDIVISION SALES OFFICE, SUBJECT TO THE FOLLOWING CRITERIA:

- (1) THE STRUCTURE SHALL BE INTEGRATED WITH, ARCHITECTURALLY COMPATIBLE TO, AND BLEND IN COLOR TO THE MODEL HOMES APPROVED FOR THE SUBDIVISION, AS DETERMINED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- (2) MODULAR SUBDIVISION SALES OFFICES SHALL BE PERMITTED FOR A PERIOD NOT TO EXCEED 36 MONTHS FROM THE DATE OF APPROVAL FOR THE SALES OFFICES.
- (3) THE TIME LIMIT ALLOWED IN SECTION 608.E.19.H(2) FOR AN ADDITIONAL 36 MONTHS SHALL BE EXTENDED ONLY UPON SECURING A USE PERMIT.
- (4) THE MODULAR SUBDIVISION SALES OFFICE SHALL BE REMOVED ON OR BEFORE THE TERMINATION DATE SET FORTH IN SECTION 608.E.19.H(2) OR UPON EXPIRATION OF THE EXTENSION GRANTED BY THE ZONING ADMINISTRATOR OR AFTER SIX MONTHS FOLLOWING SALE OR OCCUPANCY OF ALL LOTS IN THE SUBDIVISION OTHER THAN THE MODEL HOMES, WHICHEVER COMES FIRST.
- (5) FOR THE PURPOSES OF THIS SECTION, THE TERM "SUBDIVISION" SHALL MEAN ALL OF THE LAND INCLUDED WITHIN THE PRELIMINARY PLAT SUBMITTED TO THE PLANNING AND DEVELOPMENT DEPARTMENT.
- (6) PRIOR TO ISSUANCE OF ANY SALES OFFICE PERMITS, A SITE PLAN SHALL BE APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT FOR VERIFICATION OF SETBACK CONFORMANCE.
- (7) TWO SIGNS ARE PERMITTED. SIGNS SHALL NOT EXCEED A COMBINED TOTAL OF 32 SQUARE FEET.
- (8) ONE SALES OFFICE SHALL BE PERMITTED FOR EACH MODEL HOME COMPLEX ALLOWED IN ACCORDANCE WITH SECTION 608.E.19.I.

i. 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 400 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 DUST PROOFED.
- (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.

20. **PUBLIC UTILITY BUILDINGS AND FACILITIES** WHEN NECESSARY FOR SERVING THE SURROUNDING TERRITORY; PROVIDED, THAT NO PUBLIC BUSINESS OFFICES AND NO REPAIR OR STORAGE FACILITIES ARE MAINTAINED THEREIN, ARE PERMITTED IN EACH DISTRICT.
21. **CHURCHES OR SIMILAR PLACES OF WORSHIP**, INCLUDING PARISH HOUSES, PARSONAGES, RECTORIES, AND CONVENTS AND DORMITORIES WITH NO MORE THAN TEN RESIDENTS ACCESSORY THERETO, ARE PERMITTED IN EACH DISTRICT, EXCEPT TEMPORARY TENTS OR BUILDINGS. ATHLETIC ACTIVITIES IN CONJUNCTION WITH THE ABOVE AND ON THE SAME LOT OR CONTIGUOUS LOTS MAY BE PERMITTED. ALL CHURCH USES ARE ALSO CONSIDERED "PUBLIC ASSEMBLY—RESIDENTIAL", AND ARE SUBJECT TO SECTION 608.E.22.

a. BINGO MAY BE OPERATED AS AN ACCESSORY USE ON THE PREMISES OF THE CHURCH WHEN CONDUCTED NO MORE THAN TWO DAYS A WEEK. FUNDRAISING EVENTS LOCATED ON THE SAME LOT OR CONTIGUOUS LOTS SHALL BE PERMITTED, SUBJECT TO THE FOLLOWING REQUIREMENTS:

- (1) THE SPONSORING, ORGANIZING AND BENEFITING ENTITIES SHALL BE NONPROFIT OR RELIGIOUS ORGANIZATIONS.

b. EVENTS HELD ENTIRELY WITHIN A BUILDING OR BUILDINGS SHALL NOT BE FURTHER REGULATED; HOWEVER, EVENTS TO BE CONDUCTED WHOLLY OR IN PART OUTDOORS SHALL BE SUBJECT TO THE FOLLOWING ADDITIONAL CONDITIONS:

- (1) ANY OUTDOOR PORTION OF THE EVENT MUST BE LOCATED A MINIMUM OF 50 FEET FROM A PROPERTY LINE ADJACENT TO A RESIDENTIAL ZONING DISTRICT AND A RESIDENTIAL USE.
- (2) THE EVENT SHALL NOT BE CONDUCTED BETWEEN THE HOURS OF 10:00 P.M. AND 5:00 A.M.
- (3) THE EVENT SHALL NOT BE CONDUCTED IN SUCH MANNER AS TO REDUCE THE NUMBER OF PARKING SPACES REQUIRED FOR ANY NORMAL FUNCTIONS OF THE PRIMARY USE WHICH ARE HELD DURING THE EVENT.
- (4) LIGHTING SHALL BE SO PLACED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENCES.

c. **POCKET SHELTERS** AS ACCESSORY USES TO CHURCHES OR SIMILAR PLACES OF WORSHIP, SUBJECT TO THE FOLLOWING STANDARDS (AND APPLICABLE MARICOPA COUNTY AND CITY OF PHOENIX HEALTH AND SAFETY REGULATIONS):

- (1) A POCKET SHELTER SHALL HOUSE NO MORE THAN 12 UNRELATED PERSONS. A POCKET SHELTER MAY HOUSE UP TO 20 UNRELATED PERSONS UPON APPROVAL OF A USE PERMIT IN ACCORDANCE WITH THE PROCEDURES AND STANDARDS OF SECTION 307. MINORS (AGE 18 YEARS OR YOUNGER) ACCOMPANIED BY A PARENT OR A GUARDIAN SHALL NOT BE COUNTED IN THE NUMBER OF UNRELATED PERSONS.
- (2) THE CHURCH OR SIMILAR PLACE OF WORSHIP SHALL BE LOCATED ON AN ARTERIAL OR COLLECTOR STREET AS DEFINED ON THE STREET CLASSIFICATION MAP. A SHELTER AT A CHURCH OR SIMILAR PLACE OF WORSHIP WHICH IS NOT ON AN ARTERIAL OR COLLECTOR STREET SHALL BE PERMITTED UPON APPROVAL OF A USE PERMIT IN ACCORDANCE WITH THE PROCEDURES AND PROVISIONS OF SECTION 307.
- (3) THE CHURCH OR SIMILAR PLACE OF WORSHIP SHALL PROVIDE ON-SITE SUPERVISION OF SHELTER RESIDENTS AT ALL TIMES THAT TWO OR MORE UNRELATED RESIDENTS ARE AT THE SHELTER.
- (4) IDRUG, ALCOHOL, OTHER SUBSTANCE ABUSE, OR MENTAL HEALTH REHABILITATION PROGRAMS SHALL NOT BE ALLOWED AS PART OF THE SHELTER SERVICES. THIS PROVISION SHALL NOT PREVENT THE CHURCH OR SIMILAR PLACE OF WORSHIP FROM REFERRING SHELTER RESIDENTS TO OTHER APPROPRIATE PROGRAMS AT THE CHURCH OR SIMILAR PLACE OF WORSHIP OR ELSEWHERE, E.G., ALCOHOLICS ANONYMOUS, WHICH ARE NOT PART OF THE SHELTER SERVICES.
- (5) SHELTER RESIDENTS SHALL NOT POSSESS ALCOHOL, WEAPONS, OR ILLEGAL DRUGS AT THE SHELTER.
- (6) OPEN AREAS SURROUNDING POCKET SHELTER STRUCTURES SHALL BE SCREENED FROM VIEW FROM ABUTTING AND/OR ADJOINING PROPERTIES BY HEDGES, TREES, OTHER LANDSCAPING, OR WALLS.

- (7) POCKET SHELTER STRUCTURES SHALL NOT HAVE DIRECT ACCESS TO ABUTTING AND/OR ADJOINING PROPERTIES.
 - (8) POCKET SHELTERS SHALL BE HOUSED IN PERMANENT STRUCTURES RATHER THAN IN TENTS OR OTHER SIMILAR TEMPORARY STRUCTURES.
 - (9) A CHURCH OR SIMILAR PLACE OF WORSHIP SHALL HOUSE NO MORE THAN ONE POCKET SHELTER.
- 22. **PUBLIC ASSEMBLY—RESIDENTIAL.** A USE PERMIT SHALL BE REQUIRED FOR ALL PUBLIC ASSEMBLY—RESIDENTIAL USES HAVING VEHICULAR ACCESS TO LOCAL OR MINOR COLLECTOR STREETS, INCLUDING PRIVATE SCHOOLS AND CHURCH USES.
- 23. **ENVIRONMENTAL REMEDIATION FACILITY,** SUBJECT TO THE FOLLOWING CONDITIONS:
 - a. A USE PERMIT SHALL BE OBTAINED IN ACCORDANCE WITH SECTION 307.
 - b. THE ABOVE GROUND AREA OF LAND OCCUPIED BY THE ENVIRONMENTAL REMEDIATION FACILITY SHALL NOT EXCEED THE MINIMUM NUMBER OF SQUARE FEET NECESSARY TO IMPLEMENT THE REMEDIAL OR CORRECTIVE ACTION.
 - c. ALL STRUCTURES AND DEVICES CONSTRUCTED ABOVE GROUND LEVEL SHALL BE SHIELDED FROM THE VIEW OF PERSONS OUTSIDE THE PROPERTY BOUNDARY BY AN OPAQUE FENCE CONSTRUCTED OF MATERIALS OF SIMILAR COMPOSITION AND APPEARANCE TO FENCES AND STRUCTURES ON NEARBY PROPERTY.
 - d. OUTDOOR EQUIPMENT INSTALLED AS PART OF THE FINAL ENVIRONMENTAL REMEDIATION FACILITY SHALL NOT EXCEED A HEIGHT OF TEN FEET AND SHALL BE SET BACK FROM THE PERIMETER WALL A MINIMUM OF THREE FEET FOR EVERY ONE FOOT OF HEIGHT OVER SIX FEET.
 - e. AFTER INSTALLATION, NO EQUIPMENT OR MATERIALS BEYOND THAT NECESSARY TO OPERATE THE FACILITY SHALL BE STORED ON THE LOT.

- f. A PERIMETER LANDSCAPING PLAN SHALL BE APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AS NECESSARY UNLESS AN APPLICABLE APPROVED LANDSCAPE PLAN ALREADY EXISTS.
 - g. ANY LIGHTING SHALL BE PLACED SO AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL DISTRICTS. NOISE, ODOR, OR VIBRATION SHALL NOT BE EMITTED ANY TIME BY THE FACILITY SO THAT IT EXCEEDS THE GENERAL LEVEL OF NOISE, ODOR, OR VIBRATION EMITTED BY USES OUTSIDE THE SITE. SUCH COMPARISON SHALL BE MADE AT THE BOUNDARY OF THE LOT ON WHICH THE TREATMENT FACILITY IS LOCATED.
 - h. THE FACILITY SHALL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE FIRE CODE.
 - i. A PERMIT ISSUED UNDER SECTION 307 SHALL INCLUDE REASONABLE RESTRICTIONS ON THE OPERATION OF THE FACILITY TO MITIGATE ANY ADVERSE IMPACTS ON NEARBY LAND, INCLUDING BUT NOT LIMITED TO RESTRICTIONS ON VEHICULAR TRAFFIC AND HOURS OF OPERATION OF THE FACILITY.
 - j. THIS SECTION ALLOWS AUTHORIZATION OF ACTIVITIES TO UNDERTAKE ALL ON-SITE INVESTIGATIVE, CONSTRUCTION, AND MAINTENANCE ACTIVITIES ANCILLARY TO THE OPERATION OF THE FACILITY. ALL OFF-SITE DISCHARGES OF ANY SUBSTANCE SHALL BE SEPARATELY AUTHORIZED PURSUANT TO APPLICABLE LAWS.
 - k. THE STRUCTURES USED FOR THE FACILITY SHALL NOT EXCEED A TOTAL AREA OF 5,000 SQUARE FEET.
24. **COMMUNITY GARDEN.** ACCESSORY SALES OF PRODUCTS CULTIVATED ON SITE WITHIN TEN DAYS OF HARVESTING SUBJECT TO APPROVAL OF A USE PERMIT PURSUANT TO SECTION 307. ON-SITE OPERATIONAL CONDITIONS AND IMPROVEMENTS MAY BE STIPULATED AS A CONDITION OF USE PERMIT APPROVAL.

25. **FARMERS MARKET**, SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 AND SUBJECT TO THE FOLLOWING STANDARDS: **FARMERS MARKET, SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 AND SUBJECT TO THE FOLLOWING STANDARDS:**
- a. NO MORE THAN SIX ONE-DAY MARKET EVENTS IN ANY 30-DAY PERIOD.
 - b. HOURS OF OPERATION SHALL BE ONLY BETWEEN 7:00 A.M. AND 9:00 P.M. THESE HOURS MAY BE RESTRICTED AS PART OF THE USE PERMIT APPROVAL.
 - c. NO SIGNAGE SHALL BE PERMITTED.
 - d. ON-SITE IMPROVEMENTS AND OTHER OPERATIONAL CONDITIONS MAY BE STIPULATED AS A CONDITION OF USE PERMIT APPROVAL.
26. **CONSTRUCTION FACILITIES AND STORAGE**, INCIDENTAL TO A CONSTRUCTION PROJECT AND LOCATED ON THE PROJECT SITE, ARE PERMITTED. WHEN SUCH FACILITIES OR STORAGE ARE USED FOR CONSTRUCTION ON A LOT OR LOTS OTHER THAN THE LOT OR LOTS USED FOR SUCH FACILITIES OR STORAGE, SUCH USE SHALL MAINTAIN THE SETBACKS PROVIDED BY THE REQUIREMENTS OF THIS CHAPTER AND SHALL BE SUBJECT TO SECURING A USE PERMIT. WHEN SUCH FACILITIES AND STORAGE SERVE A RESIDENTIAL SUBDIVISION, ARE APPROVED IN CONJUNCTION WITH MODEL HOMES BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND MEET ALL OF THE STANDARDS LISTED BELOW, NO USE PERMIT IS REQUIRED:
- a. THE FACILITIES SHALL NOT BE PLACED ON A LOT WHICH ABUTS, JOINS AT THE CORNERS, OR IS ACROSS A STREET OR ALLEY FROM A DWELLING UNIT WHICH IS UNDER CONSTRUCTION OR OCCUPIED AT THE TIME OF SAID PLACEMENT, UNLESS WRITTEN AGREEMENT TO THE PLACEMENT IS GIVEN BY THE OWNER OR OCCUPANT OF THE AFFECTED PROPERTY.
 - b. ALL OUTSIDE STORAGE SHALL BE SCREENED BY A SIX-FOOT-HIGH SOLID FENCE OR MASONRY WALL. NO CONSTRUCTION

VEHICLES OR MACHINERY SHALL BE PLACED WITHIN TEN FEET OF THE SCREEN FENCE OR WALL.

c. ALL SIGNS ON THE FACILITY SHALL FULLY COMPLY WITH SECTION 705, THE SIGN CODE.

d. ALL FACILITIES AND STORAGE SHALL BE REMOVED WITHIN THREE MONTHS OF THE CLOSURE OF THE MODEL HOMES.

27. **HOME OCCUPATIONS** INCLUDING BUT NOT LIMITED TO ARCHITECT, LAWYER, OFF-SITE SALES BUSINESSES, ACCOUNTANT, REAL ESTATE AGENT, TELEMARKETING SALES, AND PSYCHOLOGIST. FOR PURPOSES OF THIS SECTION, OFF-SITE SALES MEANS PROCESSING ORDERS BY MAIL, FACSIMILE, PHONE, MODEM OR INTERNET.

a. NO ONE OUTSIDE THE FAMILY RESIDING IN THE DWELLING UNIT SHALL BE EMPLOYED IN THE HOME OCCUPATION.

b. NO EXTERIOR DISPLAY, NO EXTERIOR STORAGE OF MATERIALS, NO SIGN, AND NO OTHER EXTERIOR INDICATION OF THE HOME OCCUPATION OR VARIATION FROM THE RESIDENTIAL CHARACTER OF THE PRINCIPAL OR ACCESSORY BUILDING, EXCEPT AS AUTHORIZED IN SECTION **608.E.3.H.608.E.27.h.**

c. NO HOME OCCUPATION SHALL EMIT ODOR, DUST, GAS, NOISE, VIBRATION, SMOKE, HEAT, OR GLARE BEYOND ANY BOUNDARY OF THE LOT ON WHICH THE HOME OCCUPATION IS CONDUCTED.

d. ACTIVITY SHALL BE LIMITED TO THE HOURS BETWEEN 7:00 A.M. AND 10:00 P.M.

e. NO MECHANICAL EQUIPMENT SHALL BE USED EXCEPT THAT NORMALLY USED FOR DOMESTIC, HOBBY, STANDARD OFFICE, OR HOUSEHOLD PURPOSES.

f. NOT MORE THAN 25 PERCENT OF THE TOTAL AREA UNDER ROOF ON THE SITE SHALL BE USED FOR ANY HOME OCCUPATION.

- g. ANY PARKING INCIDENTAL TO THE HOME OCCUPATION SHALL BE PROVIDED ON THE SITE.
- h. HOME OCCUPATIONS SHALL OBTAIN A USE PERMIT FROM THE ZONING ADMINISTRATOR IN ACCORDANCE WITH SECTION 307 WHEN:

 - (1) TRAFFIC (OTHER THAN TRIPS BY OCCUPANTS OF THE HOUSEHOLD) IS GENERATED BY THE HOME OCCUPATION; OR
 - (2) THE HOME OCCUPATION IS CONDUCTED IN AN ACCESSORY BUILDING, INCLUDING AN ADU; OR
 - (3) THE HOME OCCUPATION IS CONDUCTED AS AN OUTSIDE USE; OR
 - (4) MINOR VARIATIONS TO SECTION 608.E.3.C ARE REQUIRED TO CONDUCT THE HOME OCCUPATION; OR
 - (5) AN APPLICANT DESIRES AN OFFICIAL APPROVAL OF A HOME OCCUPATION.
- i. A HOME OCCUPATION SHALL NOT INCLUDE, BUT SUCH EXCLUSION SHALL NOT BE LIMITED TO, THE FOLLOWING USES:

 - (1) BARBERSHOPS AND BEAUTY PARLORS.
 - (2) COMMERCIAL STABLES, VETERINARY OFFICES.
 - (3) DOG GROOMING.
 - (4) MASSAGE PARLORS.
 - (5) RESTAURANTS.
 - (6) VETERINARY HOSPITALS AND COMMERCIAL KENNELS.

28. **NONDAILY NEWSPAPER DELIVERY SERVICE** SHALL BE PERMITTED SUBJECT TO THE FOLLOWING LIMITATIONS:

- a. DELIVERED BULK MATERIALS RELATED TO NONDAILY PUBLICATIONS SHALL BE TRANSFERRED TO AN ENCLOSED BUILDING OR SECURED AREA SO THAT MATERIALS ARE NOT VISIBLE FROM THE STREET OR ADJACENT PROPERTIES UNLESS FOR PREPARATION OF MATERIALS FOR SAME DAY DISTRIBUTION. PREPARATION OF MATERIALS FOR SAME DAY DISTRIBUTION MAY OCCUR ON OR ABOUT ADJACENT PUBLIC RIGHTS-OF-WAY; PROVIDED, THAT MATERIALS DO NOT REMAIN IN PUBLIC VIEW FOR LONGER THAN 24 HOURS.
 - b. MATERIALS STORED FOR PERIODS GREATER THAN 24 HOURS SHALL BE ENCLOSED WITHIN A BUILDING OR SECURED BY A WALL OR FENCE OF SUCH MATERIAL, CONSTRUCTION, AND HEIGHT SO AS TO CONCEAL THE MATERIALS LOCATED.
 - c. ACTIVITIES RELATING TO AND/OR ACCESSORY TO THE PREPARATION OF MATERIALS STORED FOR PERIODS GREATER THAN 24 HOURS SHALL OCCUR WITHIN AN ENCLOSED BUILDING OR AN AREA SECURED BY A WALL OR FENCE OF SUCH MATERIAL, CONSTRUCTION, AND HEIGHT SO AS TO COMPLETELY CONCEAL THE ACTIVITIES.
 - d. SUCH DELIVERY SHALL BE LIMITED TO TWO BULK DELIVERIES IN A SEVEN-DAY PERIOD. MORE FREQUENT DELIVERIES SHALL REQUIRE A USE PERMIT IN ACCORDANCE WITH THE PROCEDURES OF SECTION 307.
 - e. NO TRAFFIC OTHER THAN THAT REQUIRED FOR THE BULK DELIVERY AND PICKUP SHALL BE ALLOWED BY OUTSIDE EMPLOYEES. ANY OTHER BUSINESS-RELATED TRAFFIC SHALL REQUIRE A USE PERMIT IN ACCORDANCE WITH THE PROCEDURES OF SECTION 307.
- 29. **THE DISPLAY FOR SALE OF A VEHICLE**, WHICH FOR PURPOSES OF THIS PROVISION INCLUDES TRAILERS, WATERCRAFT OR OTHER TYPES OF TRANSPORTATION THAT ARE BUILT TO CARRY PASSENGERS OR CARGO SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS:
 - a. NO MORE THAN ONE VEHICLE CAN BE LABELED FOR SALE OR SHOW ANY INDICATION THAT IT IS FOR SALE AT ANY GIVEN TIME ON A PROPERTY, WHETHER VISIBLE ON SITE OR THROUGH SOME OTHER FORM OF ADVERTISING.

- b. NO MORE THAN TWO VEHICLES CAN BE SOLD ON A PROPERTY DURING ANY CALENDAR YEAR.
 - c. FOR PURPOSES OF SECTIONS 608.A AND B, TWO JET SKIS, A BOAT OR SIMILAR TYPES OF RECREATIONAL VEHICLES THAT ARE TRANSPORTED ON ONE TRAILER SHALL, TOGETHER WITH THE TRAILER, BE CONSIDERED ONE VEHICLE.
 - d. THE OWNERSHIP OF THE VEHICLE(S) MUST BE REGISTERED TO THE LOCATION WHERE THE VEHICLE IS LISTED FOR SALE.
 - e. NO VEHICLE CAN BE LABELED FOR SALE OR SHOW ANY INDICATION THAT IT IS FOR SALE AT AN UNOCCUPIED HOUSE OR ON A VACANT LOT OR PARCEL.
 - f. NO VEHICLE CAN BE LABELED FOR SALE OR SHOW ANY INDICATION THAT IT IS FOR SALE IN CONJUNCTION WITH A RETAIL OR WHOLESALE VEHICLE SALES DEALERSHIP OR BUSINESS WITHOUT OBTAINING A TEMPORARY USE PERMIT.
- 30. **FACILITIES FOR HOUSEHOLD PETS**, THE MAINTENANCE OF WHICH IS NOT OTHERWISE PROHIBITED BY STATUTE, REGULATIONS, OR THE CITY CODE OF THE CITY OF PHOENIX AND WHICH FACILITIES ARE IN COMPLIANCE WITH ALL APPLICABLE ORDINANCES OF THE CITY OF PHOENIX, ARE PERMITTED.
 - 31. **GARAGE OR YARD SALES** MAY BE CONDUCTED TWICE EVERY 12 MONTHS ON ANY RESIDENTIALLY ZONED PROPERTY OCCUPIED BY A DWELLING UNIT. ANY SALE SHALL NOT EXCEED THE TIME PERIOD OF THREE CONSECUTIVE DAYS.
 - 32. **MATERIALS USED IN CONJUNCTION WITH A HOBBY, AVOCATION, OR PASTIME**, THE USE OF WHICH DOES NOT OTHERWISE CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE, ARE PERMITTED.
 - 33. **PARKING OF VEHICLES** IN FACILITIES AND LOCATIONS ON THE PROPERTY NOT OTHERWISE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE, IS PERMITTED.
 - 34. **PRIVATE TENNIS OR OUTDOOR GAME COURTS** AS AN ACCESSORY USE IS PERMITTED. TENNIS OR OUTDOOR GAME COURT FENCES OVER SIX FEET HIGH IN REQUIRED REAR YARD OR REQUIRED SIDE

YARD ARE PERMITTED SUBJECT TO A USE PERMIT. TENNIS OR OUTDOOR GAME COURT LIGHTS ARE ALSO SUBJECT TO A USE PERMIT.

35. **OFFSITE MANUFACTURED HOME DEVELOPMENTS** ARE PERMITTED WITH USE PERMIT APPROVAL PER SECTION 307, AND SUBJECT TO THE DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.7.

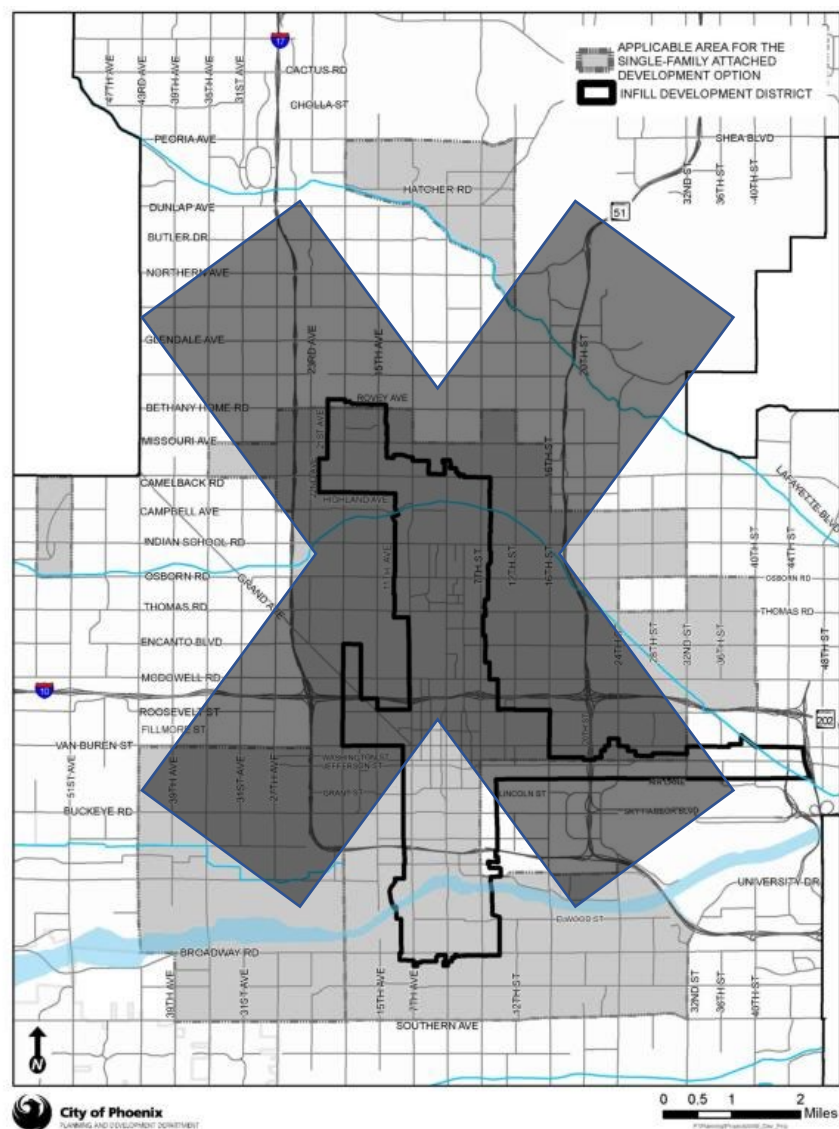
Amend Chapter 6, Section 608.F (Residence Districts—Permitted with Use Permit Approval Pursuant to Section 307) to read as follows:

~~F. Permitted Uses with Use Permit Approval Pursuant to Section 307.~~

- ~~1. Boarding house permitted in the R-3, R-3A, R-4, R-4A, and R-5 zoning districts, subject to a use permit and conditions as outlined in each respective zoning district.~~
- ~~2. Group home permitted in the R-3, R-3A, R-4, R-4A, and R-5 zoning districts, subject to a use permit and conditions as outlined in each respective zoning district.~~
- ~~3. Adult day care home for the care of five to ten adult persons, subject to a use permit; and provided, that:~~
 - ~~a. Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
- ~~4. Dependent care facility for seven to 12 dependents, subject to obtaining a use permit in accordance with the provisions of Section 307 and subject to the following standards:~~
 - ~~a. Resident dependents under the age of 12 years shall not be counted when they are present on the premises.~~
 - ~~b. Outdoor play areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
 - ~~c. Hours of operation shall be only between 6:00 a.m. and 10:00 p.m. These hours may be restricted as part of the use permit approval.~~

- d. ~~Nonresident employees may be permitted with the use permit if necessary to meet state requirements.~~
- e. ~~One parking space shall be provided for each employee who does not reside at the facility.~~
- f. ~~No signage shall be permitted.~~
- g. ~~The facility shall be subject to Arizona licensing requirements.~~
- 5. ~~Environmental remediation facility, subject to the following conditions:~~
 - a. ~~A use permit shall be obtained in accordance with Section 307.~~
 - b. ~~The above ground area of land occupied by the environmental remediation facility shall not exceed the minimum number of square feet necessary to implement the remedial or corrective action.~~
 - c. ~~All structures and devices constructed above ground level shall be shielded from the view of persons outside the property boundary by an opaque fence constructed of materials of similar composition and appearance to fences and structures on nearby property.~~
 - d. ~~Outdoor equipment installed as part of the final environmental remediation facility shall not exceed a height of ten feet and shall be set back from the perimeter wall a minimum of three feet for every one foot of height over six feet.~~
 - e. ~~After installation, no equipment or materials beyond that necessary to operate the facility shall be stored on the lot.~~
 - f. ~~A perimeter landscaping plan shall be approved by the Planning and Development Department as necessary unless an applicable approved landscape plan already exists.~~
 - g. ~~Any lighting shall be placed so as to reflect the light away from adjacent residential districts. Noise, odor, or vibration shall not be emitted any time by the facility so that it exceeds the general level of noise, odor, or vibration emitted by uses outside the site. Such comparison shall be made at the boundary of the lot on which the treatment facility is located.~~

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- a. The SFA development option does not eliminate any redevelopment area, special planning district or overlays. Where conflicts occur between the requirements of the SFA development option and redevelopment areas, overlay zoning districts, special planning districts, and specific plans, the requirements of the overlay zoning districts, special planning districts, redevelopment areas or specific plans shall apply.

Historic preservation designated properties or properties in historic preservation districts cannot use the single-family attached development option.

- b. ~~Design Requirements. Applicants must provide photographs of the property surrounding their site and an explanation of how the single-family attached project architecture would complement and be integrated into the surrounding neighborhood.~~
 - (1) ~~Individual units fronting on street rights-of-way shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall to accentuate the primary entrance.~~
 - (2) ~~Required covered parking spaces shall not front on street rights-of-way.~~
- c. ~~Perimeter Landscape Setbacks and Requirements.~~
 - (1) ~~Residences that front on arterial, collector, or local street rights-of-way shall provide a minimum ten-foot wide landscape tract or community maintained landscaping abutting the street, except when within 2,000 feet of a light rail station.~~
 - (2) ~~Residences that side on arterial, collector, or local street rights-of-way shall provide a minimum 15-foot wide landscape tract or community maintained landscaping abutting the street.~~
 - (3) ~~Perimeter of the development not abutting rights-of-way must provide a minimum five-foot landscape setback, except that development adjacent to a single-family residential district or historic preservation designated property must provide a minimum ten-foot landscape setback.~~
 - (4) ~~Minimum trees spaced 20 feet on center or equivalent groupings in required landscape setbacks.~~

~~Minimum one and one-half inch caliper (50 percent of required trees). Minimum two-inch caliper or multi-trunk tree (25 percent of required trees). Minimum three-inch caliper or multi-trunk tree (25 percent of required trees). Provide minimum five five-gallon shrubs per tree.~~
- d. ~~Open Space. Only fences to enclose pool or community amenities allowed within required open space.~~

- e. ~~Attached single-family units in a row shall not exceed a total length of 200 feet without having a minimum 20-foot wide open area.~~
- f. ~~Parking Requirements.~~
 - (1) ~~Within infill development district: 1.3 spaces per efficiency unit, 1.5 spaces per two-bedroom unit and two spaces per three or more bedroom unit must be provided that are covered or located within a garage and a minimum 0.25 unreserved guest parking space per unit must be provided on site.~~
 - (2) ~~Within the applicable area that is not located within the infill development district: Two parking spaces per dwelling unit must be provided that are covered or located within a garage. The required spaces for each unit must be located on the lot that the unit is on. A minimum 0.25 unreserved guest parking space per unit must be provided on site.~~
- g. ~~Alley Access.~~
 - (1) ~~Within infill development district: alley access allowed.~~
 - (2) ~~Within the applicable area that is not located within the infill development district: No alley access allowed if adjacent to single-family or historic preservation zoning district unless approved as part of the use permit hearing and all necessary technical appeals have been approved.~~
- h. ~~Maximum 40-inch fence height allowed in the required building setback along perimeter rights-of-way.~~
- i. ~~Signage subject to the regulations of Section 705, Table D-1, Single-Family Residential.~~

9. **~~Offsite manufactured home developments.~~**

- A. ~~Offsite manufactured home development is allowed R-2, R-3, R-3A, R-4, R-5, R-4A, C-1, C-2, and C-3 zoning districts subject to a use permit and the conditions outlined below:~~
 - (1) ~~Placement for each offsite manufactured home shall be provided as follows:~~

- (a) ~~There shall be a minimum of twenty feet between offsite manufactured homes and ten feet between awnings and canopies. All annexes or structural additions shall be considered part of the offsite manufactured home.~~
- (b) ~~There shall be at least forty feet between offsite manufactured homes on opposite sides of a private accessway.~~
- (c) ~~No offsite manufactured home, annex or structural addition shall be closer than eight feet to any private accessway or private drive.~~
- (2) ~~Each offsite manufactured home space shall have private outdoor living space of at least 150 square feet. The dimension of this space shall be at least fifteen feet in width.~~
- (3) ~~For each occupied offsite manufactured home space, there shall be an enclosed storage locker for yard tools and other bulky items convenient to the space with a storage capacity of at least one hundred fifty cubic feet.~~
- (4) ~~All areas not covered by structures or paved surfaces shall be landscaped and maintained in accordance with the site plans required under Section 507.~~
- (5) ~~Screening the perimeter of an offsite manufactured home development by a wall or other approved material may be required.~~
- (6) ~~There shall be a network of pedestrian walks connecting offsite manufactured home spaces with each other and with development facilities.~~
- (7) ~~If storage yards are provided, there shall be a screened storage yard or yards for boats, recreational vehicles, etc. Such storage yards shall have a minimum of sixty square feet of storage space for each offsite manufactured home space in the development and shall be located so as to not detract from surrounding properties. All boats and recreational vehicles shall be parked in the storage yard.~~

- (8) ~~Each offsite manufactured home shall a): be affixed permanently to the ground or b): have "skirting" around its perimeter to screen its wheels and undercarriage.~~
- (9) ~~All utilities and the wires of any central television or radio antenna system shall be underground.~~
- (10) ~~Not more than fifteen percent of the spaces in any one offsite manufactured home development shall be developed or used for recreational vehicles.~~
- (11) ~~Development of offsite manufactured home communities shall be under the Planned Residential Development option of the underlying zoning district.~~
- (12) ~~Private drives may be used for access to each offsite manufactured homes only when there is no subdivision of the mobile home development into individual lots.~~
- (13) ~~There shall be a minimum of five percent of the total area of the offsite manufactured home development dedicated or reserved as usable common "open space" land. Common "open space" lands shall be clearly designated on the plan as to the character of use and development but shall not include:~~
 - (a) ~~Areas reserved for the exclusive use or benefit of an individual tenant or owner; nor~~
 - (b) ~~Dedicated streets, alleys, and other public rights-of-way; nor~~
 - (c) ~~Vehicular drives, parking, loading, and storage areas; nor~~
 - (d) ~~Required setback areas at exterior boundaries of the site; nor~~
 - (e) ~~Golf courses.~~

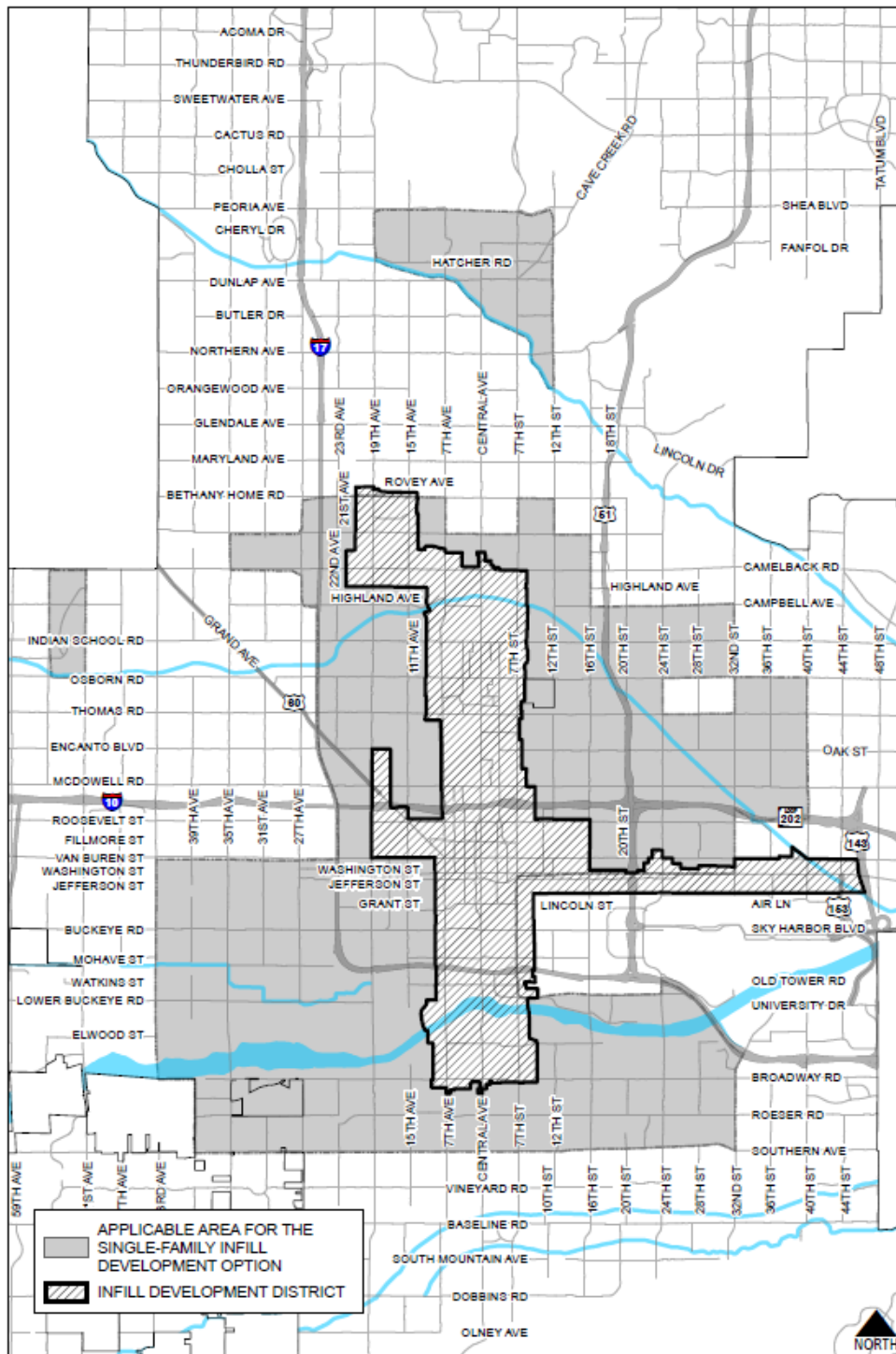
~~Adequate guarantees must be provided to ensure permanent retention of "open space" land area resulting from the application of these regulations, either by private reservation for the use of the residents within the development or by dedication to the public, or a combination thereof.~~

F. SPECIAL REGULATIONS

1. NO STRUCTURE MAY BE BUILT ON A LOT WHICH DOES NOT FRONT ON A STREET WHICH IS IN ACCORDANCE WITH THE ADOPTED STREET CLASSIFICATION MAP UNLESS EXEMPTED BY THIS SECTION.
2. IN ANY DISTRICT WHERE A HALF STREET NOT LESS THAN ONE-HALF OF THAT WIDTH PRESCRIBED FOR THAT STREET BY THE STREET CLASSIFICATION MAP, AND AMENDMENTS THERETO, HAS BEEN DEDICATED, ANY LOTS FACING OR SIDING ON SUCH HALF STREET FROM WHICH SIDE THE REQUIRED WIDTH OF DEDICATION HAS BEEN MADE SHALL BE DEEMED TO HAVE FRONTAGE ON A STREET.
3. NO PERMIT SHALL BE ISSUED FOR BUILDINGS ON A LOT FRONTING ON A HALF STREET OF LESS THAN THAT PRESCRIBED BY THE STREET CLASSIFICATION MAP FOR AN ARTERIAL OR COLLECTOR STREET OR 25 FEET FOR ALL OTHER STREETS EXCEPT FOR SINGLE-FAMILY ATTACHED DEVELOPMENT INDIVIDUAL DWELLING UNITS.
 - a. FOR DEVELOPMENT UTILIZING AN AVERAGE LOT OR PRD DEVELOPMENT OPTION OR FOR DEVELOPMENT BUILT UNDER A PLANNED AREA DEVELOPMENT DISTRICT, A MINIMUM OF 16.58-FOOT HALF-STREET RIGHT-OF-WAY MAY BE PROVIDED WHEN ALL OF THE FOLLOWING CONDITIONS ARE MET:
 - (1) THE STREET IS NOT DESIGNATED AS A COLLECTOR OR ARTERIAL STREET.
 - (2) THERE ARE NO RESTRICTIONS TO PUBLIC ACCESS TO THE STREET.
 - (3) PAVEMENT WIDTH SHALL BE 33.16 FEET FROM BACK OF CURB TO BACK OF CURB.

- (4) PAVEMENT THICKNESS AND DESIGN SHALL BE IN ACCORDANCE WITH MARICOPA ASSOCIATION OF GOVERNMENTS' STANDARDS.
 - (5) ALL TERMINATIONS SHALL CONTAIN A 40-FOOT-RADIUS RIGHT-OF-WAY.
 - (6) THE STREET HAS BEEN CONSTRUCTED PRIOR TO MARCH 19, 1986.
- 4. THERE SHALL BE NO OUTDOOR STORAGE OF PERSONAL PROPERTY VISIBLE BEYOND THE BOUNDARIES OF THE PROPERTY WITHIN ANY FRONT OR SIDE YARD.
- 5. NO ACCESSORY USE SHALL INCLUDE OUTDOOR DISPLAY OR STORAGE OF ANY OF THE FOLLOWING LISTED ITEMS WHEN SUCH ITEMS ARE VISIBLE OR EMIT ODOR, DUST, GAS, NOISE, VIBRATION, SMOKE, HEAT OR GLARE BEYOND ANY BOUNDARY OF THE LOT ON WHICH SUCH ITEMS ARE DISPLAYED OR STORED:
 - a. ANY BUILDING OR LANDSCAPING MATERIALS.
 - b. ANY MACHINERY, PARTS, SCRAP, OR APPLIANCES.
 - c. VEHICLES WHICH ARE UNLICENSED, INOPERABLE, OR REGISTERED TO OR OWNED BY PERSONS NOT RESIDING ON OR THE GUEST OF PERSONS RESIDING ON THE PREMISES.
 - d. ANY OTHER CHATTEL USED FOR OR INTENDED FOR A COMMERCIAL PURPOSE OR ULTIMATE USE ON OTHER THAN THE SUBJECT PREMISES.
- 6. **SINGLE-FAMILY INFILL (SFI).** SINGLE-FAMILY INFILL DEVELOPMENT REGULATIONS MAY BE APPLIED IN ZONING DISTRICTS WHERE THE SFI DEVELOPMENT OPTION IS OFFERED, BUT ONLY WHEN THE DEVELOPMENT FALLS WITHIN THE INFILL DEVELOPMENT DISTRICT IDENTIFIED IN THE GENERAL PLAN, OR WITH USE PERMIT APPROVAL WITHIN THE FOLLOWING AREAS LOCATED OUTSIDE OF THE INFILL DEVELOPMENT DISTRICT:

MAP 608.F.6. SINGLE-FAMILY INFILL DEVELOPMENT AREAS



- a. THE SFI DEVELOPMENT OPTION DOES NOT ELIMINATE ANY REDEVELOPMENT AREA, SPECIAL PLANNING DISTRICT OR OVERLAYS. WHERE CONFLICTS OCCUR BETWEEN THE REQUIREMENTS OF THE SFI DEVELOPMENT OPTION AND REDEVELOPMENT AREAS, OVERLAY ZONING DISTRICTS, SPECIAL PLANNING DISTRICTS, AND SPECIFIC PLANS, THE REQUIREMENTS OF THE OVERLAY ZONING DISTRICTS, SPECIAL PLANNING DISTRICTS, REDEVELOPMENT AREAS OR SPECIFIC PLANS SHALL APPLY.
- b. HISTORIC PRESERVATION DESIGNATED PROPERTIES OR PROPERTIES IN HISTORIC PRESERVATION DISTRICTS CANNOT USE THE SFI DEVELOPMENT OPTION.
- c. DWELLING UNITS. THE SFI DEVELOPMENT OPTION IS INTENDED PRIMARILY FOR SINGLE-FAMILY ATTACHED DWELLING UNITS; HOWEVER, UP TO 20% OF THE UNITS IN A DEVELOPMENT MAY BE SINGLE-FAMILY DETACHED DWELLING UNITS TO ALLOW FOR VARIETY AND EFFICIENCY OF DESIGN.

 - (1) ANY PROVIDED DETACHED DWELLING UNITS SHALL COMPLY WITH THE SAME DEVELOPMENT REGULATIONS APPLICABLE TO THAT SFI DEVELOPMENT.
- d. DESIGN REQUIREMENTS.

 - (1) INDIVIDUAL UNITS FRONTING ON STREET RIGHTS-OF-WAY SHALL PROVIDE AN ENTRYWAY THAT IS EITHER ELEVATED, DEPRESSED OR INCLUDES A FEATURE SUCH AS A LOW WALL TO ACCENTUATE THE PRIMARY ENTRANCE.
 - (2) REQUIRED COVERED PARKING SPACES SHALL NOT FRONT ON PERIMETER STREET RIGHTS-OF-WAY.
 - (3) INDIVIDUAL UNIT REAR YARDS SHALL NOT ABUT PERIMETER STREET ROW OR AN ADJACENT PERIMETER STREET LANDSCAPE AREA.
 - (4) ATTACHED DWELLING UNITS CONSTRUCTED IN A ROW SHALL NOT EXCEED A TOTAL LENGTH OF 200 FEET WITHOUT HAVING A MINIMUM 20-FOOT-WIDE OPEN AREA

e. PERIMETER LANDSCAPE SETBACKS AND REQUIREMENTS.

- (1) RESIDENCES THAT FRONT ON ARTERIAL, COLLECTOR, OR LOCAL STREET RIGHTS-OF-WAY SHALL PROVIDE A MINIMUM TEN-FOOT-WIDE LANDSCAPE TRACT OR COMMUNITY MAINTAINED LANDSCAPING ABUTTING THE STREET, EXCEPT WHEN WITHIN 2,000 FEET OF A LIGHT RAIL STATION.
- (2) RESIDENCES THAT SIDE ON ARTERIAL, COLLECTOR, OR LOCAL STREET RIGHTS-OF-WAY SHALL PROVIDE A MINIMUM 15-FOOT-WIDE LANDSCAPE TRACT OR COMMUNITY MAINTAINED LANDSCAPING ABUTTING THE STREET.
- (3) PERIMETER OF THE DEVELOPMENT NOT ABUTTING RIGHTS-OF-WAY AND ADJACENT TO A SINGLE-FAMILY RESIDENTIAL DISTRICT OR HISTORIC PRESERVATION DESIGNATED PROPERTY MUST PROVIDE A MINIMUM TEN-FOOT LANDSCAPE SETBACK. WALLS/FENCES UP TO 6 FEET HIGH WITHIN PRIVATE REAR YARDS MAY BE PROVIDED WITHIN THE PERIMETER SETBACK SO LONG AS THE REQUIRED LANDSCAPE IS STILL PROVIDED.
- (4) TREES SHALL BE PROVIDED IN REQUIRED LANDSCAPE SETBACKS AT A MINIMUM RATE OF 20 FEET ON CENTER OR EQUIVALENT GROUPINGS, AS APPROVED BY THE PDD LANDSCAPE ARCHITECT, SUBJECT TO THE FOLLOWING:
 - (a) 50% OF THE REQUIRED TREES SHALL BE MINIMUM ONE-AND-ONE-HALF-INCH CALIPER AT THE TIME OF INSTALLATION.
 - (b) 25% OF THE REQUIRED TREES SHALL BE MINIMUM TWO-INCH CALIPER OR MULTI-TRUNKED TREES AT THE TIME OF INSTALLATION.
 - (c) 25% OF THE REQUIRED TREES SHALL BE MINIMUM THREE-INCH CALIPER OR MULTI-TRUNKED TREES AT THE TIME OF INSTALLATION.

- (5) A MINIMUM OF FIVE FIVE-GALLON SHRUBS PER TREE SHALL BE PROVIDED.

f. OPEN SPACE REGULATIONS. THE ONLY WALLS/FENCES ALLOWED WITHIN REQUIRED COMMON AREA OPEN SPACE ARE REQUIRED POOL SECURITY FENCES AND OTHER NECESSARY SECURITY FENCES, AS APPROVED BY PDD.

g. PARKING REQUIREMENTS. SECTION 702 APPLIES TO SFI DEVELOPMENT, EXCEPT WHERE SPECIFICALLY MODIFIED BY THIS SECTION.

- (1) WITHIN THE INFILL DEVELOPMENT DISTRICT: ONE (1) PARKING SPACE PER DWELLING UNIT MUST BE PROVIDED THAT IS COVERED OR LOCATED WITHIN A GARAGE.
- (2) WITHIN THE APPLICABLE SFI AREA THAT IS NOT LOCATED WITHIN THE INFILL DEVELOPMENT DISTRICT: TWO (2) PARKING SPACES PER DWELLING UNIT MUST BE PROVIDED THAT ARE COVERED OR LOCATED WITHIN A GARAGE.
- (3) THE REQUIRED SPACES FOR EACH DWELLING UNIT MUST BE LOCATED ON THE SAME LOT AS THE UNIT FOR WHICH THEY ARE PROVIDED.
- (4) A MINIMUM 0.25 ADDITIONAL UNRESERVED GUEST PARKING SPACE PER DWELLING UNIT MUST BE PROVIDED WITHIN ANY SFI DEVELOPMENT.

h. ALLEY ACCESS AND MANEUVERING.

- (1) ALL MANEUVERING FOR ON-SITE PARKING MUST BE LOCATED ON PRIVATE PROPERTY AND NOT IN PUBLIC ROW.
- (2) ACCESS TO THE SITE FROM A FULLY DEDICATED AND PAVED ALLEY IS PERMITTED WITHIN THE INFILL DEVELOPMENT DISTRICT.

(3) ACCESS TO THE SITE FROM A FULLY DEDICATED AND PAVED ALLEY IS PERMITTED WITHIN THE SFI APPLICABLE AREA OUTSIDE OF THE INFILL DEVELOPMENT DISTRICT IF ALL THREE CONDITIONS ARE MET, AS FOLLOWS:

(a) THE SITE IS NOT ACROSS THE ALLEY FROM EITHER A SINGLE-FAMILY OR HISTORIC PRESERVATION ZONING DISTRICT;

(b) ALLEY ACCESS IS SPECIFICALLY APPROVED AS PART OF THE USE PERMIT HEARING; AND

(c) ALL NECESSARY TECHNICAL APPEALS HAVE BEEN APPROVED.

h. MAXIMUM 40-INCH FENCE HEIGHT ALLOWED IN THE REQUIRED SETBACKS ALONG PERIMETER STREET RIGHTS-OF-WAY.

i. SIGNAGE IS SUBJECT TO THE REGULATIONS OF SECTION 705, TABLE D-1, SINGLE-FAMILY RESIDENTIAL.

7. **OFFSITE MANUFACTURED HOME DEVELOPMENTS.** OFFSITE MANUFACTURED HOME DEVELOPMENT IS SUBJECT TO USE PERMIT APPROVAL IN THE C-1, C-2, AND C-3 DISTRICTS, IN ADDITION TO ZONING DISTRICTS INDICATED IN SECTION 608.D; AND SUBJECT TO THE FOLLOWING ADDITIONAL DEVELOPMENT REGULATIONS:

a. **THE PROVISIONS OF SECTION 703.B DO NOT APPLY TO OFFSITE MANUFACTURED HOME DEVELOPMENTS.**

a. b. THESE REGULATIONS APPLY TO DEVELOPMENT OF A SINGLE LOT OR PARCEL, NOT TO BE FURTHER SUBDIVIDED.

b. c. PLACEMENT FOR EACH OFFSITE MANUFACTURED HOME SHALL BE PROVIDED AS FOLLOWS:

(1) THERE SHALL BE A MINIMUM OF TWENTY FEET BETWEEN OFFSITE MANUFACTURED HOMES AND TEN FEET BETWEEN AWNINGS AND CANOPIES. ALL ANNEXES OR STRUCTURAL ADDITIONS SHALL BE CONSIDERED PART OF THE OFFSITE MANUFACTURED HOME.

- (2) THERE SHALL BE AT LEAST FORTY FEET BETWEEN OFFSITE MANUFACTURED HOMES ON OPPOSITE SIDES OF A PRIVATE ACCESSWAY.
- (3) NO OFFSITE MANUFACTURED HOME, ANNEX OR STRUCTURAL ADDITION SHALL BE CLOSER THAN EIGHT FEET TO ANY PRIVATE ACCESSWAY OR PRIVATE DRIVE.

c. d. EACH OFFSITE MANUFACTURED HOME SPACE SHALL HAVE PRIVATE OUTDOOR LIVING SPACE OF AT LEAST 150 SQUARE FEET. THE DIMENSION OF THIS SPACE SHALL BE AT LEAST FIFTEEN FEET IN WIDTH.

d. e. AT EACH OCCUPIED OFFSITE MANUFACTURED HOME SPACE, THERE SHALL BE AN ENCLOSED STORAGE LOCKER FOR YARD TOOLS AND OTHER BULKY ITEMS CONVENIENT TO THE SPACE WITH A STORAGE CAPACITY OF AT LEAST ONE HUNDRED FIFTY CUBIC FEET.

e. f. ALL AREAS NOT COVERED BY STRUCTURES OR PAVED SURFACES SHALL BE LANDSCAPED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED DEVELOPMENT REVIEW DOCUMENTS REQUIRED UNDER SECTION 507.

f. g. SCREENING THE PERIMETER OF AN OFFSITE MANUFACTURED HOME DEVELOPMENT BY A WALL OR OTHER APPROVED MATERIAL MAY BE REQUIRED AS A CONDITION OF USE PERMIT APPROVAL.

g. h. THERE SHALL BE A NETWORK OF PEDESTRIAN WALKWAYS CONNECTING OFFSITE MANUFACTURED HOME SPACES WITH EACH OTHER AND WITH DEVELOPMENT FACILITIES AND AMENITIES.

- h.i.** IF STORAGE YARDS ARE PROVIDED, THERE SHALL BE A SCREENED STORAGE YARD OR YARDS FOR BOATS, RECREATIONAL VEHICLES, ETC. SUCH STORAGE YARDS SHALL HAVE A MINIMUM OF SIXTY SQUARE FEET OF STORAGE SPACE FOR EACH OFFSITE MANUFACTURED HOME SPACE IN THE DEVELOPMENT AND SHALL BE LOCATED SO AS TO NOT DETRACT FROM SURROUNDING PROPERTIES. ALL BOATS AND RECREATIONAL VEHICLES SHALL BE PARKED IN THE STORAGE YARD.
- i.j.** EACH OFFSITE MANUFACTURED HOME SHALL A): BE AFFIXED PERMANENTLY TO THE GROUND OR B): HAVE "SKIRTING" AROUND ITS PERIMETER TO SCREEN ITS WHEELS AND UNDERCARRIAGE.
- i.k.** ALL UTILITIES AND THE WIRES OF ANY CENTRAL TELEVISION OR RADIO ANTENNA SYSTEM SHALL BE UNDERGROUND.
- k.l.** NOT MORE THAN FIFTEEN PERCENT OF THE SPACES IN ANY ONE OFFSITE MANUFACTURED HOME DEVELOPMENT SHALL BE DEVELOPED OR USED FOR RECREATIONAL VEHICLES.
- l.m.** DEVELOPMENT OF OFFSITE MANUFACTURED HOME COMMUNITIES SHALL BE UNDER THE PLANNED RESIDENTIAL DEVELOPMENT OPTION APPLICABLE IN THE UNDERLYING ZONING DISTRICT.
- m.n.** PRIVATE DRIVES MAY BE USED FOR ACCESS TO EACH OFFSITE MANUFACTURED HOMES.
- n.o.** THERE SHALL BE A MINIMUM OF FIVE PERCENT OF THE TOTAL AREA OF THE OFFSITE MANUFACTURED HOME DEVELOPMENT DEDICATED OR RESERVED AS USABLE COMMON "OPEN SPACE" LAND. COMMON "OPEN SPACE" LANDS SHALL BE CLEARLY DESIGNATED ON THE PLAN AS TO THE CHARACTER OF USE AND DEVELOPMENT BUT SHALL NOT INCLUDE:
- (1) AREAS RESERVED FOR THE EXCLUSIVE USE OR BENEFIT OF AN INDIVIDUAL TENANT OR OWNER; NOR
 - (2) DEDICATED STREETS, ALLEYS, AND OTHER PUBLIC RIGHTS-OF-WAY; NOR

VEHICULAR DRIVES, PARKING, LOADING, AND STORAGE AREAS; NOR

(3)

REQUIRED SETBACK AREAS AT EXTERIOR BOUNDARIES OF THE SITE; NOR

(4) GOLF COURSES.

ADEQUATE GUARANTEES MUST BE PROVIDED TO ENSURE PERMANENT RETENTION OF "OPEN SPACE" LAND AREA RESULTING FROM THE APPLICATION OF THESE REGULATIONS, EITHER BY PRIVATE RESERVATION FOR THE USE OF THE RESIDENTS WITHIN THE DEVELOPMENT OR BY DEDICATION TO THE PUBLIC, OR A COMBINATION THEREOF.

Amend Chapter 6, Section 608.G (Accessory Uses) to read as follows:

G. ~~Accessory Uses.~~ RESERVED.

1. ~~Facilities for household pets, the maintenance of which is not otherwise prohibited by statute, regulations, or the City Code of the City of Phoenix and which facilities are in compliance with all applicable ordinances of the City of Phoenix.~~
2. ~~Garage or yard sales may be conducted twice every 12 months on any residentially zoned property occupied by a dwelling unit. Any sale shall not exceed the time period of three consecutive days.~~
3. ~~Materials used in conjunction with a hobby, avocation, or pastime, the use of which does not otherwise conflict with the provisions of this ordinance.~~
4. ~~Parking of vehicles in facilities and locations on the property not otherwise in conflict with the provisions of this ordinance.~~
5. ~~Private tennis or outdoor game courts as an accessory use. Tennis or outdoor game court fences over six feet high in required rear yard or required side yard, subject to a use permit. Tennis or outdoor game court lights, subject to a use permit.~~
6. ~~No accessory use of land or structures shall be maintained except as hereinafter provided or except as may be permitted as a home occupation.~~

7. ~~No accessory use shall include outdoor display or storage of any of the following listed items when such items are visible or emit odor, dust, gas, noise, vibration, smoke, heat or glare beyond any boundary of the lot on which such items are displayed or stored:~~
- a. ~~Any building or landscaping materials.~~
 - b. ~~Any machinery, parts, scrap, or appliances.~~
 - c. ~~Vehicles which are unlicensed, inoperable, or registered to or owned by persons not residing on or the guest of persons residing on the premises.~~
 - d. ~~Any other chattel used for or intended for a commercial purpose or ultimate use on other than the subject premises.~~

Amend Chapter 6, Section 608.H (General Provisions) to read as follows:

H. ~~General Provisions.~~ RESERVED.

1. ~~No structure may be built on a lot which does not front on a street which is in accordance with the adopted street classification map unless exempted by this section.~~

~~In any district where a half street not less than one-half of that width prescribed for that street by the street classification map, and amendments thereto, has been dedicated, any lots facing or siding on such half street from which side the required width of dedication has been made shall be deemed to have frontage on a street.~~

~~No permit shall be issued for buildings on a lot fronting on a half street of less than that prescribed by the street classification map for an arterial or collector street or 25 feet for all other streets except for single-family attached development individual dwelling units.~~

- a. ~~For development utilizing an average lot or PRD development option or for development built under a planned area development district, a minimum of 16.58 foot half street right of way may be provided when all of the following conditions are met:~~

- (1) ~~The street is not designated as a collector or arterial street.~~
 - (2) ~~There are no restrictions to public access to the street.~~
 - (3) ~~Pavement width shall be 33.16 feet from back of curb to back of curb.~~
 - (4) ~~Pavement thickness and design shall be in accordance with Maricopa Association of Governments' standards.~~
 - (5) ~~All terminations shall contain a 40-foot-radius right-of-way.~~
 - (6) ~~The street has been constructed prior to March 19, 1986.~~
2. ~~There shall be no outdoor storage of personal property visible beyond the boundaries of the property within any front or side yard.~~

Amend Chapter 6, Section 608.I (Development Regulations) to read as follows:

- I. **Development Regulations.** Following are definitions of terms used in the development standards tables for each district:

2. **Dwelling unit density:** The total number of dwelling units on a site divided by the gross area of the site.
- a. ~~Under the planned residential development, additional density may be granted in the R1-10 through R-4A districts (Sections 611 through 619) for detached single-family development by providing site enhancements from the following list. In R1-10 through R1-6, an increase of 0.1 du/ac may be achieved for each ten bonus points earned up to the maximum listed in Table A. In R-2 through R-4A, an increase of 0.275 du/ac may be achieved for each five bonus points earned up to a maximum of 12 du/ac. However, at least half of the bonus points used to achieve densities in excess of seven and one-half du/ac must be from the architectural design category.~~
- DENSITY BONUS POINTS.** ADDITIONAL DENSITY MAY BE GRANTED BY EARNING DENSITY BONUS POINTS BY PROVIDING SITE ENHANCEMENTS FROM THE TABLE BELOW, AS FOLLOWS:

- (1) SINGLE-FAMILY DETACHED DEVELOPMENT IN THE R1-10 THROUGH R1-6 DISTRICTS (SECTIONS 611 THROUGH 613) MAY EARN INCREASED DENSITY OF 0.1 DU/AC FOR EACH TEN (10) DENSITY BONUS POINTS EARNED WHEN ALSO USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION, UP TO THE MAXIMUM DENSITY ALLOWED BY THE DISTRICT.
- (2) SINGLE-FAMILY DETACHED DEVELOPMENT IN THE R-2 THROUGH R-4A DISTRICTS (SECTIONS 614 THROUGH 619) MAY EARN INCREASED DENSITY OF 0.275 DU/AC FOR EACH FIVE (5) DENSITY BONUS POINTS EARNED WHEN ALSO USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION, UP TO THE MAXIMUM DENSITY ALLOWED BY THE DISTRICT. HOWEVER, AT LEAST HALF OF THE BONUS POINTS USED TO ACHIEVE DENSITIES IN EXCESS OF SEVEN AND ONE-HALF (7.5) DU/AC MUST BE FROM THE ARCHITECTURAL DESIGN BONUS POINT CATEGORY.

- b. ~~Under the planned residential development option, additional density may be granted in the R1-10 through R-4A districts (Sections 611 through 619) for attached single-family and multifamily development, and under the single-family attached development additional density may be granted in the R-2 through R-4A districts (Sections 614 through 619) up to the maximum shown in Table B by providing open space areas beyond the minimum required in each district in accordance with the following:~~

ADDITIONAL COMMON AREA/OPEN SPACE. ADDITIONAL DENSITY MAY BE GRANTED BY PROVIDING ADDITIONAL COMMON AREA, ABOVE ANY MINIMUM REQUIREMENTS, AS FOLLOWS:

- (1) QUALIFYING DEVELOPMENTS (LISTED BELOW) MAY EARN: A one percent density bonus for each four percent of ~~basic common area; or~~
 - (a) A ONE PERCENT DENSITY BONUS FOR EACH FOUR PERCENT OF BASIC COMMON AREA; OR

(b) A ONE PERCENT DENSITY BONUS FOR EACH TWO PERCENT OF IMPROVED COMMON AREA.

(c) THE PLANNING AND DEVELOPMENT DEPARTMENT SHALL DETERMINE THE ADEQUACY OF BOTH BASIC AND IMPROVED COMMON AREAS AS PART OF THE DEVELOPMENT REVIEW PROCESS. OPEN SPACE SHALL NOT INCLUDE:

i. PUBLIC RIGHT-OF-WAY.

ii. VEHICULAR DRIVES OR PARKING AREAS.

iii. PRIVATE PATIO AREAS, NARROW STRIPS BETWEEN OR IN FRONT OF UNITS; OR, IN GENERAL, AREAS RESERVED FOR THE EXCLUSIVE USE OF INDIVIDUAL TENANTS.

iv. REQUIRED SETBACK AREAS AT THE EXTERIOR BOUNDARIES OF THE SITE.

v. GOLF COURSES.

(d) IN NO CASE SHALL THE DENSITY OF THE DEVELOPMENT EXCEED THE MAXIMUM DENSITY ALLOWED BY THE DISTRICT.

(2) ~~A one percent density bonus for each two percent of improved common area.~~

DEVELOPMENTS QUALIFYING FOR THE ADDITIONAL COMMON AREA/OPEN SPACE DENSITY BONUS ARE AS FOLLOWS:

(a) SINGLE-FAMILY DEVELOPMENT IN THE RE-35 AND R1-18 ZONING DISTRICTS (SECTIONS 609 AND 610), WHEN ALSO USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION.

(b) SINGLE-FAMILY ATTACHED DEVELOPMENT IN THE R1-10 THROUGH R-4A ZONING DISTRICTS (SECTIONS 611 THROUGH 619), WHEN USING THE PLANNED RESIDENTIAL DEVELOPMENT **OPTION**.

- (c) SINGLE-FAMILY DEVELOPMENT IN THE R-2 THROUGH R-4A ZONING DISTRICTS (SECTIONS 614 THROUGH 619), WHEN USING THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION.
 - (d) MULTIFAMILY DEVELOPMENT IN THE R1-10 THROUGH R-4A ZONING DISTRICTS (SECTIONS 611 THROUGH 619), WHEN USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION.
 - (3) ~~Review and determination of the adequacy of common areas, basic and improved, will be part of development review by the Site Planning Division of the Planning and Development Department. Open space shall not include:~~
 - ~~(a) Public right-of-way.~~
 - ~~(b) Vehicular drives or parking areas.~~
 - ~~(c) Private patio areas, narrow strips between or in front of units; or, in general, areas reserved for the exclusive use of individual tenants.~~
 - ~~(d) Required setback areas at the exterior boundaries of the site.~~
 - ~~(e) Golf courses.~~

8. **Allowed uses-DEVELOPMENT:** ~~Refer to the following tables for uses allowed in each district and to chapter 2 for definitions of permitted uses.~~ THE DEVELOPMENT OPTIONS TABLES PROVIDED IN SECTIONS 609 THROUGH 619 INDICATE THE ONLY TYPES OF RESIDENTIAL DEVELOPMENT PERMITTED UNDER EACH DEVELOPMENT OPTION AND ASSOCIATED DEVELOPMENT REGULATIONS. THE COMPLETE LIST OF ALL PERMITTED USES, INCLUDING ACCESSORY AND TEMPORARY USES, IS PROVIDED IN SECTION 608.C.

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

Section 609. RE-35 Single-Family Residence District

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

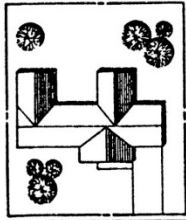
- B. **District Regulations.** The following tables establishes standards to be used for ~~each district in the RE-35 district. Following are definitions of terms used in these standards:~~ THE DEFINITIONS OF TERMS USED IN THESE STANDARDS ARE FOUND IN SECTION 608.I.

1. ~~**Minimum Lot Dimension:** The minimum width and depth of lot lines and where specified, the minimum area of each lot.~~
2. ~~**Dwelling Unit Density:** The total number of dwelling units on a site divided by the gross area of the site. Under the planned residential development option, additional density may be granted for areas beyond minimum required in each district in accordance with the following:~~
 - a. ~~A one percent density bonus for each four percent of basic common area; or~~
 - b. ~~A one percent density bonus for each two percent of improved common area.~~
 - c. ~~Review and determination of the adequacy of common areas, basic and improved, will be part of the development review by the Site Planning Division of the Planning and Development Department. Open space shall not include:~~
 - (1) ~~Public right-of-way.~~
 - (2) ~~Vehicular drives or parking areas.~~

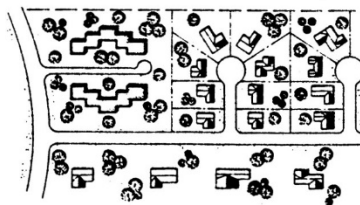
- ~~(3) Private patio areas, narrow strips between or in front of units; or, in general, areas reserved for the exclusive use of individual tenants.~~
 - ~~(4) Required setback areas at the exterior boundaries of the site.~~
 - ~~(5) Golf courses.~~
- 3. **Perimeter standards:** ~~Setbacks for structures which are required at the perimeter of a development. These standards shall apply only to lots which are created by a subdivision or a project approved under the provisions of Section 507. These standards shall not apply in the following circumstances: when contiguous developments are to be developed using the same development option with the same perimeter standards and are on the same preliminary plat or are platted concurrently; when the perimeter of a development is contiguous to a permanent open space, such as a natural wash, hillside preserve, or existing golf course, the depth of which is at least forty feet; or when the development was properly platted prior to September 13, 1981.~~
- 4. **Building setback:** ~~The required separation of buildings from lot lines.~~
- 5. **Maximum height:** ~~The maximum allowed height as measured from natural grade which measurement shall be as in chapter 2~~
- 6. **Lot coverage:** ~~The maximum area of a lot occupied by structures and open projections as defined in chapter 2~~
- 7. **Common areas:** ~~Required areas in a planned residential development to be used and enjoyed by residents of a development and either improved in accordance with the standards in chapter 2 or maintained in a natural state as approved by the Planning and Development Department.~~
- 8. **Allowed uses:** ~~Refer to the following tables for uses allowed in each district and to chapter 2 for definitions of permitted uses.~~
- 9. **Required review:** ~~Where a site plan is required, development shall be according to Section 507 of this ordinance. Development on land for which neither a subdivision nor a site plan has been approved shall be according to standards in option (a), subdivision.~~
- 10 **Required parking:** ~~The minimum number of off-street parking spaces to be provided and which shall be according to Section 702.A.~~

11. **Street standards:** ~~The class of street required to provide access to any parcel or subdivided lot within a development.~~

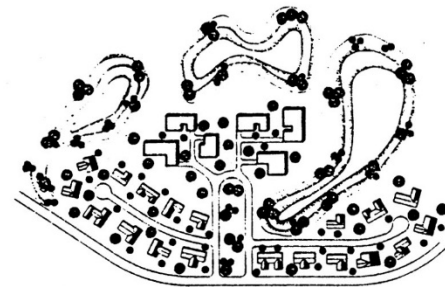
ILLUSTRATIONS OF DEVELOPMENT OPTIONS



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 609.A
RE-35 Development Option OPTIONS

Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Minimum lot dimensions (width and depth)	150' width, 175' depth (Minimum area 35,000 sq. ft.)	100' width, 125' depth	None
Dwelling unit density (units/gross acre)	1.10	1.10	1.15; 1.32 with bonus
Perimeter standards	None	40' front or rear, 20' side	40' adjacent to a public street-STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 20' adjacent to property line

TABLE 609.A RE-35 Development Option OPTIONS			
Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Building setbacks	40' front, 40' rear, 20' side	25' front, 50' total front and rear	25' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30'
Lot coverage	25%, except if all structures are less than 20' and 1 story in height then a maximum of 30% lot coverage is allowed.	Primary structure, not including attached shade structures: 25% Total: 30%	Primary structure, not including attached shade structures: 25% Total: 30%
Common areas	None	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached	Single-family attached; plus (a)	Single-family attached; plus (a)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Site plan per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾ (1)

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.

C. Special Regulations.

1. ~~Guesthouse, subject to the following conditions:~~

- a. ~~The square footage of the guesthouse shall not exceed fifty percent of the gross floor area of the primary dwelling unit with a maximum of nine hundred square feet, except as set forth in subsection b, below. Any garage area attached to the guesthouse which is more than the area of a single car garage shall be counted toward the allowable square footage of the guesthouse.~~
- b. ~~On lots with more than forty three thousand five hundred sixty square feet in net area with a primary dwelling unit of at least three thousand six hundred square feet in gross floor area, the square footage of the guesthouse may be twenty five percent of the gross floor area of the primary dwelling unit.~~
- c. ~~The floor area of the connecting structure shall be included in the floor area of the guesthouse.~~
- d. ~~Pergolas and other roofed structures without walls shall not be considered a connecting structure.~~
- e. ~~Vehicular access to the accessory dwelling unit must be provided from the same curb (driveway) as the primary dwelling unit, except that separate access may be permitted from a paved alley.~~
- f. ~~One parking space must be provided for the accessory dwelling unit in addition to the parking required for the primary dwelling unit.~~
- g. ~~Only one guesthouse is permitted on a single lot.~~
- h. ~~The guesthouse shall be constructed of similar building materials and in the same architectural style as that of the primary dwelling unit and shall not exceed the height in feet or number of stories of the primary dwelling unit.~~
- i. ~~A guesthouse shall not:~~
 - (1) ~~Provide more parking than the one required space;~~
 - (2) ~~Be advertised for occupancy through any print or electronic media or through placement of signs on the property;~~
 - (3) ~~Provide separate mail service or have a separate address from the primary dwelling unit; or~~

~~(4) Be separately metered for utilities.~~

~~(j) Single family use requirements shall apply to the guesthouse and the primary dwelling unit as a single unit.~~

~~(k) Any guesthouse existing as of (the effective date of this ordinance) may qualify as "connected to the primary dwelling unit" by being connected to the primary dwelling unit without meeting the minimum width requirements.~~

Amend Chapter 6, Section 610 (R1-18 Single-Family Residence District) to read as follows:

Section 610. R1-18 Single-Family Residence District.

A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

B. **District Regulations.** The following tables establishes standards to be used for ~~each district in the R1-18 district. Following are definitions of terms used in these standards:~~ THE DEFINITIONS OF TERMS USED IN THESE STANDARDS ARE FOUND IN SECTION 608.I.

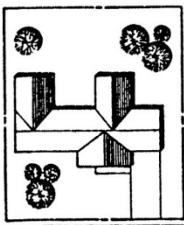
1. ~~**Minimum Lot Dimension:** The minimum width and depth of lot lines and where specified, the minimum area of each lot.~~

2. ~~**Dwelling Unit Density:** The total number of dwelling units on a site divided by the gross area of the site. Under the planned residential development option, additional density may be granted for areas beyond minimum required in each district in accordance with the following:~~

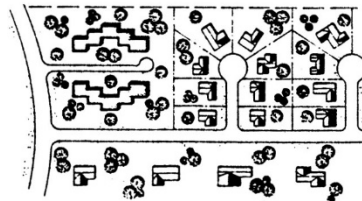
- a. ~~A one percent density bonus for each four percent of basic common area; or~~
- b. ~~A one percent density bonus for each two percent of improved common area.~~
- c. ~~Review and determination of the adequacy of common areas, basic and improved, will be part of the development review by the Site Planning Division of the Planning and Development Department. Open space shall not include:~~
 - ~~(1) Public right-of-way.~~
 - ~~(2) Vehicular drives or parking areas.~~
 - ~~(3) Private patio areas, narrow strips between or in front of units; or, in general, areas reserved for the exclusive use of individual tenants.~~
 - ~~(4) Required setback areas at the exterior boundaries of the site.~~
 - ~~(5) Golf courses.~~
- 3. **~~Perimeter standards:~~** ~~Setbacks for structures which are required at the perimeter of a development. These standards shall apply only to lots which are created by a subdivision or a project approved under the provisions of Section 507. These standards shall not apply in the following circumstances: when contiguous developments are to be developed using the same development option with the same perimeter standards and are on the same preliminary plat or are platted concurrently; when the perimeter of a development is contiguous to a permanent open space, such as a natural wash, hillside preserve, or existing golf course, the depth of which is at least forty feet; or when the development was properly platted prior to September 13, 1981.~~
- 4. **~~Building setback:~~** ~~The required separation of buildings from lot lines.~~
- 5. **~~Maximum height:~~** ~~The maximum allowed height as measured from natural grade which measurement shall be as in chapter 2~~
- 6. **~~Lot coverage:~~** ~~The maximum area of a lot occupied by structures and open projections as defined in chapter 2~~

7. **Common areas:** Required areas in a planned residential development to be used and enjoyed by residents of a development and either improved in accordance with the standards in chapter 2 or maintained in a natural state as approved by the Planning and Development Department.
8. **Allowed uses:** Refer to the following tables for uses allowed in each district and to chapter 2 for definitions of permitted uses.
9. **Required review:** Where a site plan is required, development shall be according to Section 507 of this ordinance. Development on land for which neither a subdivision nor a site plan has been approved shall be according to standards in option (a), subdivision.
10. **Required parking:** The minimum number of off-street parking spaces to be provided and which shall be according to Section 702.A.
11. **Street standards:** The class of street required to provide access to any parcel or subdivided lot within a development.

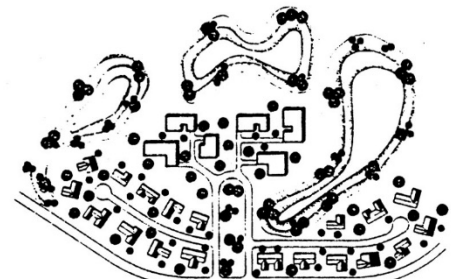
ILLUSTRATIONS OF DEVELOPMENT OPTIONS



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 610.A
R1-18 Development Option OPTIONS

Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Minimum lot dimensions (width and depth)	130' width, 120' depth (Minimum area 18,000 sq. ft.)	90' width, 80' depth	None

TABLE 610.A R1-18 Development Option OPTIONS			
Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Dwelling unit density (units/gross acre)	1.95	1.95	2.05; 2.34 with bonus
Perimeter standards	None	30' front or rear, 10' side	20' adjacent to a public street STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line
Building setbacks	25' front, 30' rear, 10' side	25' front, 50' total front plus rear	25' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30'
Lot coverage	25%-30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%	Primary structure, not including attached shade structures: 25% Total: 30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%	Primary structure, not including attached shade structures: 25% Total: 30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%
Common areas	None	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached	Single-family attached; plus (a)	Single-family attached; plus (a)

TABLE 610.A R1-18 Development Option OPTIONS			
<i>Standards</i>	<i>(a)</i> <i>Subdivision</i>	<i>(b)</i> <i>Average Lot</i>	<i>(c)</i> <i>Planned Residential</i> <i>Development</i>
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Site plan per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾ (1)

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.

~~C.~~ **Reserved.**

Amend Chapter 6, Section 611 (R1-10 Single-Family Residence District) to read as follows:

Section 611. R1-10 Single-Family Residence District.

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

- B. **District Regulations.** The following tables establish standards to be used is-IN the R1-10 district. The definitions of terms used in these standards are found in Section 608.D-608.I.

**Table A. Single-Family Detached Development
R1-10 Development Options**

TABLE 611.A R-10 R1-10 Development Option OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	75' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	3.0	3.5; 4.5 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)

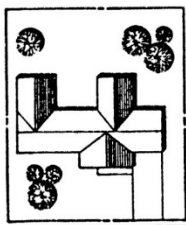
TABLE 611.A R-10 R1-10 Development Option OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)

TABLE 611.A R-10 R1-10 Development Option OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements

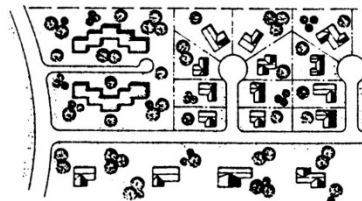
TABLE 611.A R-10 R1-10 Development Option OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single family, detached development built or subdivided under the subdivision option prior to June 2, 1999, refer to the subdivision option in table B. FOR~~ PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way. FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO JUNE 2, 1999, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 611.B.~~

~~Table B. Single-Family Detached (Subdivided Prior to June 2, 1999), Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 611.B R1-10 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2, 1999)			
<i>Standards</i>	<i>(a)</i> <i>Subdivision</i>	<i>(b)</i> <i>Average Lot</i>	<i>(c)</i> <i>Planned Residential Development</i>
Minimum lot dimensions (width and depth)	80' width, 94' depth (Minimum area 10,000 sq. ft.)	60' width, 65' depth	None
Dwelling unit density (units/gross acre)	3.50	3.50	3.68; 4.20 with bonus
Perimeter standards	None	30' front, 25' rear, 10' side	20' adjacent to a public street -STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line
Building setbacks	25' front, 25' rear, 10' and 3' side	10' front, 35' front plus rear	10' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30' for first 150'; 1' in 5' increase to 48' high and 4 stories

TABLE 611.B R1-10 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2, 1999)			
Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Lot coverage	40%–50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40%–50%, PLUS AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40%–50%, PLUS AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾ AND DUPLEX	Single-family attached; plus (a)	Multiple-family MULTIFAMILY plus (b)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Site plan per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾⁽¹⁾

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.

- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO JUNE 2, 1999.

~~G. Reserved.~~

Amend Chapter 6, Section 612 (R1-8 Single-Family Residence District) to read as follows:

Section 612. R1-8 Single-Family Residence District.

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

- B. **District Regulations.** The following tables establish standards to be used ~~is~~ IN the R1-8 district. The definitions of terms used in these standards are found in Section ~~608.D~~ 608.I.

~~Table A. Single-Family Detached Development~~

TABLE 612.A R1-8 Development Option OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	65' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	4.0	4.5; 5.5 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)

TABLE 612.A
R1-8 Development Option OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

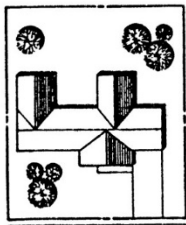
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35'; street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%

TABLE 612.A R1-8 Development Option OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Common areas	None	Minimum 5% of gross area
Allowed uses-DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20' to 30' on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

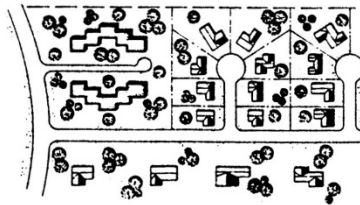
- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.

- (2) ~~For single family, detached development built or subdivided under the subdivision option prior to June 2, 1999, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights of way shall be treated the same as public street rights of way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO JUNE 2, 1999, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 612.B.

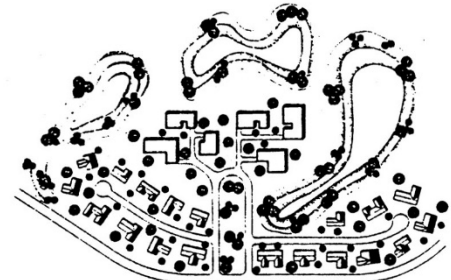
~~Table B. Single-Family Detached (Subdivided Prior to June 2, 1998), Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 612.B R1-8 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2, 1999)			
Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Minimum lot dimensions (width and depth)	70' width, 94' depth (Minimum area 8,000 sq. ft.)	50' width, 65' depth	None
Dwelling unit density (units/gross acre)	4.30	4.30	4.52; 5.16 with bonus

TABLE 612.B R1-8 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2, 1999)			
Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Perimeter standards	None	25' front or rear 10' side	20' adjacent to a public street STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line
Building setbacks	20' front, 25' rear, 10' and 3' side	10' front, 35' front plus rear	10' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30' for first 150'; 1' in 5' increase to 48' high and 4 stories
Lot coverage	40%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	None	Minimum 5% of gross area

TABLE 612.B R1-8 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2, 1999)			
Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾ AND DUPLEX	Single-family attached; plus (a)	Multiple-family MULTIFAMILY plus (b)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Site plan per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾⁽¹⁾

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO JUNE 2, 1999.

G. ~~Reserved.~~

Amend Chapter 6, Section 613 (R1-6 Single-Family Residence District) to read as follows:

Section 613. R1-6 Single-Family Residence District.

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

- B. **District Regulations.** The following tables establish standards to be used in the R1-6 district. The definitions of terms used in these standards are found in Section ~~608.D~~ 608.I.

Table A. Single-Family, Detached Development

TABLE 613.A R1-6 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	5.5; 6.5 with bonus

TABLE 613.A
R1-6 Development Option-~~Options~~
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum

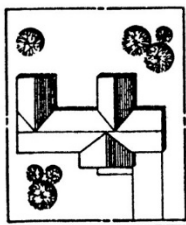
TABLE 613.A R1-6 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements

TABLE 613.A
R1-6 Development Option-~~Options~~
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

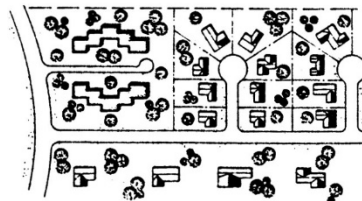
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 613.B

~~Table B. Single-Family Detached (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 613.B R1-6 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)			
Standards	(a) Subdivision⁽³⁾	(b) Average Lot	(c) Planned Residential Development
Minimum lot dimensions (width and depth)	60' width, 94' depth (Minimum area 6,000 sq. ft.)	40' width, 60' depth	None
Dwelling unit density (units/gross acre)	5.30	5.30	5.54; 6.34 with bonus
Perimeter standards	None	25' front or rear 10' side	20' adjacent to a public street STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line
Building setbacks	20' front, 25' rear, 10' and 3' side	10' front, 35' front plus rear	10' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30' for first 150'; 1' in 5' increase to 48' high and 4 stories

TABLE 613.B R1-6 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)			
Standards	(a) Subdivision⁽³⁾	(b) Average Lot	(c) Planned Residential Development
Lot coverage	40%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	None	Minimum 5% of gross area ⁽³⁾ AREA
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾ AND DUPLEX	Single-family attached; PLUS (a)	Multiple-family MULTIFAMILY and single-family attached PLUS (b)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾⁽¹⁾

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.

- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) ~~These standards apply only to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.

G. ~~Reserved.~~

Amend Chapter 6, Section 614 (R-2 Multifamily Residence District) to read as follows:

Section 614. R-2 Multifamily Residence District.

- B. **District Regulations.** The following tables establish standards to be used in the R-2 district. The definitions of terms used in these standards are found in Section 608.I. The single-family ~~attached~~ INFILL development option must meet Section 608.F.6 requirements.

~~Table A. Single-Family, Detached Development~~⁽²⁾

TABLE 614.A R-2 Development Option-Options SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)

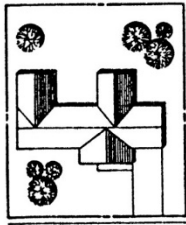
TABLE 614.A R-2 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area

TABLE 614.A R-2 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507 , and subdivision to create 4 or more lots	Development review per Section 507 , and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

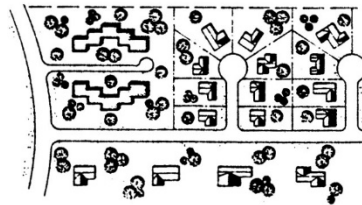
- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single family detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.

- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 614.B

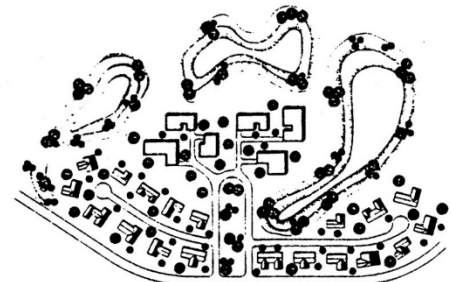
Table B. Single-Family Detached (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 614.B R-2 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Development site: none. Individual dwelling lot: 20'.
Dwelling unit density (units/gross acre)	10.0	10.0	10.50; 12.00 with bonus	10.50; 12.00 with bonus

TABLE 614.B R-2 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 10' 15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line.
Building setbacks	25' front, 25' rear, 10' and 3' side	10' front, 35' front plus rear	10' front	Individual unit lot: none
Maximum height	2 stories and 30' 30' ⁽⁵⁾	2 stories and 30' 30' ⁽⁵⁾	2 stories and 30' for first 150'; 1' in 5' increase to 48' high HEIGHT, and 4- stories* STORY MAXIMUM ⁽⁵⁾	3 stories or AND 40' for first 150'; 1' in 1' increase to 48' height, 4-story maximum* MAXIMUM ⁽⁶⁾

TABLE 614.B R-2 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Lot coverage	40%–50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%–50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%–50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES . TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area ⁽²⁾	Minimum 5% of gross area ⁽²⁾
Allowed uses DEVELOPMENT	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family attached and SINGLE-FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY) home occupations per Section 608
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507

TABLE 614.B R-2 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway, alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

* ~~There shall be a 15-foot maximum height within ten feet of a single family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~

(1) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way. PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.~~

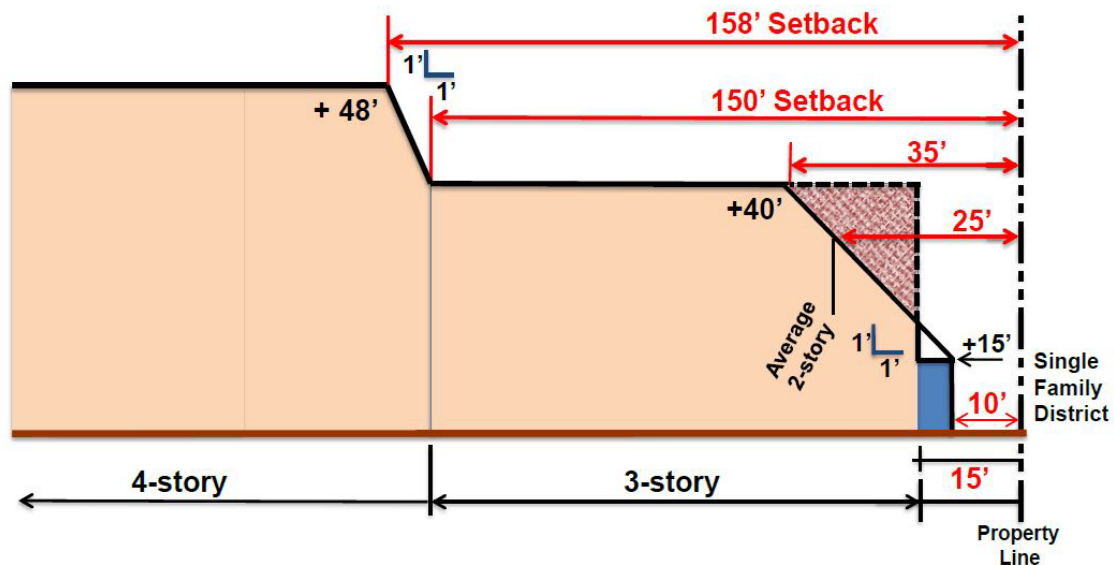
(2) ~~These standards also apply to single family, detached development built or subdivided under the subdivision option prior to May 1, 1998. FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.~~

- (3) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.
- (4) THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

Single-Family Infill Stepbacks

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

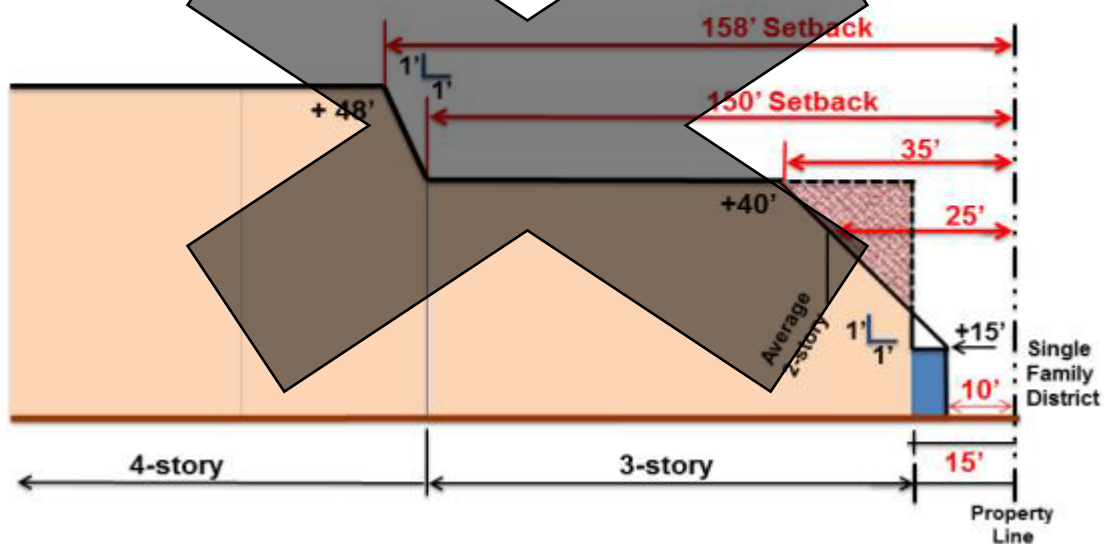
- 3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story).
- There shall be a 15' maximum height within 10' of single-family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



~~Single-Family Attached~~

PROPOSED BUFFER FROM ADJACENT SINGLE-FAMILY DISTRICT

3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story). *There shall be a 15' maximum height within 10' of Single-Family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



~~C. Special Regulations~~

1. ~~A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single-family dwellings on individual lots.~~
2. ~~Reserved.~~

Amend Chapter 6, Section 615 (R-3 Multifamily Residence District) to read as follows:

Section 615. R-3 Multifamily Residence District.

- B. **District Regulations.** The following tables establish standards to be used in the R-3 district. The definitions of terms used in these standards are found in Section

608.I. The single-family ~~attached~~-INFILL development option must meet Section 608.F.6 requirements.

~~Table A. Single-Family Development~~⁽²⁾

TABLE 615.A R-3 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)

TABLE 615.A
R-3 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

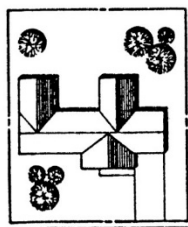
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area

TABLE 615.A R-3 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

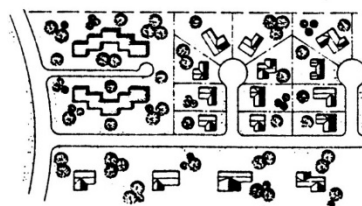
- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.

- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 615.B

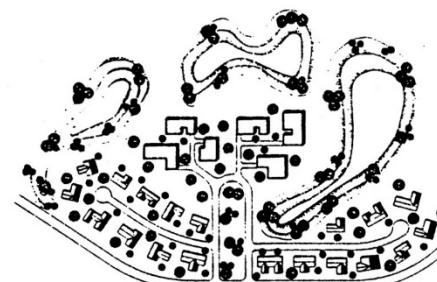
Table B. Single-Family (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 615.B R-3 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Individual unit lot: 20' width, no minimum depth
Dwelling unit density (units/gross acre)	14.5	14.5	15.23; 17.40 with bonus	15.23; 17.40 with bonus

TABLE 615.B R-3 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line.
Building setbacks	25' front, 15' rear, 10' and 3' side	10' front, 30' front plus rear	10' front	Individual unit lot: none
Maximum height	2 stories and 30' 30' ⁽⁵⁾	2 stories and 30' 30' ⁽⁵⁾	2 stories and 30' for first 150'; 1' in 5' increase to 48' high -HEIGHT, and 4- stories* STORY MAXIMUM ⁽⁵⁾	3 stories or AND 40' for first 150'; 1' in 1' increase to 48' height, 4-story maximum* MAXIMUM ⁽⁶⁾

TABLE 615.B R-3 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Lot coverage	40%–50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%–50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%–50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area ⁽²⁾	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family attached and SINGLE-FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY) home occupations per Section <u>608</u>
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507

TABLE 615.B R-3 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway, alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

* ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~

(1) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.

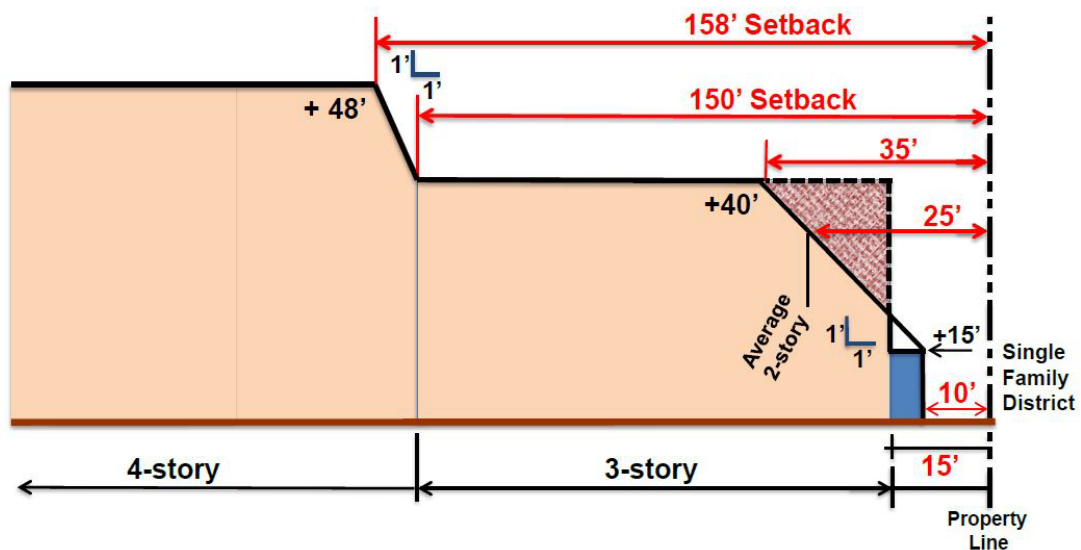
(2) ~~These standards also apply to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.

- (3) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.
- (4) THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

Single-Family Infill Stepbacks

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

- 3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story).
- There shall be a 15' maximum height within 10' of single-family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



C. Special Regulations

1. ~~Adult day care home for the care of one to four adult persons; provided, that:~~

- a. ~~Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
- 2. ~~Boarding house, subject to a use permit and the following conditions:~~
 - a. ~~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.~~
 - b. ~~No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
- 3. ~~Community residence center, subject to a use permit and the following conditions:~~
 - a. ~~Such center 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.~~
 - b. ~~No community residence center 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 or center within a residential zoning district.~~
 - c. ~~Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~
 - d. ~~A maximum lot coverage of 25 percent.~~
 - e. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~

- f. ~~The lot shall only have vehicular access from an arterial or collector street.~~
- 4. ~~Group home, subject to a use permit and the following conditions:~~
 - a. ~~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.~~
 - b. ~~No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
- 5. ~~Group foster home, subject to a use permit.~~
- 6. ~~Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
- 7. ~~A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single family dwellings on individual lots.~~
- 8. ~~Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~

Amend Chapter 6, Section 616 (R-3A Multifamily Residence District) to read as follows:

Section 616. R-3A Multifamily Residence District.

- B. **District Regulations.** The following tables establish standards to be used in the R-3A district. The definitions of terms used in these standards are found in Section 608.I. The single-family attached-INFILL development option must meet Section 608.F.6 requirements.

~~Table A. Single-Family Development~~⁽²⁾—

TABLE 616.A R-3A Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)

TABLE 616.A
R-3A Development Option-~~Options~~ OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)

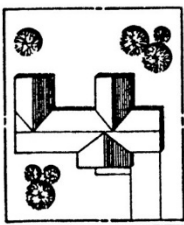
TABLE 616.A R-3A Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
Standards	Conventional	Planned Residential Development
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements

TABLE 616.A
R-3A Development Option-~~Options~~
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

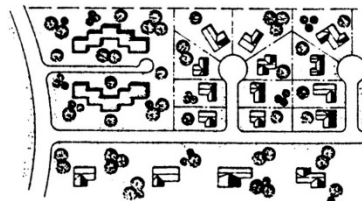
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 616.B

~~Table B. Single-Family (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 616.B R-3A Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Individual unit lot: 20' width, no minimum depth
Dwelling unit density (units/gross acre)	22	22	23.1; 26.4 with bonus	23.1; 26.4 with bonus
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line
Building setbacks	25' front, 15' rear, 10' and 3' side	10' front, 30' front plus rear	10' front	Individual unit lot: none

TABLE 616.B R-3A Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Maximum height	3 stories or 40' * 40' ⁽⁵⁾	3 stories or 40' * 40' ⁽⁵⁾	3 stories or 40' for 150'; 1' in 5' increase to 48' HEIGHT, 4- story maximum ⁽⁵⁾	3 stories or 40' for first 150'; 1' in 1' increase to 48' height, 4-story maximum* MAXIMUM ⁽⁶⁾
Lot coverage	40% -50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45% -50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45% -50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area ⁽²⁾	Minimum 5% of gross area

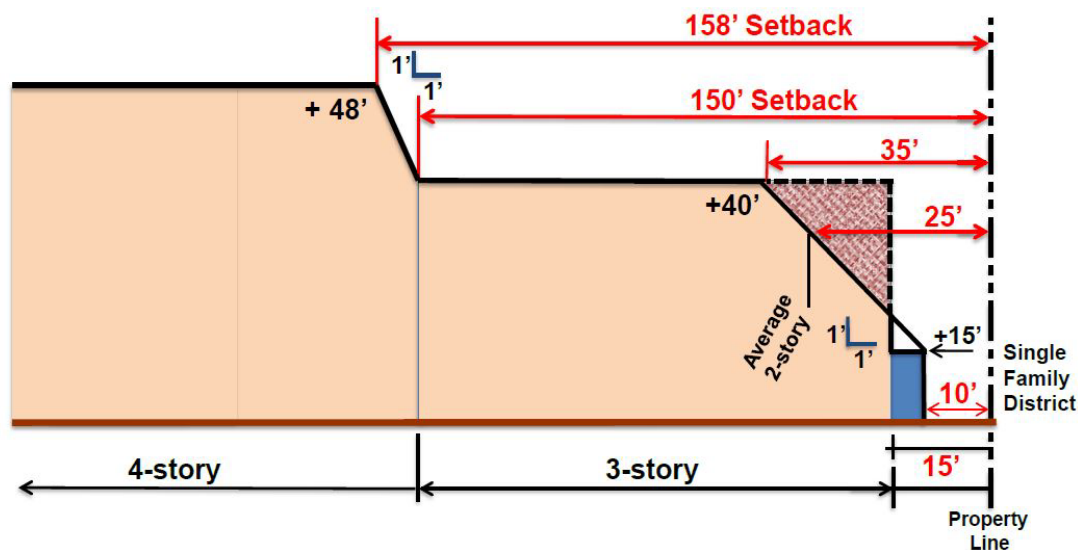
TABLE 616.B R-3A Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Allowed uses DEVELOPMENTS	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family attached and SINGLE- FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY) home occupations per Section <u>608</u>
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway; alley right-of- way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

- * ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~
- (1) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.
- (2) ~~These standards also apply to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.
- (4) THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

Single-Family Infill Stepbacks

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

- 3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story).
- There shall be a 15' maximum height within 10' of single-family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



G. Special Regulations

1. Adult day care center, subject to a use permit; and provided, that:
 - a. Outdoor recreation areas shall be screened from adjacent properties by a six-foot high landscape hedge, solid fence, or solid wall.
2. Boarding house, subject to a use permit and the following conditions:
 - a. 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.
 - b. No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.

~~c. A maximum lot coverage of 25 percent.~~

~~d. A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~

~~e. The lot shall only have vehicular access from an arterial or collector street.~~

3. ~~Community residence center, subject to a use permit and the following conditions:~~

~~a. Such center 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.~~

~~b. No community residence center 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 or center within a residential zoning district.~~

~~c. Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~

~~d. A maximum lot coverage of 25 percent.~~

~~e. A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~

~~f. The lot shall only have vehicular access from an arterial or collector street.~~

4. ~~Group home, subject to a use permit and the following conditions:~~

~~a. 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.~~

~~b. No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~

- ~~e. A maximum lot coverage of 25 percent.~~
 - ~~d. A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - ~~e. The lot shall only have vehicular access from an arterial or collector street.~~
- ~~5. Group foster home, subject to a use permit.~~
- ~~6. Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
- ~~7. A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single family dwellings on individual lots.~~
- ~~8. A residential convenience market is permitted as an accessory use to a multiple family development, subject to the following conditions:~~
 - ~~a. Signage shall be allowed only as part of a Comprehensive Sign Plan pursuant to Section 705. The Zoning Administrator may approve wall mounted signage up to a maximum height of 30 feet as part of an approved Comprehensive Sign Plan.~~
 - ~~b. The development shall contain a minimum of 400 dwelling units.~~
 - ~~c. The market shall not exceed 1,000 square feet in total floor area (display and storage) if the development contains less than 850 dwelling units. The market shall not exceed 3,000 square feet in total floor area (display and storage) if the development contains 850 or more dwelling units.~~
 - ~~d. No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.~~
- ~~9. Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~

Amend Chapter 6, Section 617 (R-4 Multifamily Residence District) to read as follows:

Section 617. R-4 Multifamily Residence District.

- B. **District Regulations.** The following tables establish standards to be used in the R-4 district. The definitions of terms used in these standards are found in Section 608.I. The single-family ~~attached~~-INFILL development option must meet Section 608.F.6 requirements.

Table A. Single-Family Development⁽²⁾—

TABLE 617.A R-4 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus

TABLE 617.A R-4 Development Option-Options SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots, 60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for

TABLE 617.A
R-4 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

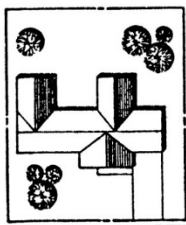
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
		demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements

TABLE 617.A
R-4 Development Option-~~OPTION~~S
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

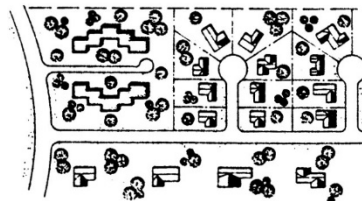
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 617.B

~~Table B. Single-Family (Subdivided Prior to May 1, 1998) Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 617.B R-4 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Individual unit lot: 20' width, no minimum depth
Dwelling unit density (units/gross acre)	29.0	29.0	30.45; 34.80 with bonus	30.45; 34.80 with bonus
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 10'-15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line
Building setbacks	20' front, 15' rear, 10' and 3' side	10' front, 30' front plus rear	10' front	Individual unit lot: none

TABLE 617.B R-4 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Maximum height	3 stories or 40' * 40' ⁽⁵⁾	3 stories or 40' * 40' ⁽⁵⁾	3 stories or 40' for 150'; 1' in 5' increase to 48' HEIGHT, 4- story maximum ⁽⁵⁾	3 stories or 40' for first 150'; 1' in 1' increase to 48' height, 4-story maximum* MAXIMUM ⁽⁶⁾
Lot coverage	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area ⁽³⁾	Minimum 5% of gross area

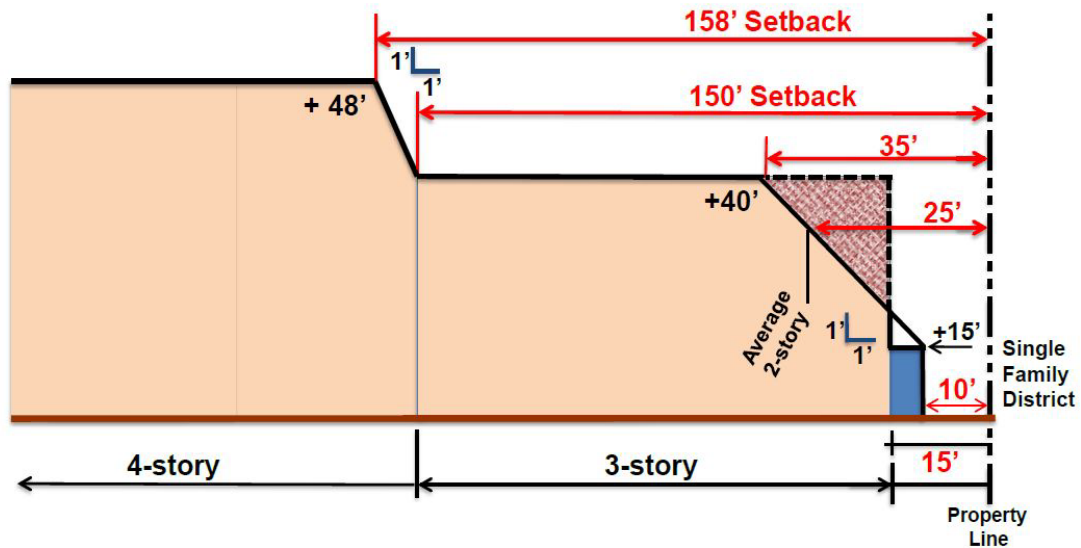
TABLE 617.B R-4 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Allowed uses DEVELOPMENT	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family attached and SINGLE-FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY) home occupations per Section 608
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway; alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

- * ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~
- (1) ~~1.3 for efficiency; 1.5 for one or two bedrooms; 2.0 for more than two bedrooms or for single-family detached.~~ PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) ~~These standards also apply to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.
- (4) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

Single-Family Infill Stepbacks

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

- 3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story).
- There shall be a 15' maximum height within 10' of single-family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



G. Special Regulations

1. Adult day care center, subject to a use permit; and provided, that:
 - a. Outdoor recreation areas shall be screened from adjacent properties by a six-foot high landscape hedge, solid fence, or solid wall.
2. Boarding house, subject to a use permit and the following conditions:
 - a. 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.
 - b. No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.

- ~~c. A maximum lot coverage of 25 percent.~~
 - ~~d. A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - ~~e. The lot shall only have vehicular access from an arterial or collector street.~~
- 3. ~~Community residence center, subject to a use permit and the following conditions:~~
 - ~~a. Such center 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.~~
 - ~~b. No community residence center 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 or center within a residential zoning district.~~
 - ~~c. Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~
 - ~~d. A maximum lot coverage of 25 percent.~~
 - ~~e. A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - ~~f. The lot shall only have vehicular access from an arterial or collector street.~~
- 4. ~~Group home, subject to a use permit and the following conditions:~~
 - ~~a. 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.~~
 - ~~b. No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~

- ~~e. A maximum lot coverage of 25 percent.~~
 - ~~d. A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - ~~e. The lot shall only have vehicular access from an arterial or collector street.~~
- ~~5. Group foster home, subject to a use permit.~~
- ~~6. Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
- ~~7. A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single family dwellings on individual lots.~~
- ~~8. A residential convenience market is permitted as an accessory use to a multiple family development, subject to the following conditions:~~
 - ~~a. Signage shall be allowed only as part of a Comprehensive Sign Plan pursuant to Section 705. The Zoning Administrator may approve wall mounted signage up to a maximum height of 30 feet as part of an approved Comprehensive Sign Plan.~~
 - ~~b. The development shall contain a minimum of 400 dwelling units.~~
 - ~~c. The market shall not exceed 1,000 square feet in total floor area (display and storage) if the development contains less than 850 dwelling units. The market shall not exceed 3,000 square feet in total floor area (display and storage) if the development contains 850 or more dwelling units.~~
 - ~~d. No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.~~
- ~~9. Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~

Amend Chapter 6, Section 618 (R-5 Multifamily Residence District) to read as follows:		
Section 618. R-5 Multifamily Residence District – RESTRICTED COMMERCIAL.		

B.	District Regulations - RESIDENTIAL USES. THE FOLLOWING TABLES ESTABLISH STANDARDS TO BE USED FOR RESIDENTIAL DEVELOPMENTS IN THE R-5 DISTRICT. THE DEFINITIONS OF TERMS USED IN THESE STANDARDS ARE FOUND IN SECTION 608.I. THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST MEET SECTION 608.F.6 REQUIREMENTS.	
	1.	Development Standards for Residential Uses. The following tables establish standards to be used in the R-5 District. The definitions of terms used in these standards are found in Section 608.I. The single-family attached development option must meet Section 608.F.8 requirements.

~~**Table A. Single-Family, Detached Development (Subdivided on or after May 1, 1998)–**~~

TABLE 618.A R-5 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))

TABLE 618.A R-5 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets ⁽²⁾	None	15' average, 10' minimum (does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum

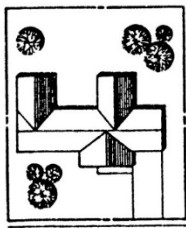
TABLE 618.A R-5 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
ALLOWED DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements

TABLE 618.A
R-5 Development Option-~~Options~~
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

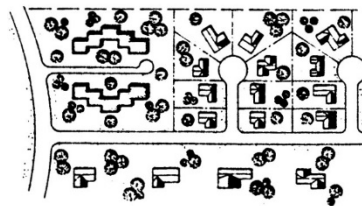
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 618.B

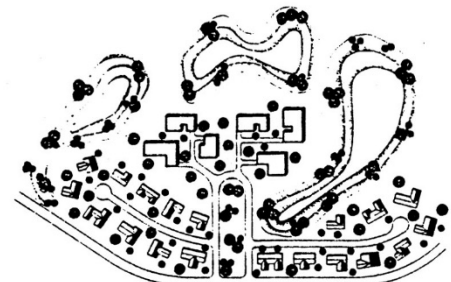
~~Table B. Single-Family (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 618.B R-5 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Individual unit lot: 20' width, no minimum depth
Dwelling unit density (units/gross acre)	43.5	43.5	45.68; 52.20 with bonus	45.68; 52.20 with bonus
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 10'-15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line
Building setbacks	20' front, 15' rear, 10' and 3' side	10' front, 30' front plus rear	10' front	Individual unit lot: none
Maximum height	4 stories or 48' (1)-(2) (5)	4 stories or 48' (1)-(2) (5)	4 stories or 48' (1)-(2) (5)	4 stories or 48' (1)-(2) (6)

TABLE 618.B R-5 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Lot coverage	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area ⁽³⁾	Minimum 5% of gross area
ALLOWED DEVELOPMENT	SINGLE-FAMILY DETACHED, SINGLE-FAMILY ATTACHED, AND MULTIFAMILY	SINGLE-FAMILY DETACHED, SINGLE-FAMILY ATTACHED, AND MULTIFAMILY	SINGLE-FAMILY DETACHED, SINGLE-FAMILY ATTACHED, AND MULTIFAMILY	SINGLE-FAMILY ATTACHED AND SINGLE-FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507

TABLE 618.B R-5 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway, alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

* ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~

(1) ~~1.3 for efficiency; 1.5 for one or two bedrooms; 2.0 for more than two bedrooms or for single-family detached.~~ PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.

(2) ~~The height limitation of four stories or 48 feet applies to residential uses.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.

(3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ THE ONLY SINGLE-FAMILY DETACHED

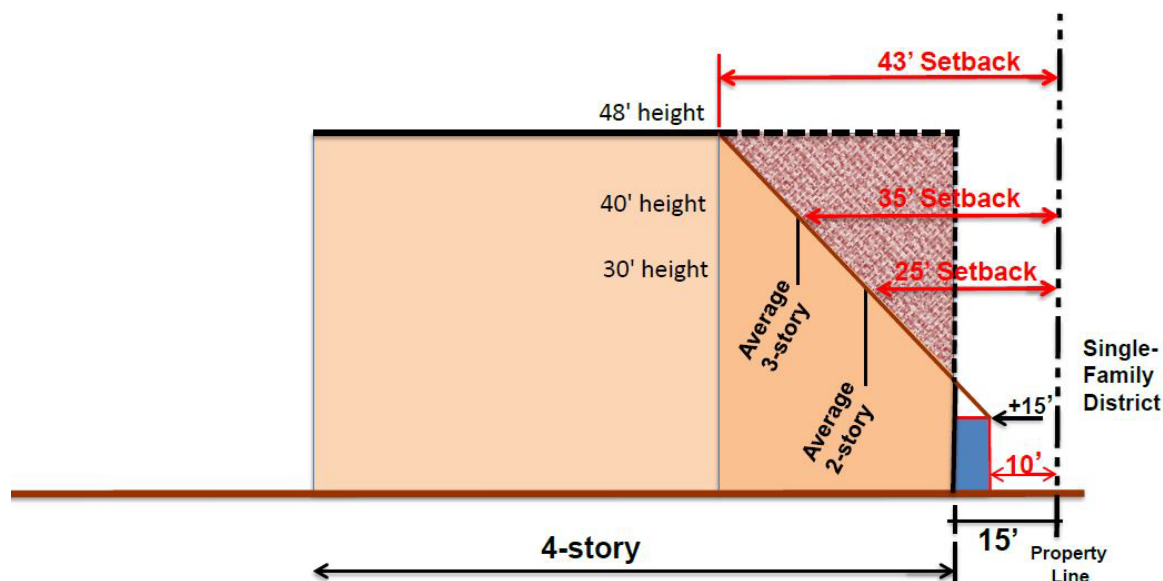
DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.

- (4) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

Single-Family Infill Stepbacks

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

- R-5: 4 stories and 48'.
- *There shall be a 15' maximum height within 10' of Single-Family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



2. ~~Development standards for commercial and mixed uses (including hotels and motels) shall be in accordance with Section 622.E.3 and E.4.~~

C. ~~Special~~DISTRICT Regulations FOR NON-RESIDENTIAL AND MIXED USES.
DEVELOPMENT REGULATIONS FOR NON-RESIDENTIAL AND MIXED USES
SHALL BE IN ACCORDANCE WITH C-1 STANDARDS (SECTIONS 622.E.3 AND
E.4).

- ~~1. A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single family dwellings on individual lots.~~

D. ADDITIONAL Permitted Uses.

- ~~1. Adult day care center, subject to a use permit; and provided, that:~~
 - ~~a. Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
- ~~2-1.~~ Bed and breakfast establishment.
- ~~3-2.~~ Biomedical and Medical Research Offices. A biomedical or medical research laboratory shall be permitted as an accessory use to a biomedical and medical research office, subject to the following limitations:
 - a. The use shall be subject to obtaining a use permit in accordance with the procedures and standards of Section 307.
 - b. Entrance to the laboratory shall only be from within the building and shall not be through doors which open to the outside of the building.
 - c. No sign or display for the laboratory shall be visible from adjacent public rights-of-way.
 - d. Access to a property containing a laboratory shall only be from a major arterial or arterial, as designated on the street classification map.
- ~~4-3.~~ Biomedical and Medical Research Offices. A biomedical or medical research laboratory shall be permitted as an accessory use to a biomedical and medical research office, subject to the following limitations:
- ~~5. Boarding house, subject to a use permit and the following conditions:~~

- ~~a. 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.~~
 - ~~b. No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.~~
 - ~~c. A maximum lot coverage of 25 percent.~~
 - ~~d. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
 - ~~e. The lot shall only have vehicular access from an arterial or collector street.~~
- 6. 4. Branch offices of the following uses are permitted subject to a use permit: banks, building and loan associations, brokerage houses, savings and loan associations, finance companies, title insurance companies, and trust companies.
- 7. ~~Community residence center, subject to a use permit and the following conditions:~~
 - ~~a. Such center 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.~~
 - ~~b. No community residence center 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 or center within a residential zoning district.~~
 - ~~c. Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~
 - ~~d. A maximum lot coverage of 25 percent.~~
 - ~~e. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~

- ~~f. The lot shall only have vehicular access from an arterial or collector street.~~
- ~~8.~~ 5. Copy and reproduction center, subject to a use permit.
- ~~9.~~ Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.
- ~~10.~~ Group foster home, subject to a use permit.
- ~~11.~~ Group home, subject to a use permit and the following conditions:
 - ~~a. 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.~~
 - ~~b. No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~
 - ~~c. A maximum lot coverage of 25 percent.~~
 - ~~d. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
- ~~12.~~ Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.
- ~~13.~~ 6. Hospice, subject to a use permit.
- ~~14.~~ 7. Hotel or Motel. The following accessory uses are permitted; provided, that the entrance to said accessory uses shall be from within the building only and that no sign or display for the accessory uses shall be located so as to be visible from a public thoroughfare or adjacent property:
 - a. Auto rental agency; provided, that there are no more than three vehicles stored on the hotel property.
 - b. Child care, for hotel/motel guests only.

- c. Cocktail lounges with recorded music or one musician.
 - d. Convention or private group activities.
 - e. Gift shop.
 - f. News stand.
 - g. Restaurants with recorded music or one musician.
 - h. Other services customarily accessory thereto.
- ~~15~~-8. Office for Administrative, Clerical, or Sales Services. No commodity or tangible personal property, either by way of inventory or sample, shall be stored, kept, or exhibited for purposes of sale in any said office or on the premises wherein the said office is located. Seminars shall be permitted as an accessory use; provided, that they are clearly accessory to the office use.
- ~~16~~-9. Office for professional use, including medical center, wellness center, and counseling services (provided that services are administered or overseen by a State licensed professional).
- a. The following accessory uses are permitted; provided, that the entrance to said accessory uses shall be from within the building only, that no sign or display for the accessory uses shall be located so as to be visible from a public thoroughfare or adjacent property, and that no more than 25 percent of the floor area can be used for the accessory uses:
 - (1) Fitness center.
 - (2) Massage therapy, administered by a State licensed massage therapist.
 - (3) Ophthalmic materials dispensing.
 - (4) Pharmacy.
 - (5) Sleep disorder testing with less than a 24-hour stay duration.
 - (6) Snack bar.

(7) Surgical center, provided there are no overnight stays.

- b. The following accessory uses are permitted, subject to a use permit and provided that the entrance to said accessory uses shall be from within the building only, that no sign or display for the accessory uses shall be located so as to be visible from a public thoroughfare or adjacent property:

(1) Medical and dental laboratories.

(2) Orthotics and prosthetic laboratories.

47. 10. Nursing home, subject to a use permit and the following conditions:

- a. A maximum lot coverage of 25 percent.
- b. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.

48. 11. Private clubs and lodges qualifying by law as a nonprofit entity, subject to a use permit. The use permit is not required if a special permit, according to Section 647, is obtained. Bingo may be operated as an accessory use on the premises of the club no more than two days per week.

~~19. A residential convenience market is permitted as an accessory use to a multiple-family development, subject to the following conditions:~~

- ~~a. Signage shall be allowed only as part of a Comprehensive Sign Plan pursuant to Section 705. The Zoning Administrator may approve wall mounted signage up to a maximum height of 30 feet as part of an approved Comprehensive Sign Plan.~~
- ~~b. The development shall contain a minimum of 400 dwelling units.~~
- ~~c. The market shall not exceed 1,000 square feet in total floor area (display and storage) if the development contains less than 850 dwelling units. The market shall not exceed 3,000 square feet in total floor area (display and storage) if the development contains 850 or more dwelling units.~~

- d. ~~No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.~~

~~20-~~ 12. Teaching of the fine arts, subject to use permit.

~~21-~~ 13. Volunteer community blood centers qualifying by law as a nonprofit entity, subject to a use permit.

Amend Chapter 6, Section 619 (R-4A District—Multifamily Residence—General) to read as follows:

Section 619. R-4A District—Multifamily Residence—General

A. **Permitted Uses.** PRIMARY USES AND ACCESSORY USES ARE PERMITTED AS INDICATED IN THE RESIDENTIAL DISTRICTS LAND USE MATRIX, SECTION 608.D, PLUS THE FOLLOWING:

- 1. ~~All uses permitted in the RE 24, R 3 and R 4 districts.~~
- 2. ~~Same accessory uses and buildings as RE 24.~~
- 3. ~~Adult day care center, subject to a use permit; and provided, that:~~
 - a. ~~Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
- 4. ~~Boarding house, subject to a use permit and the following conditions:~~
 - a. ~~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.~~
 - b. ~~No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.~~

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- ~~d. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
- ~~8.~~ 1. Hospice, subject to a use permit.
- ~~9.~~ 2. Nursing home, subject to a use permit and the following conditions:
 - a. A maximum lot coverage of 25 percent.
 - b. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.
- ~~10.~~ ~~Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
- ~~11.~~ A residential convenience market is permitted as an accessory use to a multiple-family development, subject to the following conditions:
 - ~~a. Signage shall be allowed only as part of a Comprehensive Sign Plan pursuant to Section 705. The Zoning Administrator may approve wall mounted signage up to a maximum height of 30 feet as part of an approved Comprehensive Sign Plan.~~
 - ~~b. The development shall contain a minimum of 400 dwelling units.~~
 - ~~c. The market shall not exceed 1,000 square feet in total floor area (display and storage) if the development contains less than 850 dwelling units. The market shall not exceed 3,000 square feet in total floor area (display and storage) if the development contains 850 or more dwelling units.~~
 - ~~d. No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.~~
- ~~12.~~ The display for sale of a vehicle, which for purposes of this provision includes trailers, watercraft or other types of transportation that are built to carry passengers or cargo, shall be subject to the following restrictions:
 - ~~a. No more than one [1] vehicle can be labeled for sale or show any indication that it is for sale at any given time on a property, whether visible on site or through some other form of advertising.~~

- b. ~~No more than two [2] vehicles can be sold on a property during any calendar year.~~
 - c. ~~For purposes of Subsections a and b above, two [2] jet skis, a boat or similar types of recreational vehicles that are transported on one trailer shall, together with the trailer, be considered one vehicle.~~
 - d. ~~The ownership of the vehicle[s] must be registered to the location where the vehicle is listed for sale.~~
 - e. ~~No vehicle can be labeled for sale or show any indication that it is for sale at an unoccupied house or on a vacant lot or parcel.~~
 - f. ~~No vehicle can be labeled for sale or show any indication that it is for sale in conjunction with a retail or wholesale vehicle sales dealership or business without obtaining a temporary use permit.~~
13. ~~Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~
3. SINGLE-FAMILY INFILL DEVELOPMENTS, PER THE PROVISIONS OF SECTION 608.F.6 AND SECTION 617 (R-4) TABLE B, COLUMN D.

B. **Yard, Height and Area Requirements.** Except as required by Section 701, the following yard, height and area provisions shall be required for this district:

- 7. Yards for ACCESSORY DWELLING UNITS and ~~detached~~ OTHER accessory ~~buildings~~ STRUCTURES shall be ~~permitted~~ as in ACCORDANCE WITH THE PROVISIONS OF Section 706.
- 8. Single-family ~~attached~~ INFILL development must comply with R-4 ~~standards~~ ALL REGULATIONS APPLICABLE TO SFI DEVELOPMENT IN THE R-4 DISTRICT EXCEPT FOR DENSITY, WHICH SHALL BE PERMITTED PER SECTION 619.B.1.

9. OFFSITE MANUFACTURED HOME DEVELOPMENTS, UPON OBTAINING USE PERMIT APPROVAL, SHALL COMPLY WITH THE R-4 STANDARDS FOR PLANNED RESIDENTIAL DEVELOPMENTS (TABLE 617.B, COLUMN C) EXCEPT FOR DENSITY, WHICH SHALL BE PERMITTED PER SECTION 619.B.1

- ~~C. **Site Plan Required.** A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single-family dwellings on individual lots.~~

Amend Chapter 6, Section 635 (Planned Area Development) to read as follows:

Section 635. Planned Area Development.

C. Use Regulations.

1. **Uses permitted.** In the planned area development districts only the following uses are permitted:
 - a. ~~Single-family detached, duplex, and multiple dwellings; apartment houses.~~ AS STATED IN SECTION 608.D, RESIDENTIAL DISTRICTS LAND USE MATRIX.
 - b. ~~Other uses as permitted in Sections 608 and 703.A.~~
 - c. b. Neighborhood retail uses and other nonresidential uses limited to those enumerated in the C-1 district may be specifically and selectively authorized as to type and size only when integrated by design as an accessory element of the project, and only when located in an area proposed to be appropriately zoned for said use and approved as provided below, provided that the development is planned for more than four hundred dwelling units.
 - d. ~~Same accessory uses and buildings as RE-24.~~
 - e. ~~The display for sale of a vehicle, which for purposes of this provision includes trailers, watercraft or other types of transportation that are built to carry passengers or cargo shall be subject to the following restrictions:~~

- (1) ~~No more than one [1] vehicle can be labeled for sale or show any indication that it is for sale at any given time on a property, whether visible on-site or through some other form of advertising.~~
- (2) ~~No more than two [2] vehicles can be sold on a property during any calendar year.~~
- (3) ~~For purposes of subsections a and b above, two [2] jet skis, a boat or similar types of recreational vehicles that are transported on one trailer shall, together with the trailer, be considered one vehicle.~~
- (4) ~~The ownership of the vehicle[s] must be registered to the location where the vehicle is listed for sale.~~
- (5) ~~No vehicle can be labeled for sale or show any indication that it is for sale at an unoccupied house or on a vacant lot or parcel.~~
- (6) ~~No vehicle can be labeled for sale or show any indication that it is for sale in conjunction with a retail or wholesale vehicle sales dealership or business without obtaining a temporary use permit.~~

Amend Chapter 6, Section 649 (Mixed Use Agricultural (MUA) District) to read as follows:

Section 649. Mixed Use Agricultural (MUA) District.

- E. **Permitted Accessory Uses.** Land in the MUA District may be used as permitted accessory uses and structures, incidental to and on the same zoning lot as the primary use, for the following uses:

4. ~~Guesthouse, provided that it does not exceed six hundred square feet or twenty-five percent of the floor area of the principal structure, whichever is larger.~~ ACCESSORY DWELLING UNIT, PER THE PROVISIONS OF SECTION 706.A.

Amend Chapter 6, Section 651 (Baseline Area Overlay District) to read as follows:

Section 651. Baseline Area Overlay District (BAOD).

- C. **Use Regulations.** The regulations governing the uses of land and structures shall be as set forth in the underlying zoning districts except as expressly modified by the following regulations.

~~Detached guesthouses are permitted in R1-18 to R1-6 single family districts, provided that:~~

1. ~~The structure shall not exceed seven hundred square feet. A use permit is required to exceed seven hundred square feet.~~
2. ~~The minimum lot size is eight thousand square feet.~~
3. ~~An additional parking space shall be provided.~~
4. ~~There shall be no more than one guesthouse per lot.~~
5. ~~The guesthouse shall maintain the same setbacks as the primary structure.~~
6. ~~The guesthouse shall maintain the same architectural style, color and building materials as the primary dwelling in order to be viewed as an accessory to the main unit and not a separate dwelling.~~
7. ~~A use permit shall be required for all guests homes where the primary structure existed prior to the effective date of this section of the ordinance.~~
8. ~~There shall be a minimum lot width of sixty-five feet.~~

Amend Chapter 6, Section 653 (Desert Character Overlay Districts) to read as follows:

Section 653. Desert Character Overlay Districts.

B. Desert Maintenance Overlay (Sub-Districts A and B).

4. **Permitted uses for Sub-Districts A and B.** Land and structures in the Desert Maintenance Overlay Sub-Districts A and B shall only be used for the following purposes subject to the standards and procedures in Chapters 3 and 5 of the Zoning Ordinance and the regulations and special standards set forth herein. In the event there is a conflict these provisions shall prevail.

- c. ~~AN guesthouse~~ **ACCESSORY DWELLING UNIT, WHEN PERMITTED, shall be allowed as a structure subordinate to a residence. It is to be sited within the building envelope. The SHOULD HAVE AN architectural character and detailing must be consistent with the main residence. and should appear to tie in to the main residence.**

5. District regulations for Desert Maintenance Overlay Sub-District A.

- s. Model homes are allowed prior to recording a subdivision plat, subject to submitting a final plat which shall show the following information for each model home lot as well as meet other requirements of this ordinance and Section ~~608.C.3~~ 608.D.7 of the Zoning Ordinance.

6. District regulations for Desert Maintenance Overlay Sub-District B.

- h. Model homes are allowed prior to recording a subdivision plat, subject to submitting a final plat which shall show the following information for each model home lot as well as meet other requirements of this ordinance and Section ~~608.C.3~~ 608.D.7 of the Zoning Ordinance.

Amend Chapter 6, Section 658 (Deer Valley Airport Overlay (DVAO) District) to read as follows:

Section 658. Deer Valley Airport Overlay (DVAO) District.

- C. **Regulation Areas:** The DVAO District is divided into three separate regulation areas. When a parcel falls partially into one or more of the regulation areas, the most restrictive regulation area shall apply to the entire parcel.

- 2. **Prohibited uses, Areas 2 & 3:** Same as Area 1 and the following:

- d. Church or similar place of worship; including parish houses, parsonages, rectories and convents, and dormitories (including all elements of such as defined in Section ~~608.E.4~~ 608.E.21).

Amend Chapter 6, Section 664 (North Central Avenue Special Planning District (SPD) Overlay District) to read as follows:

Section 664. North Central Avenue Special Planning District (SPD) Overlay District.

- D. **District Regulations.** The following table establishes variations to the current standards for the R1-10 Subdivision Option. The definitions of terms used in these standards are found in Section ~~608.D~~ 608.I. Development standards that are not listed here shall follow the standards in the R1-10 Subdivision Option, Section 611, Table 611.B. Variances to these regulations should also consider objectives of the

Special Planning District Plan. To use a development option other than subdivision requires approval through the rezoning public hearing process, Section 506.B.

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

A. Lots.

3. Projections.

- a. The following provisions apply to development in ~~the subdivision option of~~ Sections 604 through 607 AND 619, and IN THE SUBDIVISION OPTION OF Sections 609 through 618:

(2) Closed Projections.

- (d) The main building in ~~a residence district~~ (WHICH MAY INCLUDE AN ATTACHED ADU) may project ~~five feet~~ into the required rear yard ~~for no more than one half the maximum width of the structure.~~ WHEN NO PORTION OF THE PROJECTION EXCEEDS 15' IN HEIGHT; THE PROJECTION IS NO CLOSER TO THE REAR PROPERTY LINE THAN 3', AND THE PROJECTION IS NO CLOSER TO A SIDE PROPERTY LINE THAN ALLOWED BY THE DISTRICT; ~~UNLESS A greater projection than five feet is subject to obtaining a use permit IS OBTAINED~~ in accordance with the provisions of Section 307.

Amend Chapter 7, Section 702.F (Special Parking Standards) to read as follows:

F. Special Parking Standards.

1. Residential lots.

- a. Required parking spaces for single-family ~~and duplex~~ residential uses may not be located in the required front yard.
- b. Spaces in excess of those required for single family ~~and duplex~~ residential uses may be located in the required front yard. However, all parking and maneuvering areas within the required front yard shall not exceed ~~forty-five percent (45%)~~ 50% OF THE AREA OF THE REQUIRED FRONT YARD, EXCEPT THAT A DRIVEWAY SHALL NOT BE REQUIRED TO BE LESS THAN 18' IN WIDTH UNLESS OTHERWISE STIPULATED BY HISTORIC PRESERVATION.
 - (1) ~~The area of the required front yard, or~~
 - (2) ~~An area equal to the required front yard setback times the average lot width when the adjoining side property lines are not parallel. Notwithstanding the above requirements, the parking and maneuvering area shall not be required to be less than:~~
 - (a) ~~Eighteen (18) feet in width, or~~
 - (b) ~~The cumulative width of all front facing garage doors or carports plus three (3) feet, whichever is greater.~~

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

- B. 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 ~~in any district containing a structure with two~~ FOUR or more dwelling units.

Amend Chapter 7, Section 706 (Accessory Uses and Structures) to add language regarding Accessory Dwelling Units, and revising the existing language to apply only to other types of accessory structures, and to read as follows:

Section 706. Accessory Uses and Structures.

- A. ~~No detached accessory structures or swimming pools are permitted within the required front yard(s) of any residential district.~~
- B. ~~All detached accessory structures in the side and rear yard, not used for sleeping or living purposes, are to maintain a minimum setback of three feet from property lines. Swimming pools are to maintain a minimum setback of three feet from exterior property lines.~~
- C. ~~All accessory structures located within the required side yard are not to exceed eight feet in height.~~
- D. ~~On any corner lot contiguous to a key lot, detached structures with a height which exceeds eight feet must be set back from the street side a distance equal to the required front yard setback of the adjoining key lot.~~
- E. ~~On any other corner lot no detached accessory building over eight feet high shall be closer to the side street property line than a distance of ten feet.~~
- F. ~~Detached accessory structures may be constructed on the property line where the rear lot line is adjacent to a fully dedicated alley.~~

- G. ~~No detached accessory structure located within the required rear yard of a residentially zoned property shall exceed a height of one story or fifteen feet except as approved by a use permit in accordance with the provisions of Section 307.~~

A. ACCESSORY DWELLING UNITS (ADU)

1. IN ZONING DISTRICTS WHERE ACCESSORY DWELLING UNITS ARE A PERMITTED USE, ONE (1) ADU IS PERMITTED PER LOT WHEN A SINGLE-FAMILY DETACHED PRIMARY DWELLING UNIT IS ALSO PROVIDED, UNLESS OTHERWISE PERMITTED BY THE 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.
3. AN ADU MAY BE EITHER ATTACHED TO OR DETACHED FROM THE PRIMARY DWELLING UNIT, 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, 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.

4. A DETACHED ADU MAY BE LOCATED WITHIN THE REQUIRED REAR YARD, SUBJECT TO THE FOLLOWING:
 - a. SETBACKS.
 - (1) MINIMUM 10 FEET FROM A STREET SIDE PROPERTY LINE.
 - (2) MINIMUM 3 FEET FROM AN INTERIOR PROPERTY LINE.
 - (3) NO SETBACK IS REQUIRED ADJACENT TO A FULLY DEDICATED ALLEY.
 - b. HEIGHT. MAXIMUM 15 FEET UNLESS USE PERMIT APPROVAL FOR A GREATER HEIGHT IS OBTAINED PER SECTION 307.
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. 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. 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. AN ADU SHALL COMPLY WITH THE LOT COVERAGE REQUIREMENTS APPLICABLE TO THE PROPERTY.
9. AN 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 OR ATTACHED SHADE STRUCTURE CONSTRUCTED AS PART OF A DETACHED ADU SHALL COUNT TOWARD THE GROSS FLOOR AREA OF THE ADU. ANY ATTACHED SHADE STRUCTURES SHALL COUNT TOWARDS LOT COVERAGE, BUT NOT GROSS FLOOR AREA.

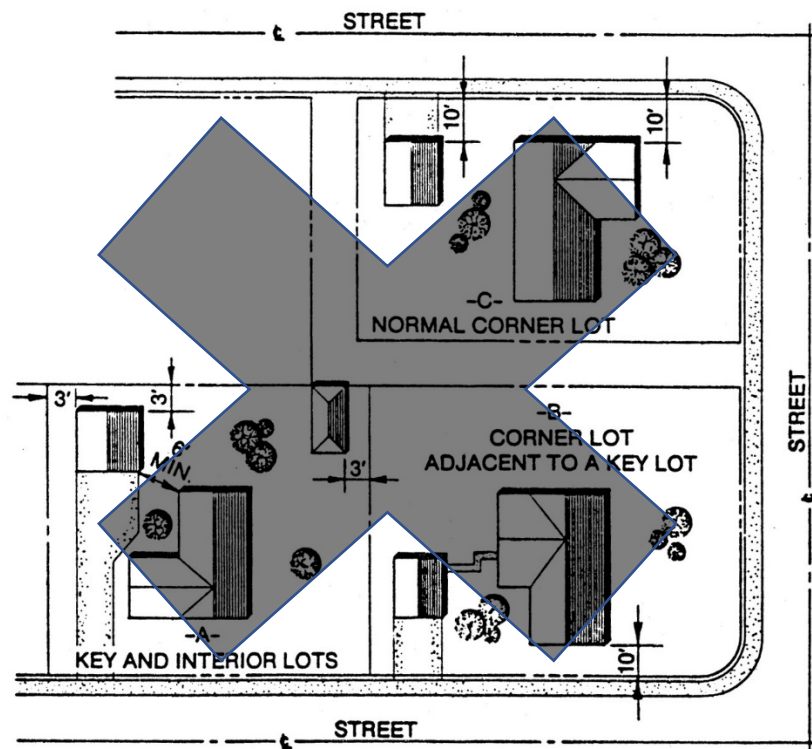
10. PERMIT ISSUANCE AND RESTRICTIVE COVENANT. PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR AN ADU, THE PROPERTY OWNER SHALL SIGN BEFORE A NOTARY PUBLIC A RESTRICTIVE COVENANT THAT RUNS WITH THE LAND ON A FORM PREPARED BY THE CITY ATTORNEY OR DESIGNEE AFFIRMING THAT THE PROPERTY OWNER SHALL:

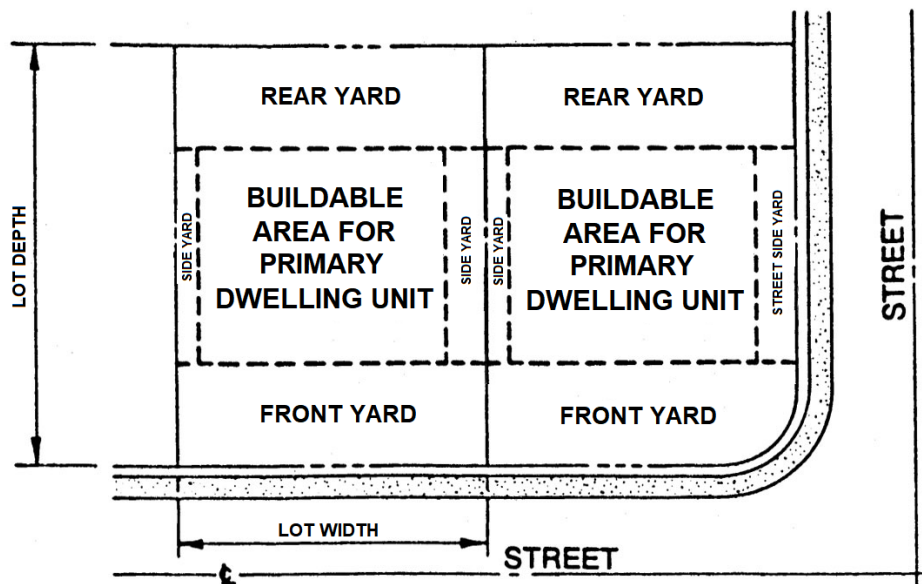
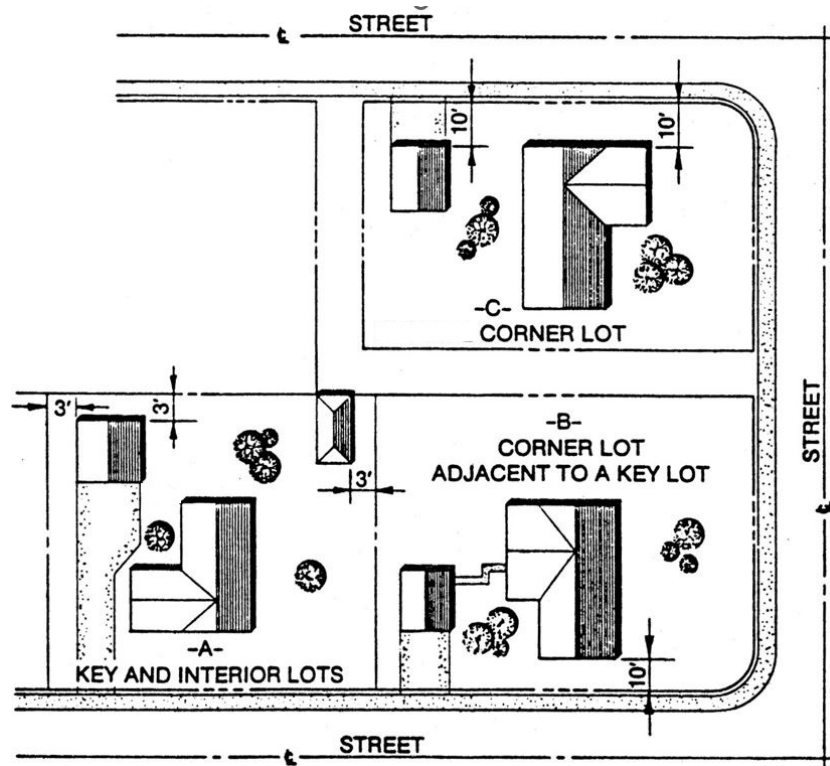
- a. OCCUPY EITHER THE PRIMARY DWELLING UNIT OR THE ADU, OR
 - b. IF THE PROPERTY OWNER RENTS OR LEASES A PROPERTY WITH BOTH A PRIMARY DWELLING UNIT AND AN ADU TO A THIRD PARTY, THEN NEITHER THE PRIMARY RESIDENCE NOR THE ADU SHALL BE **RENTED OR LEASED SEPARATELY FROM THE REMAINDER OF THE PROPERTY, NOR** SUB-LEASED.

- B. **SINGLE-FAMILY RESIDENTIAL ACCESSORY STRUCTURES.** THE FOLLOWING REGULATIONS APPLY TO ACCESSORY STRUCTURES WHICH ARE NOT USED FOR SLEEPING OR LIVING PURPOSES, 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. PERMITTED HEIGHTS.
 - a. MAXIMUM HEIGHT OF 8 FEET WHEN LOCATED WITHIN 10 FEET OF A STREET SIDE PROPERTY LINE, OR 15 FEET WHEN LOCATED ELSEWHERE WITHIN THE REQUIRED REAR OR SIDE YARD.

- b. HEIGHTS IN EXCESS OF 15 FEET, WHEN NOT LOCATED WITHIN 10' OF **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 3 FEET ADJACENT TO A REAR OR SIDE PROPERTY LINE, EXCEPT THAT NO SETBACK IS REQUIRED ADJACENT TO A FULLY DEDICATED ALLEY.





C. SWIMMING POOLS.

1. SWIMMING POOLS SHALL NOT BE LOCATED IN THE REQUIRED FRONT YARD, NOR IN ANY REQUIRED LANDSCAPE SETBACK.
2. SWIMMING POOLS SHALL MAINTAIN A MINIMUM SETBACK OF THREE FEET FROM PROPERTY LINES, EXCEPT THAT POOLS LOCATED ON A LOT DESIGNATED "HILLSIDE" PER SECTION 710 SHALL COMPLY WITH ALL HILLSIDE DEVELOPMENT REGULATIONS, INCLUDING SETBACKS.

Amend Chapter 7, Section 708. (Temporary uses) to read as follows:

Section 708. Temporary uses.

- L. Charitable Drop Box Container Permit.** A charitable drop box container permit is subject to the following:

1. An annual permit is required for the following uses or analogous uses:
 - a. Charitable drop box containers.

- (9) Permits are not required when the container is in compliance pursuant to Section ~~608.E.1~~ 608.E.21.

Amend Chapter 12, Sections 1204.C and D (Land Use Matrix) to correct references of "Single-Family Attached" to "Single-Family Infill", and to read as follows:

**Chapter 12
DOWNTOWN CODE**

Section 1204. Land Use Matrix.

- C. The following shall apply to uses that are permitted with conditions (pc) as indicated with a number that corresponds with the Land Use Matrix in Section 1204.D:

27. Single-family ~~attached~~ INFILL SUBDIVISION, ~~subject to the following~~; PER THE STANDARDS OF SECTION 608.F.6 AND SECTION 614, TABLE 614.B, COLUMN D, EXCEPT AS MODIFIED BELOW:
- a. Historic preservation designated properties or properties in historic preservation districts cannot use the single-family ~~attached~~ INFILL development option.
 - b. ~~Individual unit lot: minimum 20-foot width, no minimum depth.~~ MAXIMUM HEIGHT: AS PER HEIGHT MAP, SECTION 1202.B.
 - c. ~~Perimeter standards: maximum ten feet for units fronting street rights-of-way; minimum 15 feet for units siding street rights-of-way. This area is to be in common ownership or management, ten feet adjacent to property line.~~ MAXIMUM DENSITY: AS PER DENSITY MAP, SECTION 1202.C.
 - d. ~~Building setbacks, individual unit lot: none.~~ MAXIMUM LOT COVERAGE: 100 PERCENT PER LOT; OVERALL SUBDIVISION LOT COVERAGE PER APPLICABLE CHARACTER AREA.
 - e. ~~Maximum stories: as per height map, Section 1202.C.~~ FRONTAGE SETBACKS AND REQUIREMENTS: AS PER THE APPLICABLE CHARACTER AREA; OR, IF LOTS FRONT ON A NEW INTERNAL STREET OR DRIVE, PER THE REGULATIONS OF SECTION 608.F.6 AND SECTION 614, TABLE B, COLUMN D.
 - f. ~~Lot coverage per dwelling unit: 100 percent.~~ PERIMETER STANDARDS (NOT ON A STREET): PER THE REGULATIONS OF SECTION 608.F.6.
 - g. ~~Common areas: minimum five percent of gross area.~~ INDIVIDUAL LOT SETBACKS.

- (1) THE STEPBACK REQUIREMENTS OF TABLE 614.B, COLUMN D DO NOT APPLY TO BUILDINGS COMPLYING WITH THE MAXIMUM HEIGHT ALLOWED BY THE HEIGHT MAP, SECTION 1202.B.
 - (2) INDIVIDUAL LOT FRONT: 10' OR THE REQUIRED FRONTAGE SETBACK, WHICHEVER IS GREATER.
 - (3) INDIVIDUAL LOT SIDE AND REAR: 0' OR THE REQUIRED PERIMETER SETBACK, WHICHEVER IS GREATER.
- h. ~~Allowed uses: single family attached and home occupations per Section 608.~~ PARKING REQUIREMENTS: PER SECTION 608.F.6, AS THE REGULATIONS APPLY TO THE INFILL DEVELOPMENT DISTRICT.
 - i. ~~Development review per Section 507.~~ 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. ~~Design: front of units should face right of way. No garages allowed to face pedestrian or side streets.~~ 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.
 - k. ~~Other requirements of Section 608.F.8 shall apply if not specifically modified by this section.~~

D. Land Use Matrix.

LAND USE CATEGORIES	CHARACTER AREAS				
	ACTIVE USE	***	Comm erc ial Corridor	***	Warehous e

Residential Uses					
***	***	***	***	***	***
Dwelling UNIT, Multi-Family MULTIFAMILY		***	p		p
Dwelling UNIT, Single-Family, Detached (INCLUDING DUPLEX AND TRIPLEX USES)		***	p	***	np
Dwelling UNIT, Single-Family and Duplex, Attached		***	p	***	np
***	***	***	***	***	***
SUBDIVISION, Single-Family Attached-Infill		***	np-PC27	***	pc27-NP

Amend Chapter 13, Sections 1303 (Transect lot standards), 1305.C (Fence Standards), 1306 (Land Use Matrix) and 1310 (Open Space Improvements) to correct references of “Single-Family Attached” to “Single-Family Infill”, and to read as follows:

Chapter 13 WALKABLE URBAN (WU) CODE

Section 1303. Transect lot standards.

A. General Lot Standards.

1. Subdivisions shall comply with development standards per this chapter, including frontage standards, for all existing and newly created lots abutting public streets, private accessways, and private driveways, with the following caveats:
 - a. A development may instead utilize the Single-Family ~~attached~~ INFILL development option standards per Section ~~608(F)(8)~~ 608.F.6 and Section 614, Table 614.B, Column D (except for the density, which is not restricted) if it meets all three of the following conditions:
 - (1) The development consists solely of ~~attached~~ SINGLE-FAMILY dwelling units and allowable accessory uses;

- (2) The development is located within the applicable area for the single-family ~~attached~~-INFILL development option or the Infill Development District as depicted on the map provided in Section ~~608(F)(8)~~-608.F.6; and

2. All developments adjacent to single-family zoning districts shall follow the same setback and stepback standards as the single-family ~~attached~~-INFILL development option (Section 614, Table 614.B, Column D); with additional requirements as follows:

B. Transect Setbacks and Lot Standards.

Table 1303.2 Transect T4

BUILDING HEIGHT			BUILDING STEPBACKS		
a	Main Building	T4:2 30-foot maximum			
		T4:3 40-foot maximum			
		SFA-SFI: 48-foot maximum		Required for SFA-SFI as per Sections 1303.A.1 and 2	

* Lot coverage maximum may be modified for ~~SFA-SFI~~ development option.

Table 1303.2 Transect T5

BUILDING HEIGHT

BUILDING STEPBACKS

* a. Lot coverage maximum may be modified for ~~SFA-SFI~~ development option.

b. Lot coverage maximum may vary depending on setback requirements when adjacent to existing single-family residential districts and historic preservation properties or districts.

Table 1303.2 Transect T6

Minimum glazing shall apply to commercial building frontages only, as per Section 1305.B.2. For residential products T4 glazing standards shall apply.

	<p><i>* a. Lot coverage maximum may be modified for SFA-SFI development option.</i></p> <p><i>b. Lot coverage maximum may vary depending on setback requirements when adjacent to existing single-family residential districts and historic preservation properties or districts.</i></p>
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1305. Frontage Standards.

C. Fence Standards.

1. T3 and T4.

- a. Primary frontages: 40 inches maximum height.
- b. Secondary frontages: 72 inches maximum height. For SFA-SFI development: 48 inches maximum height solid fence. Above 48 inches to 72 inches allowed only as a 70 percent open view fence, unless screening above grade utilities or trash enclosures.

Section 1306. Land Use Matrix.

Table 1306.1. Land Use Matrix

CATEGORY: RESIDENTIAL USES	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR
***	***	***	***	***	***
Dwelling UNIT, Multif	NP	P		P	P
Dwelling UNIT, Single-Family, Detached (INCLUDING DUPLEX AND TRIPLEX USES)	P	P	***	NP	NP
Dwelling UNIT, Single-Family and Duplex, Attached	P	P	***	P	P

C. Residential Uses, Land Use Conditions.

3. Dependent Care Facility.

- a. One to six dependents: standards as per Section 608.D.5-608.E.15.
~~Use permit required for s~~Seven to 12 dependents: USE PERMIT,
 AND STANDARDS AS PER SECTION 608.E.16.

Table 1306.1. Land Use Matrix

CATEGORY: SERVICES	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR

Home Occupation As per Section 608.E.3	PG	PG	***	P	P
***	***	***	***	***	***
Hotel As per Section 618.D.14-7	NP	PC	***	PC	PC
***	***	***	***	***	***
Office, Professional As per Section 618.D.15-8 and 16-9	PC	PC	***	PC	PC

CATEGORY: LOCAL FOOD PRODUCTION	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR
Community Garden As per Section 608.F.6 608.E.24	UP	UP	***	UP	UP
Farmers Markets As per Section 608.F.7 608.E.25	UP	UP	***	UP	UP

CATEGORY: ACCESSORY USES	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR
Accessory Dwelling Unit	P	P	***	P	P
Accessory Dwelling Unit— Guest	P	P	***	P	P

Home Occupation As per Section 608.E.3 608.E.27	PC	PC	***	PC	PC

CATEGORY: INTERIM USES	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR
Environmental Remediation Facility As per 608.F.5 608.E.23	UP	UP	***	UP	UP

Section 1310. Open space improvements.

A. Open Space Guidelines.

1. Parcels zoned T3 are exempt from required public open space improvements.
2. Open space requirements for developments within the T4, T5, and T6 transects are as follows:
 - a. For sites of one gross acre or larger, minimum open space of at least five percent of the gross site area shall be required. For developments utilizing the single-family attached INFILL development option standards in accordance with Section ~~1303(A)(1)(a)~~ 1303.A.1.a., open space shall be provided as required by Section 614, Table 614,B, Column D, regardless of lot size.

Table 1310.1 Public Open Space Type Guidelines

[table unchanged]

* Single-family ~~attached~~ INFILL developments must provide open space as required per Section ~~1310(A)(2)(a)~~ 1310.A.2.a.

ATTACHMENT D
Z-TA-5-23: Accesory Dwelling Units
Village Planning Committee Summary Results

Village	Information Only Date	Recommendation Date	Recommendations	Vote
Paradise Valley	6/5/2023	7/10/2023	No Quorum	N/A
		8/7/2023	Denial	9-5
Encanto	6/5/2023	7/10/2023	Approval, per the staff recommendation	9-4
Laveen	6/12/2023	7/10/2023	Approval, per the staff recommendation with direction to incorporate the changes recommended by the Neighborhood Coalition of Greater Phoenix letter	7-1
Central City	6/12/2023	7/10/2023	Approval, per the staff recommendation with direction to that the city investigate short term rental regulations, utility and parking capacity, and a permitting process for ADUs	14-0
Camelback East	6/6/2023	7/11/2023	Approval, per the staff recommendation with direction to incorporate the changes recommended by the Neighborhood Coalition of Greater Phoenix letter	15-0
Desert View	6/6/2023	7/11/2023	Denial	5-4
Rio Vista	6/13/2023	7/11/2023	Approval, per the staff recommendation	3-2
South Mountain	6/13/2023	7/11/2023	Approval, per the staff recommendation	9-2
Maryvale	6/14/2023	7/12/2023	No Quorum.	N/A
		8/9/2023	No Quorum.	N/A
Deer Valley	6/8/2023	7/13/2023	Approval, per the staff recommendation	6-3
North Gateway	6/8/2023	7/13/2023	Approval, per the staff recommendation	4-2
Estrella	6/20/2023	7/18/2023	Approval, per the staff recommendation with stipulations to clarify language regarding regulations related to HP properties and HOAs	7-2
North Mountain	6/21/2023	7/19/2023	Approval, per the staff recommendation with direction to include a 30 day minimum lease term, the locations of all approved ADUs shall be made public and be continually updated, staff shall conduct an assessment after 1 year to evaluate the number of units constructed and how the program is working, and the city shall explore options to assist low and moderate income homeowners to construct ADUs.	14-0
Ahwatukee Foothills	6/26/2023	7/24/2023	Denial	7-1
Alhambra	6/27/2023	7/25/2023	Approval, per the staff recommendation with modifications that to ensure HOAs have superiority in regulating ADUs and require that the owner lives in one of the units for a minimum of two years.	10-5



Village Planning Committee Meeting Summary

Z-TA-5-23-Y

INFORMATION ONLY

Date of VPC Meeting	June 5, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.

VPC DISCUSSION:

Mr. Zambrano explained what an Accessory Dwelling Unit (ADU) is, sharing current terms used in Phoenix Zoning Ordinance and other nicknames for ADUs. Mr. Zambrano displayed a photo of the Willo Historic District showing buildings that are likely ADUs, or guesthouses. Mr. Zambrano shared the proposed changes in the Phoenix Zoning Ordinance, including allowing only one ADU per lot in all single-family zoned districts, definitions for duplex and triplex to make clear distinctions from ADUs, increases in lot coverage for most districts, revisions to rear-yard projection rules to allow ADUs and other projections further into the rear yard, height limitations in the rear yard, and fixing references to guesthouses among other sections. Mr. Zambrano then discussed different types of ADUs, including above-garage apartments, detached ADUs, attached ADUs, basement conversions, and converted garages. Mr. Zambrano noted that ADUs would be allowed to be two-stories within the building envelope, outside of the required setbacks, and would be limited to one-story and 15 feet in height within the required rear yard. Mr. Zambrano added that the text amendment would not prohibit other accessory structures, such as a detached garage. Mr. Zambrano then shared the proposed development standards for ADUs and concluded with the timeline for the text amendment.

Daniel Mazza asked if an ADU that was an above-garage apartment would need an exterior door and stairwell. **Mr. Zambrano** responded that he was unsure but would write the question down and follow up.

Mr. Goodhue stated that if the intent was to rent out an ADU, a separate entrance would be desired.

Diane Petersen asked if there could only be one accessory structure per lot. **Mr. Zambrano** responded that there will only be one ADU allowed per lot, and that the text amendment would not prohibit other accessory structures, such as a detached garage.

Anna Sepic asked if the structures are determined to be livable structures based on a kitchen. **Mr. Zambrano** responded affirmatively, noting that a full kitchen with cooking facilities would distinguish a structure as a dwelling unit.

Mr. Goodhue asked for clarification if an ADU would have a full kitchen in it. **Mr. Zambrano** responded that an ADU would have a full kitchen in it.

Mr. Mazza stated that a garage could have a dishwasher and a refrigerator but could not have ovens and a stove if there was an ADU on the lot already. **Mr. Zambrano** confirmed that was correct.

Louisa Ward asked if an ADU has to be a permanently constructed building and cannot be a trailer. **Mr. Zambrano** responded affirmatively, noting that RVs and trailers have different standards and are not allowed to be lived in unless in a designated RV or mobile home park.

Robert Gubser asked what a closed projection is. **Mr. Zambrano** responded that an addition to a house that projects passed the rear setback line is a closed projection, and that the Phoenix Zoning Ordinance allows closed projections for a maximum of five feet into the rear yard for no more than half of the width of the house. **Mr. Zambrano** stated that the text amendment would allow the closed projection for the full width of the house and would allow a deeper projection.

Chair Popovic asked if access can be from an alley. **Mr. Zambrano** responded that the primary access has to be from the street.

Larisa Balderrama asked if existing structures that do not meet the proposed requirements would have to be brought up to code. **Mr. Zambrano** responded that it would depend on if the structures were legally permitted or not, and if they were legally permitted, then they would be considered legal non-conforming and would be allowed to remain as-is, with certain provisions per Chapter 9 of the Phoenix Zoning Ordinance for nonconformities. **Mr. Zambrano** added that if a structure was used as a guesthouse illegally without permits, then it would need to be brought up to current code.

Mr. Goodhue asked what other cities are also considering allowing ADUs. **Mr. Zambrano** responded that it is a movement nationwide to allow ADUs, and that he believes they are currently allowed in Tempe but is unsure of other cities. **Mr. Goodhue** stated that he is not personally supportive of ADUs and desires to live in a single-family neighborhood. **Mr. Goodhue** added that this would result in more on-street parking and that he would move to another City that does not allow ADUs. **Mr. Goodhue** asked if the intent of the text amendment is to address housing shortage and affordability. **Mr. Goodhue** stated that the text amendment seems very open-ended and would allow short-term rentals.

Ms. Balderrama echoed **Mr. Goodhue's** question on the intent of the text amendment. **Mr. Zambrano** responded that the intent of the text amendment is to address the housing shortage by allowing different types of housing and that the City is considering a variety of solutions to address this issue.

Diane Petersen stated that short-term vacation rentals would not help address the housing shortage and added that there should be limitations on short-term rentals.

Mr. Goodhue concurred.

Mr. Zambrano stated that there are some existing restrictions for short-term rentals.

Ms. Balderrama stated that she is a member of a group that is working with the City and the State on short-term rentals and added that the City is working on some restrictions for short-term rentals.

Ms. Sepic asked if large lots that have enough room to build an addition on the side rather than the rear would still be a minimum three-foot setback. **Mr. Zambrano** responded that if the addition is in the rear yard, it would still be a three-foot setback from the property line. Mr. Zambrano added that the addition would still be required to meet the required side yard setback. **Ms. Sepic** asked how ADUs would affect property taxes since there would be additional rental income from ADUs. Ms. Sepic added that she is a multigenerational household and is considering building an ADU. **Mr. Zambrano** responded that he was unsure how it would affect property taxes but could follow up. Mr. Zambrano added that another intent behind this text amendment was to address multigenerational housing to allow an ADU for grandparents or in-laws, which is not currently allowed.

Ms. Balderrama asked for clarification that no additional parking would be required for an ADU. **Mr. Zambrano** responded affirmatively.

Village Planning Committee Meeting Summary
Z-TA-5-23-Y
INFORMATION ONLY

Date of VPC Meeting	June 5, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwellings units

VPC DISCUSSION:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

No quorum.

Village Planning Committee Meeting Summary

Z-TA-5-23-Y INFORMATION ONLY

Date of VPC Meeting	June 12, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.

VPC DISCUSSION:

Staff Presentation:

Mrs. Sanchez Luna provided an overview of the proposed text amendment. Mrs. Sanchez Luna noted that the proposed text amendment would allow for accessory dwelling units. Mrs. Sanchez Luna presented examples of the proposed accessory dwelling unit development standards. Mrs. Sanchez Luna concluded the presentation by noting the proposed hearing dates for the text amendment.

Questions from the Committee:

Patrick Nasser-Taylor asked if an additional room was built, would the owner be allowed to construct an accessory dwelling unit. **Mrs. Sanchez Luna** noted that if the room was an addition, an accessory dwelling unit could still be constructed. **Mr. Nasser-Taylor** asked if HOAs would be able to limit accessory dwelling units. **Mrs. Sanchez Luna** confirmed.

Ms. Rouse stated she had concerns with accessory dwelling units being converted to short term rentals. Ms. Rouse noted that the primary concern would be parking and crime. **Mrs. Sanchez Luna** noted that there are regulations for short term rentals but that the text amendment would not modify the regulations.

Vice Chair Stephanie Hurd asked for clarification on the intent of the proposed text amendment. **Mrs. Sanchez Luna** noted that the intent was to add to the housing demand and offer individuals a variety of housing options. Mrs. Sanchez Luna noted that accessory dwelling units can be rented or used for multigenerational housing.

Ms. Rubio-Raffin asked how duplexes and triplexes will be defined to differentiate them from accessory dwelling units. **Ms. Gomes** noted that the accessory dwelling unit will have to be accessory to the primary structure. Ms. Gomes added that a duplex would be equal number of units. **Ms. Rubio-Raffin** asked if fencing could be added for pets such as dogs to prevent them from utilizing the entire yard. **Ms. Gomes** stated that pet fencing would not be affected. Ms. Gomes added that fencing that would create two

separate spaces would not be permitted.

JoAnne Jensen agreed with Committee Member Rouse's concerns. Ms. Jensen noted that she was in favor of attainable housing but was skeptical of accessory dwelling units serving that purpose.

Dean Chiarelli agreed. Mr. Chiarelli asked if any language would be added to address short term rentals and who would enforce accessory dwelling units. Mr. Chiarelli voiced his displeasure regarding short term rentals. Mr. Chiarelli noted that he did not support accessory dwelling units without regulations regarding short term rentals.

Chair Abegg noted that a previous text amendment allowed for an additional cooking facility and contained numerous development standards. Chair Abegg added that she had concerns with the number of dwelling units per acre and the lack of parking regulations. Chair Abegg requested more language regarding additional parking for accessory dwelling units.

Ms. Perrera noted that this text amendment would address older subdivisions that do not have HOAs. Ms. Perrera voiced her concerns regarding parking.

Chair Abegg stated that she had concerns with HOA's ability to regulate accessory dwelling units.

Mr. Nasser-Taylor noted that in San Diego, accessory dwelling units were utilized as short-term rentals rather than apartments and recommended staff to contact the other cities.

Chair Abegg noted that accessory dwelling units could cause infrastructure issues such as overcrowded schools, longer emergency response times, and traffic congestion.

Vice Chair Hurd voiced her encouragement to research how other cities have implemented accessory dwelling units.

Ms. Gomes stated that the text amendment has been in response to what has been occurring at the legislative level. Ms. Gomes noted that legislative would make the decision, but the city would like to have an input in the process. Ms. Gomes noted that the state regulation overrules city municipalities regarding short term rentals. Ms. Gomes noted that the city evaluated Tucson, Arizona for accessory dwelling units and create feasible requirements.

Ms. Rubio-Raffin asked how many parking spots would be required for a property with an accessory dwelling unit. **Ms. Gomes** noted that all single-family homes are required two parking spaces and the text amendment would not require additional parking. **Ms. Rubio-Raffin** recommended that two additional parking spots should be required per accessory dwelling unit. Ms. Rubio-Raffin noted that accessory dwelling units would assist the conservation of land.

Ms. Jensen noted that there are hundreds of potential homes not being built because of the lack of permits.

Chair Abegg asked if accessory dwelling units could be part of new developments or be built later. **Ms. Gomes** noted that a plot plan would have to be presented to the Site Planning Department for any accessory dwelling unit. Ms. Gomes added that if a new development included accessory dwelling units, then those would be shown on the site plan. **Chair Abegg** asked if the accessory dwelling units would have separate water and electrical meters. **Ms. Gomes** stated that it would be attached to the existing infrastructure. **Chair Abegg** asked if there were any regulations regarding meters. **Ms. Gomes** noted that meter regulations are not part of the text amendment as it is not a land use issue. **Chair Abegg** asked who the best contact for the text amendment would be. **Ms. Gomes** noted that Nayeli Sanchez Luna, Chris DePerro and herself would be the best contacts.

Public Comment:

Phil Hertel voiced his concerns regarding parking. Mr. Hertel asked if a driveway to the accessory dwelling unit would be required. Mr. Hertel asked who would be responsible for any property damage or criminal activity in the accessory dwelling unit. Mr. Hertel voiced his concerns regarding vehicle access to subdivisions and water conservation. Mr. Hertel suggested restrictions regarding accessory dwelling units.

Staff Response:

Ms. Gomes noted that parking has been a concern in all villages. Ms. Gomes added that the property owner would be responsible for any violations. Ms. Gomes stated that the proposed accessory dwelling unit standards would help mitigate the impact.

Committee Discussion:

Chair Abegg asked if the Fire Department would be looking at the number of potential accessory dwelling units and street parking when analyzing vehicle access. **Ms. Gomes** noted more information could be provided at a later date.

Village Planning Committee Meeting Summary
Z-TA-5-23-Y
INFORMATION ONLY

Date of VPC Meeting	June 12, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwellings units.

VPC DISCUSSION:

No members of the public registered to speak on this item.

Anthony Grande, staff, provided a presentation regarding the proposed text amendment, gave examples of accessory dwelling units (ADUs), noted the proposed standards for new ADUs, and provided a timeline for the proposal.

Committee Member Johnson stated that ADUs are needed and asked whether ADUs would be allowed to access the alley, noting that it would be beneficial to include alley access. **Mr. Grande** replied that the text would require access to the street at a minimum but doesn't address access to the alley.

Committee Member Olivas stated that the access wouldn't work for closed alleys. **Mr. Grande** stated that if alley access were included as an option, it wouldn't work for gated alleys, and access to the street would be required.

Committee Member Sherman agreed with the comment about alley access and asked about the definition of height for ADUs. **Mr. Grande** stated that the zoning already has a definition for height, which is different depending on the shape of the roof.

Committee Member Burns asked for clarification on the separate cooking facilities and if there will be rules for distance between structures. **Mr. Grande** replied that the text clarifies that separate cooking facilities are allowed in ADUs and that the text likely won't specify a separation distance, which is addressed by building codes, but he will provide clarification at the next meeting.

Vice Chair O'Grady stated that he was excited to see this text amendment go forward.

Committee Member Sonoskey provided clarification on fire rating requirements for

buildings that are closer than five feet together and that there are a lot of illegal accessory units, and it is important to legalize them.

Committee Member Gaughan asked about the use of ADUs for short-term rentals. **Mr. Grande** replied that the text doesn't address short-term rentals. **Vice Chair O'Grady** commented that a study found that 12 percent of ADUs were used as short-term rentals.

Village Planning Committee Meeting Summary

Z-TA-5-23-Y INFORMATION ONLY

Date of VPC Meeting June 6, 2023
Request Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwellings units.

VPC DISCUSSION:

Two members of the public registered to speak on this item.

STAFF PRESENTATION:

John Roanhorse, staff, provided a presentation on the development and adoption of accessory dwelling units as an amendment to the Zoning Ordinance. Mr. Roanhorse provided information on definitions, types, zoning, and development standards. Mr. Roanhorse displayed examples of ADU configurations, sizes, dimensions and standards that will be applicable for residential development. Mr. Roanhorse discussed the schedule for the text amendment review at the Villages, Planning Commission and City Council.

QUESTIONS FROM COMMITTEE:

Ms. Schmieder asked if the addition of a pathway and parking associated to an ADU will be required and will this be balanced in the development and review process. Mr. Roanhorse responded that additional parking is not required and access via pathway to the ADU from the front would be required.

PUBLIC COMMENTS:

Larry Whitesell introduced himself and thanked the Committee for the opportunity to speak, and stated he agreed with the proposed text amendment. Mr. Whitesell stated this action reflects the City moving forward and would like to see more details on lot coverage, setbacks and parking needs to be fully addressed. Mr. Whitesell stated he is looking forward to seeing this get approved by the City Council.

Neal Haddad thanked the Committee for the opportunity to speak and stated there were some good ideas about the text amendment. Mr. Haddad stated that this text amendment is a response to state legislative actions, and it is a good response but it is moving fast in the review process. Mr. Haddad expressed that the recent text amendments are about legitimacy and input and there has not been input at the neighborhood level for the previous and current text amendments. Mr. Haddad

expressed his concern that there is not sufficient input and the City needs to find people to be involved in the review process.

STAFF RESPONSE:

None.

CCOMMITTEE DISCUSSION:

None.

Village Planning Committee Meeting Summary
Z-TA-5-23-Y
INFORMATION ONLY

Date of VPC Meeting June 6, 2023
Request Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwellings units

VPC DISCUSSION:

No members of the public registered to speak on this item.

Anthony Grande, staff, provided a presentation regarding the proposed text amendment, gave examples of accessory dwelling units (ADUs), noted the proposed standards for new ADUs, and provided a timeline for the proposal.

Committee Member Santoro asked about rear yard projection limits. **Mr. Grande** clarified the proposed text related to rear yards.

Committee Member Reynolds asked about the applicability in existing subdivisions and whether HOAs could prevent it. **Mr. Grande** stated that he would provide clarification at the next meeting.

Vice Chair Lagrave stated that he was not in favor of the proposal, noting that it would cause congestion and parking issues in neighborhoods.

Committee Member Santoro stated that the proposal could provide opportunities for next generation homes. **Vice Chair Lagrave** stated that he didn't have an issue with that type of housing, but the proposal would create slum conditions.

Committee Member Nowell asked about the impetus for this proposal. **Mr. Grande** replied that it would promote new opportunities for housing.

Committee Member Hankins asked for clarification that this proposal would essentially be doubling the zoning. **Mr. Grande** replied that it would allow an additional unit on single-family lots with limitations, explained in the presentation.

Committee Member Younger asked if this would have an impact on property taxes. **Chair Bowser** replied that it would impact taxes because the assessed value would

increase for properties with an ADU.

Committee Member Kirkilas asked for clarification about the building footprint that could be constructed under the proposal. **Mr. Grande** reviewed the limitations on the building footprint, including lot coverage, setbacks, and the specific limitations included in the proposed text.

Committee Member Kollar asked about lot coverage. **Mr. Grande** replied with a description of the lot coverage requirements. **Chair Bowser**, **Vice Chair Lagrave**, and **Committee Member Santoro** added additional context with a discussion about the various development standards that new development must follow.

Vice Chair Lagrave stated that the proposal was inconsistent with several of the city's policy plans.

Committee Member Israel asked if there would be a parallel process addressing issues with short-term rentals. **Committee Member Nowell** noted that the city isn't able to prohibit short-term rentals.

Committee Member Kirkilas stated that the proposal could help reduce urban sprawl.

Chair Bowser suggested that the city undertake educational efforts to inform property owners of the standards for ADUs and that there should be a level of design review for ADUs to make sure the buildings look good.

Committee Member Israel agreed with the Chair and noted that in the absence of design review, someone could put up a container home as an ADU.

Committee Member Santoro stated that there was a builder that wanted to do ADUs in the past and that there should be a middle ground solution because many people fight against having multifamily housing in their neighborhoods, suggesting that smaller lots could be exempted from allowing ADUs. **Mr. Kirkilas** indicated agreement. **Mr. Nowell** agreed there should be a minimum lot size.

Committee Member Kollar asked for clarification on the definition of an ADU. **Mr. Grande** replied that there would be more specific text at the next hearing and would include a definition.

Chair Bowser suggested there should be simple, clear guidance for mom and pop applicants looking to build an ADU.

Vice Chair Lagrave stated that he doesn't agree with allowing the types of ADUs where the building footprint on a property increases.

Committee Member Hankins asked about the current regulations because there are

some homes with accessory structures on the lots. **Mr. Grande** noted that some districts currently allow guesthouses. **Ms. Santoro** noted that some developments in Desert View included small casitas as accessory structures but that they are not considered dwelling units because they don't have cooking facilities.

Committee Member Nowell asked whether ADUs would be allowed in front yards, noting that it would be terrible for curb appeal. **Mr. Grande** replied that ADUs would not be allowed in required front yards and most homes don't have much space between the front facade and the required front yard.

Committee Member Reynolds asked for clarification that detached garages would still be allowed on lots with ADUs. **Mr. Grande** replied that they would be as long as the property doesn't exceed the lot coverage or other development standards.

Vice Chair Lagrave stated that this proposal creates issues with sustainability and that he would rather see yards increasing to allow more tree landscaping.

Committee Member Israel asked for clarification on the definition of height for ADUs. **Mr. Grande** stated that he could provide more information at the next meeting.

Committee Member Nowell stated that the proposal could cause an issue with the urban heat island effect.

Village Planning Committee Meeting Summary
Z-TA-5-23-Y
INFORMATION ONLY

Date of VPC Meeting June 13, 2023
Request Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.

VPC DISCUSSION:

Mr. Zambrano explained what an Accessory Dwelling Unit (ADU) is, sharing current terms used in Phoenix Zoning Ordinance and other nicknames for ADUs. Mr. Zambrano displayed a photo of the Willo Historic District showing buildings that are likely ADUs, or guesthouses. Mr. Zambrano shared the proposed changes in the Phoenix Zoning Ordinance, including allowing only one ADU per lot in all single-family zoned districts, definitions for duplex and triplex to make clear distinctions from ADUs, increases in lot coverage for most districts, revisions to rear-yard projection rules to allow ADUs and other projections further into the rear yard, height limitations in the rear yard, and fixing references to guesthouses among other sections. Mr. Zambrano then discussed different types of ADUs, including above-garage apartments, detached ADUs, attached ADUs, basement conversions, and converted garages. Mr. Zambrano noted that ADUs would be allowed to be two-stories within the building envelope, outside of the required setbacks, and would be limited to one-story and 15 feet in height within the required rear yard. Mr. Zambrano added that the text amendment would not prohibit other accessory structures, such as a detached garage. Mr. Zambrano then shared the proposed development standards for ADUs and concluded with the timeline for the text amendment.

Chair Lawrence asked if the proposed text amendment would be for all residential. **Mr. Zambrano** confirmed it would apply for all single-family zoning districts.

Mr. Virgil stated that it would only be allowed if the lot had enough room. Mr. Virgil stated that the required setbacks would restrict some lots from building ADUs.

Chair Lawrence asked what setbacks were depicted on the presentation slide. **Mr. Zambrano** responded that most single-family lots have a three-foot side setback on one side and a 10-foot side setback on the other side, in addition to a 20-foot front yard setback and a 25-foot rear yard setback, which is likely what is being depicted.

Mr. Virgil stated that the intent is to try to allow in-law units with cooking facilities. Mr. Virgil stated that most people were adding kitchens to new structures anyways without obtaining permits for them.

Chair Lawrence stated that this text amendment would allow inspections for the livable structures now moving forward rather than doing it without permits. Chair Lawrence asked what will happen next with this request. **Mr. Zambrano** responded that it will be coming back to the VPCs next month for a recommendation vote. **Chair Lawrence** asked if HOAs would be able to restrict ADUs. **Mr. Zambrano** responded that HOAs could restrict ADUs, but that it would not stop the City from permitting an ADU because it would be permitted by the Phoenix Zoning Ordinance, and because the City does not look at or know what HOA restrictions are.

Mr. Sommacampagna asked how an attached ADU would have access to the street. **Mr. Zambrano** responded that an accessway would be required outside of the primary dwelling, which could include a pathway along the side of the house, as long as it does not go through the primary dwelling unit. **Mr. Sommacampagna** asked if there will be fire sprinkler requirements for ADUs. **Mr. Zambrano** responded that he was not sure, but that fire plan reviewers would review the plans for these structures and would require the owners to do whatever is required by the fire code. **Mr. Sommacampagna** asked if access would be allowed through an alley. **Mr. Zambrano** responded that the Phoenix City Code does not allow pedestrian access through an alley, but vehicular access would be allowed through an alley if it is wide enough. **Mr. Sommacampagna** asked if a 220-volt outlet would be allowed in an ADU. **Mr. Zambrano** responded affirmatively.

Vice Chair Pereira asked why the Planning Commission had already voted on the previous text amendments and this text amendment was being heard for a vote by the VPC before the Planning Commission. **Mr. Zambrano** responded that the two previous text amendments were supposed to be heard by the VPC last month but were continued to this month due to time constraints.

Village Planning Committee Meeting Summary
Z-TA-5-23-Y
INFORMATION ONLY

Date of VPC Meeting June 13, 2023
Location Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Committee member Ashley Hare left during this item, thus losing quorum.

Village Planning Committee Meeting Summary
Z-TA-5-23-Y
INFORMATION ONLY

Date of VPC Meeting	June 14, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.

VPC DISCUSSION:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

No quorum.

Village Planning Committee Meeting Summary
Z-TA-5-23-Y
INFORMATION ONLY

Date of VPC Meeting June 8, 2023
Request Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.

VPC DISCUSSION:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

No quorum.

Village Planning Committee Meeting Summary
Z-TA-5-23-Y
INFORMATION ONLY

Date of VPC Meeting	June 8, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.

VPC DISCUSSION:

Committee member Simon left during this item, bringing the quorum to four members.

Staff Presentation:

Mr. Zambrano explained what an Accessory Dwelling Unit (ADU) is, sharing current terms used in Phoenix Zoning Ordinance and other nicknames for ADUs. Mr. Zambrano displayed a photo of the Willo Historic District showing buildings that are likely ADUs, or guesthouses. Mr. Zambrano shared the proposed changes in the Phoenix Zoning Ordinance, including allowing only one ADU per lot in all single-family zoned districts, definitions for duplex and triplex to make clear distinctions from ADUs, increases in lot coverage for most districts, revisions to rear-yard projection rules to allow ADUs and other projections further into the rear yard, height limitations in the rear yard, and fixing references to guesthouses among other sections. Mr. Zambrano then discussed different types of ADUs, including above-garage apartments, detached ADUs, attached ADUs, basement conversions, and converted garages. Mr. Zambrano noted that ADUs would be allowed to be two-stories within the building envelope, outside of the required setbacks, and would be limited to one-story and 15 feet in height within the required rear yard. Mr. Zambrano added that the text amendment would not prohibit other accessory structures, such as a detached garage. Mr. Zambrano then shared the proposed development standards for ADUs and concluded with the timeline for the text amendment.

Discussion:

None.

Village Planning Committee Meeting Summary

Z-TA-5-23-Y INFORMATION ONLY

Date of VPC Meeting June 20, 2023

Request Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.

VPC DISCUSSION:

Staff Presentation:

Mrs. Sanchez Luna provided an overview of the proposed text amendment. Mrs. Sanchez Luna noted that the proposed text amendment would allow for accessory dwelling units. Mrs. Sanchez Luna presented examples of the proposed accessory dwelling unit development standards. Mrs. Sanchez Luna concluded the presentation by noting the proposed hearing dates for the text amendment.

Questions from the Committee:

Chair Perez stated that this would make housing available for different income options. Chair Perez noted that HOAs would be able to prevent accessory dwelling units from being built or allowed.

Mr. Sanou voiced his support and stated that people are already living in garage conversions. Mr. Sanou stated that this text amendment would allow more housing options. **Chair Perez** noted that the text amendment did not overrule HOA regulations.

Public Comment:

Kirin Goff asked if the city had a ban on advertising guest houses or accessory dwelling units. **Ms. Escolar** noted that the majority of residential housing does not allow for a guest house or accessory dwelling units. **Ms. Wallace** noted that another common term was “casita.” Ms. Wallace voiced her support for accessory dwelling units. **Chair Perez** requested staff to provide more information on terminology used on housing advertisement.

Committee Discussion:

Chair Perez recommended the committee to voice their support at the next committee meeting.

Village Planning Committee Meeting Summary
Z-TA-5-23-Y
INFORMATION ONLY

Date of VPC Meeting June 21, 2023
Request Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.

VPC DISCUSSION:

Mr. Klimek, staff, explained what an Accessory Dwelling Unit (ADU) is, sharing current terms used in Phoenix Zoning Ordinance and other nicknames for ADUs. He displayed a photo of the Willo Historic District showing buildings that are likely ADUs, or guesthouses. He shared the proposed changes in the Phoenix Zoning Ordinance, including allowing only one ADU per lot in all single-family zoned districts, definitions for duplex and triplex to make clear distinctions from ADUs, increases in lot coverage for most districts, revisions to rear-yard projection rules to allow ADUs and other projections further into the rear yard, height limitations in the rear yard, and fixing references to guesthouses among other sections. He then discussed different types of ADUs, including above-garage apartments, detached ADUs, attached ADUs, basement conversions, and converted garages. He noted that ADUs would be allowed to be two-stories within the building envelope, outside of the required setbacks, and would be limited to one-story and 15 feet in height within the required rear yard. He added that the text amendment would not prohibit other accessory structures, such as a detached garage. He then shared the proposed development standards for ADUs and concluded with the timeline for the text amendment.

QUESTIONS FROM THE COMMITTEE

Committee Member Larson asked if the proposed text amendment will override CC&Rs. **Mr. Klimek** responded that the text amendment will not invalidate deed restrictions.

Committee Member Sommacampagna asked if a public alley can be counted as a direct pedestrian access to a public right of way. **Mr. Klimek** responded that an alley can be used to access the ADU but that a route to the nearest public street must be provided.

Village Planning Committee Meeting Summary
Z-TA-5-23-Y
INFORMATION ONLY

Date of VPC Meeting June 26, 2023
Request Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.

VPC DISCUSSION:

Meeting was canceled due to lack of quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Meeting was canceled due to lack of quorum.

Village Planning Committee Meeting Summary
Z-TA-5-23-Y
INFORMATION ONLY

Date of VPC Meeting	June 27, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

One member of the public registered to speak on this item.

STAFF PRESENTATION

Mr. Samuel Rogers, staff, provided a presentation regarding the proposed text amendment, gave examples of accessory dwelling units (ADUs), noted the proposed standards for new ADUs, and provided a timeline for the proposal.

QUESTIONS FROM THE COMMITTEE

Committee Member Adams asked if height is measured to the top of the roof pitch and if there are any 10,000 square foot properties in Alhambra. **Sarah Stockham**, staff, confirmed that height is measured to the top of the roof. **Committee Member Keyser** stated that there are large lot homes between Northern and Glendale.

Committee Member Keyser stated that ADUs had previously been restricted and asked if the reason this text amendment is going forward is to provide more housing and density. **Mr. Rogers** confirmed that the purpose of the text amendment is to provide more housing and greater density and stated that there is also pressure from the State because there is an ADU bill in the state legislature.

Committee Member Fitzgerald asked if parking will be provided in the street. **Mr. Rogers** stated that parking is not required but can occur in the existing driveway, the owner can build additional parking area, or residents can park on the street.

Committee Member Camp stated that she has seen demand for more multigenerational housing.

Committee Member Solorio stated that the AARP is working on ADU reform nationally and has developed model language in cooperation with the American Planning Association. Committee Member Solorio explained that in order to not exclude seniors that do not drive, one of the key components of the model AARP language is to not include parking. Committee Member Solorio stated that ADUs are legal statewide in Oregon, California, and Montana, as well as in cities across the country, and explained that ADUs are an affordable housing typology that is not subsidized by the government.

Committee Member Fitzgerald asked if the ADUs can be used as short-term rentals. **Mr. Rogers** explained that the State restricts municipalities' ability to regulate ADUs, but there may be some changes at the state level that allow municipalities more power to regulate short-term rentals.

Chair Bryck asked about the research behind the regulations presented and what communication had occurred with other jurisdictions. **Mr. Rogers** explained that he was not a part of the team that developed to ordinance, but he knew that some elements of the text amendment language had come from the City of Tucson. **Ms. Stockham** stated that there will be a staff report with more information. Chair Bryck stated that the regulation that allows for larger lots to have larger ADUs favors large landowners, stated that the restriction on fences seems strange, and explained that ADUs should be allowed to have zero-foot rear setback when adjacent to a fully dedicated alley. Mr. Rogers explained that you can encroach into the rear yard setback but not the side yard setbacks.

PUBLIC COMMENTS

Jackie Rich stated that there was not enough publication of the text amendments and explained that the ADUs will not address workforce housing because they will not be rented to strangers. Ms. Rich stated that the ADU ordinance will be good for developers who want to build two units on a lot. Ms. Rich stated that she has wants short-term rentals to be regulated, protection for historic neighborhoods, protection from investors, and for the text amendment to be evaluated in terms of how much workforce housing will be developed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION

None.



Village Planning Committee Meeting Summary

Z-TA-5-23-Y

Date of VPC Meeting	August 7, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.
VPC Recommendation	Denial
VPC Vote	9-5

VPC DISCUSSION:

Abram Bowman, Diane Petersen, and Regina Schmidt joined the meeting during this item, bringing the quorum to 14 members.

Staff Presentation:

Adrian Zambrano, staff, explained what an Accessory Dwelling Unit (ADU) is, sharing current terms used in Phoenix Zoning Ordinance and other nicknames for ADUs. Mr. Zambrano shared the proposed changes to the Phoenix Zoning Ordinance, including allowing only one ADU per lot in all single-family zoned districts, definitions for duplex and triplex to make clear distinctions from ADUs, increases in lot coverage for most districts, revisions to rear-yard projection rules to allow ADUs and other projections further into the rear yard, height limitations in the rear yard unless a use permit is obtained, and fixing references to guesthouses and other sections of the Phoenix Zoning Ordinance. Mr. Zambrano then discussed different types of ADUs, including detached ADUs and attached ADUs. Mr. Zambrano noted that ADUs would be allowed to be two-stories within the building envelope, outside of the required setbacks, and would be limited to one-story and 15 feet in height within the required rear yard, unless a use permit is obtained. Mr. Zambrano added that the text amendment would not prohibit other accessory structures, such as a detached garage. Mr. Zambrano then shared the proposed development standards for ADUs. Mr. Zambrano shared the timeline for the text amendment, the results of the other Village Planning Committees (VPCs) that heard this text amendment last month, and Planning Commission results. Mr. Zambrano stated that staff recommends approval per the language in Exhibit A of the Addendum A staff report.

Questions from the Committee:

Mr. Goodhue asked for clarification that building ADUs and other detached accessory structures still cannot go beyond the maximum lot coverage. **Mr. Zambrano** responded

affirmatively, noting that it could only go beyond the maximum lot coverage allowed if a variance is obtained.

Diane Petersen asked if the access to the ADU has to be outside of the primary dwelling unit. **Mr. Zambrano** responded affirmatively, noting that the unit could still have a door connecting to the primary dwelling unit, but it is required to have access outside of the primary dwelling unit.

Chair Popovic asked for clarification that Homeowners Associations (HOAs) can prohibit ADUs. **Mr. Zambrano** responded affirmatively, noting that the City may still permit ADUs in communities with HOAs because the City does not look at the Covenants, Conditions and Restrictions (CC&Rs) of all the different HOAs throughout the City and only looks at the Phoenix Zoning Ordinance based on what is allowed throughout the City. Mr. Zambrano added that it would become an enforcement issue with the HOA if an individual did not get HOA permission prior to seeking permits from the City.

Marc Soronson asked if the City knows what happened recently at the Arizona Governor's office related to short-term rentals. **Mr. Zambrano** responded that he is not sure what happened. Mr. Zambrano added that there is an upcoming amendment to the Phoenix City Code regarding short-term rentals to address the recent Arizona State laws that passed about what cities could regulate regarding short-term rentals.

Mr. Goodhue asked if the text amendment would still require ADU applicants to record a restrictive covenant requiring the property owner to live in either the ADU or the primary dwelling unit. **Mr. Zambrano** responded affirmatively, noting that this language was vetted through the Law Department. Mr. Zambrano added that the restrictive covenant would also require the property to either be sold or rented as a whole rather than individually.

Ms. Petersen stated that HOAs can prohibit short-term rentals and asked why the City cannot. **Mr. Zambrano** responded that HOAs can restrict ADUs but is unsure if they can restrict short-term rentals due to the State laws. **Ms. Petersen** stated that HOAs can restrict them.

Chair Popovic asked if the concern with short-term rentals is wanting longer-term occupants of the unit.

Ms. Petersen stated that there was a proposed modification to restrict the time of occupancy to 30 days.

Chair Popovic asked what the minimum time allowed would be to rent a short-term rental that is not located within an HOA. **Mr. Zambrano** responded that with the proposed text, there would be no time limit for one of the units, as long as the property owner lives within the other unit. Mr. Zambrano explained that the restrictive covenant to require the property owner to live in either the ADU or the primary dwelling unit was a

way for the City to be able to limit the number of short-term rentals, since investment companies would not be able to live within one of the units.

Mr. Goodhue asked if the restrictive covenant would still be accepted if it is signed by a business, such as an LLC. **Mr. Zambrano** responded that he was not sure.

Ms. Petersen asked why this text amendment was initiated. **Mr. Zambrano** responded that it was initiated per the direction of City Council and the Housing Phoenix Plan, which was adopted in 2020, to allow increased density throughout the City in order to increase housing supply. **Ms. Petersen** stated that the problem with the housing supply is that many properties are bought by short-term rental companies.

Mr. Goodhue asked if the text amendment was being pushed through due to proposed State bills that would have allowed the State to dictate what is allowed for ADUs instead of the City. **Mr. Zambrano** responded affirmatively, adding that the City is limited in terms of restrictions on short-term rentals due to the State laws.

Jennifer Hall asked if the text amendment is approved, if ADUs can be constructed without any zoning public hearing process. **Mr. Zambrano** responded affirmatively. **Ms. Hall** expressed concerns with allowing ADUs on all lots with single-family homes throughout the City.

Chair Popovic stated that a majority of individuals throughout the City would probably not be able to afford to build an ADU.

Ms. Hall stated that she did not understand the motivation behind this due to concerns with how ADUs will affect neighborhoods.

Chair Popovic stated that there would likely not ever be ADUs on every single lot with single-family homes due to the costs associated with building an ADU.

Ms. Hall expressed concerns with there being no control over ADUs due to no use permit or other public hearing process being required for ADUs.

Mr. Wise asked why additional parking is not required for ADUs and expressed concerns with more on-street parking and traffic congestion. **Mr. Zambrano** explained that required parking cannot be located within the front yard setback area, so if a parking space is required, most single-family lots would not have anywhere to place an extra parking space. **Mr. Zambrano** added that single-family homes require two parking spaces, which would be located within the garage behind the front yard setback area, leaving two guest parking spaces in the driveway for the ADU. **Mr. Wise** responded that some garages are filled with junk which results in those two cars parking in the driveway.

Mr. Goodhue stated that if he rented out an ADU, he would not allow the renters to park in the driveway. **Mr. Goodhue** asked if part of the text amendment still included increasing the allowable percentage of the front yard area for driveways. **Mr. Zambrano** responded affirmatively.

Ms. Hall asked for clarification that the Planning Commission recommended approval per the staff recommendation and did not include any of the direction or modifications recommended by other VPCs. **Mr. Zambrano** responded affirmatively.

Anna Sepic commented that areas with smaller lots, such as areas with R1-6 zoning, already have issues with parking. Ms. Sepic expressed concerns with not requiring additional parking for ADUs and diminishing the character of neighborhoods.

Mr. Goodhue concurred. Mr. Goodhue added that there were enforcement issues the City had in the past of people using accessory structures to live in, which the text amendment would legalize.

Ms. Sepic asked what distinguishes a dwelling unit as being considered a dwelling unit. **Mr. Zambrano** responded that the Phoenix Zoning Ordinance defines a dwelling unit as specifically having cooking facilities. Mr. Zambrano added that currently, building plans for accessory structures are reviewed to ensure it is not labeled as a casita, guesthouse, or ADU, and to ensure no rooms are labeled as a bedroom or kitchen, and the approval note would usually state that the structure cannot be used for sleeping, living or cooking.

Mr. Goodhue asked if there was any discussion to restrict the primary dwelling unit to be owner-occupied. **Mr. Zambrano** responded that the restrictive covenant would require the property owner to occupy either the ADU or the primary dwelling unit. **Mr. Goodhue** stated that the property owner could live in the ADU and rent the primary dwelling unit for an unaffordable price.

Chair Popovic argued that there is a missing middle housing problem.

Ms. Sepic criticized the process for this City-wide text amendment, noting that it was not a strategic plan to allow ADUs on any lot with a single-family home and to require no additional parking. Ms. Sepic added that there are villages with major parking issues and violations. Ms. Sepic stated that the text amendment should have been to allow ADUs only for specific lots that actually have the capabilities to build an ADU.

Public Comments:

None.

Staff Response:

None.

MOTION – Z-TA-5-23-Y:

Ms. Hall motioned to recommend denial of Z-TA-5-23-Y. **Ms. Petersen** seconded the motion.

VOTE – Z-TA-5-23-Y:

9-5; motion to recommend denial of Z-TA-5-23-Y passes with Committee members DeMoss, Goodhue, Hall, Mazza, Petersen, Schmidt, Sepic, Wise, and Mortensen in

favor and Committee members Bowman, Bustamante, Soronson, Ward, and Popovic opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary

Z-TA-5-23-Y

Date of VPC Meeting	July 10, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwellings units.
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	9-4

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

- 1 member of the public registered in support, wishing to speak.*
2 members of the public registered in opposition wishing to speak.

STAFF PRESENTATION

John Roanhorse, staff, introduced himself and provided a presentation on the development and adoption of accessory dwelling units. Mr. Roanhorse provided a brief history of the text amendment and the City Council's response to provide housing options. Mr. Roanhorse provided information on definitions, types, zoning, and development standards, lot coverage and the allowance of ADU's in additional zoning areas. Mr. Roanhorse displayed examples of ADU configurations, sizes, projections, setbacks, dimensions and standards that will be applicable for residential development. Mr. Roanhorse noted associated parking and accessibility to ADU's if they are developed. Mr. Roanhorse discussed the schedule for the text amendment review at the Villages, Planning Commission and City Council.

QUESTIONS FROM THE COMMITTEE

Committee Member Kleinman inquired if there is a property with a detached garage can that structure become an ADU. Mr. Roanhorse responded that yes a garage could become an ADU as long as it complies with the requirements for life safety and fire code to allow someone to reside there. Mr. Kleinman commented that a garage would then be in the category of being allowed to be transferred to an ADU. Mr. Kleinman asked if an ADU could be constructed and used as a business. **Mr. Chris DePerro**, staff responded that home occupation is already allowed on residential property, a business in an attached structure requires a use permit. Mr. Kleinman asked if a homeowner built an ADU then chose to reside there could the primary house be converted into a community type group home without a permit. Mr. DePerro responded that group homes with 5 residents or more require a special permit.

Vice Chair Rodriguez asked if a single-family home does not have a garage can it be converted to an ADU for aging relatives. **Mr. DePerro** responded that garages are not living spaces and the text amendment grants permission to allow ADU without making

the process more difficult. Mr. DePerro stated that the text amendment allows an increase in lot coverage. Vice Chair Rodriguez commented that accessory structure permitting should not take too long to allow residential structures and occupancy. Vice Chair Rodriguez asked about the setbacks for ADU's. Mr. DePerro responded for an ADU the side yard setback would have to be met and with an alley the setback would be 0. Mr. DePerro noted that there are some existing accessory structures and the setback would not require any additional action.

Committee Member Mahrle asked about short-term rentals and this has not been a problem when owners live in the primary home and noted how the City of Flagstaff responded to the issue. **Mr. DePerro** responded that the intent of the text amendment was to prevent a primary residence and an ADU to be rented separately however state law limits the City's authority, so a covenant requirement was included as a requirement for an ADU.

Committee Member Benjamin commented that this is the first time the city has expressed the existence of short-term rentals.

Chair Wagner asked what public outreach was done to get input for the text amendments. **Mr. DePerro** responded that there was pressure from the state level and there were initial information only sessions at the Village Planning Committee meetings and these interactions would promote the dissemination of information to gain more public feedback. Chair Wagner asked if the information only session were open to the public and was notice provided. Mr. DePerro responded that notice was given for the meetings and information on the text amendments were made available to the public. Chair Wagner noted that when the information only presentation was provided at the Encanto Village Planning Committee Meeting there was no quorum. Chair Wagner commented the text amendment information is lengthy and thanked Mr. DePerro for his work and asked does this action remove single family zoning in Phoenix. Chair Wagner asked if traditional zoning has been for single-family with only one family on a lot and will there be anywhere in Phoenix where this will still exist. Mr. DePerro respond that the text amendment is intended for an accessory unit to a primary unit for residential purposes to provide a housing option. Mr. DePerro stated that accessory units have been developed prior to this text amendment increases the lot coverage but does not change much more and this action allows an accessory use. Chair Wagner noted that many homes in the historic districts have existing accessory units that were done many years ago and certain neighborhoods like Willo there have been questions about ADUs. Chair Wagner stated that many residents in historic districts have asked what the ADU can be used for and the text should include provisions to all existing units to become legal with little effort for homeowners. Mr. DePerro responded that if existing ADU's meet the requirements for setbacks in the rear yard and side yard and they were permitted they would be considered legal nonconforming.

Committee Member Kleinman asked how do ADU impact HOA's and how would a new ADU be developed in a historic district and who would take the lead on a historic property. **Mr. DePerro** responded that ADU's do not have an impact on HOA's the City's zoning code does not have the ability effect what an HOA does. Mr. DePerro

responded that for historic preservation the required development review will be conducted by the Historic Preservation Office. Mr. Kleinman asked that if a certificate of appropriateness will still be required for an ADU and would this change the timeline for development. Mr. DePerro responded that the timeline may not change for a historic preservation review. Mr. Kleinman commented that the review process for historic preservation is a cumbersome and timely process.

Vice Chair Rodriguez asked in a historic area if a swimming pool was added would that be subject to an historic preservation review. **Ms. Helena Ruter**, staff responded that it would not require a historic preservation review. Vice Chair Rodriguez asked if installing a 12-foot-deep pool would not need a review but an ADU would require a review. Ms. Ruter stated that some reviews in the past have been approved over the counter and this might be something that can be reevaluated.

Mr. Kleinman asked about the number of permitted ADUs. **Ms. Ruter** responded that presently there are none but currently an accessory units up to 600 square feet have been approved over the counter.

Mr. Tedhams asked about a lot of 10,000 square feet and can you build an ADU up to 3,000 square feet and is only one ADU allowed per property. **Mr. DePerro** responded that one ADU is allowed for a single family detached lot and if a lot is 10,000 square feet or more 3,000 square feet is the cap or 10 percent of the lot area. Mr. Tedhams asked if the text amendment allows only one ADU per residential lot. Mr. DePerro responded that yes only one is allowed.

Ms. George asked about the public outreach process for the Village Planning Committees and what has taken place. **Mr. DePerro** responded that conducting presentations at the Village Planning Committee Meeting has been one method of outreach to neighborhoods. Mr. DePerro noted that when the Village Planning Committees were initiated, they would be the first outreach and by interacting with neighborhoods and their established networks they would provide information. Mr. DePerro noted that the Village Committees are the first line in working with neighborhoods.

Chair Wagner asked about special planning districts and overlays and will these be superseded by this text amendment. **Mr. DePerro** responded that with any overlay district or special district what is more restrictive is what is applicable. Chair Wagner asked about the applicability of the historic preservation review and it appears that the text amendment may override the historic preservation requirements because the language is imprecise. Chair Wagner noted that language has been put forward that explicitly says where there is conflict historic preservation shall prevail and is there a way this language can be added to the text amendment. Mr. DePerro responded yes that additional language can be added but additions can be applicable to certain portions of the ordinance. Mr. DePerro stated the requirements for historic preservation apply everywhere and in all cases for zoning. Chair Wagner asked why historic preservation was added to certain sections and does not make it clear. Mr. DePerro responded that there are areas where historic preservation has been added to allow

permission and exempt plans from review but a historic preservation review is still required. Chair Wagner noted that the code is written for the public not just people at the counter and in Section 706, it is not clear that a project will have to be reviewed by historic preservation and the assertion the review is either or is a concern. Mr. DePerro responded that all accessory structures where it is applicable have to go through a historic preservation review. Chair Wagner commented that with the information discussed does any language need to be changed. Mr. DePerro responded no but he has the feedback and the language will be evaluated for consideration and clarity. Chair Wagner commented the historic preservation issue is a sticking point.

Vice Chair Rodriguez asked when there is a change in leadership will there be a change in the internal processes of how projects will be reviewed. **Mr. DePerro** responded that he has served under many directors and the policy and process will remain the same and the addition of historic preservation was intended to provide clarity.

Mr. Tedhams asked if a detached garage is already set up to live in why would it be required to go to the city and is it now required for new developments. **Mr. DePerro** responded that it is not needed and this proposed action allows an entitlement and may not be a factor however when a property is sold the evaluation may require a determination if a structure was permitted.

Mr. Procaccini asked if the text amendment was passed with stipulations with the addition of the information provided by the Phoenix Historic Neighborhood Coalition would that be a detriment. **Mr. DePerro** responded not directly to granting permission but in the long term there could be confusion about where historic preservation is applicable if is noted in one section in not in another and the requirement of a historic preservation review will always remain.

PUBLIC COMMENT

Cory Kincaid introduced himself as a resident of Phoenix for 15 years and has been involved with ADU's for the last 5 years. Mr. Kincaid stated he is pleased that this text amendment is moving forward. Mr. Kincaid stated that small living spaces have been legal in many communities and it is a good option and housing prices is a factor in residential development and availability. Mr. Kincaid stated he supports this text amendment and thanked the Committee.

Susan Edward with the Arizona Neighborhood Alliance introduced herself. Ms. Edwards stated the proposed text amendment could be a disaster and this could be a potential solution to increase housing. Ms. Edwards noted that SB 1350 prohibits municipalities and counties from regulating short term rentals and SB 1487 provides measures for complaints and review. Ms. Edward stated that any stipulation developed by the city are not going to avoid any complaints or lawsuits. Ms. Edward noted there are numerous ADU's in the state and only a few are licensed. Ms. Edwards noted that there is no penalty mechanism set up and how will this be addressed and the city has no resources for enforcement. Some cities have established requirements for short term

rentals and had to resend the requirements because they violated the state laws. Ms. Edwards stated this text amendment is a disaster and will require a state level solution.

Neal Haddad introduced himself and referenced a letter prepared by the Neighborhood Coalition of Greater Phoenix. Mr. Haddad stated there is some confusion about how the text amendment has been prepared and there were some language suggestions on language and other improvements. Mr. Haddad stated there are many issues with the text amendment that have been identify by many who have reviewed the proposed amendment. Mr. Haddad stated that approving the text amendment as approved would be a problem and there are many concerns. Mr. Haddad stated there are concerns with outreach and how it was conducted. Mr. Haddad presented at 15 committee meetings and noted that each village has differing contacts and connections and there needs to be more citizen participation.

STAFF RESPONSE

Mr. Roanhorse responded that there are many issues that have been discussed and that the City has taken great steps to provide information and has received and extensive volume of comments and these will be reviewed and considered.

Mr. DePerro noted there is an additional action regarding short term rentals that is not zoning related, the City Code is being amended to adopt the strictest regulations that the state will allow for licensing, and this may impact short term rentals and there is much more happening.

Mr. Cardenas asked for clarification on state requirements and taxation for short term rentals. **Mr. DePerro** stated this text amendment is zoning entitlement to allow an ADU on your property and talks about accessory uses. Mr. Cardenas asked if there is only one chance for review and will there be an opportunity to make changes in the future if there are unintended consequences. Mr. DePerro responded from the meeting tonight the recommendations will be reviewed and the amendment will go to the Planning Commission for further review and discussion and finally to the City Council for action.

MOTION:

Committee Member G.G. George made a motion to recommend denial of Z-TA-5-23-Y. **Chair Opal Wagner** seconded the motion.

Chair Wagner stated that the text amendment as proposed is a sweeping change for the City of Phoenix and there are many existing ADU's and it would be beneficial to have an approval process in place. Chair Wagner stated there should be considerably more outreach for the text amendment and would like to see more and there is no enforcement process and the addition of historic preservation language as intended is not suitable. Chair Wagner noted Vice Chair Rodriguez comment about making adjustments with stipulations and that would not be sufficient.

Committee Member Mark Cardenas made a substitute motion to approve Z-TA-5-23-Y per the staff recommendation. **Vice Chair Nicole Rodriguez** seconded the motion.

DISCUSSION:

Mr. Tedhams commented that the use of ADU's is an opportunity and should be allowed for more residential options and the zoning language is adequate.

Mr. Mahrle stated that he does not support either text amendment and that the Committee should recommend that the City should look at the historic preservation requirements carefully.

Vice Chair Rodriguez stated that there has been due diligence on the text amendments and things will change with ongoing review and it could be better and this action will have a positive impact on residents and it should be voted on as is.

VOTE:

9-4; motion to approve Z-TA-5-23-Y per the staff recommendation passes with Committee Members Benjamin, Cardenas, Jewett, Kleinman, Picos, Procaccini, Searles, Tedhams and Vice Chair Rodriguez in support; with Committee Members Doescher, George, Mahrle, and Chair Wagner opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

Village Planning Committee Meeting Summary Z-TA-5-23-Y

Date of VPC Meeting	July 10, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.
VPC Recommendation	Approval with direction
VPC Vote	7-1

VPC DISCUSSION:

Staff Presentation:

Tricia Gomes, acting Deputy Director of the Planning and Development Department, provided a presentation regarding the proposed text amendment, gave examples of accessory dwelling units (ADUs), noted the proposed standards for new ADUs, provided a timeline for the proposal, and presented the staff recommendation to approve.

Questions from Committee:

Dean Chiarelli noted that the proposed text amendment would put a strain on the neighborhoods and that he had concerns regarding the parking and the lack of data used to support the text amendment. Mr. Chiarelli also noted that there should be a maximum number of ADUs in a street. **Ms. Gomes** noted that the definition of affordable housing would be addressed in the next text amendment and the current text amendment does not place affordable restrictions on ADUs. Ms. Gomes also provided the definition of affordable housing that is present in the text amendment Z-TA-8-23-Y. **Mr. Chiarelli** noted that the ADU text amendment was on the right path but that it would not solve the housing issue.

JoAnne Jensen stated that the proposed text amendment has structural concerns regarding parking, traffic, water, sewer, and electric. Ms. Jensen noted that there are concerns with emergency service accessibility. Ms. Jensen added that there are community concerns regarding the role of the committee. Ms. Jensen noted that it felt that the community has lost its decision-making power and will be ignored. Ms. Jensen added that this text amendment would not adequately address the housing issues in the City. **Ms. Gomes** noted that the text amendment is not an absolute solution to the housing issue. Ms. Gomes added that ADUs would be a tool and an option to address the housing issue in the City.

Carlos Ortega stated that some ADUs can be used for recreational activities and asked what neighborhoods can do to tackle issues such as ADUs used for parties. Mr. Ortega noted that the term affordable housing used in the text amendment could cause issues and asked if the wording could be changed. Mr. Ortega added that he had concerns with parking, fire safety, and how are regulations going to be enforced. **Ms. Gomes** noted that ADUs are required to go through a full review. Ms. Gomes noted that the fire and police department will have access to all structures on a lot. Ms. Gomes added that the property owner should have control over tenant behavior and that there are laws to assist in any nuisance situations. Ms. Gomes noted ADU parking can be provided in the driveway, but that it would not be required.

Patrick Nasser-Taylor asked what research was done to support ADUs. **Ms. Gomes** stated that the Phoenix Housing Plan encourages an increase in housing stock within the City and ADUs are just one option that is offered but are not meant to solve affordable housing. Ms. Gomes noted that staff analyzed the Tucson, Flagstaff, and the current Phoenix Zoning Ordinance. Ms. Gomes added that staff analyzed the requirements in different cities and applied it to Phoenix's structure. **Mr. Nasser-Taylor** asked how the city would enforce the owner occupied portion of the proposed text amendment. **Ms. Gomes** noted that before a building permit for the ADU is provided, the owner must a recorded owner occupied document. Ms. Gomes stated that Neighborhood Services Department can enforce the requirement, or the surrounding neighbors could sue the owner. **Mr. Nasser-Taylor** asked how ADUs would affect property taxes. **Ms. Gomes** noted that it would be assessed as a single-family.

Rebecca Perrera stated that she had concerns with short-term rentals and parking. Ms. Perrera asked if staff has a worst-case scenario once the text amendment is approved and provided a theoretical lot size. **Ms. Gomes** stated that the majority of the lots are less than 10,000 square feet which would limit ADUs to 1,000 square feet. **Mr. Ortega** noted that small lots would be unable to build ADUs. **Ms. Gomes** added that the lot coverage was slightly increased to accommodate the construction of an ADU.

Vice Chair Hurd asked what percentage of homes would be able to build an ADU. **Ms. Gomes** noted that an exact percentage can not be provided. Ms. Gomes added that the city is allowing for the construction of an ADU, but it doesn't necessarily mean that everyone can afford an ADU.

Jennifer Rouse stated that she has concerns with the crime, short term rentals, and violations of covenants. **Ms. Gomes** noted that property owners have the right to rent out their property to any individual and that that would be beyond the realm of the text amendment.

Public Comment:

Phil Hertel stated that ADUs should be reviewed and approved in a case-by-case basis rather than through a city-wide text amendment. Mr. Hertel noted that there should be a limitation on the number of ADUs per street or neighborhood. Mr. Hertel added that ADUs will add to issues with street parking. Mr. Hertel noted that street parking and excessive parking will prevent fire from accessing a house or an ADU. Mr. Hertel stated that parking had to be addressed in the text amendment. Mr. Hertel stated that he agreed with Committee Member Ortega's comments and noted that there should have been extensive outreach and public meetings.

Dan Penton, on behalf of the LCRD, stated that the LCRD has received a letter from the Neighborhood Coalition of Greater Phoenix. Mr. Penton stated that he was in support of the letter submitted by the coalition. Mr. Penton noted that the LCRD supported the proposed parking regulations and short-term rentals. Mr. Penton added that there should be coordination between HOAs and staff proposing the text amendment.

Jack Purvis asked if HOAs would be able to supersede the provisions allowed per the text amendment. **Ms. Gomes** noted that if an HOA has a regulation restricting ADUs then the homeowner would have to oblige by those rules. **Mr. Purvis** asked HOAs could amend their regulations to address ADUs. **Ms. Gomes** confirmed. **Mr. Purvis** asked if recreational vehicles (RVs) or tiny homes are already permitted. **Ms. Gomes** noted that people are unable to live in RVs and tiny homes can be converted to ADUs.

Mr. Hertel asked how parking would work in a cul-de-sac. **Mrs. Gomes** stated that single-family residential houses are required to have two parking spaces outside of the front yard setback. **Mr. Hertel** noted that that is not realistic as people use garages for storage.

Committee Discussion:

Mr. Ortega stated that enforcement of regulations is not enough to make sure ADUs do not negatively impact neighborhoods.

Mr. Nasser-Taylor stated that the wealthy would be the ones capitalizing from ADUs.

Ms. Jensen noted that the committee has been focusing on extreme cases. Ms. Jensen stated that she agreed with other member's comments but that the ADUs would help.

Ms. Perrera stated that she agreed with the Neighborhood Coalition of Greater Phoenix letter. Ms. Perrera stated that she would support a motion to approve the text amendment with the proposed changes in the letter.

Motion:

Rebecca Perrera motioned to recommend approval of Z-TA-5-23-Y with direction to incorporate the changes in the Neighborhood Coalition of Greater Phoenix letter of recommendation with respect to accessory dwelling units. **Jennifer Rouse** seconded the motion.

Ms. Gomes noted that staff has also received the letter. Ms. Gomes added that if a property is designated as historic, then Historic Preservation must review the plans. Ms. Gomes stated that ADUs would still have to comply to Historic Preservation and the proposed standards. Ms. Gomes noted that the letter states to provide parking in the driveway. Ms. Gomes reiterated that required parking is not allowed in the front yard setback. Ms. Gomes stated that the current State law allows for short-term rentals and the text amendment would require the property owner to live on the site.

Ms. Perrera stated that the changes proposed in the letter could be a good starting point and that she would like to retain her motion.

Vote:

7-1, motion to recommend approval of Z-TA-5-23-Y with direction passed with Committee Members Barraza, Chiarelli, Jensen, Ortega, Perrera, Rouse, and Hurd in favor and Committee Member Nasser-Taylor in opposition.

Staff Comments Regarding VPC Recommendation:

None.

Village Planning Committee Meeting Summary Z-TA-5-23-Y

Date of VPC Meeting	July 10, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwellings units
VPC Recommendation	Approval per the staff recommendation with direction
VPC Vote	14-0

VPC DISCUSSION:

One member of the public registered to speak on this item.

STAFF PRESENTATION

Anthony Grande, staff, provided a presentation regarding the proposed text amendment, gave examples of accessory dwelling units (ADUs), noted the proposed standards for new ADUs, and provided a timeline for the proposal.

QUESTIONS FROM COMMITTEE

Committee Member Starks asked about the process and standards for obtaining a use permit to exceed the 15-foot height limit in the rear yard. **Mr. Grande** replied with the standards for use permits.

Committee Member Uss stated that short-term rentals have been an issue in other cities allowing ADUs and other cities have implemented rules to mitigate issues with short-term rentals. **Mr. Grande** stated that the proposed text includes a requirement for the property owner to live on the property or not allow subleasing of the property.

Committee Member Olivas expressed support for ADUs and noted concerns about the speed of the process for implementing the text amendment.

Committee Member Sherman expressed support for the text amendment and asked about compliance with the new registration process for short-term rentals. **Mr. Grande** stated that he didn't have any information available on the issue.

Committee Member Sonoskey asked about the lot coverage increase. **Mr. Grande** replied that the lot coverage is increased overall and also allows additional lot coverage for a property with an ADU. **Mr. Sonoskey** asked about historic preservation concerns

raised by correspondence sent to the committee. **Mr. Grande** stated that the proposed text does not remove the requirement for a historic property to go through HP review. **Sarah Stockham**, staff, replied by reading the requirement for HP review in Chapter 8 of the zoning.

Committee Member Martinez asked about compliance checks. **Mr. Grande** described the development review process.

Committee Member Greenman stated concerns about the lack of public input on the text amendment, the availability of infrastructure in the city to support ADUs, and a preference for a smaller pilot program, rather than a citywide proposal. **Mr. Grande** replied that infrastructure capacity is reviewed when site plans are reviewed by the city.

Committee Member Gaughan expressed concern about short-term rentals and stated it would be good to stay ahead of the curve on infrastructure.

Committee Member Uss stated that a similar proposal in Tucson had issues because of the parking requirements, noting there may be amendments to this proposal in the future.

Chair Gonzales asked why R-O districts were excluded. **Mr. Grande** stated he didn't know the reason for excluding that particular district.

Committee Member Panetta asked about how modifications to the text amendment will be made going forward. **Mr. Grande** replied that modifications could be made at any point in the process up until the City Council adoption.

Committee Member Olivas asked for clarification on the historic preservation requirements of Chapter 8 as it relates to the concerns raised by the letter submitted to the committee. **Ms. Stockham** replied that the concerns are addressed by the requirement for HP review in Chapter 8.

Committee Member Dana Johnson asked about ADUs providing basement space. **Mr. Grande** replied that it would be possible and that height limits are based on the height from the ground level.

Committee Member Sherman stated that more staff will be needed to process building permits as a result of this request. **Mr. Grande** stated he wasn't aware of any proposed staffing changes.

PUBLIC COMMENTS

Tom Mulhern introduced himself and stated that the proposal should provide additional housing inventory but that the deed restriction requirement could hinder that goal. He further stated that the city will need a more streamlined approval process, as

the proposal will likely overwhelm city staff.

STAFF RESPONSE

Anthony Grande stated the goal with the deed restriction requirement.

COMMITTEE DISCUSSION

Committee Member Olivas provided a clarification regarding the Housing Phoenix Plan.

Committee Member Sherman stated that the deed restriction requirement is a helpful component of the proposal.

Committee Member Panetta stated that ADUs should be considered for a self-certification process.

Committee Member Uss stated that existing structures should be subject to more minor permits than for new structures.

Committee Member Burns asked if a streamlined permit review process could be included in the text. **Mr. Grande** replied that it would be more appropriate as an internal process.

MOTION

Patrick Panetta made a motion to recommend approval of Z-TA-5-23-Y per the staff recommendation with direction that the city investigate short term rental regulations, utility and parking capacity, and a permitting process for ADUs. **Zach Burns** seconded the motion for approval per the staff recommendation with direction.

Committee Member Sonoskey asked if long term rentals are an issue. **Mr. Sherman** replied that they are not an issue, but short-term rentals are more concerning.

Committee Member Olivas stated that enforcement is difficult with absentee landlords.

Committee Member Uss stated that studies showed that 88 percent of ADUs are used to provide additional housing stock.

VOTE

14-0, Motion to recommend approval of Z-TA-5-23-Y per the staff recommendation with direction passed, with Committee Members Burns, Burton, Gaughan, Greenman, Johnson, Lockhart, Martinez, Olivas, Panetta, Sherman, Sonoskey, Starks, Uss, and Gonzales in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-5-23-Y

Date of VPC Meeting	July 11, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwellings units
VPC Recommendation	Approval per the staff recommendation with modifications passes
VPC Vote	15-0

VPC DISCUSSION:

*2 members of the public registered to speak on this item in support.
1 member of the public registered to speak on this item in opposition.*

Chris DePerro, staff, introduced himself and provided a presentation on the development and adoption of accessory dwelling units. Mr. DePerro provided a brief history of the text amendment and the City Council's response to provide housing options. Mr. DePerro provided information on definitions, types, zoning, and development standards, lot coverage and the allowance of ADU's in additional zoning areas. Mr. DePerro displayed examples of ADU configurations, sizes, projections, setbacks, dimensions and standards that will be applicable for residential development. Mr. DePerro noted associated parking and accessibility to ADU's if they are developed. Mr. DePerro discussed the schedule for the text amendment review at the Villages, Planning Commission and City Council.

QUESTIONS FROM THE COMMITTEE:

Mr. O'Malley noted the text amendment appears to be a part of various sweeping additions that have come before the Committee and asked if ADU's are appropriate for every neighborhood in Phoenix and asked about the review process. **Mr. DePerro** responded the text amendments came from Council direction to the Planning and Development Department based on the Housing Phoenix Plan to provide residential options. Mr. O'Malley asked about the applicability of a deed restriction placed on property and what is an interior suite. Mr. DePerro described an interior suite and that the text amendment would remove that description. Mr. DePerro discussed the conditions that were developed by the City of Flagstaff in response to short term rentals that includes a restrictive covenant to allow owner occupancy and provisions for rental conditions. Mr. O'Malley asked how will enforcement of ADU's be conducted for rentals.

Mr. DePerro responded that enforcement would be conducted through Neighborhood Services and covenants would have written agreement that would be court enforceable.

Ms. Augusta inquired about the required 3-foot setback for ADU's. Mr. DePerro responded that an existing setback for the rear yard for an ADU is 3 feet and 0 feet if there is a dedicated alley. Ms. Augusta asked for clarification on setbacks for corner lots. **Mr. DePerro** responded that for corner lots with a side street the setback would be 10 feet. Ms. Augusta asked if ADU's would be a tax revenue for the City of Phoenix. Mr. DePerro responded that he is not familiar with the taxation but did note that Maricopa County does the property assessment and typically with an increase of square footage taxes do increase with the evaluation of property.

Ms. Schmieder asked about the information provided by the Neighborhood Coalition of Greater Phoenix and will there be a response to their comments. **Mr. DePerro** responded that he could respond to any or all the comments from the Committee.

Chair Swart stated that questions from the public may be the same questions from the Neighborhood Coalition of Greater Phoenix and the Committee would hear all comments and questions presented to allow the City to respond.

PUBLIC COMMENTS:

Kirin Goff introduced herself as a homeowner and was born and raised in Phoenix and stated she is in favor of allowing ADU's. Ms. Goff stated her family has a home and extended family who may move to Phoenix in the future and an ADU would be ideal for her family situation. Ms. Goff noted that she is an Associate Professor of Practice and Director of the Applied Health Policy Institute at the University of Arizona and has some experience in housing supply and demand and allowing ADU's would be an efficient use of residential space. Ms. Goff noted that she would be available to assist and provide information if necessary and thanked the Committee.

Patricia Powell introduced herself and expressed that she resides on Edgemont Avenue and asked if the City had all the discussion information in one location with summary bullet points that could be disseminated to the community. Ms. Powell also asked about parking and with the addition of and ADU is there a way to prevent parking on the street which would interfere with the enjoyment of the neighborhood street. Ms. Powell also expressed concern about the proposed building height of ADU's and how it would impact the adjacent neighbors. Ms. Powell expressed concern that the text amendment approach is a one size fits all and may not have positive impacts overall and enforcement will be difficult.

Chair Swart stated he would like a response to the comments and would like information made available so citizens would not have to seek out public records requests and asked that the information on the text amendments be available and citizens may obtain it easily.

Mr. DePerro responded that information sheets are available and have been updated with the feedback and discussion obtained from the first information only presentations. Mr. DePerro stated he would provide the available information as requested. Mr. DePerro mentioned that ADU's will be allowed at 1 story up to 15 feet in height and this is applicable to other structures on the site. Mr. DePerro responded that no additional parking was added for ADU's as it may be prohibitive for development.

Neal Haddad introduced himself as a member of the Neighborhood Coalition of Greater Phoenix and stated a position statement was prepared by the organization and provided to the Committee. Mr. Haddad stated they support ADU's and the work that Mr. DePerro has done because they have a positive effect on housing supply however their certain elements that need to be revised to avoid any unintended consequences including historic preservation and special overlay planning districts. Mr. Haddad noted that parking needs to be addressed and discussed restricted and regulated parking conditions. Mr. Haddad expressed concern with short term rentals and restricted covenants which is not sufficient. Mr. Haddad mentioned that the text amendments do not coordinate with Homeowner Associations and CC & R's. Mr. Haddad asked the Committee to carefully review the revised language that has been provided by the Neighborhood Coalition of Greater Phoenix request that the text amendment be approved with provisions. Mr. Haddad expressed that text amendments need earlier involvement so details can be vetted before coming to the Village Planning Committee.

STAFF RESPONSE:

Chris DePerro responded that HOA's are a function under state statute and the City cannot regulate these items. Mr. DePerro noted that HOA's can regulate things that are above and beyond what the City allows and it would not be necessary to add additional provisions.

Ms. Schmieder asked if a reference could be added to the text amendment noting the Arizona Revised Statute in doing this it would be helpful for people who are not familiar with land use and zoning law. **Mr. DePerro** responded that the proposed text amendment contains cross references and when certain provisions are included may create confusion, but the City's legal department may consider certain additions. Ms. Schmieder stated that parking does need to be addressed within the scope of the text amendment. Mr. DePerro responded the addition of a parking requirement would make ADU's prohibitive, but it would be something that will be considered.

Ms. Beckerleg Thraen commented that parking is more associated to use and that in certain situations parking may not be an issue and the City's approach is understandable.

Ms. Schmieder commented that the discussion at the March 2023 Planning Commission Meeting there was an emphasis on getting the text amendments done as soon as possible and some of the details were not complete and relied on elements from other cities. Ms. Schmieder stated the information provided by the Neighborhood Coalition of Greater Phoenix has been more thorough and responsive. Mr. DePerro

responded that he was responsible for much of the text amendment as presented and noted historic preservation is included and the review that will be applicable without a site plan review. Mr. DePerro explained the provisions of the Zoning Ordinance for Historic Preservation provide greater authority for review and avoid double review situations. Mr. DePerro discussed short term rentals and the method for allowing them to get permitted as available housing stock.

Ms. Augusta commented that this is not the first time the Committee has heard about ADU's, this has been on ongoing process. Ms. Augusta expressed that people should have options for housing and ADU's will provide opportunity for available housing for different populations and improve neighborhood walkability.

Mr. Grace commented on parking associated with ADU's. Mr. Grace noted parking on the street where there is more frontage and in areas where lots are narrower, and people will have to adapt to the increasing number of ADU's.

COMMITTEE DISCUSSION:

None.

MOTION

Committee member Dawn Augusta motioned to recommend approval of Z-TA-5-23-Y per the staff recommendation. **Committee member Rhonda Beckerleg Thraen** seconded the motion.

Mr. Paceley stated he supports the amendment and requested a friendly amendment noting the information provided by the Neighborhood Coalition of Greater Phoenix should be included in the recommendation for approval.

Ms. Beckerleg Thraen asked if the friendly amendment is to include all of the provisions provided by the Neighborhood Coalition of Greater Phoenix. **Mr. Paceley** stated that some of the language should be adjusted and the letter should be part of the recommendation. Ms. Beckerleg Thraen responded that only certain provisions should be included and noted the cross references may not be suitable for the text amendment as presented. Mr. Paceley stated the language is acceptable and provided a highlighted copy as improvements to add to the text amendment. Ms. Beckerleg Thraen ask if the language can be reviewed as the amendment moves forward to the Planning Commission and requested friendly amendment be and acknowledgement of the added provisions. Mr. Paceley was agreeable to the acknowledging and referencing parts of the Neighborhood Coalition of Greater Phoenix letter as part of the friendly amendment.

Chair Swart stated that it would be best to attach the letter from the Neighborhood Coalition of Greater Phoenix as an exhibit to the Committee's recommendation for review by the legal department from the City and the Planning Department. Mr. Paceley agreed with the request.

Ms. Eichelkraut stated that there was discussion on two statutes and certain language would be adjusted to avoid any added cross referencing that would create confusion. Ms. Eichelkraut stated that the letter would be an appendix to the text amendment. **Mr. Paceley** responded that there are issues as stated in the letter that are important and should be acknowledged and considered for the text amendment.

Chair Swart asked **Ms. Augusta** if the friendly amendment was acceptable which was acknowledged and confirmed. Chair Swart asked **Ms. Beckerleg Thraen** if the friendly amendment as introduced was acceptable and Ms. Beckerleg Thraen agreed with the friendly amendment.

VOTE

15-0; motion to approve Z-TA-5-23-Y per the staff recommendation with modifications passes with Committee members Abbott, Augusta, Baumer, Bayless, Beckerleg Thraen, Czerwinski, Eichelkraut, Grace, Langmade, Miller, O'Malley, Paceley, Schmieder, Wilenchik and Swart in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Staff notes that VPC approval will include correspondence from the Neighborhood Coalition of Greater Phoenix for acknowledgement and consideration for changes to the proposed text amendment.

Village Planning Committee Meeting Summary Z-TA-5-23-Y

Date of VPC Meeting	July 11, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwellings units
VPC Recommendation	Denial
VPC Vote	5-4

VPC DISCUSSION:

Two members of the public registered to speak on this item, in opposition.

Committee Member Gary Kirkilas joined the meeting during this item, bringing quorum to 9 members.

STAFF PRESENTATION

Anthony Grande, staff, provided a presentation regarding the proposed text amendment, gave examples of accessory dwelling units (ADUs), noted the proposed standards for new ADUs, and provided a timeline for the proposal.

QUESTIONS FROM COMMITTEE

Committee Member Kirkilas asked about the three-foot rear setback requirement. **Mr. Grande** provided clarification. **Committee Member Santoro** noted that it is the standard for other allowed projections. **Mr. Grande** agreed.

Committee Member Nowell asked about projections for overhangs. **Racelle Escolar**, staff, responded that she will look it up and get back to the committee.

Committee Member Powell asked about lot coverage requirements. **Mr. Grande** and **Ms. Escolar** reviewed the proposed changes to lot coverage.

Vice Chair Lagrave asked whether ADUs could be built in the front yard. **Mr. Grande** replied that they wouldn't be able to project into the front yard and detached ADUs are not allowed in front of a home.

Committee Member Nowell asked about the concerns raised in the letters provided to the committee. **Mr. Grande** described the historic preservation requirements of the

zoning. **Ms. Escolar** stated that the city is reviewing the recommendations and the committee could include them in their recommendation.

Vice Chair Lagrave stated that he didn't think making recommended modifications to the text was worthwhile because the next reviewers were only interested in whether VPCs approved or denied the request.

Ms. Escolar replied to an earlier question, saying that the zoning requires 2 feet of separation between the roof overhang and the rear property line.

Vice Chair Lagrave stated that three feet is very close to the lot line for an ADU.

Committee Member Israel asked about side yards. **Mr. Grande** replied that side yards would be maintained for ADUs.

Committee Member Santoro asked about leasing for short-term and long-term rentals. **Mr. Grande** replied with the proposed requirement for a deed restriction.

Vice Chair Lagrave stated that it doesn't seem likely that the state government is going to enact legislation regarding ADUs soon, adding that there is room for new development on undeveloped land in the area and that adding ADUs in existing neighborhoods will turn them into slums.

Committee Member Nowell asked if the text would supersede HOA restrictions. **Mr. Grande** replied that the text does not intend to do so.

Chair Bowser stated that there should be an architectural requirement, that the one-story limit in the rear yard is good, and that there should be a way to prevent two ADUs from being built on one lot.

Committee Member Kirkilas asked for clarification on the process when a committee makes a recommendation with stipulations. **Vice Chair Lagrave** stated that the Planning Commission will listen for items that are in Desert View but not for citywide items. **Mr. Grande** provided clarification on the process of forwarding recommendations to the Planning Commission.

Michelle Santoro asked what other village have been saying about this proposal. **Mr. Grande** and **Ms. Escolar** responded with the results from other villages.

Vice Chair Lagrave asked about Open Meeting Law requirements. **Mr. Grande** discussed Open Meeting Law requirements.

Committee Member Israel stated that the VPC has a responsibility to provide feedback on the proposal, adding that parking could be an issue. **Mr. Grande** reviewed the proposed provision for additional parking space allowed in the front yard. **Mr. Israel**

followed up with a question about design elements. **Mr. Grande** reviewed the proposed requirement for design review. **Chair Bowser** suggested that the language be updated to include an ADU visible from the neighboring property. **Mr. Nowell** stated that the language is broadly defined and could be more specific. **Mr. Grande** stated that design review is intended to have some flexibility.

PUBLIC COMMENTS

Larry Whitesell introduced himself as a member of the Neighborhood Coalition of Greater Phoenix and stated that the text needed to be revised, as stated in the letter submitted by NCGP. He reviewed the proposed modifications, including requirements for historic properties, parking, short-term rentals, and HOAs.

Jackie Rich introduced herself and stated that it wasn't clear if the ADUs could be used for other uses or how the new ADU zoning text would be enforced.

STAFF RESPONSE

Mr. Grande stated that it's important to recognize that accessory structures are already allowed and that this text is allowing accessory buildings to be used as dwelling units with cooking facilities. He further stated that the city has enforcement mechanisms for every aspect of the city's zoning and other codes.

COMMITTEE DISCUSSION

Vice Chair Lagrave asked if the text is allowing construction that is already permitted. **Mr. Grande** replied that it mostly is, except that the text would allow cooking facilities in a separate space to be considered a unit.

Chair Bowser stated that he liked the proposal to require off-street parking for an ADU.

Committee Member Santoro suggested adding a parameter for parking to the text, noting that she is supportive of ADUs, but there should be limits on short-term rentals.

Vice Chair Lagrave stated that the Planning Commission gets 15 recommendations, one from each VPC, and it's impossible to look at all of them. He added that they will focus on whether VPCs voted to approve or deny.

Committee Member Kirkilas stated that it would be impactful if multiple VPCs made the same recommended modifications. **Committee Member Israel** agreed that multiple VPCs could support the same modifications to make a larger impact.

Vice Chair Lagrave stated that parking is also an issue with ADUs.

MOTION

Vice Chair Lagrave made a motion to recommend denial of Z-TA-5-23-Y. **Committee Member Rick Nowell** seconded the motion for denial.

Committee Member Jason Israel made a substitute motion to recommend approval with the following modifications:

- That 1 parking space be required for an ADU.
- That there be a 90-day minimum term for rentals of ADUs.

There was no second; therefore, the motion failed.

Hearing no further motions or discussion from the committee, **Chair Bowser** called for a vote on the motion.

VOTE

5-4, motion to recommend denial of Z-TA-5-23-Y passed; Committee Members Barto, Israel, Nowell, Reynolds, and Lagrave in favor; Committee Members Kirkilas, Powell, Santoro, and Bowser opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-5-23-Y

Date of VPC Meeting	July 11, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	3-2

VPC DISCUSSION:

Staff Presentation:

Adrian Zambrano, staff, explained what an Accessory Dwelling Unit (ADU) is, sharing current terms used in Phoenix Zoning Ordinance and other nicknames for ADUs. Mr. Zambrano shared the proposed changes in the Phoenix Zoning Ordinance, including allowing only one ADU per lot in all single-family zoned districts, definitions for duplex and triplex to make clear distinctions from ADUs, increases in lot coverage for most districts, revisions to rear-yard projection rules to allow ADUs and other projections further into the rear yard, height limitations in the rear yard, and fixing references to guesthouses and other sections of the Phoenix Zoning Ordinance. Mr. Zambrano then discussed different types of ADUs, including above-garage apartments, detached ADUs, attached ADUs, basement conversions, and converted garages. Mr. Zambrano noted that ADUs would be allowed to be two-stories within the building envelope, outside of the required setbacks, and would be limited to one-story and 15 feet in height within the required rear yard, unless a use permit is obtained. Mr. Zambrano added that the text amendment would not prohibit other accessory structures, such as a detached garage. Mr. Zambrano then shared the proposed development standards for ADUs and concluded with the timeline for the text amendment. Mr. Zambrano stated that staff recommends approval as listed in the staff report.

Questions from the Committee:

Chair Lawrence asked about the use permit requirement for building heights taller than 15 feet in the rear yard and asked if a two-story casita could be built in the rear yard.

Mr. Zambrano responded that the current provisions in the Phoenix Zoning Ordinance only allow guesthouses in large-lot zoning districts and that he is unsure what the maximum height allowance is for guesthouses with the current provisions. Mr. Zambrano added that most single-family homes are allowed a maximum building height of two stories and 30 feet within the building envelope. **Chair Lawrence** asked if ADUs would be reviewed through the regular building permit review process. **Mr. Zambrano** responded affirmatively.

Mr. Virgil asked how large an ADU would be allowed to be for a lot size of 12,000 square feet. **Mr. Zambrano** responded that it would be 10 percent of the net lot area, if it is less than 3,000 square feet. **Mr. Virgil** stated that an acre lot would likely be able to build a 3,000 square-foot ADU. **Mr. Zambrano** responded that there would also be the provision that the ADU cannot be larger than 75 percent of the size of the primary dwelling unit.

Massimo Sommacampagna asked for clarification that a second home could not be built. **Mr. Zambrano** responded that one of the provisions in the text amendment is that either the primary dwelling unit or the ADU has to be owner-occupied as a measure to help with limiting selling them individually or renting ADUs as short-term rentals. **Mr. Zambrano** stated that a covenant agreement has to be signed and recorded that will run with the land. **Mr. Sommacampagna** asked if the City would enforce this provision. **Mr. Zambrano** responded that the applicant would need to provide the City with a recorded covenant agreement prior to permits being issued.

Mr. Virgil asked if rooms could be rented individually in an ADU. **Mr. Zambrano** responded that he believes they could be, and that the City does not control how it is rented.

Chair Lawrence stated that it would be a homeowners' association (HOA) issue and that this text amendment stems from people applying for building permits for accessory structures and calling them an office or pool house and illegally putting in kitchens and bathrooms in them afterwards. Chair Lawrence shared concerns with short-term rentals and stated that it would become an HOA challenge. Chair Lawrence added that it would be a great idea for individuals wishing to house their family members in the ADU. Chair Lawrence stated that the requirement for a separate pathway to the street outside of the primary dwelling unit does set it up nicely for a short-term rental and that HOAs would have a challenging time managing them.

Mr. Scharboneau asked about an ADU related to a garage. **Mr. Zambrano** responded that one of the types of ADUs is an above-garage apartment. **Mr. Scharboneau** asked what an ADU must include to be considered an ADU. **Mr. Zambrano** responded that the Phoenix Zoning Ordinance defines a dwelling unit as specifically having cooking facilities, so if the structure has cooking facilities, it would be considered an ADU. **Mr. Scharboneau** asked if an ADU would need to have cooking facilities in it. **Mr. Zambrano** responded that in order for it to be considered a dwelling unit, it would need to have cooking facilities. **Mr. Scharboneau** asked if other Village Planning Committees have heard this item and what their recommendations were.

Sarah Stockham, staff, responded that it was heard by the Encanto Village Planning Committee (VPC), Laveen VPC and Central City VPC the prior night and that they all recommended approval, and one recommended approval with direction. **Mr. Virgil** asked what their main concern was. **Ms. Stockham** responded that she was at Central City VPC, who wanted to provide direction for the enforcement of short-term rentals. Ms. Stockham stated that the City is tied by State law to regulate short-term rentals. Ms.

Stockham added that Central City VPC wanted to ensure there was enough staff to permit ADUs.

Chair Lawrence asked if ADUs would require architectural drawings or if sketches would be accepted. **Ms. Stockham** responded that applicants would still be required to go through the plan review process, and if located within an Historic Preservation (HP) zoning district, would still be required to comply with HP district standards and go through the HP review process.

Mr. Virgil asked if the same would apply for HOAs. **Ms. Stockham** responded that HOA requirements would be on top of what the City requirements are, but that the City would not enforce the HOA requirements. **Mr. Virgil** asked about the HP concerns within the Encanto Village. **Ms. Stockham** responded that the Encanto VPC heard it the prior night and had concerns with HP oversight. Ms. Stockham stated that HP provisions are not seen in the text amendment because they are not being changed and they are found in Chapter 8 of the Phoenix Zoning Ordinance. Ms. Stockham stated that anytime a site planner sees the zoning of a property and sees that it is zoned HP, they immediately send them to the HP office to get HP approval first. **Mr. Virgil** asked for clarification that the Committee's vote on the text amendment would not modify the HP requirements. **Ms. Stockham** responded affirmatively, stating that the properties with HP zoning would still be zoned HP and would be subject to Chapter 8 of the Phoenix Zoning Ordinance.

Mr. Sommacampagna asked if the requirement for a covenant agreement would be a violation of Proposition 207 for takings. **Mr. Zambrano** responded that when someone applies for an ADU, as part of the approval before permits are issued, the applicant will need to provide a recorded covenant agreement to show that one of the units will be owner-occupied, which is a measure the City proposed to help reduce the potential for using ADUs as short-term rentals.

Ms. Stockham added that the text language has been vetted by the Law Department. Ms. Stockham stated that the language comes from the City of Flagstaff who also tried to come up with ways to regulate short-term rentals under State law. Ms. Stockham stated that the City of Flagstaff has not been challenged legally on that requirement yet.

Mr. Sommacampagna asked if it would be a violation of Proposition 207 in the event the property owner indicates that rentals are exceeding the value of homeownership. **Ms. Stockham** responded that it would not be since the property would be getting an additional entitlement to build an ADU.

Mr. Scharboneau asked for clarification that property owners are not required to sign the covenant agreement unless they wish to use the additional zoning entitlement to build an ADU. **Ms. Stockham** responded affirmatively.

Mr. Zambrano added that ADUs, such as casitas or guesthouses, are not currently allowed in smaller-lot zoning districts.

Will Holton asked for clarity that the ADU would have to have a separate entrance outside of the primary dwelling unit. **Mr. Zambrano** responded affirmatively. **Mr. Holton** asked if an attached ADU would have a sealed off wall to separate it from the primary dwelling unit. **Mr. Zambrano** responded that they generally would be separated, but there is not a specific requirement for it to be sealed off from the other dwelling unit, and that there is only the requirement to have a separate entrance outside of the primary dwelling unit. **Mr. Holton** asked for clarification if there could be a doorway that goes into the other dwelling unit. **Mr. Zambrano** responded that if the property owner wanted to, they could have a door that connects to the other dwelling unit. **Mr. Holton** asked if an ADU would require a separate water meter. **Mr. Zambrano** responded that he believes the ADU would be required to use the same meter.

Mr. Sommacampagna asked if fire is part of the typical permit review process. **Mr. Zambrano** responded affirmatively.

Chair Lawrence stated that it would be another challenge if the ADU addition results in requiring fire sprinklers. **Ms. Stockham** responded that it would depend on how large the ADU is. Ms. Stockham stated that she has a guesthouse that is about 200 square feet which did not require a full permit review that larger structures would be required to go through. **Chair Lawrence** stated that the best the Committee could do is hope that the permit reviewers would require the right requirements. Chair Lawrence added that allowing ADUs would allow them to be properly inspected since people are building them illegally anyways without proper inspections.

Mr. Holton asked if an ADU could be in a basement as well. **Mr. Zambrano** responded affirmatively, confirming that a basement apartment is one of the types of ADUs, if the property owner wants to pay the cost to dig a basement. **Mr. Holton** asked if another type of ADU allowed would be an above-garage apartment. **Mr. Zambrano** responded affirmatively. **Mr. Holton** asked if the maximum height allowed for the above-garage apartment would be 15 feet. **Mr. Zambrano** responded that if it is located within the building envelope, it would be permitted to be as tall as the primary dwelling unit is allowed to be, which is two stories and 30 feet. Mr. Zambrano stated that the 15-foot height limitation is when the ADU is located within the rear yard.

Public Comments:

None.

Staff Response:

None.

MOTION – Z-TA-5-23-Y:

Mr. Sommacampagna motioned to recommend approval of Z-TA-5-23-Y, per the staff recommendation. **Mr. Scharboneau** seconded the motion.

VOTE – Z-TA-5-23-Y:

3-2; motion to recommend approval of Z-TA-5-23-Y per the staff recommendation passes with Committee members Scharboneau, Sommacampagna, and Lawrence in favor and Committee members Holton and Virgil opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary
Z-TA-5-23-Y
REVISED

Date of VPC Meeting	July 11, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwellings units
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	9-2

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed text amendment, gave examples of accessory dwelling units (ADUs), noted the proposed standards for new ADUs, and provided a timeline for the proposal.

QUESTIONS FROM THE COMMITTEE

Committee Member Lee Coleman asked how height will be measured. **Mr. Rogers** stated that height is measure to the top of the roof ridge.

Committee Member Darlene Jackson asked if a permit will be required to build an ADU. **Mr. Rogers** stated that a permit will be required.

Committee Member Kassandra Alvarez stated that she is concerned with the design of the ADU not being consistent with the primary dwelling. **Mr. Rogers** stated that ADUs are subject to Single-Family design review. **Tricia Gomes**, staff, added that in the Single-Family design guidelines ADUs are required to have the same materials, look, and feel of the primary structure.

Committee Member Coleman asked if the text amendment was permitting only detached units. **Mr. Rogers** stated that the text amendment would permit both attached and detached ADUs. Committee Member Coleman asked if attached ADUs can encroach into the rear yard setback if they are less than 15-feet in height. **Ms. Gomes** confirmed that attached ADUs can encroach into the rear yard setback if they are limited to 15-feet in height or if a Use Permit is pursued to allow a greater height. Committee Member Coleman asked what the definition of attached is. Ms. Gomes stated that structures are attached if they share a wall. **Chair Daniels** asked what the max height would be for a single level home that is converted into a duplex. Ms. Gomes

clarified that an ADU is not allowed on a property with a duplex and explained that any portion of an ADU that encroaches into the rear yard setback will be limited to 15-feet in height.

Vice Chair Arthur Greathouse III stated concerns about adding more drivers to neighborhoods but not any parking and asked what that would look like in neighborhoods. **Ms. Gomes** stated that, while no additional parking is required in the text amendment, every single-family residence is required to provide a minimum of two parking spaces and may potentially extend the driveway area. **Chair Tamala Daniels** stated that most households have two cars and adding a household will add two additional cars and asked how the Planning Department is considering the impact on neighborhoods and safety. Chair Daniels stated she is concerned that if a dust-proof surface for parking is added it will not have a curb cut and cause safety issues. Ms. Gomes explained that any additional parking spaces will be required to comply with driveway standards. Chair Daniels stated that parking should be required to permit an ADU. Ms. Gomes stated that parking can be included as a part of an ADU permit but is not required and explained that when drafting the ADU ordinance staff followed several directives, firstly to add more units to the City per the Housing Phoenix Plan, and secondly, to make ADUs feasible. Ms. Gomes explained that in many communities adding parking may not be an option, so many communities may be prohibited to build an ADU if parking is required. Vice Chair Greathouse stated that perhaps a lot width requirement should be added to the ordinance. Ms. Gomes stated that any additional requirements will restrict where ADUs can be built and stated ADUs are currently allowed in new subdivisions within South Mountain but have not been built at scale. Chair Daniels explained that Lennar Homes has built many single-family residences with ADUs, but they have built when the primary dwelling has been built and include parking. Ms. Gomes stated the parking will be available in the driveway if the garage is utilized or tenants can utilize street parking. Chair Daniels asked about HOAs with private streets. Ms. Gomes stated that residents within an HOA must comply with the neighborhood's CC&Rs and street parking may be restricted.

Committee Member Alvarez stated that she expects ADUs will be built more in communities with public streets than in communities with private streets that are regulated by an HOA and asked if HOA communities were asking for ADUs as an option. **Ms. Gomes** stated that ADUs are currently allowed in larger lot zoning districts and in smaller lot zoning districts ADUs are often built either illegally or without a full kitchen, so they are not considered a full unit.

Committee Member Coleman asked why not only allow ADUs in the larger lot zoning districts, asked if this ordinance is eliminating single-family zoning, stated that "attached" needs to be defined, and asked about sewer connections and development fees. **Ms. Gomes** stated that "attached" means there is a shared wall and explained that subdivisions are built with the utility and street capacity to serve additional structures on a single-family lot. **Chair Daniels** asked if utility connection fees would be assessed on the ADUs. Ms. Gomes confirmed that the ADUs would go through a full site and building review and be assessed utility connection fees.

Committee Member Viera stated that ADUs will have to go through the permitting process but lots won't need to go through a rezone to have two units. **Ms. Gomes** stated that ADUs are accessory structures to the single-family home and are two full units won't be allowed.

Committee Member Coleman asked if ADUs would be charged water and sewer development fees. **Ms. Gomes** confirmed that water and sewer fees will be charged on ADUs.

Committee Member Kay Shepard asked if there is a minimum lot size to allow and ADU. **Ms. Gomes** stated that base zoning districts have minimum lot sizes, there is a maximum lot coverage, and are limited to 75% the size of the primary structure.

Chair Daniels asked if there is a minimum distance requirement between the primary structure and the ADU. **Ms. Gomes** stated that if a building is less than five feet from another building fire-rated walls will be required.

PUBLIC COMMENT

Elias Valencia stated that he grew up as a low-income minority and dealt with issues of red-lining and saw the struggle of his single mother raising three kids by herself. Mr. Valencia explained that he sees ADUs not as something that will eliminate requirements or destroy neighborhoods, but rather the next step in the incremental development by allowing neighborhoods to retain their character rather than upzoning. Mr. Valencia added that ADUs are typically placed behind the primary dwelling so the visual impact of the ADU should be minimal and explained that lots are generally 60-feet wide, so street parking should be available if the garage, driveway, and any additional parking area is already being used. Mr. Valencia explained that ADUs provide an additional housing option for communities and HOAs can regulate ADUs if they are not desired.

Vice Chair Greathouse thanked Mr. Valencia for his statements, stated that ADUs will be expensive to build, and asked if ADUs are likely to be built by homeowners or investors. **Chair Daniels** stated that homeowners are likely to build ADUs and explained that the Lennar Next Gen product, that includes an ADU, are very popular. Chair Daniels added that when most investors buy a property they are the single owner, so they can do whatever they want with their property. Vice Chair Greathouse stated that he would like to know what neighborhoods would be most impacted by the ADU text amendment if investors come in and buy up single-family rental properties to but two or three units on the lot. Chair Daniels stated that investors have been gentrifying communities for a long time. **Ms. Gomes** stated that to have an ADU a restrictive covenant is required that mandates that the property owner will need to live in either the primary or accessory unit and explained that three units would only be allowed in multifamily zoning district. Vice Chair Greathouse asked how many rooms are allowed in an ADU. Ms. Gomes explained that number of rooms is limited by the allowed size of the ADU, so ADUs will likely be one or two rooms.

Committee Member Coleman asked if parking will be required for the primary dwelling if a garage is converted to an ADU. **Ms. Gomes** stated that parking will still be required for the primary dwelling, or a variance will be required.

Melissa Gallegos explained that she lives in an older neighborhood where many spaces have already been converted to handle the influx of people coming into the neighborhood and asked where the capacity of these homes is. Ms. Gallegos explained her household has four cars and her neighbor has more and stated that the fire department could not reach her neighbor due to narrow streets and an abundance of cars parked on the street. **Ms. Gomes** explained that the ordinance cannot accommodate for every family type as some families are larger and some are smaller and stated that typical streets are 50-feet wide that can accommodate emergency services. Ms. Gallegos stated that she has several neighbors that have 10 to 12 people living in their homes and adding more bedrooms that will be filled with up to eight more people will create unacceptable living conditions and stated that it will be too expensive for a typical family to spend \$100,000 on building an ADU, but not too expensive for investors. Ms. Gomes stated that owners will be required to live on the property, so investors will be limited to building an ADU on the lot where they reside. **Committee Member Alvarez** stated that allowing ADUs may provide relief for multigenerational households with 10 people by allowing some of the residents to move into the ADU. Ms. Gallegos stated that she is supportive of multigeneration housing but in California ADUs have been rented out, not occupied by family. **Chair Daniels** stated that multigenerational living is common in many cultures and echoed Ms. Gallegos concerns that street parking is already at capacity without adding any additional units. **Committee Member Jackson** stated that ADUs are a good idea but would love to see someone from the City go out when people complain about issues at public forums such as the Village Planning Committee. **Committee Member Coleman** added that an abundance of street parking makes it dangerous for kids to play in the street. **Committee Member Muriel Smith** explained that she had to work with her neighbor to settle parking issues that arose when they threw a block party and encouraged people to call the City to find out how issues can be settled. Committee Member Alvarez asked what department should be contacted to settle access and parking issues. Committee Member Smith stated that the Street Transportation Department handles parking and access issues.

Michael Neal asked if the ADU ordinance will be applicable to all zoning districts within the City of Phoenix, asked if they would be allowed in Planned Unit Developments (PUDs), and asked if the Sanitation, Water, Fire, and Police Departments had reviewed the ADU proposal.

Ms. Gomes confirmed that ADUs will be allowed in all zoning districts on lots with a single-family residence, stated that ADUs would have to be allowed in the PUD narrative to be permitted, and explained that the proposal had been reviewed by an interdisciplinary team that included traffic, civil, and other reviewers, as well as Neighborhood Services. Mr. Neal stated that adding another unit would require larger water meters at the street, would require sanitation to change the way that they do pickups because properties will

have double the trash, stated street parking is already at capacity, and asked how close to property line an ADU will be allowed to be. Ms. Gomes stated that an accessory structure can be three feet from the property line. Mr. Neal asked if a property with 4 bedrooms could potentially add a three-bedroom ADU and asked how addresses will function. Ms. Gomes stated that if the lot coverage and size calculations allowed for a three-bedroom ADU it would be allowed and explained that an ADU will be allowed to have a different address than the primary dwelling.

Cory Kincaid stated that allowing ADUs had been a discussion since he moved to Phoenix 15 years ago, explained that housing had gotten harder and harder to build, thus making housing less affordable, and stated that Phoenix is 100,000 housing units short. Mr. Kincaid stated that there may be issues that are created by the ADUs, but cars do not need heat relief stations, eviction relief, and rent relief in the way that people do and stated that his area has seen a 40% rise in rents. Mr. Kincaid stated that communities in Phoenix used to be able to build ADUs and stated this is a small but meaningful step to address the housing crisis.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

Committee Member Jackson stated that with typical home prices around \$350,000 she is happy to hear that a three-bedroom ADU could be built for around \$100,000 and can allow a lower income household to attain housing and stated she is in support of the proposal.

Chair Daniels stated that the Arizona Senate rejected the bill that would have legalized ADUs statewide.

MOTION

Committee Member Shepard made a motion to recommend approval of Z-TA-5-23-Y per the staff recommendation. **Committee Member Jackson** seconded the motion.

VOTE

9-2, motion to recommend approval of Z-TA-5-23-Y per the staff recommendation passed with Committee Members Alvarez, F. Daniels, Hare, Jackson, Roque, Shepard, Smith, Viera, and Greathouse in favor and Committee Members Coleman and T. Daniels opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None

Village Planning Committee Meeting Summary

Z-TA-5-23-Y

Date of VPC Meeting	July 12, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwellings units
VPC Recommendation	None
VPC Vote	No quorum.

VPC DISCUSSION:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

No quorum.

Village Planning Committee Meeting Summary Z-TA-5-23-Y

Date of VPC Meeting	July 13, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwellings units
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	6-3

Two members of the public registered to speak on this item, in opposition.

One member of the public registered to speak on this item.

VPC DISCUSSION:

STAFF PRESENTATION

Matteo Moric, staff, presented the proposed text amendment for the accessory dwelling units.

QUESTIONS FROM COMMITTEE

Vice Chair Kenney said this would help with the housing shortage and is an interesting way to address this shortage.

Ricardo Romero asked if the item passes what the timeline would be to make it official and also asked how the communication has been passed down to the Homeowner's Associations.

Mr. Moric responded the text amendment goes in front of City Council in September and indicated that if a Homeowner's Association requires going through them for review, the City process is separate.

Gregory Freeman said ADU's often in other parts of the country get used for short term rentals.

Matteo Moric explained that the proposal requires a restrictive covenant which would stick with the land and only one of the units on the property could be rented.

Al Field asked about utility easements in the rear and why nothing was said about them. Mr. Field felt these needed to be addressed and did not like the idea of doing this for all zones in the City. Mr. Field noted that the Desert View VPC recommended denial.

Mr. Moric responded that site planning would review the plans to ensure there is an authorization from the different utility companies if they want to place a structure in the easement.

Trilese DiLeo stated the accessory unit cannot be larger than 75% of the primary dwelling unit.

Mr. Moric said for a lot less than 10,000 square feet an accessory dwelling unit potentially could be up to 1,000 square feet in size. Mr. Moric explained that anywhere within the required rear yard you can go as close as 3 feet, however, when there's a fully dedicated alley it can go to within 0 feet of the rear property line.

Trilese DiLeo asked what the requirement would be if it is a narrow lot, noting that homes currently being built have small lots.

Mr. Moric replied you'd still have to comply with lot coverage of how much roof is allowed on the lot.

Sandra Hoffman shared there was no definition of primary residence in the text amendment and thought it might be good to include principal residence. Ms. Hoffman added that with building code they'd need to meet separation distances between the buildings.

Gregory Freeman responded that the staff indicated that the owner would need to live in one of the units and it would not have to be the bigger one.

Al Field said measurements to property line had no consideration to the block wall.

PUBLIC COMMENTS

Sandy Grunow stated that the Neighborhood Coalition of Greater Phoenix supports the accessory units as they can have positive aspects during the housing shortage. Ms. Grunow noted there were concerns related to ADU parking to ensure property owners are not being inconvenienced and she felt on street parking should be regulated, and that staff should look at short term rentals language in Flagstaff's Ordinance. Ms. Grunow felt that HOA and CC&R's did not address the coordination with municipal codes and ordinances and asked the Committee to carefully consider the revised language in their statement they had provided and felt this text amendment needed more discussion with stakeholders.

Jackie Rich opposed the text amendment and was the President of a Neighborhood Association and member of Neighborhood Coalition of Greater Phoenix. Ms. Rich asked

what takes precedent the zoning overlays or the ADU measures. Ms. Rich added that the ADU text amendment would allow larger driveways, lot coverage and she added that there are 30 different overlay zones and regulatory plans. Ms. Rich said the enforcement of short-term rentals with the restrictive covenants was unclear. Ms. Rich asked the Committee to seriously consider the letter.

Russel Osborne said the additional dwelling units will fill in and overtime will affect all utilities from electricity, water use, size of the pipes, sewer lines, trash pickup, and lead to more on street parking. Mr. Osborne said street parking would have small clearance for emergency vehicles and parking would be an issue, also, there could be problems with naming conventions in single family districts and this could change entire character of the community. Mr. Osborne said the City of Phoenix's primary enforcement would be difficult and not have manpower or resources to track these items. Mr. Osborne said the covenant would be hard to enforce.

Matteo Moric, staff, explained he did not have an answer for the capacity of today's infrastructure.

Sarah Stockham, staff, responded that the construction is subject to the building code.

Mr. Moric indicated that the restrictive covenants would ensure that at least one of the units would be owner occupied. Mr. Moric noted that it would be difficult to enforce but the covenant would be recorded and stick with the land in perpetuity.

Mr. Moric said the minutes would be forwarded to the Planning Commission and City Council.

Al Field felt there were a lot of questions that still needed to be answered.

Vice Chair Kenney indicated that this would be reflected in their vote.

Sandra Hoffman indicated that there is a State statute which supersedes cities from stopping Airbnb's.

Mr. Moric said State law still supersedes cities for short term rentals.

Gregory Freeman said this is a step of adding density and as a solution for affordable housing, it's not perfect but he had not seen a better solution.

Trilese DiLeo agreed with Mr. Freeman and believed it was important to get more multi-generational housing which would provide alternative housing options. Ms. DiLeo shared ADU's would be nice to have as an option but would like to see that no more than 10% of the lot size shall be used for these ADU's.

Sandra Hoffman said that the cost of homes were so high that children could not afford homes anymore and they need a more livable situation. Ms. Hoffman added that there

are places like in downtown where there is limited parking for residents and they control parking in the street. Ms. Hoffman thinks this text amendment is needed at this time and it would help with the affordable housing issue.

MOTION:

James Sutphen motioned to recommend denial of Z-TA-5-23-Y. **Al Field** seconded the motion.

VOTE:

3 - 6, motion to recommend denial of Z-TA-5-23-Y failed with Committee Members Field, Sutphen, Virgil in support. Committee Members DiLeo, Freeman, Herber, Hoffman, Romero and Vice Chair Kenney opposed.

MOTION:

Gregory Freeman motioned to recommend approval of Z-TA-5-23-Y. **Sandra Hoffman** seconded the motion.

VOTE:

6 - 3, motion to recommend approval of Z-TA-5-23-Y per the staff recommendation passed with Committee Members DiLeo, Freeman, Herber, Hoffman, Romero and Kenney in favor. Committee Members Field, Sutphen and Virgil opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-5-23-Y

Date of VPC Meeting	July 13, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	4-2

VPC DISCUSSION & RECOMMENDATION:

Two members of the public registered to speak on this item, in support with modifications.

Staff Presentation:

Adrian Zambrano, staff, explained what an Accessory Dwelling Unit (ADU) is, sharing current terms used in Phoenix Zoning Ordinance and other nicknames for ADUs. Mr. Zambrano shared the proposed changes in the Phoenix Zoning Ordinance, including allowing only one ADU per lot in all single-family zoned districts, definitions for duplex and triplex to make clear distinctions from ADUs, increases in lot coverage for most districts, revisions to rear-yard projection rules to allow ADUs and other projections further into the rear yard, height limitations in the rear yard unless a use permit is obtained, and fixing references to guesthouses among other sections. Mr. Zambrano then discussed different types of ADUs, including above-garage apartments, detached ADUs, attached ADUs, basement conversions, and converted garages. Mr. Zambrano noted that ADUs would be allowed to be two-stories within the building envelope, outside of the required setbacks, and would be limited to one-story and 15 feet in height within the required rear yard, unless a use permit is obtained. Mr. Zambrano added that the text amendment would not prohibit other accessory structures, such as a detached garage. Mr. Zambrano then shared the proposed development standards for ADUs and concluded with the timeline for the text amendment. Mr. Zambrano stated that staff recommends approval as listed in the staff report.

Questions from Committee:

None.

Public Comments:

Neal Haddad, member with the Neighborhood Coalition of Greater Phoenix (NCGP), introduced himself and stated that a number of members of the NCGP working group met and created a position statement on this text amendment, which was sent to the Committee. Mr. Haddad stated it is important to support ADUs and that they can have a

positive impact on housing supply; however, there are several elements of the text amendment that they believe requires some modifications and greater clarity to avoid unintended negative consequences. Mr. Haddad stated that they first cover historic preservation (HP), special planning districts (SPDs) and overlay districts in their letter. Mr. Haddad stated that they believe clearer language is needed regarding the existing regulations governing properties in an HP district, SPD, and overlay districts that would be applicable to ADUs. Mr. Haddad stated that on-street parking should be regulated. Mr. Haddad continued that short-term rentals are a problem in many parts of the City and shared that they do not believe requiring a restrictive covenant indicating one of the units will be owner-occupied is good enough to ensure that ADUs contribute to the housing supply rather than be used as short-term rentals. Mr. Haddad noted that the City of Flagstaff has language regulating short-term rentals for ADUs that could be a template for Phoenix, which has been included in the letter. Mr. Haddad added that the proposed amendment language does not address coordination with homeowners' associations (HOAs), or covenants, conditions and restrictions (CC&Rs), and recommended that language be added that states applicants for ADUs must comply with CC&Rs in addition to the provisions in the proposed amendment language. Mr. Haddad stated that they believe this needs to be clarified to avoid loopholes and stated that they recommend the Committee approve the text amendment with modifications as listed in their letter. Mr. Haddad concluded that NCGP consists of neighborhood organizations all over the City and they continue to advocate for earlier involvement in the development of City-wide text amendments so these types of details could be implemented before coming to the Village Planning Committees (VPCs).

Jack Leonard, member with NCGP, architect, and former member of the Camelback East VPC and Encanto VPC, introduced himself as a member in support of this text amendment. Mr. Leonard stated that he does not believe it will have the impact on the housing supply that they think it will have because short-term rentals cannot be regulated very much and are having a bigger impact on the housing crisis. Mr. Leonard stated that he has seen hotels purchase homes in neighborhoods to convert them to short-term rentals. Mr. Leonard added that it would be great if there could be better regulations regarding short-term rentals, but it may be another fight for the State. Mr. Leonard added that he believes that the impact ADUs will have on parking in neighborhoods should be looked at more closely, noting that ADUs will make on-street parking worse.

Amanda McGowan stated that their HOA CC&Rs had originally allowed casitas and then they were removed from the CC&Rs after there was a lot of fighting over them. Ms. McGowan concurred with Mr. Haddad's comments that the proposed amendment language should address compliance with CC&Rs as well.

Staff Response to Public Comment and Discussion:

Christopher DePerro, staff, introduced himself and stated that he has worked for the Planning and Development Department since 1998. Mr. DePerro stated that HOA regulations are a function of State Statute and that cities do not regulate HOAs. Mr. DePerro stated that HOAs can prohibit casitas but could not override City restrictions. Mr. DePerro added that whenever a provision is added into the Zoning Ordinance,

typically variances can be applied for to vary from that provision, and a variance cannot be obtained for compliance with HOA CC&Rs since it is not a function of City regulation. Mr. DePerro stated that adding a provision in the text amendment for compliance with HOA CC&Rs would be redundant and is inadvisable by law.

Chair Julie Read asked Mr. DePerro to explain the process for a text amendment and how citizens are included in the process. **Mr. DePerro** responded that there is a difference between a text amendment for a small geographic area versus a City-wide text amendment. Mr. DePerro stated that the text amendments on this night's agenda were per the direction from City Council members based on meetings they have had with different stakeholders, and that the City Council directed the Planning and Development Director to have the Planning Commission initiate four text amendments related to the housing crisis. Mr. DePerro added that the Housing Phoenix Plan had talked about trying ADUs in certain neighborhoods of the City, and the City Council requested that staff try to go further than that. Mr. DePerro explained the history of the VPCs, noting that they were established in 1985 specifically for community outreach since Phoenix was becoming so large, and that each VPC can have up to 21 members that are hopefully selected for a diverse representation of each village. Mr. DePerro added that the City always struggles with fairness when conducting community outreach, noting that the notices for each VPC went out at the exact same time, and that the VPCs are the best and most fair way of doing community outreach for City-wide text amendments. Mr. DePerro stated that more complicated text amendments would typically come to the VPCs first as information only agenda items to give a heads up to VPC members regarding text amendments that are coming for a vote soon. Mr. DePerro added that beyond the VPC recommendations, staff would compile all the comments and provide them to the Director and City Manager to review and to determine if any changes to the proposed amendment language should be made before presenting it to the Planning Commission. **Chair Read** stated that a majority of their community's on-street parking is regulated by HOAs and asked about parking related to ADUs. **Mr. DePerro** responded that they have looked at what other cities have done, noting provisions for ADUs from the City of Tempe and the City of Flagstaff, in addition to the City of Tucson, which is the closest largest city that has provisions for ADUs. Mr. DePerro stated that Tucson has stricter requirements, including reviewing ADUs as multifamily, but they found that the main item that would prevent people from constructing an ADU would be a requirement to provide an additional parking spot. Mr. DePerro stated that the text amendment does change the percentage allowed of a driveway within the front yard. Mr. DePerro noted that Phoenix has certain regulations that make the requirement of a parking space for an ADU difficult, including that all required parking spaces must be located behind the front yard setback. Mr. DePerro noted that detached single-family homes are required to have two parking spaces, which would be located in the garage behind the front yard setback, and there would be two unofficial parking spaces on the driveway that could be viewed as guest parking. Mr. DePerro stated that requiring an additional parking space that would be allowed in the existing driveway would have the same result if an additional parking space was not required for an ADU.

Shannon Simon asked about short-term rentals. **Mr. DePerro** responded that the City is doing a separate City Code text amendment related to the updated State laws indicating what cities can regulate regarding short-term rentals. Mr. DePerro added that staff tried to write a similar provision to what the City of Flagstaff has done, limited under State law, to regulate short-term rentals in terms of ADUs. Mr. DePerro explained that the provision requires a restrictive covenant be recorded that says the property owner will occupy either the main home or the ADU, or that the entire property will be sold or leased as a whole, and not individually. Mr. DePerro noted that the City of Flagstaff had a different policy direction, which Phoenix Law Department advises against, that states that both units could be leased separately if the lease term is for 30 days or longer.

Chair Read asked for clarification if the restrictive covenant provision is in the current proposed amendment language. **Mr. DePerro** responded that it is included in the language and clarified that what is not in the current amendment language is the minimum 30-day rental term provision. Mr. DePerro added that the City of Flagstaff's rental term provision is an option and does not require the term rentals to be more than 30 days, except if the property owner wishes to rent both units separately.

Jennifer Krieger asked if the property owner of a short-term rental has to inform the City of the property being used as a short-term rental. **Mr. DePerro** responded that it is a requirement. **Ms. Krieger** asked if the property owner has to pay more taxes for a short-term rental. **Mr. DePerro** responded that there is a cost for the permit, but he is unsure if Maricopa County Assessor would then consider the valuation differently. Mr. DePerro added that he had answered a question from a previous committee that adding square footage to a property would increase taxes. **Ms. Krieger** stated that there has to be some type of control relating to if properties are being used as an income, such as for short-term rentals.

Vice Chair Michelle Ricart stated she has been a realtor since 1996 and sold two homes near 24th Street and Thomas Road that had guesthouses and asked what the text amendment is changing. **Mr. DePerro** responded that there are certain areas in the City in certain zoning districts where guesthouses are permitted, usually being districts with larger lots. Mr. DePerro stated that the text amendment would expand the allowance for guesthouses, or ADUS, to smaller-lot districts, and would allow it by allowing more lot coverage. Mr. DePerro added that accessory structures are currently allowed in the same way as the text amendment proposes for ADUs, except that accessory structures currently are not allowed to be used for sleeping or living. Mr. DePerro stated that the text amendment would update the terminology to the accepted terminology nowadays, which is ADUs, would expand ADUs to be allowed in most districts, would expand the lot coverage to actually make it possible in most districts, and would allow existing accessory structures to be used as an ADU. Mr. DePerro added that Site Planning permits these types of structures every day, and that the plans just cannot label it as an ADU, and it cannot label rooms as bedrooms or kitchens. **Vice Chair Ricart** stated that in the North Gateway Village, there are a lot of newer homes where builders have built the casita as part of the new home construction, termed as "NextGen" units. **Mr. DePerro** responded that those are interior suites with cooking

facilities, which was permitted around 2017 and will be removed with this text amendment because the proposed amendment language is more lenient.

Ms. Krieger suggested that if ADUs are being built for financial gain, there needs to be restrictions or additional taxes assessed to those properties.

Jeff Johnson stated that ADUs will likely be used mostly as short-term rentals.

Mr. DePerro stated that there is a version of language he has seen that states that if at any point a property requires a transaction privilege tax license, it would require a parking spot, which would then make it more difficult to build an ADU to be used as a short-term rental. Mr. DePerro stated that if a motion was made to approve the text amendment with that direction, staff could further investigate that language.

Chair Read asked if the amendment language could include language that the ADU would have to have a designated parking spot, whether it be on the existing driveway or on a new parking surface. **Mr. DePerro** reiterated that unless the language was written specifically to say that a required parking space for an ADU may be located within the front yard, the default would be for it to not be located within the front yard, which is why staff did not recommend requiring a parking space, since it would be difficult for many lots to provide a parking space behind the front yard setback. Mr. DePerro added that in terms of short-term rentals, they could potentially be restricted more by requiring a parking space, which would be triggered by the transaction privilege tax license.

Ms. Krieger agreed that it would help control the short-term rental aspect of ADUs.

Mr. Leonard stated that there is no connection between the transaction privilege tax licensing and zoning, so there is no oversight. Mr. Leonard asked for clarification if four parking spaces would be required for a lot with an ADU since there would be two dwelling units and single-family homes require two parking spaces per unit. **Mr. DePerro** responded that the amendment language is currently written to not require an additional parking space for an ADU. **Mr. Leonard** stated that the residents living in an ADU would be driving and asked where they would park. **Mr. DePerro** responded that depending on how an ADU is being used, some residents living in an ADU may not have a car.

Ms. Krieger stated that they would assume that there would be more than one car per ADU and recommended that if an ADU is being used for financial gain, that two parking spaces be required. **Mr. DePerro** responded that he has not seen another city require more than one parking space for an ADU. **Ms. Krieger** stated that at least one parking space should be required if an ADU is being used for financial gain.

Mr. Leonard stated that Tucson allows parking off of alleys, which makes Tucson different than Phoenix. Mr. Leonard added that Tucson has allowed guesthouses since the 1970s, which contributed to inexpensive student housing in Tucson, and as soon as Airbnb came around, they all came off the market and were converted to short-term rentals. **Mr. DePerro** responded that Phoenix always has allowed parking off of alleys

for single-family homes, including accessing the rear yard from the alley and maneuvering in the alley by right. Mr. DePerro added that parking off of alleys is not allowed for multifamily by right, and that the North Gateway Village likely does not have a lot of alleys.

MOTION – Z-TA-5-23-Y:

Vice Chair Ricart motioned to recommend approval of Z-TA-5-23-Y, per the staff recommendation.

Mr. Johnson motioned a substitute motion to recommend approval of Z-TA-5-23-Y, per the staff recommendation, with a modification to require two parking spaces per ADU.

Ms. Krieger seconded the motion.

VOTE – Z-TA-5-23-Y:

3-3; motion to recommend approval of Z-TA-5-23-Y, per the staff recommendation, with a modification, fails with Committee members French, Johnson and Krieger in favor and Committee members Simon, Ricart and Read opposed.

MOTION – Z-TA-5-23-Y:

Vice Chair Ricart motioned to recommend approval of Z-TA-5-23-Y, per the staff recommendation. **Ms. Simon** seconded the motion.

VOTE – Z-TA-5-23-Y:

4-2; motion to recommend approval of Z-TA-5-23-Y, per the staff recommendation, passes with Committee members French, Simon, Ricart and Read in favor and Committee members Johnson and Krieger opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary

Z-TA-5-23-Y

REVISED

Date of VPC Meeting	July 18, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.
VPC Recommendation	Approval with additional stipulations
VPC Vote	7-2

VPC DISCUSSION:

Four members of the public registered to speak on this item.

Staff Presentation:

Nayeli Sanchez Luna, staff, provided a presentation regarding the proposed text amendment, gave examples of accessory dwelling units (ADUs), noted the proposed standards for new ADUs, provided a timeline for the proposal, and presented the staff recommendation to approve.

Questions from the Committee:

None.

Public Comment:

Neal Haddad stated that he was part of the Neighborhood Coalition of Greater Phoenix and that the coalition supports ADUs. Mr. Haddad stated that modifications to the text amendment are required. Mr. Haddad noted that the coalition has suggested language for houses and ADUs in historic preservation areas, special planning districts and overlays. Mr. Haddad added that the letter also focuses on parking, short-term rentals, and HOAs.

Chair Lisa Perez asked why the language regarding HOAs can not be added to the text amendment. **Tricia Gomes**, acting Deputy Director for the Planning and Development Department, stated that there is a private agreement between the HOA and individuals who live within HOAs. Ms. Gomes noted that HOA provisions are not analyzed by city staff. **Chair Perez** noted that even if an HOA doesn't specifically prohibit ADUs, there are other restrictions that prevent the construction of one. **Ms. Gomes** noted that the current Zoning Ordinance doesn't state that individuals must follow state regulations, but people are still required to follow state regulations. **Chair Perez** stated that the current

councilperson has been providing false information because she states that ADUs are allowed anywhere. **Ms. Gomes** stated that HOAs could implement more restrictions on ADUs.

Leezah Sun stated that HOAs have a strong impact at a state and federal level. Ms. Sun stated that there is a demand for more housing in the city and state. Ms. Sun noted Arizona should analyze affordable housing and there are issues that need to be addressed in the text amendment.

Jack Leonard noted that he was in support of ADUs but the text amendment would not solve affordable housing. Mr. Leonard noted that a lot of the existing ADUs are used for short-term rentals. Mr. Leonard added that he would like to clean up the language in the text amendment regarding parking and other items addressed in the Neighborhood Coalition of Greater Phoenix.

Committee Discussion:

Parris Wallace noted that Tucson has been successful with the addition of ADUs. Ms. Wallace noted that the proposed text amendment has been complied by numerous cities and ADUs will help alleviate the housing crisis. Ms. Wallace added that she was not opposed to on-street parking since that is public right-of-way. **Chair Perez** noted that on-street parking has been an issue in historic districts or HOAs. Chair Perez added that the first reaction would be how does it affect everyone individually, but it also affects others. **Ms. Wallace** requested to read a letter from State Representative Analise Ortiz. **Chair Perez** approved and requested the letter be sent to staff. **Ms. Wallace** stated that State Representative Ortiz supported the ADU text amendment because it would help alleviate the housing shortage and affordability crisis. Ms. Wallace added that the letter stated that ADUs would help with infill development, create a more sustainable city, and help low- and middle-income families. **Ms. Wallace** noted that she will be voting in favor of the text amendment.

Kristine Morris stated that she supported the text amendment but would like to take into consideration historic preservation areas and HOAs. **Chair Perez** stated that she would also like clarification. Chair Perez asked staff how they could make a motion. **Ms. Gomes** stated that other committees have recommended approval with specific direction. **Chair Perez** stated that she would like it to be a stipulation and not a direction. **Ms. Gomes** noted that if a property is located within a historic preservation area, they are required to go through Historic Preservation. Ms. Gomes noted that the language in the text amendment would ensure that Historic Preservation review each ADU, but they would not have to go through the design review. Ms. Gomes added that design review is primarily for new homes. **Ms. Morris** asked what if historic preservation doesn't address ADUs. **Ms. Gomes** added that any modification, such as a garage, wall, addition, etc., to a historic preservation lot must be approved by Historic Preservation. Ms. Gomes added that the text amendment will not provide any leeway from design or compatibility. **Ms. Morris** asked what if there are no guidelines for ADUs in Historic Preservation. **Ms. Gomes** noted that anything constructed on the lot must be analyzed. Ms. Gomes added that any ADU in a historic neighborhood will be analyzed to make sure it is compatible with the current structure.

Chair Perez noted she received a letter from the Phoenix Historic Neighborhood Coalition and stated that there were areas in the text amendment that required modifications to address historic preservation homes.

Mr. Leonard noted that most lots in historic neighborhoods are 50 feet wide and that the removal of the front yard for parking would be detrimental to the neighborhood. Mr. Leonard added that the text amendment did not address items found in historic neighborhoods such as a driveway leading to existing casitas.

Dan Kocke stated that he lived in a historic neighborhood, and he was supportive of the language in the text amendment. Mr. Kocke added that anyone could park in front of his house because it is public right-of-way.

Mr. Haddad reiterated that the coalition was supportive of the proposed text amendment but requested certain modifications to the language.

Andre Serrette stated that he works in affordable housing and agreed that the text amendment could benefit from clarification language.

Chair Perez stated that the majority of the committee is in agreement to the additional language. Chair Perez stated that she wanted the language in the letters be added as a stipulation not a direction. **Ms. Gomes** noted that other committees have made a motion to recommend approval with direction. **Chair Perez** stated that she would like the direction to be stipulated. **Dan Rush** noted that numerous additions to the motion could make it confusing for the committee to make a vote.

Ms. Morris noted that the committee had not had a discussion regarding special overlays, short-term rentals, and parking associated with ADUs. **Ms. Wallace** noted that she was not opposed to short-term rentals because that was the right of the property owner. **Mr. Haddad** noted that the language in the letter required a minimum 30-day rental period. Mr. Haddad added that short-term rentals will eliminate affordable housing. **Ms. Wallace** noted that she was in a short-term rental of half a year and supported short-term rentals. **Ms. Morris** noted that short-term rentals have made housing unaffordable near the Arizona State University. **Mr. Serrette** noted that someone could not purchase an ADU, and it would be beneficial to have rental options for students.

Ms. Wallace noted that she was supportive of the property owner living on the lot. **Ms. Sun** stated that the real issue seemed to be who would be benefiting from ADUs. Ms. Sun added that HOAs would regulations addressing ADUs. **Renee Dominguez** stated that she had concerns regarding ADU short-term rentals. **Ms. Gomes** stated that the text amendment would require the property owner to live on the same lot as an ADU. Ms. Gomes added that the 30-day minimum requirement was not added to the text amendment because single-family houses that are short-term rentals do not require the 30-day minimum.

Motion:

Kristine Morris motioned to recommend approval of Z-TA-5-23-Y with the following stipulations:

- Provide clarifying language for Historic Preservation regarding Accessory Dwelling Units.

- Provide clarifying language for Homeowner Associations regarding Accessory Dwelling Units.

Bill Barquin seconded the motion.

Vote:

7-2, motioned passed with Committee Members Ayala, Barquin, Dominguez, Morris, Sanou, Wallace, and Perez in favor and Committee Members Rush and Serrette in opposition.

Staff Comments Regarding VPC Recommendation and Stipulations:

None.

Village Planning Committee Meeting Summary Z-TA-5-23-Y

Date of VPC Meeting	July 19, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwellings units
VPC Recommendation	Approval per the staff recommendation with direction
VPC Vote	14-0

VPC DISCUSSION:

Three members of the public submitted speaker cards with all wishing to speak. One indicated they are opposed, one in favor and opposition, and one “partially” in favor.

STAFF PRESENTATION

Mr. Klimek, staff, provided a presentation regarding the proposed text amendment, gave examples of accessory dwelling units (ADUs), noted the proposed standards for new ADUs, provided a timeline for the proposal, and presented the staff recommendation to approve.

QUESTIONS FROM COMMITTEE

Committee Member Matthews asked if the text amendment addresses a scenario where an ADU may be constructed before the primary dwelling. **Mr. Klimek** responded that the definition of ADU will not allow one to exist without a primary dwelling.

Committee Member Larson asked for clarity on who is the target market for this type of dwelling unit. **Mr. Klimek** responded that this dwelling type can be attractive to many user groups include multigenerational households.

Committee Member Veidmark asked if this text amendment will supersede HOA requirements. **Mr. Klimek** responded that state law does not allow a municipality to enforce HOA covenants and therefore the text amendment does not acknowledge HOAs, but this does not eliminate an HOAs authority.

Committee Member Perez expressed concern over the permitting costs and procedural complexities that may deter regular homeowners to construct ADUs. **Mr. Klimek** responded that permit costs are based on square footage and added that the department will likely explore measures to reduce barriers to ADU construction.

Committee Member Sommacampagna asked for clarity on how the restrictive covenant would work. **Mr. Klimek** responded that the City of Phoenix will likely ask for the documentation whenever a building permit is issued for an ADU.

Committee Member Gore asked Klimek for the most common criticism to this proposal. **Mr. Klimek** responded that the most common criticisms are on-street parking, utility capacity, and additional vehicular traffic.

Committee Member Veidmark asked if stipulations or modifications can be added to this type of request. **Mr. Klimek** responded that a text amendment is a type of case that cannot be approved by the City Council with stipulations and added that any modifications or stipulations added by the VPCs will likely be treated as “direction from the committee.”

Committee Member Matthews posed a hypothetical scenario to ask if the city would be evaluating infrastructure capacity based on the assumption that all or a portion of single-family lots will have ADUs constructed. **Mr. Klimek** responded that ADUs do not count against the overall density maximum permitted in a district. He added that the department is not expecting that every owner on a given street will construct ADUs. If a builder were inclined to create a development with ADUs on every lot, they would likely submit their plans showing the total number of primary and accessory dwellings to simplify the overall review process; in this case, the applicant would be required to show, for example, the total projected traffic demand.

PUBLIC COMMENTS

Ms. Sandy Grunow introduced herself as a representative of the Neighborhood Coalition of Greater Phoenix and shared some highlights from their briefing paper that was provided to the North Mountain Village Planning Committee. She asked the committee to consider their proposed stipulations regarding historic preservation, regulating parking, regulating short term rentals, and addressing how HOAs will be impacted by the proposal. She added that they are also advocates for early engagement for text amendments that will impact so much of the city.

Ms. Jackie Rich introduced herself as a representative of the Neighborhood Coalition of Greater Phoenix and shared some highlights from their briefing paper that was provided to the North Mountain Village Planning Committee. She asked the committee to consider the proposed stipulations to require a minimum lease period of 30 days, to add language acknowledging HOA authority, and she expressed concern that this text amendment may impact the Special Planning Districts such as Royal Palm.

Mr. Stephen Pamperin expressed that his main concern is short term rentals, and a lesser concern is that street parking issues may arise from this proposal.

STAFF RESPONSE

Mr. Klimek thanked the members of the public for their comments and responded with the following. State law does not allow a municipality to enforce HOA regulations so this text amendment cannot acknowledge or state that the city will enforce HOA requirements. Staff has evaluated the concerns regarding historic preservation and found that any additional acknowledgements in this section would be redundant and unnecessary. Staff has limited authority to regulate short term rentals due to state law, however, he noted that there is a text amendment in the pipeline to address the topic.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE.

Committee Member Gore stated expressed concern that the city is allowing this to move forward before it has a plan to regulate short term rentals. He asked why this text amendment cannot address short term rentals and how the restrictive covenants would be enforced. **Mr. Klimek** stated that ADUs and short-term rentals are both complex topics and that the larger topic of short-term rentals requires more information. He added that enforcement will likely include requiring the applicant to provide evidence that a compliant covenant has been recorded.

Committee Member Matthews noted that, if approved, he would like the new code section to be evaluated after one year to determine if it is working and if any adjustments are needed.

Committee Member Perez stated that ADUs are more of a housing solution than a short-term rental problem. She expressed support for financial and procedural support for low- and moderate-income households to enable the people who need ADUs most to build them.

Committee O'Connor asked if a second story ADU would be permitted. **Mr. Klimek** responded that a two story ADU is permitted; however, it is not permitted by right in the required rear yard or is allowed to exceed the height of the primary structure.

Committee Member Larson asked if a second story of a home can be constructed as an ADU. **Mr. Klimek** responded that he was not certain.

Committee Member Gore and **Sommacampagna** asked about how the covenants would be enforced. **Mr. Klimek** responded that the applicant would likely be required to provide evidence of a recorded and compliant covenant prior to being issued a building permit or Certificate of Occupancy for an ADU.

Committee Member Alauria stated that she sees the benefit to the proposal as it provides a housing option for multigenerational households such as aging parents, young adults, and/or persons with disabilities.

Committee Member Gore suggested that the City of Phoenix should provide loan

guarantees with the ADU and property as collateral. **Committee Member Krentz** responded that he is not supportive of requiring loan guarantees because there are separate financial assistance programs that exist that that these programs should not be mixed. **Committee Member O'Hara** stated that he is not onboard with loan guarantees and that it would not stand up legally.

Committee Member McBride stated that the recommendation and direction does not need to be very specific but can instead focus on the spirit versus the letter of the recommendation.

Committee Member Perez stated that affordability is key and that she is ok without loan guarantees but asked that financial assistance, such as a waiver of permit fees, and procedural assistance be considered help homeowners to overcome barriers.

Committee Member Matthews stated that the building permits for an ADU would be less than \$1,500 which is likely not enough to make a project infeasible. **Committee Member Perez** stated that most homeowners are not professional developers and would benefit from assistance navigating the city's process.

Committee Member Gore stated that he is still supportive of loan guarantees. **Chair Jaramillo** responded that microloan programs are difficult because many participants are deterred by the idea of having a lien on their property.

MOTION:

Committee Member Matthews moved to approve the request per the staff recommendation with the following direction to staff: include a 30 day minimum lease term, the locations of all approved ADUs shall be made public and be continually updated, staff shall conduct an assessment after 1 year to evaluate the number of units constructed and how the program is working, and the city shall explore options to assist low and moderate income homeowners to construct ADUs.

Committee Member Perez seconded the motion.

DISCUSSION:

None.

VOTE: 14-0-0, motion to approve Z-TA-5-23-Y per the staff recommendation with the direction provided by Committee Member Matthews, passes with Committee Members Alauria, Gore, Krentz, Larson, Matthews, McBride, Molfetta, O'Connor, O'Hara, Perez, Sommacampagna, Veidmark, Whitney, and Chair Jaramillo in favor; none in opposition; and none in abstention.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-5-23-Y

Date of VPC Meeting	July 24, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwellings units
VPC Recommendation	Denial
VPC Vote	7-1

VPC DISCUSSION:

2 members of the public registered to speak on this item, in support.

2 members of the public registered to speak on this item, in opposition.

Staff Presentation:

Matteo Moric, staff, presented the proposed text amendment for the accessory dwelling units.

Questions from Committee:

Toni Broberg inquired if the setback requirements would change in the rear. **Mr. Moric** said the setbacks in the rear and side for a detached ADU would be 3 feet unless there is a fully dedicated alley where it would be 0 feet.

Chair Gasparro asked if the proposed text amendment would override HOA governed lots. **Mr. Moric** said the City process and HOA's are separate processes where the city could issue the permit and the HOA could have more stringent regulations.

Vice Chair Fisher asked how this would affect the parking and maneuvering in the front yard and **Mr. Moric** mentioned with accessory dwelling units the driveway area in the front yard could be a little larger. Mr. Fisher felt many of these accessory dwellings would turn into small businesses and VRBO's. Mr. Moric replied that there would be a restrictive covenant where one of the structures would need to be owner occupied.

Vice Chair Fisher wanted to understand what problems the City is trying to resolve here.

Ms. Broberg brought up mother-in-law and next generation units, Ms. Broberg thought if people could have older parents live next to them it would be a nice alternative.

Vice Chair Fisher felt that there was not enough time to analyze the pros and cons before going to Planning Commission.

Mike Maloney wanted to better understand how regulating the short-term rental would be enforced and how expensive it would be to locate an ADU on a property.

Chair Gasparro noted that if there is an ADU on each lot this may inundate the local street with traffic and parking.

Vice Chair Fisher felt the text amendment was drafted in a vacuum and the direct impact by all the neighborhoods had not been addressed, and wanted to know when the stakeholders would be invited in the process.

Mr. Moric explained that there was an information only item brought to the committee and all the Villages.

Clifford Mager asked the date when this text amendment started. **Sarah Stockham**, staff, stated ADU's as part of solution to reduce the cost of housing as part of the Housing Phoenix Plan, and it was approved by City Council 3 years ago.

Vice Chair Fisher felt many details need to still be worked out.

Mr. Moric indicated other communities were researched when creating the text language.

Public Comments:

Ms. Nicole Rodriguez said she was in favor of this text amendment, and it was interesting that it is easier to get a swimming pool than a house in the backyard.

Mr. Neal Haddad from the Neighborhood Coalition of Greater Phoenix referred to a letter that was previously sent out to the Committee. Mr. Haddad thought some items needed to be cleaned up such as special planning districts and overlays and had concerns with parking for ADU's and thought there should be dedicated parking for the units. Mr. Haddad said the neighborhood he lives in is all built out and Mr. Haddad did not think the text amendment has been thought through enough and the city wants to make it easy to have these units. Mr. Haddad identified Flagstaffs requirements for ADU's. Mr. Haddad felt short term rentals and HOA concerns needed to be better addressed and felt HOA's needed to be involved in the process.

Mr. Larry Whitesell from the Peak Neighborhood Association said the issue about public input and almost half of the Village Planning Committees for the first information item had no quorum. Mr. Whitesell added that the public process had not been thorough and the language of the restrictive covenant input was heard and brought into the text amendment. Mr. Whitesell felt the restrictive covenant that no rentals of the ADU's except a 30 day minimum should be added. Mr. Whitesell added

that the increase of parking in the front yard would not be enough to park a car and there is a real issue with parking in front of neighbors homes. Mr. Whitesell felt the ADU should be on a separate meter for utilities.

Ms. Broberg asked how much feedback Mr. Whitesell received for his text changes. **Mr. Whitesell** replied that they have not received feedback except at the VPC meetings where some of the Planners responded.

Mike Maloney asked if someone wanted to build an accessory dwelling today for a family member can he build it now. **Mr. Moric** responded that there are certain zoning categories which allow guest houses, but this would apply to all lots where single family homes could go.

Ryan Boyd from Phoenix Project was in support of the proposed text amendment, this was 3 years in the making and the Housing Phoenix Plan passed at the City Council by a 9-0 vote. Mr. Boyd said they supported this because of the affordability aspect, these would not be affordable without a subsidy. Mr. Boyd said there could be tweaks made to the language but urged the committee to recommend approval.

Vice Chair Fisher said he was concerned that this was not affordable housing and wanted specific examples this would create affordable housing. Mr. Boyd said the ADU's would be more affordable.

Chair Gasparro said this increases the supply out there and by increasing the supply which could catch up to demand and help cause a reduction of the challenge in the Phoenix affordability problem.

Vice Chair Fisher believed ADU's did not cater to the affordability problem.

Chair Gasparro explained that this would not be a final solution but a part of the total solution.

Ms. Broberg emphasized this is a city-wide text amendment and that this may be different in Ahwatukee versus elsewhere in the city.

Chair Gasparro said if 20,000 homes in the city of Phoenix get ADU's it could be a significant amount to increase the housing supply.

Mr. Boyd said had studies could send over to the Committee.

Chair Gasparro thought maybe a good place to start would be ADU's to have at least one parking spot per unit, a cap on the rental time period.

Discussion:

Vice Chair Fisher felt there was a lack of specificity that was brought to them at this time.

Ms. Broberg shared that this proposal has been going on for 3 years. **Vice Chair Fisher** felt this needed to be a more collaborative effort.

Mr. Mager was concerned once it gets approved, it cannot be undone and it could be exploited.

Chair Gasparro felt it would be nice to come back to all the Villages for further discussion on this item.

Motion:

Vice Chair Darin Fisher motioned to recommend denial of Z-TA-5-23-Y. **Clifford Mager** seconded the motion.

Vote:

7-1, Motion to recommend denial of Z-TA-5-23-Y passed, with Committee Members Mager, Maloney, Meier, Pritchette, Sharer, Fisher and Gasparro in favor; and Broberg in opposition.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comments.

Village Planning Committee Meeting Summary Z-TA-5-23-Y

Date of VPC Meeting	July 25, 2023
Request	Amend Chapters 2, 5, 6, 7, 12 and 13 of the Phoenix Zoning Ordinance to add accessory dwelling units.
VPC Recommendation	Approval with modifications, per the staff recommendation
VPC Vote	10-5

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Committee Member Jamaar Williams joined during this item bringing quorum to 15 members.

Five members of the public register to speak on this item.

STAFF PRESENTATION

Mr. Samuel Rogers, staff, provided a presentation regarding the proposed text amendment, gave examples of accessory dwelling units (ADUs), noted the proposed standards for new ADUs, and provided a timeline for the proposal.

QUESTIONS FROM THE COMMITTEE

Committee Member Jak Keyser asked about two story ADUs. **Mr. Rogers** stated that any portion of an ADU that encroaches into the rear yard setback will be limited to 15 feet in height.

Committee Member Malkoon asked what the rear yard setback distance is. **Mr. Rogers** stated that the rear yard setback would vary by zoning district.

Mr. Rogers clarified that a detached bedroom without a kitchen is already allowed to be built and the proposed ordinance is allowing a detached bedroom with a kitchen to be built.

Committee Member Malkoon asked about the one-foot setback that the packet details. **Mr. Rogers** stated that dedicated alleys can have reduced setbacks and explained that staff had been directed to make ADUs attainable.

Committee Member Pamala Fitzgerald asked about the occupancy rate of apartments in Phoenix and how the square footage of the ADU would be verified. **Mr. Rogers** stated that apartment vacancy rates are approximately 3.7 percent, the lowest it has been in 20 years and explained that the square footage would be verified during the permitting process.

Committee Member Keith Ender asked about the process for converting existing structures into an ADU. **Mr. Rogers** stated that an ADU conversion will require a permit.

Committee Member Tracey Adams asked about ADUs and Airbnb. **Mr. Rogers** stated that ADUs can be used as an Airbnb and explained that the property owner will be required to occupy the primary or accessory unit.

Committee Member Jim DeGraffenreid asked about HOA height restrictions. **Mr. Rogers** stated that HOA requirements will take precedent.

Committee Member Maurita Harris asked about a 30 day lease requirement. **Mr. Rogers** explained that the 30 day lease was not included in the ordinance per advisement from the City of Phoenix legal team.

Committee Member Keyser explained that ADUs built without permits cannot be insured and a mortgage cannot be pursued to finance the structure.

Committee Member Fitzgerald asked how allowing the ADUs to be utilized as short-term rentals will address the housing shortage. **Mr. Rogers** stated that, while some of the units will be used as short-term rentals, providing more housing options within the City will help to address the housing shortage.

Committee Member Martin Shultz discussed financing, short term rentals, the City's need for more housing, and stated that the text amendment should move forward.

Committee Member Solorio stated that 15% to 20% of ADUs are used as short-term rentals, discussed the success of ADUs in other communities, and explained that most housing that is being built is luxury or single-family homes, so ADUs are a needed housing type.

Committee Member Adams stated that the owner should be required to occupy the primary dwelling to maintain the neighborhood and community.

Committee Member Malkoon asked about a time requirement for the owner-occupied requirement. **Mr. Rogers** stated he would have to take another look at the ordinance. **Sarah Stockham**, staff, stated there is no time requirement for the owner-occupied requirement. **Committee Member Malkoon** stated that ADUs will add to home values and make the homebuyers market less affordable.

Committee Member Camp stated that many owners want to live in the ADU and stated that the owner should not be required to occupy the primary unit. Committee Member Camp added that the National Association of Relators and AARP both support ADUs.

Committee Member Solorio referenced several reports that support ADUs, explained that ADUs are typically built in low to moderate income neighborhoods and serve the working poor, and stated that ADUs used to be legal.

Committee Fitzgerald asked if ADU tenants would be expected to park in the street. **Mr. Rogers** stated that tenants can park in the driveway, an additional parking location can be permitted, or they can utilize street parking.

Chair Bryck asked how close to the rear property line an ADU can be if it is in the rear yard setback and asked about fences. **Ms. Stockham** stated that ADUs can have up to a 0-foot setback if adjacent to a dedicated alley. **Mr. Rogers** stated that a fence cannot be used to create a private yard for the ADU tenant.

Committee Member Malkoon asked if the text amendment addresses lot splits on sites with an ADU, stated that the vacancy rates sound too high, and asked if there was any pressure from the Biden administration. **Mr. Rogers** stated that the amendment does not address lots splits, but it could likely be done if minimum lot size requirements are met and stated that he is not aware of pressure from the Biden administration, but there was pressure from the state and the Housing Phoenix Plan calls out ADUs as a method that should be used to address housing shortages.

Committee Member Dina Smith asked about the number of units that had been built to address the Housing Phoenix Plan's goal to add 50,000 units by 2030 and asked why ADUs were outlawed if they used to be legal. **Mr. Rogers** stated he would try to find that information. **Committee Member Solorio** explained that zoning had been weaponized against people of low socioeconomic status and discussed missing middle housing.

Committee Member Keyser stated that homes not being built for upper and lower classes impacts the housing supply for lower income people, spoke about the continuing trend of people migrating from California to Phoenix, and discussed the urban heat island effect.

Committee Member Malkoon spoke about the positive impacts of Homeowner Associations and stated concerns about losing neighborhood organizations.

PUBLIC COMMENT

Neal Haddad stated he would like to complain that the Neighborhood Coalition of Greater Phoenix's (NCGP) letter regarding the text amendment was not sent out earlier and discussed concerns about parking, historic preservation, short term rentals, and not having an HOA supremacy clause as a part of the text amendment.

Jackie Rich stated she has concerns about evidence that short term rentals are associated with shootings, harassment, and trash, stated concerns about the enforcement of restrictive covenants, and stated the ADUs should have 30 day minimum lease.

Sterling Sourk stated he approves of the height and property line separation and stated the ADUs would be great for affordability, and people who want their family/friends nearby. Mr. Sourk spoke about his positive experiences with short-term rentals.

Wes Ballu stated that he would like to build an ADU for his aging parents and stated that the short-term rental market is oversaturated. Mr. Ballu stated that parking should not be required but provided on a case-by-case basis.

Nicole Rodriguez stated that there are many short-term rentals and Section 8 homes near her residence and stated that renters are valuable. Ms. Rodriguez stated concerns about being told what she can do on her property, stated that 0-foot setbacks on lots adjacent to alleys makes alleys safer, stated that parking will not be needed for those who do not drive, stated the importance of stable housing, and stated that the committees have had months to learn how the ordinance will work.

Committee Member Malkoon asked about HOA superiority. **Mr. Rogers** stated that HOAs have superiority and can regulate ADUs how they see fit.

STAFF RESPONSE

Mr. Rogers clarified that the NCGP had sent their letter directly to the VPC on July 14th, but Mr. Rogers had not sent out the letter for a second time until the day of the meeting. Mr. Rogers stated that ADUs would be subject to historic preservation requirements and explained that the City's legal team had advised staff to not include a 30 day minimum lease. Mr. Rogers explained that residents can Airbnb detached bedrooms now, stated that the only difference between a detached bedroom and an ADU is a kitchen, explained that short-term rentals do not need kitchens, and asked why someone would pay all the development fees to add an ADU to their property if they could build a less expensive detached bedroom that can be used as a short-term rental.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

Committee Member Keith Ender stated that he had just read the NCGP letter and that all the members should read it.

Committee Member Malkoon asked how the other Village Planning Committees had voted. **Ms. Stockham** stated that the text amendment had been approved by 10 villages, denied by two villages, and had not been heard by two villages.

Committee Member Malkoon motioned to recommend approval of Z-TA-5-23-Y with direction to incorporate the changes in the NCGP letter of recommendation with respect to accessory dwelling units. **Committee Member Harris** seconded the motion.

Committee Member Keyser stated that the modifications should be spelt out. **Mr. Rogers** clarified that the motion had been approved with direction to incorporate the changes in the NCGP letter in other villages.

Committee Member Camp asked if there would be an opportunity to vote for the text amendment without stipulations.

Committee Member Solorio explained that a substitute motion could be made.

Committee Member Elizabeth Sanchez made a substitute motion to recommend approval of Z-TA 5-23-Y, per staff recommendation. **Committee Member Solorio** seconded the motion.

Committee Member Keyser stated that the NCGP was too long to be used as legal language.

Committee Member Williams stated the NCGP letter would not accomplish what the NCGP think it will accomplish and stated that the Planning Commission will not be receptive to this recommendation.

Committee Member Keyser stated he would attend Planning Commission if the substitute motion passes and he changes his mind after reading the NCGP letter.

Committee Member Malkoon introduced a friendly amendment to the substitute motion with guidance to staff to state that applicants for ADUs must comply with HOA and Covenants, Conditions and Restrictions and to require owners to live in one of the units for a minimum of two years.

Chair Bryck asked Committee Member Sanchez and Committee Member Solorio if the friendly amendment as recommended by Committee Member Malkoon was acceptable.

Committee Member Sanchez stated she agreed to the friendly amendment.

Committee Member Solorio stated he agreed to the friendly amendment.

Mr. Rogers clarified that HOAs are regulated by the state, so a mention of them had been left out of the text amendment.

VOTE

10-5, motion to recommend approval of Z-TA-5-23-Y with modifications passes with Committee Members Adams, Camp, Harris, Keyser, Mulgado, Sanchez, Shultz, Solorio, Williams, and Bryck in favor and Committee Members DeGraffenreid, Ender, Fitzgerald, Malkoon, and Smith opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION

None.

ATTACHMENT G

Phoenix, Arizona

June 1, 2023

The meeting of the Phoenix Planning Commission was called to order by Acting Chairman Emilio Gaynor at 6:06 p.m. in the Council Chambers, 200 West Jefferson Street, Phoenix, Arizona. Commissioners present participated in the meeting both in-person and virtually from a remote location.

Present: Commissioner Emilio Gaynor, (Acting Chairman)
Commissioner Ryan A. Boyd, (Acting Vice-Chairman)
Commissioner Marcia Busching (Virtual)
Commissioner Pete Gorraiz
Commissioner Gabriel Jaramillo (Virtual)
Commissioner Lachele Mangum
Commissioner Lisa Perez
Commissioner Shannon Simon

Absent: Commissioner Nico Howard, Chairman

Also

Present: Ms. Racelle Escolar, Planner Principal
Ms. Tricia Gomes, Deputy Director, PDD
Mr. Greg Harmon, Planner I
Ms. Vikki Cipolla-Murillo, Secretary III/Council Reporter

At the request of Acting Chairman Emilio Gaynor, Ms. Racelle Escolar, Staff Liaison, read the hybrid meeting introduction. She welcomed everyone to the Planning Commission Hearing and stated that all attendees who were participating virtually and requested to speak would remain muted until called on to speak. Speakers experiencing audio issues were asked to switch their audio connection to have WebEx call them. She stated that all individuals speaking virtually at the meeting tonight had contacted staff within the required timeframe prior to the start of the meeting. Those who did not contact staff, wishing to speak, were asked to contact her after the meeting to discuss the next steps and future opportunities to speak regarding any items on the agenda. She provided her contact information, via phone at 602-534-2864 and email at racelle.escolar@phoenix.gov, which was also listed on the bottom of the public meeting notice for the meeting. She asked those attending the meeting from the Council Chambers to complete a speaker card and provide it to one of the staff members.

Acting Chairman Gaynor asked Acting Vice-Chair Boyd to read the opening remarks.

Acting Chairman Gaynor asked the audience to follow the General Rules of Order for the meeting:

OTHER BUSINESS

15. **INFORMATION ONLY: Z-TA-5-23-Y:** Presentation and discussion regarding a request to amend Chapters 2, 5, 6, 7, 12, and 13 of the Phoenix Zoning Ordinance to add accessory dwellings units.

Ms. Racelle Escolar stated that Item No. 15 was an information presentation regarding Z-TA-5-23-Y, a request to amend Chapters 2, 5, 6, 7, 12, and 13 of the Phoenix Zoning Ordinance to add accessory dwellings units. She stated that Ms. Tricia Gomes, the Deputy Director in the Planning Development Department was there to provide a presentation.

Ms. Tricia Gomes delivered an informational presentation on Z-TA-5-23-Y to the Planning Commission to address accessory dwelling units. She stated that some familiar terms are “guest house”, currently in the Zoning Ordinance and interior suite with “accessory cooking facilities”. Other names used are granny flats, in-law suites, garage unit, and basement apartment. Ms. Gomes displayed several examples of accessory dwelling units (ADUs) in the City of Phoenix. She stated that most of them are either non-conforming in some of the historic districts or they do not include cooking facilities. The Planning Commission approved a text amendment several years ago and an amendment last year.

Ms. Gomes stated that staff is proposing language to allow for ADUs. The proposed text:

- Allows one ADU per lot in all single-family zoned districts, including S-1 and S-2 (larger lots, farm districts).
- Defines “duplex” and “triplex” to make a clear distinction from the “accessory dwelling unit”.
- Increases the lot coverage for ADUs in most districts.
- Revises rear-yard projection rules to allow ADUs and other projections further into rear yard, with one-story and 15 feet height limitation.
- Fixes many references throughout the Zoning Code to “guesthouse” and other revised sections throughout the Zoning Ordinance.

Ms. Gomes stated that there are different types of ADUs. Two-story will only be permitted within the building envelope, outside of the required lot setbacks. If you are not in your required setbacks, that height for the building is traditionally two-stories, 30 feet.

- Detached Accessory Dwelling Unit: If in the rear yard, it will be limited to one-story, and 15'. This is consistent with accessory structures, such as garages, sheds, pool houses, etc. They follow the same requirement. The detached ADU will not prohibit other accessory structures such as garage.
- Attached Accessory Dwelling Unit: It will not prohibit detached accessory structures, such as garages. It can be attached to the home. The closed projection rules that go into the required rear-yard setback will be

permitted when they comply with minimum side yard setbacks, and when all portions of the projection do not exceed one-story and 15 feet in height. It will also follow the minimum side-yard setbacks of the primary dwelling unit.

Ms. Gomes stated that additional development standards for ADUs would be for all lots, ADU would be:

- (All lots) Maximum 75% of size of primary dwelling. (to be subordinate to the primary dwelling)
- Maximum size requirement of 1,000 square feet for the ADU if on lot 10,000 square feet or less (R1-6, R-18, R1-10 lots). The actual size of the ADU is going to be determined by the lot coverage, depending on how large the primary home is. The ADU can go up to 1,000 square feet, if not exceeding overall lot coverage.
- Maximum 3,000 square feet if lot greater than 10,000 square feet, or 10% of the net lot area, whichever is less. (Maximum one-story and 15 feet, if in the required rear yard)
- Maximum height one-story and 15 feet if in required rear yard.
- Maximum height same as primary dwelling if outside of required setbacks.
- Lot coverage has generally been increased by 10%, but not in RE-43, RE-24, R1-14, and RE-35, which 5% added in 2015 (if all structures are one-story). These districts already allow guesthouses.
- Additional parking is not required for the ADU. The thought is that one would be using the driveway or existing garage space.
- The ADU must have a means of exterior egress with a pathway to the street not through the primary dwelling.
- The ADU may not have a separate fenced yard area, because this is an accessory unit to the primary single-family home. It should be functioning as one development.

Ms. Gomes reviewed the scheduled timeline:

- Planning Commission (information): June 2023
- Villages (information): June 2023
- Villages (action/recommendation): July 2023
- Planning Commission (action/recommendation): August 2023
- City Council Hearing: September 2023

Acting Chairman Gaynor asked if there were any questions from commissioners.

Commissioner Busching stated that she had raised an issue with Ms. Escobar already and would raise it with her, as well. These ADUs are going to be allowed in S-1 properties, which are sort of in the recently annexed outskirts. In a lot of those cases, those properties are on septic tanks and not on sewer. She thinks that they need to consider where and when they are going to need to have a new septic tank, and whether people are going to be required to tap into the City sewer. There have been some real problems with respect to the existing

properties, but it will be even worse with new properties. She welcomed a sidebar discussion over this whole issue.

Ms. Gomes responded yes, you are correct, we would need to consult or have discussions with the City Water Services Department about what that threshold is and if that would be changing and if they could look at it. That is obviously aside from the Zoning Ordinance process. She made a note and stated that staff can certainly circle back.

Commissioner Busching stated, unfortunately it is in the Zoning Ordinance about the distance you are from the sewer and the requirement to tap into it. This will be impacted by the existing Zoning Ordinance, in that regard.

There were no further questions, and no action was necessary on this item.

ATTACHMENT H

REPORT OF PLANNING COMMISSION ACTION August 3, 2023

ITEM NO: 16	
	DISTRICT NO.: Citywide
SUBJECT:	
Application #:	Z-TA-5-23-Y (Accessory Dwelling Units)
Proposal:	Amend Section 202 (Definitions), Section 507 Tab A.II.C.8 (Single-Family Design Review), Section 603 (Suburban S-1 District—Ranch or Farm Residence), Section 604 (Suburban S-2 District—Ranch or Farm Commercial), Section 605 (Residential Estate RE-43 District—One-Family Residence), Section 606 (Residential Estate RE-24 District—One-Family Residence), Section 607 (Residential R1-14 District—One-Family Residence), Section 608 (Residence Districts), Section 609 (RE-35 Single-Family Residence District), Section 610 (R1-18 Single-Family Residence District), Section 611 (R1-10 Single-Family Residence District), Section 612 (R1-8 Single-Family Residence District), Section 613 (R1-6 Single-Family Residence District), Section 614 (R-2 Multifamily Residence District), Section 615 (R-3 Multifamily Residence District), Section 616 (R-3A Multifamily Residence District), Section 617 (R-4 Multifamily Residence District), Section 618 (R-5 Multifamily Residence District), Section 619 (Residential R-4A District—Multifamily Residence—General), Section 635 (Planned Area Development), Section 649 (Mixed Use Agricultural (MUA) District), Section 651 (Baseline Area Overlay District), Section 653 (Desert Character Overlay District), Section 658 (Deer Valley Airport Overlay (DVAO) District), Section 664 (North Central Avenue Special Planning District (SPD) Overlay District), Section 701.A.3 (Projections), Section 702.F (Special Parking Standards), Section 703.B (Landscaping and Open Areas In Multiple-Family Development), Section 706 (Accessory Uses and Structures), Section 708 (Temporary uses), Sections 1204.C and D (Land Use Matrix), Section 1303 (Transect lot standards), Section 1305.C (Fence Standards), Section 1306 (Land Use Matrix), and Section 1310 (Open Space Improvements) of the Phoenix Zoning Ordinance to address accessory dwelling units.
Applicant:	City of Phoenix, Planning Commission
Representative:	City of Phoenix, Planning and Development Department

ACTIONS:

Staff Recommendation: Approval, as shown in the recommended text in Attachment A of the Staff Report.

Village Planning Committee (VPC) Recommendation:

Ahwatukee Foothills 6/26/2023 Information only. Canceled (no quorum).

Ahwatukee Foothills 7/24/2023 Denial. Vote: 7-1.

Alhambra 6/27/2023 Information only.

Alhambra 7/25/2023 Approval, per the staff recommendation with modifications. Vote 10-5

Camelback East 6/6/2023 Information only.

Camelback East 7/11/2023 Approval, per the staff recommendation with direction.

Vote: 15-0.

Central City 6/12/2023 Information only.

Central City 7/10/2023 Approval, per the staff recommendation with direction.

Vote: 14-0.

Deer Valley 6/8/2023. Information only. No quorum.

Deer Valley 7/13/2023 Approval, per the staff recommendation. Vote: 6-3.

Desert View 6/6/2023 Information only.

Desert View 7/11/2023 Denial. Vote: 5-4.

Encanto 6/5/2023 Information only. No quorum.

Encanto 7/10/2023 Approval, per the staff recommendation. Vote: 9-4.

Estrella 6/20/2023 Information only.

Estrella 7/18/2023 Approval, per the staff recommendation with stipulations. Vote: 7-2.

Laveen 6/12/2023 Information only.

Laveen 7/10/2023 Approval, per the staff recommendation with direction. Vote: 7-1.

Maryvale 6/14/2023 No quorum.

Maryvale 7/12/2023 No quorum.

Maryvale 8/9/2023 No quorum.

North Gateway 6/8/2023 Information only.

North Gateway 7/13/2023 Approval, per the staff recommendation. Vote: 4-2.

North Mountain 6/21/2023 Information only.

North Mountain 7/19/2023 Approval, per the staff recommendation with direction.

Vote: 14-0.

Paradise Valley 6/5/2023 Information only.

Paradise Valley 7/10/2023 No quorum.

Paradise Valley 8/7/2023 Denial. Vote: 9-5.

Rio Vista 6/13/2023 Information only.

Rio Vista 7/11/2023 Approval, per the staff recommendation. Vote: 3-2.

South Mountain 6/13/2023 Information only.

South Mountain 7/11/2023 Approval, per the staff recommendation. Vote: 9-2.

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

Motion Discussion: Commissioner Busching stated that she supports the motion with reservations, noting that she would like to see staff make some modifications related to the restrictive covenants before the City Council meeting.

Motion details: Commissioner Boyd made a MOTION to approve Z-TA-5-23-Y, per the staff recommendation in the Addendum A Staff Report.

Maker: Boyd

Second: Jaramillo

Vote: 8-0

Absent: Mangum

Opposition Present: Yes

Proposed Language:

Section 202. Definitions.

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 subordinate dwelling UNIT, AS DEFINED IN THIS SECTION, SUBORDINATE TO THE PRIMARY DWELLING UNIT AND situated on the

same lot with the main dwelling and used as ~~FOR an~~ A RESIDENTIAL accessory use. ADUs, WHERE PERMITTED, DO NOT COUNT TOWARDS CALCULATIONS OF GROSS DENSITY.

Apartment: ~~See "Dwelling, Multiple-Family".~~ A DWELLING UNIT WITHIN A DUPLEX, TRIPLEX, TOWNHOME DEVELOPMENT, AND/OR MULTIFAMILY DEVELOPMENT WHERE EACH UNIT HAS A PRIMARY ACCESS TO A SHARED WALKWAY OR CORRIDOR, AND EACH UNIT IS NOT INDIVIDUALLY OWNED.

Building, Main: A building, or buildings, in which is conducted the principal use of the lot on which it is situated. ~~In any residential district, any dwelling shall be deemed to be the main building of the lot on which the same is situated.~~ ON LOTS WITH ONLY SINGLE-FAMILY RESIDENTIAL USES, THE PRIMARY DWELLING UNIT SHALL BE CONSIDERED THE MAIN BUILDING.

DUPLEX: A BUILDING ON ONE LOT, WHICH HOUSES EXACTLY TWO DWELLING UNITS, NEITHER OF WHICH MAY BE CONSIDERED AN ACCESSORY DWELLING UNIT. EACH DUPLEX UNIT COUNTS TOWARDS THE CALCULATION OF GROSS DENSITY.

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

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

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

Dwelling Unit: One (1) or more rooms within a building arranged, designed, or used for residential purposes for one (1) family and containing INDEPENDENT LIVING AND SLEEPING AREAS, TOGETHER WITH independent sanitary (TOILET, SINK, AND BATH/SHOWER) and cooking facilities. The presence of cooking facilities conclusively establishes the intent to use for residential purposes.

DWELLING UNIT, PRIMARY: A DWELLING UNIT THAT IS EITHER 1) THE ONLY DWELLING UNIT PROVIDED ON A SINGLE-FAMILY LOT, OR 2) THE LARGEST DWELLING UNIT PROVIDED ON A SINGLE-FAMILY LOT WHEN THE APPLICABLE ZONING REGULATIONS OTHERWISE ALLOW AN ACCESSORY DWELLING UNIT OR OTHER TYPES OF DWELLING UNITS.

~~*Guesthouse:* A free-standing building which is designed to house guests or servants of the occupants of the primary dwelling unit. SEE "ACCESSORY DWELLING UNIT".~~

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

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

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

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

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

~~*Interior Suite with Accessory Cooking Facilities:* A room or group of rooms located within a single dwelling unit designed or arranged to allow for semi-private residential use and includes accessory cooking facilities.~~

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

MULTIFAMILY/MULTIPLE-FAMILY: A LOT OR PARCEL WHERE TWO OR MORE DWELLING UNITS ARE PROVIDED, **NOT INCLUDING A PERMITTED ACCESSORY DWELLING UNIT.**

Offsite Manufactured Home Development: any SINGLE lot, tract, or parcel of land, NOT TO BE FURTHER SUBDIVIDED, used or offered for use in whole or in part, with or without charge, for the parking of occupied offsite manufactured homes.

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

SINGLE-FAMILY: A LOT OR DEVELOPMENT WHERE NO MORE THAN ONE PRIMARY DWELLING UNIT IS PROVIDED PER LOT.

SINGLE-FAMILY ATTACHED: A SINGLE-FAMILY LOT OR DEVELOPMENT WHERE EACH DWELLING UNIT IS ATTACHED TO AT LEAST ONE, BUT NO MORE THAN TWO NEIGHBORING PRIMARY DWELLING UNITS AT THE ABUTTING SIDE PROPERTY LINE(S). EACH DWELLING UNIT MUST ALSO COMPLY WITH THE DEFINITION OF "TOWNHOME/TOWNHOUSE".

SINGLE-FAMILY DETACHED: A SINGLE-FAMILY LOT OR DEVELOPMENT WHERE EACH DWELLING UNIT IS NOT ATTACHED TO ANY OTHER DWELLING UNIT OTHER THAN A PERMITTED ADU.

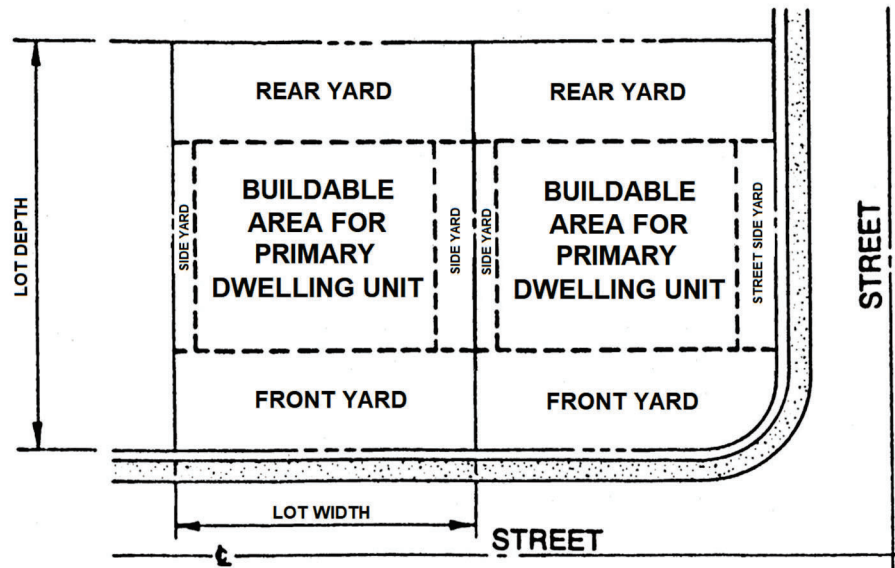
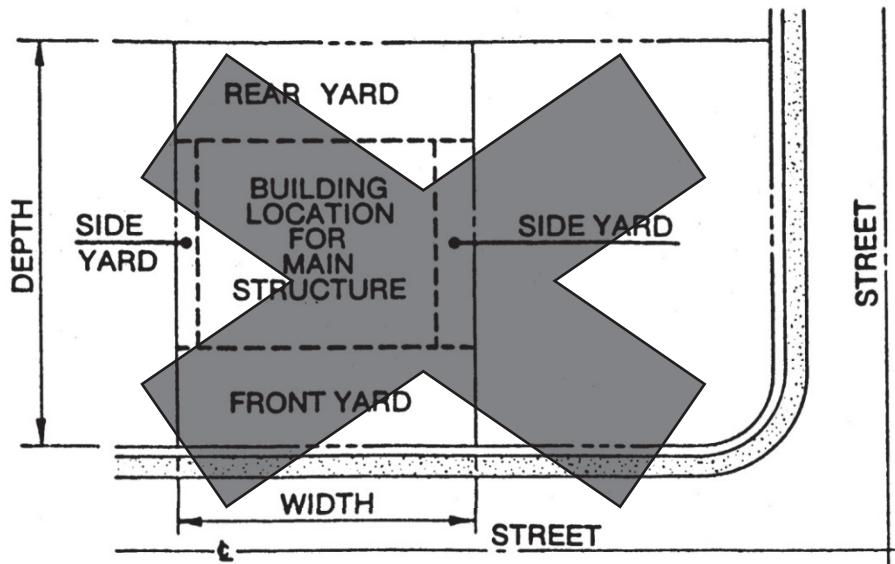
SINGLE-FAMILY INFILL (SFI) DEVELOPMENT: A TYPE OF SINGLE-FAMILY DEVELOPMENT CONSISTING OF TOWNHOUSES AND A LIMITED NUMBER OF DETACHED DWELLING UNITS. PERIMETER STANDARDS ARE DEFINED AND POTENTIAL BONUS DENSITY AND DESIGN FLEXIBILITY ALLOW FOR QUALITY INDIVIDUAL PROPERTY OWNERSHIP WITHIN A LARGER DEVELOPMENT.

TOWNHOME/TOWNHOUSE: A TYPE OF DWELLING UNIT WHICH IS ATTACHED TO AT LEAST ONE OTHER DWELLING UNIT. THE DWELLING UNITS MAY BE ATTACHED AT A PROPERTY LINE (SEE "SINGLE-FAMILY ATTACHED"), OR THEY MAY BE MULTIPLE UNITS ON A SINGLE LOT (SEE "DUPLEX", "TRIPLEX", AND/OR "MULTIFAMILY"). THE KEY CHARACTERISTIC OF A TOWNHOME IS THAT THERE IS NO VERTICAL OVERLAP OF ANY DWELLING UNITS.

TRIPLEX: A BUILDING ON ONE LOT WHICH HOUSES EXACTLY THREE DWELLING UNITS, NONE OF WHICH MAY BE CONSIDERED AN ACCESSORY DWELLING UNIT. EACH TRIPLEX UNIT COUNTS TOWARDS THE CALCULATION OF GROSS DENSITY.

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

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Section 507 Tab A II.C. Subdivision Design/Development
Amend Chapter 5, Section 507 Tab A II.C. (Subdivision Design/Development) and
Section 507 Tab A II.C. 8 (Single-Family Design Review) to clarify and simplify
Single-Family Design Review requirements for individual lots, especially as related
to duplex and triplex uses, and to read as follows:

C. Subdivision AND SINGLE-FAMILY DETACHED Design REVIEW/Development

8. **Single-Family DETACHED Design Review.** New single-family detached dwelling units, LOTS HAVING A SINGLE individual duplexes OR TRIPLEX ~~(duplex developments consisting of ten or more duplex buildings located on the same lot or adjacent lots are not subject to single family design review),~~ manufactured homes, and modular homes that have not received preliminary site plan or subdivision approval, or building permit issuance prior to August 1, 2005 shall be subject to single family design review, as follows ~~(R*)(R):~~

- (a) Single-family detached developments where 10% or more of the lots are equal to or less than 65' FEET in width ~~or any residential horizontal property regime~~ shall incorporate Design Guidelines Sections 8.1 through 8.4.
- (b) Individual single-family detached dwelling units, not subject to Subdivision Design Guidelines 8.1 through 8.4, on a lot or parcel of 65 feet in width, or less, shall incorporate Design Guidelines Section 8.5. THIS REQUIREMENT INCLUDES LOTS WITH A SINGLE DUPLEX OR TRIPLEX WHEN NOT LOCATED IN A SUBDIVISION SUBJECT TO II.C.8(a).
- (c) ~~Individual duplexes (as specified above) shall incorporate Design Guidelines Section 8.5.~~ DWELLING UNITS ON LOTS ZONED OR DESIGNATED HP ARE EXEMPT FROM THE PROVISIONS OF SECTION 8.5, SO LONG AS THE PLANS ARE REVIEWED AND APPROVED THROUGH HISTORIC PRESERVATION PRIOR TO ISSUANCE OF ANY BUILDING PERMITS. .
- (d) Individual manufactured and modular homes, regardless of lot width, shall incorporate Design Guidelines Section 8.5.
- (e) Manufactured and modular home subdivisions, regardless of lot width, shall incorporate Design Guidelines Sections 8.1 through 8.4.

- (8.5) **Individual Unit Design Standards.** The goal of these individual unit design standards is to ensure a minimum level of design quality for detached single-family dwelling units, duplexes, manufactured homes, and modular homes. For information on relief from requirements (R) AND (R*), and presumptions (P) refer to Section 507.C of the Zoning Ordinance.

- ~~(a) Plot plans shall show all required design guidelines as plan details or general notes. (R)~~

~~*Rationale:* Design guidelines should be shown on plans to help ensure they are easily understood by the public and equally applied by City staff.~~

- ~~(b) Where two detached units are placed on a single lot, a notice that the lots are not to be split without prior City approval shall be recorded with the Maricopa County Recorder's Office prior to issuance of building permits. The recorded document shall be on a form approved by the City Attorney's Office. A copy of the recorded document shall be submitted with the application for building permit approval and the recorded document noted on the submitted site plan. (R)~~

~~*Rationale:* The public is often unaware that the City has lot split requirements and may unknowingly create an illegal lot, causing self-imposed obstacles to development.~~

- ~~(c) All driveways and parking spaces shall be hard surfaced with brick, pavers, concrete, asphalt or equivalent. (R)~~

~~*Rationale:* A defined driveway and parking area reduces vehicle maneuvering on areas not suitable for vehicles. Hard surfaces contribute to dust emissions substantially less than loose or unimproved surfaces. Hard surfaces are generally more attractive and compatible with surrounding residences.~~

- ~~(d)-(a) Each dwelling unit shall have at least one covered parking space located in a garage or under a carport. The design of the covered parking shall be substantially similar with regard to texture, color and material to that of the housing. (R*)-(R)~~

~~*Rationale:* Covered parking reduces the visual impact of parked cars. Carports and garages that are designed with the same level of quality as the house are more attractive and more compatible with surrounding residences.~~

~~(e)-(b)~~ The FRONT YARD area ~~between the front building line and the front property line~~, excluding areas necessary approved for VEHICLE access, should be landscaped with the following elements: (P)

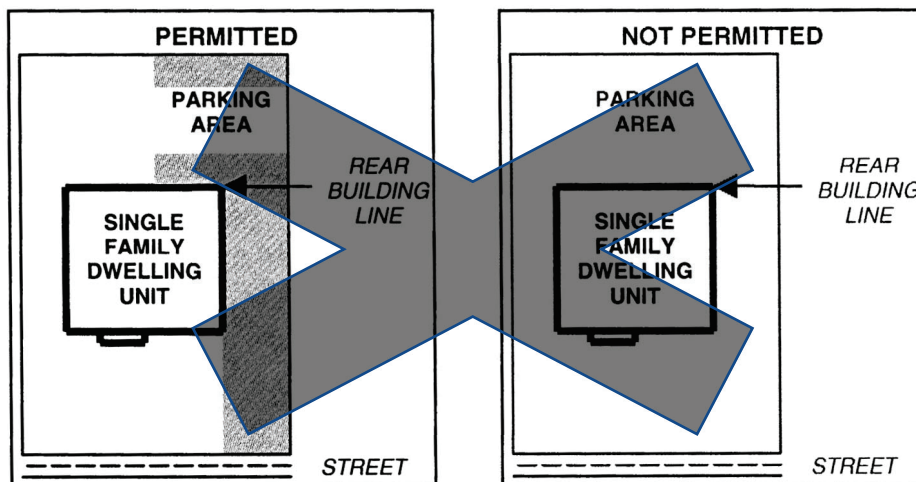
- ~~(1)~~ A minimum of one, two inch caliper or greater, drought resistant, accent tree. ~~(P*)~~
- ~~(2)~~ A minimum of five, five gallon or greater, drought resistant shrubs. ~~(P*)~~
- ~~(3)~~ Dustproofed with ground cover, turf, rock, decomposed granite, or equivalent material as approved by the Planning and Development Department. ~~(P*)~~
- ~~(4)~~ An irrigation system. ~~(P*)~~

Rationale: Landscaping contributes to an attractive environment, provides shade, and contributes to neighborhood identity.

~~(f)~~ Unless all parking is provided off an alley, no more than half of the area between the rear lot line and the rear building line of a single family dwelling unit, or two-thirds of said area for duplexes, should be used for parking. ~~(P*)~~

Rationale: Excessive vehicle parking areas reduces compatibility with surrounding residences and minimizes the opportunity for recreational activity and landscaped space.

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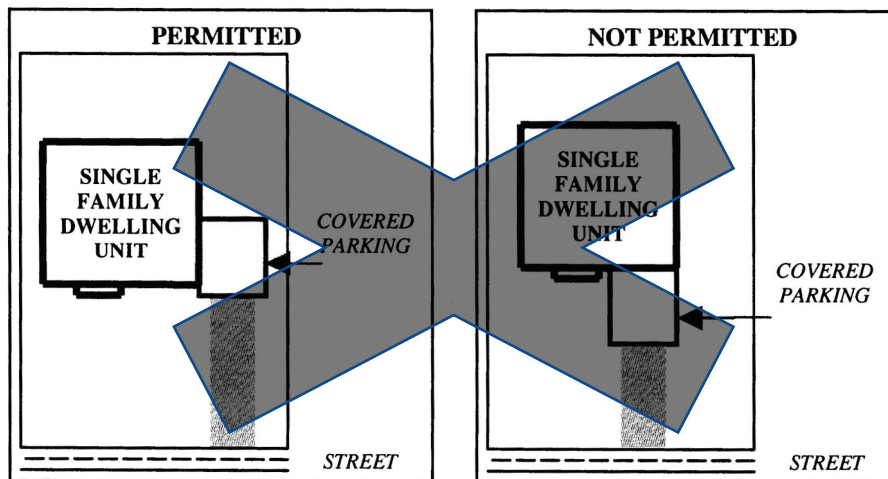


Parking—Rear Building Line

- ~~(g)-(c)~~ Required covered parking for single family dwelling units, duplexes, manufactured homes, and modular homes shall not protrude BE LOCATED more than ten feet beyond CLOSER TO THE FRONT PROPERTY LINE THAN the front ENTRY building line. (R*)

Rationale: When parking structures are concentrated in front of a dwelling unit, the building loses its residential character and compatibility with surrounding residences is negatively impacted.

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Covered Parking 2

- ~~(h)~~ The area between the rear building line and the rear lot line shall be enclosed by a block wall, wrought iron fence, or equivalent enclosure, a minimum of four feet in height, as approved by the Planning and Development Department. (R*)

Rationale: Rear yard enclosures provide physical security and also ensure rear yard activities, such as pool areas and material storage, are not readily visible. In addition, enclosures are visually appealing and benefit the neighborhood.

- ~~(i)-(d)~~ Walls, fences, and enclosure materials shall not include chain link fencing with, or without, plastic or metal slats, sheeting, non-decorative corrugated metal and fencing made or topped with razor, concertina, OR barbed wire., or equivalent as approved by the Planning and Development Department. (R*)

Rationale: Certain enclosure materials are not durable, and are incompatible with surrounding residences.

- ~~(j)-(e)~~ Development of ~~two detached dwelling units on a lot, duplexes, manufactured homes, or modular homes~~ LOTS WITH MORE THAN ONE DWELLING UNIT should provide a single, common access drive to parking areas. ~~(P*)~~ (P)

Rationale: Shared access and common parking minimize unnecessary curb cuts and breaks in the streetscape. Common parking areas also reduce the paved area of a site

- ~~(k)-(f)~~ ~~Single family~~ ALL dwelling units, ~~duplexes, manufactured homes, and modular homes~~ should provide the following architectural design elements: (P)

- (1) Consistent detailing and design for each side of the building. ~~(P*)~~
- (2) Window and door trim as well as accent detailing should be incorporated and vary from the primary color and materials of the building. ~~(P*)~~
- (3) Garage doors should be provided with windows, raised or recessed panels, architectural trim, or single doors. ~~(P*)~~
- ~~(4)~~ The front entry of the building should be clearly defined and identifiable from the street. ~~(P*)~~
- ~~(5)~~(4) Materials such as untextured concrete, unfinished block, steel panels, and shiny or highly reflective detailing should not be used as a predominant exterior material. ~~(P*)~~

Rationale: High quality design promotes neighborhood pride and visual interest in residential architecture.

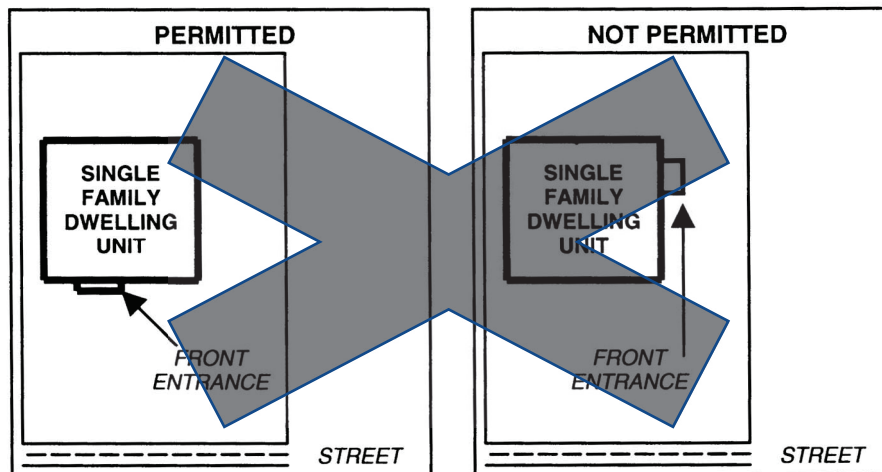
- ~~(h)-(g)~~ Garage doors FACING ~~visible from~~ the public street AND ATTACHED TO THE PRIMARY DWELLING UNIT should not exceed 50% of the ~~house~~ BUILDING width. ~~(P*)~~ (P)

Rationale: Garage doors should not be the aesthetic focus of a house; they should ~~complement~~ COMPLEMENT and appear subordinate to the main structure. THIS IS PARTICULARLY IMPORTANT IF A DUPLEX OR TRIPLEX IS CONSTRUCTED.

- ~~(m)~~ (h) The front entrance, of buildings within 50 feet of the front property line, shall face the street and shall not be set back more than ten feet behind the front building line. A FRONT ENTRY SHALL BE PROVIDED THAT FACES AND IS VISIBLE FROM THE STREET, AND INCLUDES AN ARCHITECTURAL FEATURE TO CALL ATTENTION TO IT (SUCH AS A PORCH, ENTRY PATIO, STOOP, AWNING/CANOPY, COURTYARD, OR ARCHWAY). FOR LOTS HAVING MORE THAN ONE DWELLING UNIT, A MINIMUM OF ONE UNIT SHALL COMPLY WITH THIS REQUIREMENT. (R*)

Rationale: Emphasizing the entrance and front facade adds to the residential character of new dwelling units and provides eyes on the street.

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Parking—Front Entrance

- ~~(n)~~ (i) Manufactured homes shall provide the following additional architectural design elements:
- (1) Materials such as wood, hardboard, brick veneer, hardiplank, stucco, or horizontal vinyl siding shall be used as a predominant exterior material. ~~(P*)~~ (P)
 - (2) The exposed roof pitch shall be at a minimum of 3/12 for units twenty-eight (28) feet or less in width and be covered with shingles, tile or metal, excluding aluminum. (R*)
 - (3) A minimum fifty (50) square foot recessed entry or covered porch shall be provided along the front entry of the building. (R*)

- (4) Permanent access to the porch or recessed entry should be constructed with materials and colors that are compatible with the dwelling unit. (~~P*~~) (P)
- (5) A masonry stem wall shall be provided under the dwelling unit with no more than seven (7) inches of exposed foundation measured from highest finished grade. (R*)
- (6) The exposed masonry stem wall color should be compatible to the dwelling unit. (~~P*~~) (P)

Rationale: High quality design promotes neighborhood pride and visual interest in residential architecture for manufactured homes.

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. ~~A maximum of one dwelling unit for one acre and one additional dwelling unit for each ten additional acres. These dwelling units are for farm owner and farm employees only.~~ DWELLING UNITS. EACH LOT MAY HAVE THE FOLLOWING:
 - a. ONE PRIMARY DWELLING UNIT.
 - b. ONE ACCESSORY DWELLING UNIT, 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.
- ***
- 12. ~~Same accessory uses and buildings as RE-24.~~ THE FOLLOWING ADDITIONAL USES, WHEN ACCESSORY TO THE RESIDENTIAL USE OF LAND OR STRUCTURES BY RESIDENTS, SHALL BE PERMITTED:
 - a. RECREATIONAL FACILITIES, FOR WHICH ALL NECESSARY CONSTRUCTION AND OTHER REQUIRED PERMITS HAVE BEEN OBTAINED.

- b. PARKING OF VEHICLES IN FACILITIES AND LOCATIONS ON THE PROPERTY NOT OTHERWISE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.
- c. MATERIALS USED IN CONJUNCTION WITH A HOBBY, AVOCATION OR PASTIME, THE USE OF WHICH DOES NOT OTHERWISE CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.
- d. FACILITIES FOR HOUSEHOLD PETS, THE MAINTENANCE OF WHICH IS NOT OTHERWISE PROHIBITED BY STATUTE, REGULATION OF THE CITY CODE OF THE CITY OF PHOENIX AND WHICH FACILITIES ARE IN COMPLIANCE WITH ALL APPLICABLE ORDINANCES OF THE CITY OF PHOENIX.

B. Yard, Height and Area Requirements.

- 1. ~~There shall be a~~ EACH lot SHALL HAVE A NET AREA of not less than one acre.
- 2. For all ~~residential uses~~ DWELLING UNITS:
 - a. ~~There shall be a front yard of not less than~~ THE MINIMUM FRONT SETBACK IS ~~forty~~ 40 feet.
 - b. ~~There shall be two side yards each having a width of not less than~~ THE MINIMUM SIDE SETBACK IS ~~thirty~~ 30 feet.
 - c. ~~There shall be a rear yard having a depth of not less than~~ THE MINIMUM REAR SETBACK IS ~~thirty~~ 30 feet.
- 3. Sales stands ~~or~~ AND NON-RESIDENTIAL accessory buildings shall NOT be located ~~not~~ nearer than ~~fifty~~ 50 feet from any side or rear property line and shall not be located nearer than ~~forty~~ 40 feet from the front property line.
- 4. ~~The main building and all accessory buildings shall not occupy more than twenty percent of the total area of the lot for all lots under two acres or not more than ten percent of all lots two acres or over in total area.~~
LOT COVERAGE:
 - a. FOR LOTS TWO ACRES OR LESS IN NET AREA, THE PERMITTED LOT COVERAGE IS 20%, WITH AN ADDITIONAL 5% PERMITTED FOR ACCESSORY DWELLING UNITS AND/OR ATTACHED SHADE STRUCTURES.

- b. FOR LOTS GREATER THAN TWO ACRES IN NET AREA, THE PERMITTED LOT COVERAGE IS 10%, WITH AN ADDITIONAL 5% PERMITTED FOR ACCESSORY DWELLING UNITS AND/OR ATTACHED SHADE STRUCTURES.
- 5. No building shall exceed a height of two stories, not to exceed ~~thirty~~ 30 feet.
- 6. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS 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. ~~There shall be a~~ EACH lot SHALL HAVE A NET AREA of not less than three acres.
- 2. For all ~~residential uses~~ DWELLING UNITS:
 - a. ~~There shall be a front yard of not less than~~ THE MINIMUM FRONT SETBACK IS ~~forty~~ 40 feet.
 - b. ~~There shall be two side yards each having a width of not less than~~ THE MINIMUM SIDE SETBACK IS ~~thirty~~ 30 feet.
 - c. ~~There shall be a rear yard having a depth of not less than~~ THE MINIMUM REAR SETBACK IS ~~thirty~~ 30 feet.
- 3. Sales stands ~~or~~ AND NON-RESIDENTIAL accessory buildings shall NOT be located ~~not~~ nearer than ~~fifty~~ 50 feet from any side or rear property line and shall not be located nearer than ~~forty~~ 40 feet from the front property line.
- 4. ~~The main building and all accessory buildings shall not occupy more than ten percent of the total lot area.~~
LOT COVERAGE: THE PERMITTED LOT COVERAGE IS 10%, WITH AN ADDITIONAL 5% PERMITTED FOR ACCESSORY DWELLING UNITS AND/OR ATTACHED SHADE STRUCTURES.
- 5. No building shall exceed a height of two stories, not to exceed ~~thirty~~ 30 feet.
- 6. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS 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.

A. Permitted Uses.

1. ~~One single family dwelling on any lot or parcel, except that a developer of a subdivision shall be allowed to build model homes prior to recording a subdivision plat, subject to the provisions of paragraph 7 below and subject to submitting a final plat which shall show the following information for each model home lot:~~

DWELLING UNITS. EACH LOT MAY HAVE THE FOLLOWING:

- a. ~~Street addresses for each model home as assigned by the Water Services Department.~~
ONE PRIMARY DWELLING UNIT.
- b. ~~Finished floor elevations for each model home as assigned by the Division of Engineering.~~
ONE ACCESSORY DWELLING UNIT.
- c. ~~Proposed lots for model homes shall be in conformance with lot lines as shown on the approved preliminary plan.~~
MODEL HOMES ARE PERMITTED SUBJECT TO THE PROVISIONS OF SECTION 608.E.19.
- d. ~~Each model home shall be located on each proposed lot in conformance with yard requirements of the district.~~

~~Such final plat need not have the required approvals for purposes of obtaining permits for model homes.~~

11. ~~RESERVED. Guesthouse, subject to the following conditions:~~

- a. ~~The square footage of the guesthouse shall not exceed fifty percent of the gross floor area of the primary dwelling unit with a maximum of nine hundred square feet, except as set forth in subsection b, below. Any garage area attached to the guesthouse which is more than the~~

~~area of a single-car garage shall be counted toward the allowable square footage of the guesthouse.~~

- ~~b. On lots with more than forty-three thousand five hundred sixty square feet in net area with a primary dwelling unit of at least three thousand six hundred square feet in gross floor area, the square footage of the guesthouse may be twenty-five percent of the gross floor area of the primary dwelling unit.~~
- ~~c. The floor area of the connecting structure shall be included in the floor area of the guesthouse.~~
- ~~d. Pergolas and other roofed structures without walls shall not be considered a connecting structure.~~
- ~~e. Vehicular access to the accessory dwelling unit must be provided from the same curb (driveway) as the primary dwelling unit, except that separate access may be permitted from a paved alley.~~
- ~~f. One parking space must be provided for the accessory dwelling unit in addition to the parking required for the primary dwelling unit.~~
- ~~g. Only one guesthouse is permitted on a single lot.~~
- ~~h. The guesthouse shall be constructed of similar building materials and in the same architectural style as that of the primary dwelling unit and shall not exceed the height in feet or number of stories of the primary dwelling unit.~~
- ~~i. A guesthouse shall not:~~
 - ~~(1) Provide more parking than the one required space;~~
 - ~~(2) Be advertised for occupancy through any print or electronic media or through placement of signs on the property;~~
 - ~~(3) Provide separate mail service or have a separate address from the primary dwelling unit; or~~
 - ~~(4) Be separately metered for utilities.~~
- ~~(j) Single-family use requirements shall apply to the guesthouse and the primary dwelling unit as a single unit.~~
- ~~(k) Any guesthouse existing as of (the effective date of this ordinance) may qualify as "connected to the primary dwelling unit" by being connected to the primary dwelling unit without meeting the minimum width requirements.~~

12. Accessory uses and buildings.

a. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS OF SECTION 706.A.

~~a. b.~~ **Any OTHER accessory building(S) shall maintain the same yard requirements as the main building.** No accessory use shall be maintained in which there is solicitation of recipients for a service or product, or the operation of the use so that it is commonly known as offering a commercial service or product.

~~b. c.~~ No accessory use of land or structures shall be maintained except as hereinafter provided or except as may be permitted as a home occupation.

~~c. d.~~ The following uses, when accessory to the residential use of land or structures by residents, shall be permitted:

(1) ~~Sleeping, eating, and r~~Recreational facilities, for which all necessary construction and other required permits have been obtained.

(2) Parking of vehicles in facilities and locations on the property not otherwise in conflict with the provisions of this ordinance.

(3) Materials used in conjunction with a hobby, avocation or pastime, the use of which does not otherwise conflict with the provisions of this ordinance.

(4) Facilities for household pets, the maintenance of which is not otherwise prohibited by statute, regulation or the City Code of the City of Phoenix and which facilities are in compliance with all applicable ordinances of the City of Phoenix.

~~(5)~~ ~~Reserved.~~

~~d. e.~~ Except as may be provided by use permit approval in conjunction with a home occupation, no accessory use shall include outdoor display or storage of any of the following listed items, when such items are visible or emit odor, dust, gas, noise, vibration, smoke, heat, or glare beyond any boundary of the lot on which such items are displayed or stored:

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 ~~forty-three thousand five hundred sixty~~ 43,560 square feet. No lot shall hereafter be subdivided to provide less than ~~forty-three thousand five hundred sixty~~ 43,560 square feet of lot area, nor to have a width of less than ~~one hundred sixty-five~~ 165 feet, nor to have a lot depth of less than ~~one hundred seventy-five~~ 175 feet. ~~The provisions of Section 701.A.3, as it refers to carports, porches, and balconies in the side yard, shall not be applicable.~~

7. YARDS FOR ACCESSORY DWELLING UNITS AND OTHER ACCESSORY STRUCTURES SHALL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 706.
8. PROJECTIONS 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.

A. Permitted Uses.

1. ~~One single family dwelling on any lot or parcel, except that a developer of a subdivision shall be allowed to build model homes prior to recording a subdivision plat, subject to the provisions of Section 606A.4.b below and subject to submitting a final plat which shall show the following information for each model home lot:~~
DWELLING UNITS. EACH LOT MAY HAVE THE FOLLOWING:
 - a. ~~Street addresses for each model home as assigned by the Water Services Department.~~
ONE PRIMARY DWELLING UNIT.
 - b. ~~Finished floor elevations for each model home as approved by the Engineering Department.~~
ONE ACCESSORY DWELLING UNIT.
 - c. ~~Proposed lots for model homes shall be in conformance with lot lines as shown on the approved preliminary plat.~~
MODEL HOMES ARE PERMITTED SUBJECT TO THE PROVISIONS OF SECTION 608.E.19.

- ~~d. Each model home shall be located on each proposed lot in conformance with yard requirements of the district.~~

~~Such final plat need not have the required approvals for purposes of obtaining permits for model homes.~~

11. Accessory uses and buildings.

- a. ACCESSORY DWELLING UNITS ARE SUBJECT TO THE ADDITIONAL PROVISIONS OF SECTION 706.A.

- ~~a. b.~~ **OTHER ACCESSORY BUILDING(S) SHALL MAINTAIN THE SAME YARD REQUIREMENTS AS THE MAIN BUILDING.** No accessory use shall be maintained in which there is solicitation of recipients for a service or product, or the operation of the use so that it is commonly known as offering a commercial service or product.

- ~~b. c.~~ No accessory use of land or structures shall be maintained except as hereinafter provided or except as may be permitted as a home occupation.

- ~~c. d.~~ The following uses, when accessory to the residential use of land or structures by residents, shall be permitted:

- (1) ~~Sleeping, eating, and r~~Recreational facilities, for which all necessary construction and other required permits have been obtained.
- (2) Parking of vehicles in facilities and locations on the property not otherwise in conflict with the provisions of this ordinance.
- (3) Materials used in conjunction with a hobby, avocation or pastime, the use of which does not otherwise conflict with the provisions of this ordinance.
- (4) Facilities for household pets, the maintenance of which is not otherwise prohibited by statute, regulation or the City Code of the City of Phoenix and which facilities are in compliance with all applicable ordinances of the City of Phoenix.

- ~~(5) Reserved.~~

- ~~d. e.~~ Except as may be provided by use permit approval in conjunction with a home occupation, no accessory use shall include outdoor display or storage of any of the following listed items, when such items are visible or emit odor, dust, gas, noise, vibration, smoke, heat, or glare

beyond any boundary of the lot on which such items are displayed or stored:

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 ~~twenty-four thousand~~ 24,000 square feet. No lot shall hereafter be subdivided to provide less than ~~twenty-four thousand~~ 24,000 thousand square feet of lot area nor to have a width of less than ~~one hundred thirty~~ 130 feet nor a lot depth of less than ~~one hundred twenty~~ 120 feet. ~~The provisions of Section 701.A.1 and 701.A.2 shall not be applicable. The provisions of Section 701.A.3, as it refers to carports, porches, and balconies in the side yard, shall not be applicable.~~

7. Yards for ACCESSORY DWELLING UNITS AND ~~detached~~ OTHER accessory ~~buildings~~ STRUCTURES shall be ~~permitted as~~ PROVIDED in ACCORDANCE WITH THE PROVISIONS OF Section 706.
8. 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.

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 ~~fourteen thousand~~ 14,000 square feet. No lot shall hereafter be subdivided to provide less than ~~fourteen thousand~~ 14,000 square feet of lot area not to have a width of less than ~~one hundred ten~~ 110 feet nor a depth less than ~~one hundred twenty~~ 120 feet. ~~The provisions of Section 701.A.1 and 701.A.2 shall not be applicable. The provisions of Section 701.A.3, as it refers to carports, porches, and balconies in the side yard, shall not be applicable.~~

7. Yards for ACCESSORY DWELLING UNITS AND ~~detached~~ OTHER accessory ~~buildings~~ STRUCTURES shall be permitted as PROVIDED in ACCORDANCE WITH THE PROVISIONS OF Section 706.
8. 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 (Residence Districts) to read as follows:

Section 608. ~~Residence~~ RESIDENTIAL Districts.

- A. **Purpose.** Residential districts are established in recognition of a need to provide areas of the City devoted primarily to living functions. In order to preserve these areas from the distractions and adverse impacts which can result from immediate association with nonresidential uses, these districts are restricted to residential, limited nonresidential uses, and appropriate accessory uses. These regulations are designed to promote the creation and maintenance of areas in which individuals or families may pursue residential activities with reasonable access to open space, and streets or roads, in a setting which is not negatively impacted by adjacent uses. Limited nonresidential uses may have conditions placed upon them to limit impact to adjacent residential uses and in some cases require a public hearing through a use permit or special permit process to mitigate any negative impacts to surrounding residential uses.

The standards contained in this section and Sections 609 through ~~648-619~~ AND 635 are designed to establish the character of new residential development and also to preserve the quality of residential uses during their lifetime. When applied to new development, these standards are designed to be used in conjunction with the development and improvement standards as contained in the Phoenix Subdivision Ordinance, Chapter 32 of the City Code.

This section applies to the Residential Districts in Sections 609 through ~~648-619~~, IN ADDITION TO SECTION 635 (PLANNED AREA DEVELOPMENT) WHEN SPECIFIED.

Amend Chapter 6, Section 608.B (Residence Districts—Use of district regulations) to read as follows:

- B. ~~Use of district regulations~~ APPLICABILITY OF DEVELOPMENT OPTIONS.** The development of any parcel of land shall be in accordance with the standards contained in any one development option as contained in Sections 609 through 619. Development of a single lot or a parcel not being further subdivided and located in the RE-35 and R1-18 zoning districts (Sections 609 and 610) shall be in accordance with the requirements for the standard subdivision development option (a), as contained in Sections 609 and 610. For a single lot or parcel not part of a subdivision platted prior to May 1, 1998, not being further subdivided, and located in the R1-10 through R-4A zoning districts (Sections 611 through 619), development shall be in accordance with the requirements of the conventional subdivision option as contained in Sections 611 through 619.

All subsequent development shall be in accordance with the initially selected development option unless a use permit is obtained. Building on any lot which was subdivided or developed prior to the adoption of this chapter shall be done in accordance with the standards under which the initial subdivision or development occurred.

For purposes of conversion to this ordinance, property subdivided prior to May 1, 1998, shall be considered as follows:

2. Residential development with ~~a subplot site plan~~ **AN APPROVED SUBDIVISION SETBACK EXHIBIT** ~~approved by the subdivision committee~~ shall be considered under the average lot development option if located in the RE-35 through ~~R1-5~~ R-5 zoning districts (Sections 609 through 618).

Amend Chapter 6, Section 608.C (Residence Districts—Permitted Uses) to read as follows:

~~C. Permitted Uses~~

Use	Permitted	Permitted with Conditions (1)	Use Permit and Conditions (2)
Single Family DU	X		
Governmental Uses	X		
Community Residence Home		X	
Interior Suite with Accessory Cooking Facilities		X	
Boarding House		X	X

Group Home		X	X

1—6 Dependent Care Facility		X	
1—4 Adult Day Care Home		X	
Display for Sale of Vehicle		X	
Guestrooms		X	
Public Utility Buildings and Facilities		X	
Schools, Private		X	X
		X	

5—10 Adult Day Care Home		X	X
Churches/Place of Worship		X	X
Construction Facilities and Storage		X	X
Home Occupations		X	X
Model Homes and/or Subdivision Sales Office		X	X
Nondaily Newspaper Delivery Service		X	X
Public Assembly—Residential		X	X

7—12 Dependent Care Facility			X
Environmental Remediation Facility			X

- (1) Please note some uses that are permitted with conditions require a use permit approval if they exceed established thresholds.
- (2) There is also a fourth category of residential uses permitted with approval of a special permit. Please see Section 647.

- C. 1. One single-family dwelling on any lot or parcel, except that a developer of a subdivision shall be allowed to build model homes prior to recording a subdivision plat, subject to the provisions of Section 608.C.3 and subject to submitting a final plat which shall show the following information for each model home lot:
- a. Street addresses for each model home as assigned by the Water Services Department.
 - b. Finished floor elevations for each model home as approved by the Engineering Department.
 - c. Proposed lots for model homes shall be in conformance with lot lines as shown on the approved preliminary plat.

- d. ~~Each model home shall be located on each proposed lot in conformance with yard requirements of the district.~~

~~Such final plat need not have the required approvals for purposes of obtaining permits for model homes.~~

2. ~~Governmental uses are permitted.~~
3. ~~No accessory use of land or structures shall be maintained except as hereinafter provided or except as may be permitted as a home occupation.~~

C. **USE REGULATIONS.** THE REGULATIONS GOVERNING THE USES OF LAND AND STRUCTURES SHALL BE AS SET FORTH IN THE RESIDENTIAL DISTRICTS LAND USE MATRIX, SECTION 608.D, AND LAND USE CONDITIONS IN SECTION 608.E, AS FOLLOWS:

1. ANY USE NOT LISTED IN SECTION 608.D (RESIDENTIAL DISTRICTS LAND USE MATRIX) SHALL NOT BE PERMITTED UNLESS THE USE IS OTHERWISE PERMITTED WITHIN THE REGULATIONS SPECIFIC TO THE ZONING DISTRICT, PER SECTIONS 609 – 619 AND 635.
2. ALL USES INDICATED WITH “p” ARE PERMITTED WITH THE APPLICABLE ZONING DISTRICT, SUBJECT TO DEVELOPMENT REGULATIONS LISTED BELOW AND ELSEWHERE WITHIN THE ZONING ORDINANCE.
3. ALL USES INDICATED WITH “pc” ARE PERMITTED WITHIN THE APPLICABLE ZONING DISTRICT ONLY IF SPECIFIC CONDITIONS ARE MET. THE CONDITIONS ARE DESCRIBED IN SECTION 608.E, LAND USE CONDITIONS, BY THE ASSOCIATED CONDITION NUMBER (E.G. “pc15” IS DESCRIBED UNDER SECTION 608.E.15). IN SOME CASES, A USE PERMIT PER SECTION 307 MAY BE REQUIRED AS OUTLINED IN THE CONDITIONS.
4. ALL USES INDICATED WITH “up” ARE PERMITTED WITHIN THE APPLICABLE ZONING DISTRICT ONLY UPON APPROVAL OF A USE PERMIT PER SECTION 307. IF A NUMBER IS ALSO PROVIDED (E.G. “UP25”), THERE ARE ALSO CONDITIONS WHICH MUST BE COMPLIED WITH BEFORE APPLYING FOR A USE PERMIT.
5. ALL USES INDICATED WITH “sp” ARE PERMITTED WITHIN THE APPLICABLE ZONING DISTRICT ONLY UPON APPROVAL OF A SPECIAL PERMIT PER SECTION 504.1.
6. ALL USES INDICATED WITH “np” ARE NOT PERMITTED WITHIN THE APPLICABLE ZONING DISTRICT.

7. NO ACCESSORY USE OF LAND OR STRUCTURES SHALL BE MAINTAINED EXCEPT AS HEREINAFTER PROVIDED OR EXCEPT AS MAY BE PERMITTED AS A HOME OCCUPATION.

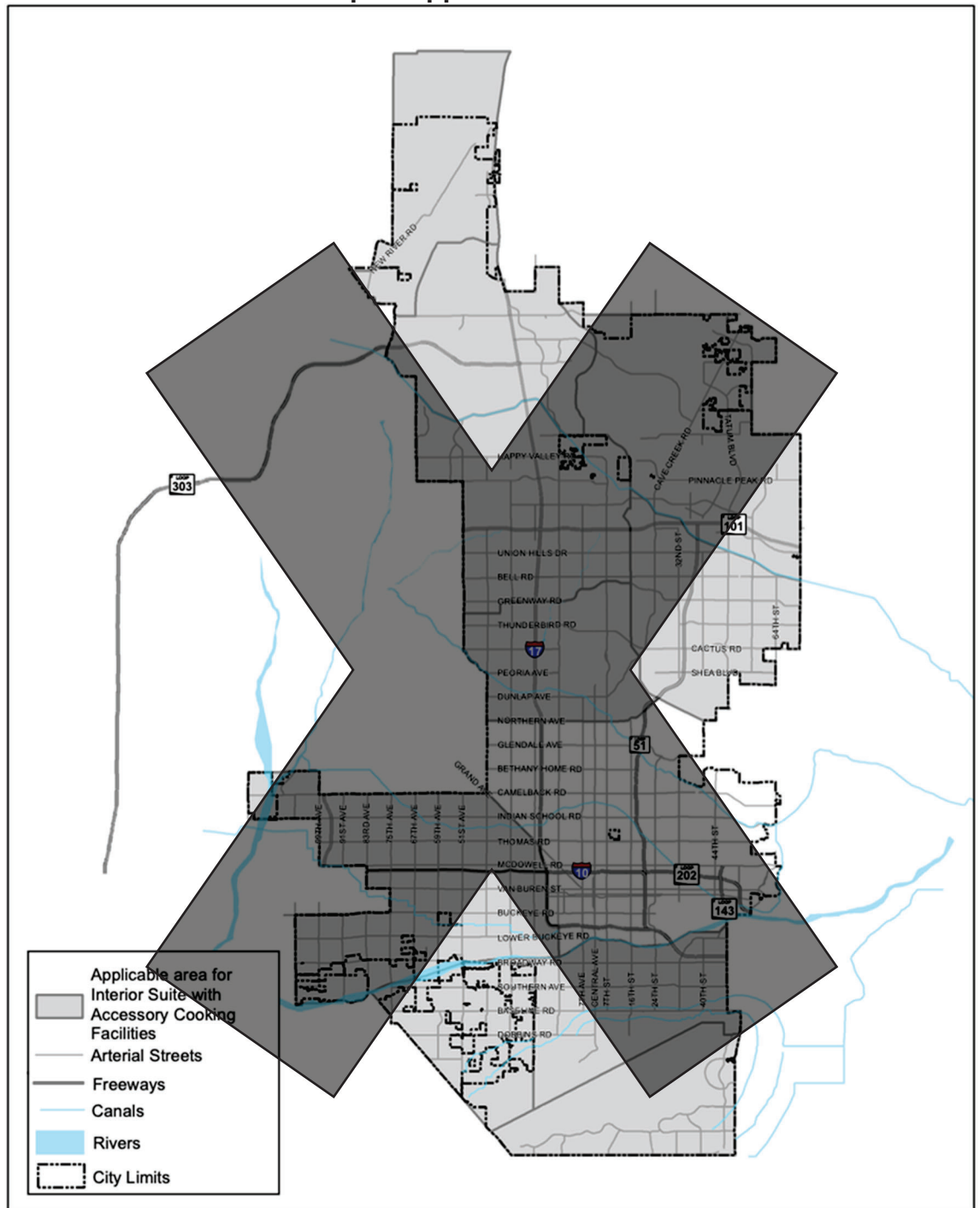
Amend Chapter 6, Section 608.D (Residence Districts—Permitted Uses with Conditions) to read as follows:

D. ~~Permitted Uses with Conditions.~~

- ~~1. Adult day care home for the care of one to four adult persons; provided, that:~~
 - ~~a. Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
- ~~2. Community residence home; provided, that:~~
 - ~~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.~~
- ~~3. Dependent care facility for six dependents, subject to the following conditions:~~
 - ~~a. Resident dependents under the age of 12 years shall not be counted.~~
 - ~~b. Outdoor play areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
 - ~~c. The employees must reside at the facility unless a nonresident employee is required by the Arizona Department of Health Services.~~

4. ~~The display for sale of a vehicle, which for purposes of this provision includes trailers, watercraft or other types of transportation that are built to carry passengers or cargo shall be subject to the following restrictions:~~
 - a. ~~No more than one vehicle can be labeled for sale or show any indication that it is for sale at any given time on a property, whether visible on site or through some other form of advertising.~~
 - b. ~~No more than two vehicles can be sold on a property during any calendar year.~~
 - c. ~~For purposes of Sections 608.A and B, two jet skis, a boat or similar types of recreational vehicles that are transported on one trailer shall, together with the trailer, be considered one vehicle.~~
 - d. ~~The ownership of the vehicle(s) must be registered to the location where the vehicle is listed for sale.~~
 - e. ~~No vehicle can be labeled for sale or show any indication that it is for sale at an unoccupied house or on a vacant lot or parcel.~~
 - f. ~~No vehicle can be labeled for sale or show any indication that it is for sale in conjunction with a retail or wholesale vehicle sales dealership or business without obtaining a temporary use permit.~~
5. ~~Guestrooms. Each single-family dwelling may contain no more than two guestrooms.~~
6. ~~Public utility buildings and facilities when necessary for serving the surrounding territory; provided, that no public business offices and no repair or storage facilities are maintained therein, are permitted in each district.~~
7. ~~Schools are permitted in each district subject to a site plan being approved in conformance with Section 507.~~
8. ~~Interior suite with accessory cooking facilities, subject to the following:~~
 - a. ~~Dwelling units with an interior suite with accessory cooking facilities are permitted only in residential subdivisions of 15 acres or more and located within the boundaries illustrated in Map 1, as follows:~~
 - (1) ~~Subdivided after July 5, 2019; or~~
 - (2) ~~Subdivided prior to July 5, 2019, but with less than 25 percent of the lots having constructed dwelling units or valid building permits as of July 5, 2019.~~

Map 1: Applicable Area



- b. ~~An interior suite with accessory cooking facilities shall only be part of a single family detached dwelling unit and must be under the same roof structure. Only one interior suite with accessory cooking facilities shall be permitted per lot and shall be located on the ground floor.~~
- c. ~~The square footage of the interior suite with accessory cooking facilities shall not exceed 30 percent of the total net floor area or 800 square feet (whichever is less). Garage or patio areas shall not be included for the purpose of this calculation.~~
- d. ~~An interior suite with accessory cooking facilities shall not have utility services that are metered separately from the remainder of the dwelling unit.~~
- e. ~~At least one internal doorway shall be provided between the interior suite with accessory cooking facilities and the remainder of the dwelling unit.~~
- f. ~~An interior suite with accessory cooking facilities shall not have a private yard area that is fenced or walled off from the remainder of the lot. This requirement shall not prohibit required pool fences, fenced in animal areas, garden fencing, or other fencing used for different purposes.~~
- g. ~~No more than one parking space, which may be covered or enclosed, shall be provided for an interior suite with accessory cooking facilities in addition to the parking provided for the remainder of the dwelling unit, with a maximum of four spaces total. This requirement does not apply to parking that may occur on the driveway in front of the garage(s).~~
- h. ~~An interior suite with accessory cooking facilities shall not have a parking space served by a driveway separated from the main driveway and parking areas provided for the remainder of the dwelling unit.~~
- i. ~~An interior suite with accessory cooking facilities shall not provide separate mail service or have a separate address from the remainder of the dwelling unit.~~
- j. ~~Design requirements. Elevations must minimize any secondary entry visible from the street and have the appearance of a single family home. This shall be treated as a presumption as outlined in Section 507.C.2.~~

D. RESIDENTIAL DISTRICTS LAND USE MATRIX

LAND USE CATEGORIES		SECTION AND ZONING DISTRICT												
		609	610	611	612	613	614	615	616	617	618	619	635	
Single-Family Detached		RE-35	R1-18	R1-10	R1-8	R1-6	R-2	R-3	R-3A	R-4	R-5	R-4A	PAD	
		pc1	pc1	pc1	pc1	pc1	pc1	pc1	pc1	pc1	pc1	pc1	pc1	
(ac)	Accessory Dwelling Unit (ADU)	pc2	pc2	pc2	pc2	pc2	pc2	pc2	pc2	pc2	pc2	pc2	pc2	
(ac)	Guestroom(s)	pc3	pc3	pc3	pc3	pc3	pc3	pc3	pc3	pc3	pc3	pc3	pc3	
Duplex		np	np	pc4	pc4	pc4	pc4	pc4	pc4	pc4	pc4	pc4	pc4	
Triplex		np	np	np	np	np	pc5	pc5	pc5	pc5	pc5	pc5	pc5	
Single-Family Attached		pc6	pc6	pc6	pc6	pc6	pc6	pc6	pc6	pc6	pc6	pc6	pc6	
		np	np	pc7	pc7	pc7	pc7	pc7	pc7	pc7	pc7	pc7	pc7	
(ac)	Residential Convenience Market	np	np	np	np	np	np	np	pc8	pc8	pc8	pc8	pc8	
Off-Site Manufactured Home Developments		np	np	np	np	np	np	np	up35	up35	up35	up35	np	
		np	np	np	np	np	np	np	np	up9	up9	up9	up9	
Boarding House		pc10	pc10	pc10	pc10	pc10	pc10	pc10	pc10	pc10	pc10	pc10	pc10	
1-4 Adult Day Care Home		up11	up11	up11	up11	up11	up11	up11	up11	up11	up11	up11	up11	
5-10 Adult Day Care Home		np	np	np	np	np	np	up12	up12	up12	up12	up12	np	
11+ Adult Day Care Center		pc13	pc13	pc13	pc13	pc13	pc13	pc13	pc13	pc13	pc13	pc13	pc13	
1-10 Community Residence Home		np	np	np	np	np	np	np	up14	up14	up14	up14	np	
11 + Community Residence Center		pc15	pc15	pc15	pc15	pc15	pc15	pc15	pc15	pc15	pc15	pc15	pc15	
1-6 Dependent Care Facility		up16	up16	up16	up16	up16	up16	up16	up16	up16	up16	up16	up16	
7-12 Dependent Care Facility		np	np	np	np	np	np	up17	up17	up17	up17	up17	np	
13 + Dependent Care Facility		np	np	np	np	np	np	up18	up18	up18	up18	up18	up18	
Group Home		np	np	np	np	np	np	up	up	up	up	up	np	
Group Foster Home		p	p	p	p	p	p	p	p	p	p	p	p	
Governmental Uses		pc19	pc19	pc19	pc19	pc19	pc19	pc19	pc19	pc19	pc19	pc19	pc19	
Model Homes and Subdivision Sales Offices		pc20	pc20	pc20	pc20	pc20	pc20	pc20	pc20	pc20	pc20	pc20	pc20	
Public Utility Buildings and Facilities		pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	
Schools, Private		p	p	p	p	p	p	p	p	p	p	p	p	
Schools, Public		p	p	p	p	p	p	p	p	p	p	p	p	
Church/Place of Worship		pc21	pc21	pc21	pc21	pc21	pc21	pc21	pc21	pc21	pc21	pc21	pc21	
(ac)	Accessory To Church/Place Of Worship	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	
Public Assembly--Residential		pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	pc22	

LAND USE CATEGORIES	SECTION AND ZONING DISTRICT											
	609	610	611	612	613	614	615	616	617	618	619	635
	RE-35	R1-18	R1-10	R1-8	R1-6	R-2	R-3	R-3A	R-4	R-5	R-4A	PAD
<u>Environmental Remediation Facility</u>	up23	up23	up23	up23	up23	up23	up23	up23	up23	up23	up23	up23
<u>Community Garden</u>	pc24	pc24	pc24	pc24	pc24	pc24	pc24	pc24	pc24	pc24	pc24	np
<u>Farmer's Market</u>	pc25	pc25	pc25	pc25	pc25	pc25	pc25	pc25	pc25	pc25	pc25	np
ACCESSORY USES IN RESIDENCE DISTRICTS												
<u>Construction Facilities And Storage</u>	pc26	pc26	pc26	pc26	pc26	pc26	pc26	pc26	pc26	pc26	pc26	pc26
<u>Home Occupations</u>	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27	pc27
<u>Non-Daily Newspaper Service</u>	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28	pc28
<u>Display For Sale Of Vehicle</u>	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29	pc29
<u>Facilities For Household Pets</u>	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30	pc30
<u>Garage Or Yard Sales</u>	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31	pc31
<u>Hobbies And Associated Supplies</u>	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32	pc32
<u>Parking (Accessory)</u>	pc33	pc33	pc33	pc33	pc33	pc33	pc33	pc33	pc33	pc33	pc33	pc33
<u>Private Tennis / Outdoor Game Courts</u>	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34	pc34

*(ac) = accessory use permitted only with primary use listed immediately prior in the table.

Amend Chapter 6, Section 608.E (Residence Districts—Permitted Uses with Conditions and May Require Approval of a Use Permit Pursuant to Section 307) to read as follows:

~~E. Permitted Uses with Conditions and May Require Approval of a Use Permit Pursuant to Section 307.~~

- ~~1. Churches or similar places of worship, including parish houses, parsonages, rectories, and convents and dormitories with no more than ten residents accessory thereto, are permitted in each district, except temporary tents or buildings. Athletic activities in conjunction with the above and on the same lot or contiguous lots may be permitted. See Public Assembly—Residential.~~
 - ~~a. Bingo may be operated as an accessory use on the premises of the church when conducted no more than two days a week. Fundraising events located on the same lot or contiguous lots shall be permitted, subject to the following requirements:~~
 - ~~(1) The sponsoring, organizing and benefiting entities shall be nonprofit or religious organizations.~~
 - ~~b. Events held entirely within a building or buildings shall not be further regulated; however, events to be conducted wholly or in part outdoors shall be subject to the following additional conditions:~~
 - ~~(1) Any outdoor portion of the event must be located a minimum of 50 feet from a property line adjacent to a residential zoning district and a residential use.~~
 - ~~(2) The event shall not be conducted between the hours of 10:00 p.m. and 5:00 a.m.~~
 - ~~(3) The event shall not be conducted in such manner as to reduce the number of parking spaces required for any normal functions of the primary use which are held during the event.~~
 - ~~(4) Lighting shall be so placed as to reflect the light away from adjacent residences.~~
 - ~~c. Pocket shelters as accessory uses to churches or similar places of worship, subject to the following standards (and applicable Maricopa County and City of Phoenix health and safety regulations):~~

- (1) ~~A pocket shelter shall house no more than 12 unrelated persons. A pocket shelter may house up to 20 unrelated persons upon approval of a use permit in accordance with the procedures and standards of Section 307. Minors (age 18 years or younger) accompanied by a parent or a guardian shall not be counted in the number of unrelated persons.~~
- (2) ~~The church or similar place of worship shall be located on an arterial or collector street as defined on the street classification map. A shelter at a church or similar place of worship which is not on an arterial or collector street shall be permitted upon approval of a use permit in accordance with the procedures and provisions of Section 307.~~
- (3) ~~The church or similar place of worship shall provide on-site supervision of shelter residents at all times that two or more unrelated residents are at the shelter.~~
- (4) ~~Drug, alcohol, other substance abuse, or mental health rehabilitation programs shall not be allowed as part of the shelter services. This provision shall not prevent the church or similar place of worship from referring shelter residents to other appropriate programs at the church or similar place of worship or elsewhere, e.g., Alcoholics Anonymous, which are not part of the shelter services.~~
- (5) ~~Shelter residents shall not possess alcohol, weapons, or illegal drugs at the shelter.~~
- (6) ~~Open areas surrounding pocket shelter structures shall be screened from view from abutting and/or adjoining properties by hedges, trees, other landscaping, or walls.~~
- (7) ~~Pocket shelter structures shall not have direct access to abutting and/or adjoining properties.~~
- (8) ~~Pocket shelters shall be housed in permanent structures rather than in tents or other similar temporary structures.~~
- (9) ~~A church or similar place of worship shall house no more than one pocket shelter.~~

2. ~~Construction facilities and storage, incidental to a construction project and located on the project site, are permitted. When such facilities or storage are used for construction on a lot or lots other than the lot or lots used for such facilities or storage, such use shall maintain the setbacks provided by the requirements of this chapter and shall be subject to securing a use permit. When such facilities and storage serve a residential subdivision, are approved in conjunction with model homes by the Planning and Development Department, and meet all of the standards listed below, no use permit is required:~~
 - a. ~~The facilities shall not be placed on a lot which abuts, joins at the corners, or is across a street or alley from a dwelling unit which is under construction or occupied at the time of said placement, unless written agreement to the placement is given by the owner or occupant of the affected property.~~
 - b. ~~All outside storage shall be screened by a six-foot high solid fence or masonry wall. No construction vehicles or machinery shall be placed within ten feet of the screen fence or wall.~~
 - c. ~~All signs on the facility shall fully comply with Section 705, the Sign Code.~~
 - d. ~~All facilities and storage shall be removed within three months of the closure of the model homes.~~
3. ~~Home occupations including but not limited to architect, lawyer, off-site sales businesses, accountant, real estate agent, telemarketing sales, and psychologist. For purposes of this section, off-site sales means processing orders by mail, facsimile, phone, modem or Internet.~~
 - a. ~~No one outside the family residing in the dwelling unit shall be employed in the home occupation.~~
 - b. ~~No exterior display, no exterior storage of materials, no sign, and no other exterior indication of the home occupation or variation from the residential character of the principal or accessory building, except as authorized in Section 608.E.3.h.~~
 - c. ~~No home occupation shall emit odor, dust, gas, noise, vibration, smoke, heat, or glare beyond any boundary of the lot on which the home occupation is conducted.~~
 - d. ~~Activity shall be limited to the hours between 7:00 a.m. and 10:00 p.m.~~

- e. ~~No mechanical equipment shall be used except that normally used for domestic, hobby, standard office, or household purposes.~~
 - f. ~~Not more than 25 percent of the total area under roof on the site shall be used for any home occupation.~~
 - g. ~~Any parking incidental to the home occupation shall be provided on the site.~~
 - h. ~~Home occupations shall obtain a use permit from the Zoning Administrator in accordance with Section 307 when:~~
 - (1) ~~Traffic (other than trips by occupants of the household) is generated by the home occupation; or~~
 - (2) ~~The home occupation is conducted in an accessory building; or~~
 - (3) ~~The home occupation is conducted as an outside use; or~~
 - (4) ~~Minor variations to Section 608.E.3.c are required to conduct the home occupation; or~~
 - (5) ~~An applicant desires an official approval of a home occupation.~~
 - i. ~~A home occupation shall not include, but such exclusion shall not be limited to, the following uses:~~
 - (1) ~~Barbershops and beauty parlors.~~
 - (2) ~~Commercial stables, veterinary offices.~~
 - (3) ~~Dog grooming.~~
 - (4) ~~Massage parlors.~~
 - (5) ~~Reserved.~~
 - (6) ~~Restaurants.~~
 - (7) ~~Veterinary hospitals and commercial kennels.~~
4. ~~Model homes and/or subdivision sales offices when located in model homes subject to approval of the Planning and Development Department's representative to the Site Planning Division, and subject to the following conditions:~~

- a. ~~Such model home and/or subdivision sales offices shall be located in a subdivision or portion thereof 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 608.E.4.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 608.E.4.b or upon expiration of the extension granted by the Zoning Administrator pursuant to Section 608.E.4.c, or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever comes 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 400 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 Section 608.E.4.a and d, the term "subdivision" shall mean all the land included within the preliminary plat submitted to the 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 608.C.1.~~
- g. ~~Modular subdivision sales office, subject to the following criteria:~~

- (1) ~~The structure shall be integrated with, architecturally compatible to, and blend in color to the model homes approved for the subdivision, as determined by the Planning and Development Department.~~
 - (2) ~~Modular subdivision sales offices shall be permitted for a period not to exceed 36 months from the date of approval for the sales offices.~~
 - (3) ~~The time limit allowed in Section 608.E.4.g.2 for an additional 36 months shall be extended only upon securing a use permit.~~
 - (4) ~~The modular subdivision sales office shall be removed on or before the termination date set forth in Section 608.E.4.g.2 or upon expiration of the extension granted by the Zoning Administrator or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever comes first.~~
 - (5) ~~For the purposes of this section, the term "subdivision" shall mean all of the land included within the preliminary plat submitted to the Planning and Development Department.~~
 - (6) ~~Prior to issuance of any sales office permits, a site plan shall be approved by the Planning and Development Department for verification of setback conformance.~~
 - (7) ~~Two signs are permitted. Signs shall not exceed a combined total of 32 square feet.~~
 - (8) ~~One sales office shall be permitted for each model home complex allowed in accordance with Section 608.E.4.h.~~
- h. ~~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 400 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 dust proofed.~~

~~(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.~~

~~5. Nondaily newspaper delivery service shall be permitted subject to the following limitations:~~

~~a. Delivered bulk materials related to nondaily publications shall be transferred to an enclosed building or secured area so that materials are not visible from the street or adjacent properties unless for preparation of materials for same day distribution. Preparation of materials for same day distribution may occur on or about adjacent public rights-of-way; provided, that materials do not remain in public view for longer than 24 hours.~~

~~b. Materials stored for periods greater than 24 hours shall be enclosed within a building or secured by a wall or fence of such material, construction, and height so as to conceal the materials located.~~

~~c. Activities relating to and/or accessory to the preparation of materials stored for periods greater than 24 hours shall occur within an enclosed building or an area secured by a wall or fence of such material, construction, and height so as to completely conceal the activities.~~

~~d. Such delivery shall be limited to two bulk deliveries in a seven-day period. More frequent deliveries shall require a use permit in accordance with the procedures of Section 307.~~

~~e. No traffic other than that required for the bulk delivery and pickup shall be allowed by outside employees. Any other business-related traffic shall require a use permit in accordance with the procedures of Section 307.~~

~~6. Public Assembly—Residential. A use permit shall be required for all public assembly—residential uses with vehicular access on local or minor collector streets.~~

E. LAND USE CONDITIONS.

1. **SINGLE-FAMILY DETACHED DWELLING UNIT.** EACH SINGLE-FAMILY LOT IS PERMITTED ONE (1) 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 (1) ACCESSORY DWELLING UNIT IN ADDITION TO THE PRIMARY DWELLING UNIT, EXCEPT THAT LOTS HAVING A DUPLEX OR TRIPLEX MAY NOT HAVE AN ADU.
 - b. AN ADU IS SUBJECT TO THE DEVELOPMENT REGULATIONS OF SECTION 706.A.
3. **GUESTROOMS.** EACH SINGLE-FAMILY DWELLING UNIT MAY CONTAIN NO MORE THAN TWO GUESTROOMS.
4. **DUPLEX:**
 - a. SINGLE-FAMILY LOTS: ONE (1) DUPLEX IS PERMITTED PER LOT WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION. THE LOT MUST BE OF THE MINIMUM SIZE REQUIRED BY THE APPLICABLE DENSITY TO PERMIT TWO DWELLING UNITS.
 - b. MULTIFAMILY LOTS: DUPLEXES ARE PERMITTED WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION. THE LOT MUST BE OF THE MINIMUM SIZE REQUIRED BY THE APPLICABLE DENSITY TO PERMIT THE NUMBER OF DWELLING UNITS PROPOSED.
5. **TRIPLEX:**
 - a. SINGLE-FAMILY LOTS: ONE (1) TRIPLEX IS PERMITTED PER LOT WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION. THE LOT MUST BE OF THE MINIMUM SIZE REQUIRED BY THE APPLICABLE DENSITY TO PERMIT THREE DWELLING UNITS.
 - b. **MULTIFAMILY LOTS:** TRIPLEXES ARE PERMITTED WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION. THE LOT MUST BE OF THE MINIMUM SIZE REQUIRED BY THE APPLICABLE DENSITY TO PERMIT THE NUMBER OF DWELLING UNITS PROPOSED.

6. **SINGLE-FAMILY ATTACHED DWELLING UNIT.** ONE (1) SINGLE-FAMILY ATTACHED DWELLING UNIT IS PERMITTED PER SINGLE-FAMILY LOT WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION.
7. **MULTIFAMILY DWELLING UNITS.** MULTIFAMILY DWELLING UNITS ARE PERMITTED WHEN ALLOWED BY THE UNDERLYING ZONING DISTRICT AND DEVELOPMENT OPTION.
8. **RESIDENTIAL CONVENIENCE MARKET.** A RESIDENTIAL CONVENIENCE MARKET IS PERMITTED AS AN ACCESSORY USE TO A MULTIFAMILY DEVELOPMENT WHERE SPECIFIED IN THE RESIDENTIAL DISTRICT LAND USE MATRIX, SUBJECT TO THE FOLLOWING CONDITIONS:
 - a. THE DEVELOPMENT SHALL CONTAIN A MINIMUM OF 400 DWELLING UNITS.
 - b. THE MARKET SHALL NOT EXCEED 1,000 SQUARE FEET IN TOTAL FLOOR AREA (DISPLAY AND STORAGE) IF THE DEVELOPMENT CONTAINS LESS THAN 850 DWELLING UNITS. THE MARKET SHALL NOT EXCEED 3,000 SQUARE FEET IN TOTAL FLOOR AREA (DISPLAY AND STORAGE) IF THE DEVELOPMENT CONTAINS 850 OR MORE DWELLING UNITS.
 - c. NO PARKING SPACES SHALL BE REQUIRED OR PERMITTED FOR THE MARKET EXCEPT FOR SPACES DESIGNATED FOR DELIVERIES OR ~~HANDICAPPED INDIVIDUALS~~ **ACCESSIBLE SPACES**.
 - d. SIGNAGE SHALL BE ALLOWED ONLY AS PART OF A COMPREHENSIVE SIGN PLAN PURSUANT TO SECTION 705. THE ZONING ADMINISTRATOR MAY APPROVE WALL MOUNTED SIGNAGE UP TO A MAXIMUM HEIGHT OF 30 FEET AS PART OF AN APPROVED COMPREHENSIVE SIGN PLAN.
9. **BOARDING HOUSE,** SUBJECT TO A USE PERMIT AND THE FOLLOWING CONDITIONS:
 - a. 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.

- b. NO BOARDING HOUSE 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 BOARDING HOUSE, GROUP HOME, OR COMMUNITY RESIDENCE HOME OR CENTER WITHIN A RESIDENTIAL ZONING DISTRICT.
 - c. A MAXIMUM LOT COVERAGE OF 25 PERCENT.
 - d. A MINIMUM OF 100 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED SHALL BE PROVIDED, WHICH MAY BE REDUCED TO 50 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED IN THE R-5 AND R-4A DISTRICTS.
 - e. THE LOT SHALL ONLY HAVE VEHICULAR ACCESS FROM AN ARTERIAL OR COLLECTOR STREET.
- 10. **ADULT DAY CARE HOME FOR THE CARE OF ONE TO FOUR ADULT PERSONS**; PROVIDED THAT:
 - a. OUTDOOR RECREATION AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
- 11. **ADULT DAY CARE HOME FOR THE CARE OF FIVE TO TEN ADULT PERSONS**, SUBJECT TO A USE PERMIT; AND PROVIDED THAT:
 - a. OUTDOOR RECREATION AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
- 12. **ADULT DAY CARE CENTER FOR THE CARE OF ELEVEN OR MORE ADULT PERSONS**, SUBJECT TO A USE PERMIT; AND PROVIDED THAT:
 - a. OUTDOOR RECREATION AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
- 13. **COMMUNITY RESIDENCE HOME**; PROVIDED, THAT:
 - a. THE HOME HAS NO MORE THAN FIVE RESIDENTS, NOT INCLUDING STAFF (UNLESS PERMITTED BY SECTION 36-582(A), ARIZONA REVISED STATUTES).

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.

14. **COMMUNITY RESIDENCE CENTER**, SUBJECT TO A USE PERMIT AND THE FOLLOWING CONDITIONS:

- a. SUCH CENTER 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.
- b. NO COMMUNITY RESIDENCE CENTER 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 OR CENTER WITHIN A RESIDENTIAL ZONING DISTRICT.
- c. DISABILITY ACCOMMODATION FROM THE SPACING REQUIREMENT MAY BE REQUESTED BY AN APPLICANT PER SECTION 701.E.3.
- d. A MAXIMUM LOT COVERAGE OF 25 PERCENT.
- e. A MINIMUM OF 100 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED SHALL BE PROVIDED, WHICH MAY BE REDUCED TO 50 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED IN THE R-5 AND R-4A DISTRICTS.

- f. THE LOT SHALL ONLY HAVE VEHICULAR ACCESS FROM AN ARTERIAL OR COLLECTOR STREET.
- 15. **DEPENDENT CARE FACILITY FOR UP TO SIX DEPENDENTS,**
SUBJECT TO THE FOLLOWING CONDITIONS:
 - a. RESIDENT DEPENDENTS UNDER THE AGE OF 12 YEARS SHALL NOT BE COUNTED.
 - b. OUTDOOR PLAY AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
 - c. THE EMPLOYEES MUST RESIDE AT THE FACILITY UNLESS A NONRESIDENT EMPLOYEE IS REQUIRED BY THE ARIZONA DEPARTMENT OF HEALTH SERVICES.
- 16. **DEPENDENT CARE FACILITY FOR SEVEN TO 12 DEPENDENTS,**
SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 AND SUBJECT TO THE FOLLOWING STANDARDS:
 - a. RESIDENT DEPENDENTS UNDER THE AGE OF 12 YEARS SHALL NOT BE COUNTED WHEN THEY ARE PRESENT ON THE PREMISES.
 - b. OUTDOOR PLAY AREAS SHALL BE SCREENED FROM ADJACENT PROPERTIES BY A SIX-FOOT-HIGH LANDSCAPE HEDGE, SOLID FENCE, OR SOLID WALL.
 - c. HOURS OF OPERATION SHALL BE ONLY BETWEEN 6:00 A.M. AND 10:00 P.M. THESE HOURS MAY BE RESTRICTED AS PART OF THE USE PERMIT APPROVAL.
 - d. NONRESIDENT EMPLOYEES MAY BE PERMITTED WITH THE USE PERMIT IF NECESSARY TO MEET STATE REQUIREMENTS.
 - e. ONE PARKING SPACE SHALL BE PROVIDED FOR EACH EMPLOYEE WHO DOES NOT RESIDE AT THE FACILITY.
 - f. NO SIGNAGE SHALL BE PERMITTED.
 - g. THE FACILITY SHALL BE SUBJECT TO ARIZONA LICENSING REQUIREMENTS.

17. **DEPENDENT CARE FACILITY FOR 13 OR MORE DEPENDENTS AND SCHOOLS FOR THE MENTALLY OR PHYSICALLY HANDICAPPED** SUBJECT TO SECURING A USE PERMIT PURSUANT TO SECTION 307.
18. **GROUP HOME**, SUBJECT TO A USE PERMIT AND THE FOLLOWING CONDITIONS:
- a. 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.
 - b. NO GROUP 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 GROUP HOME, BOARDING HOUSE, OR COMMUNITY RESIDENCE HOME OR CENTER WITHIN A RESIDENTIAL ZONING DISTRICT.
 - c. A MAXIMUM LOT COVERAGE OF 25 PERCENT.
 - d. A MINIMUM OF 100 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED SHALL BE PROVIDED, WHICH MAY BE REDUCED TO 50 SQUARE FEET OF USABLE OUTDOOR OPEN SPACE PER BED IN THE R-5 AND R-4A DISTRICTS.
 - e. THE LOT SHALL ONLY HAVE VEHICULAR ACCESS FROM AN ARTERIAL OR COLLECTOR STREET.
19. **MODEL HOMES AND/OR SUBDIVISION SALES OFFICES** WHEN LOCATED IN MODEL HOMES; PROVIDED THAT:
- a. MODEL HOMES ARE PERMITTED SUBJECT TO THE FOLLOWING:
 - (1) A DEVELOPER OF A SINGLE-FAMILY SUBDIVISION SHALL BE ALLOWED TO BUILD MODEL HOMES PRIOR TO RECORDING A SUBDIVISION PLAT, SUBJECT TO THE PROVISIONS BELOW AND SUBJECT TO SUBMITTING **A** MODEL COMPLEX SITE PLAN WHICH SHALL SHOW THE FOLLOWING INFORMATION FOR EACH MODEL HOME LOT:

- (2) STREET ADDRESSES FOR EACH MODEL HOME AS ASSIGNED BY THE **WATER SERVICES PLANNING AND DEVELOPMENT** DEPARTMENT.
 - (3) FINISHED FLOOR ELEVATIONS FOR EACH MODEL HOME AS ASSIGNED BY THE DIVISION OF ENGINEERING.
 - (4) PROPOSED LOTS FOR MODEL HOMES SHALL BE IN CONFORMANCE WITH LOT LINES AS SHOWN ON THE APPROVED PRELIMINARY **PLAN-PLAT**.
 - (5) EACH MODEL HOME SHALL BE LOCATED ON EACH PROPOSED LOT IN CONFORMANCE WITH YARD REQUIREMENTS OF THE DISTRICT.
 - (6) THE FINAL PLAT IS NOT REQUIRED TO HAVE FINAL APPROVAL PRIOR TO OBTAINING PERMITS FOR MODEL HOMES.
- b. MODEL HOMES AND/OR SUBDIVISION SALES OFFICES SHALL BE LOCATED IN A SUBDIVISION OR PORTION THEREOF 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.
 - c. 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.
 - d. THE TIME LIMIT ALLOWED IN SECTION 608.E.19.C FOR AN ADDITIONAL 36 MONTHS SHALL BE EXTENDED ONLY UPON SECURING A USE PERMIT.

- e. 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 608.E.19.C OR UPON EXPIRATION OF THE EXTENSION GRANTED BY THE ZONING ADMINISTRATOR PURSUANT TO SECTION 608.E.19.D, OR AFTER SIX MONTHS FOLLOWING SALE OR OCCUPANCY OF ALL LOTS IN THE SUBDIVISION OTHER THAN THE MODEL HOMES, WHICHEVER COMES 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 400 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.
- f. FOR THE PURPOSES OF SECTION 608.E.19.C AND D, THE TERM "SUBDIVISION" SHALL MEAN ALL THE LAND INCLUDED WITHIN THE PRELIMINARY PLAT SUBMITTED TO THE PLANNING AND DEVELOPMENT DEPARTMENT.
- g. 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 608.E.19.A.
- h. MODULAR SUBDIVISION SALES OFFICE, SUBJECT TO THE FOLLOWING CRITERIA:

- (1) THE STRUCTURE SHALL BE INTEGRATED WITH, ARCHITECTURALLY COMPATIBLE TO, AND BLEND IN COLOR TO THE MODEL HOMES APPROVED FOR THE SUBDIVISION, AS DETERMINED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- (2) MODULAR SUBDIVISION SALES OFFICES SHALL BE PERMITTED FOR A PERIOD NOT TO EXCEED 36 MONTHS FROM THE DATE OF APPROVAL FOR THE SALES OFFICES.
- (3) THE TIME LIMIT ALLOWED IN SECTION 608.E.19.H(2) FOR AN ADDITIONAL 36 MONTHS SHALL BE EXTENDED ONLY UPON SECURING A USE PERMIT.
- (4) THE MODULAR SUBDIVISION SALES OFFICE SHALL BE REMOVED ON OR BEFORE THE TERMINATION DATE SET FORTH IN SECTION 608.E.19.H(2) OR UPON EXPIRATION OF THE EXTENSION GRANTED BY THE ZONING ADMINISTRATOR OR AFTER SIX MONTHS FOLLOWING SALE OR OCCUPANCY OF ALL LOTS IN THE SUBDIVISION OTHER THAN THE MODEL HOMES, WHICHEVER COMES FIRST.
- (5) FOR THE PURPOSES OF THIS SECTION, THE TERM "SUBDIVISION" SHALL MEAN ALL OF THE LAND INCLUDED WITHIN THE PRELIMINARY PLAT SUBMITTED TO THE PLANNING AND DEVELOPMENT DEPARTMENT.
- (6) PRIOR TO ISSUANCE OF ANY SALES OFFICE PERMITS, A SITE PLAN SHALL BE APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT FOR VERIFICATION OF SETBACK CONFORMANCE.
- (7) TWO SIGNS ARE PERMITTED. SIGNS SHALL NOT EXCEED A COMBINED TOTAL OF 32 SQUARE FEET.
- (8) ONE SALES OFFICE SHALL BE PERMITTED FOR EACH MODEL HOME COMPLEX ALLOWED IN ACCORDANCE WITH SECTION 608.E.19.I.

i. 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 400 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 DUST PROOFED.
- (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.

20. **PUBLIC UTILITY BUILDINGS AND FACILITIES** WHEN NECESSARY FOR SERVING THE SURROUNDING TERRITORY; PROVIDED, THAT NO PUBLIC BUSINESS OFFICES AND NO REPAIR OR STORAGE FACILITIES ARE MAINTAINED THEREIN, ARE PERMITTED IN EACH DISTRICT.
21. **CHURCHES OR SIMILAR PLACES OF WORSHIP**, INCLUDING PARISH HOUSES, PARSONAGES, RECTORIES, AND CONVENTS AND DORMITORIES WITH NO MORE THAN TEN RESIDENTS ACCESSORY THERETO, ARE PERMITTED IN EACH DISTRICT, EXCEPT TEMPORARY TENTS OR BUILDINGS. ATHLETIC ACTIVITIES IN CONJUNCTION WITH THE ABOVE AND ON THE SAME LOT OR CONTIGUOUS LOTS MAY BE PERMITTED. ALL CHURCH USES ARE ALSO CONSIDERED "PUBLIC ASSEMBLY—RESIDENTIAL", AND ARE SUBJECT TO SECTION 608.E.22.
 - a. BINGO MAY BE OPERATED AS AN ACCESSORY USE ON THE PREMISES OF THE CHURCH WHEN CONDUCTED NO MORE THAN TWO DAYS A WEEK. FUNDRAISING EVENTS LOCATED ON THE SAME LOT OR CONTIGUOUS LOTS SHALL BE PERMITTED, SUBJECT TO THE FOLLOWING REQUIREMENTS:

- (1) THE SPONSORING, ORGANIZING AND BENEFITING ENTITIES SHALL BE NONPROFIT OR RELIGIOUS ORGANIZATIONS.

b. EVENTS HELD ENTIRELY WITHIN A BUILDING OR BUILDINGS SHALL NOT BE FURTHER REGULATED; HOWEVER, EVENTS TO BE CONDUCTED WHOLLY OR IN PART OUTDOORS SHALL BE SUBJECT TO THE FOLLOWING ADDITIONAL CONDITIONS:

- (1) ANY OUTDOOR PORTION OF THE EVENT MUST BE LOCATED A MINIMUM OF 50 FEET FROM A PROPERTY LINE ADJACENT TO A RESIDENTIAL ZONING DISTRICT AND A RESIDENTIAL USE.
- (2) THE EVENT SHALL NOT BE CONDUCTED BETWEEN THE HOURS OF 10:00 P.M. AND 5:00 A.M.
- (3) THE EVENT SHALL NOT BE CONDUCTED IN SUCH MANNER AS TO REDUCE THE NUMBER OF PARKING SPACES REQUIRED FOR ANY NORMAL FUNCTIONS OF THE PRIMARY USE WHICH ARE HELD DURING THE EVENT.
- (4) LIGHTING SHALL BE SO PLACED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENCES.

c. **POCKET SHELTERS** AS ACCESSORY USES TO CHURCHES OR SIMILAR PLACES OF WORSHIP, SUBJECT TO THE FOLLOWING STANDARDS (AND APPLICABLE MARICOPA COUNTY AND CITY OF PHOENIX HEALTH AND SAFETY REGULATIONS):

- (1) A POCKET SHELTER SHALL HOUSE NO MORE THAN 12 UNRELATED PERSONS. A POCKET SHELTER MAY HOUSE UP TO 20 UNRELATED PERSONS UPON APPROVAL OF A USE PERMIT IN ACCORDANCE WITH THE PROCEDURES AND STANDARDS OF SECTION 307. MINORS (AGE 18 YEARS OR YOUNGER) ACCOMPANIED BY A PARENT OR A GUARDIAN SHALL NOT BE COUNTED IN THE NUMBER OF UNRELATED PERSONS.

- (2) THE CHURCH OR SIMILAR PLACE OF WORSHIP SHALL BE LOCATED ON AN ARTERIAL OR COLLECTOR STREET AS DEFINED ON THE STREET CLASSIFICATION MAP. A SHELTER AT A CHURCH OR SIMILAR PLACE OF WORSHIP WHICH IS NOT ON AN ARTERIAL OR COLLECTOR STREET SHALL BE PERMITTED UPON APPROVAL OF A USE PERMIT IN ACCORDANCE WITH THE PROCEDURES AND PROVISIONS OF SECTION 307.
- (3) THE CHURCH OR SIMILAR PLACE OF WORSHIP SHALL PROVIDE ON-SITE SUPERVISION OF SHELTER RESIDENTS AT ALL TIMES THAT TWO OR MORE UNRELATED RESIDENTS ARE AT THE SHELTER.
- (4) IDRUG, ALCOHOL, OTHER SUBSTANCE ABUSE, OR MENTAL HEALTH REHABILITATION PROGRAMS SHALL NOT BE ALLOWED AS PART OF THE SHELTER SERVICES. THIS PROVISION SHALL NOT PREVENT THE CHURCH OR SIMILAR PLACE OF WORSHIP FROM REFERRING SHELTER RESIDENTS TO OTHER APPROPRIATE PROGRAMS AT THE CHURCH OR SIMILAR PLACE OF WORSHIP OR ELSEWHERE, E.G., ALCOHOLICS ANONYMOUS, WHICH ARE NOT PART OF THE SHELTER SERVICES.
- (5) SHELTER RESIDENTS SHALL NOT POSSESS ALCOHOL, WEAPONS, OR ILLEGAL DRUGS AT THE SHELTER.
- (6) OPEN AREAS SURROUNDING POCKET SHELTER STRUCTURES SHALL BE SCREENED FROM VIEW FROM ABUTTING AND/OR ADJOINING PROPERTIES BY HEDGES, TREES, OTHER LANDSCAPING, OR WALLS.
- (7) POCKET SHELTER STRUCTURES SHALL NOT HAVE DIRECT ACCESS TO ABUTTING AND/OR ADJOINING PROPERTIES.
- (8) POCKET SHELTERS SHALL BE HOUSED IN PERMANENT STRUCTURES RATHER THAN IN TENTS OR OTHER SIMILAR TEMPORARY STRUCTURES.
- (9) A CHURCH OR SIMILAR PLACE OF WORSHIP SHALL HOUSE NO MORE THAN ONE POCKET SHELTER.

22. **PUBLIC ASSEMBLY—RESIDENTIAL.** A USE PERMIT SHALL BE REQUIRED FOR ALL PUBLIC ASSEMBLY—RESIDENTIAL USES HAVING VEHICULAR ACCESS TO LOCAL OR MINOR COLLECTOR STREETS, INCLUDING PRIVATE SCHOOLS AND CHURCH USES.
23. **ENVIRONMENTAL REMEDIATION FACILITY,** SUBJECT TO THE FOLLOWING CONDITIONS:
- a. A USE PERMIT SHALL BE OBTAINED IN ACCORDANCE WITH SECTION 307.
 - b. THE ABOVE GROUND AREA OF LAND OCCUPIED BY THE ENVIRONMENTAL REMEDIATION FACILITY SHALL NOT EXCEED THE MINIMUM NUMBER OF SQUARE FEET NECESSARY TO IMPLEMENT THE REMEDIAL OR CORRECTIVE ACTION.
 - c. ALL STRUCTURES AND DEVICES CONSTRUCTED ABOVE GROUND LEVEL SHALL BE SHIELDED FROM THE VIEW OF PERSONS OUTSIDE THE PROPERTY BOUNDARY BY AN OPAQUE FENCE CONSTRUCTED OF MATERIALS OF SIMILAR COMPOSITION AND APPEARANCE TO FENCES AND STRUCTURES ON NEARBY PROPERTY.
 - d. OUTDOOR EQUIPMENT INSTALLED AS PART OF THE FINAL ENVIRONMENTAL REMEDIATION FACILITY SHALL NOT EXCEED A HEIGHT OF TEN FEET AND SHALL BE SET BACK FROM THE PERIMETER WALL A MINIMUM OF THREE FEET FOR EVERY ONE FOOT OF HEIGHT OVER SIX FEET.
 - e. AFTER INSTALLATION, NO EQUIPMENT OR MATERIALS BEYOND THAT NECESSARY TO OPERATE THE FACILITY SHALL BE STORED ON THE LOT.
 - f. A PERIMETER LANDSCAPING PLAN SHALL BE APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AS NECESSARY UNLESS AN APPLICABLE APPROVED LANDSCAPE PLAN ALREADY EXISTS.
 - g. ANY LIGHTING SHALL BE PLACED SO AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL DISTRICTS. NOISE, ODOR, OR VIBRATION SHALL NOT BE EMITTED ANY TIME BY THE FACILITY SO THAT IT EXCEEDS THE GENERAL LEVEL OF NOISE, ODOR, OR VIBRATION EMITTED BY USES OUTSIDE THE SITE. SUCH COMPARISON SHALL BE MADE AT THE BOUNDARY OF THE LOT ON WHICH THE TREATMENT FACILITY IS LOCATED.

- h. THE FACILITY SHALL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE FIRE CODE.
 - i. A PERMIT ISSUED UNDER SECTION 307 SHALL INCLUDE REASONABLE RESTRICTIONS ON THE OPERATION OF THE FACILITY TO MITIGATE ANY ADVERSE IMPACTS ON NEARBY LAND, INCLUDING BUT NOT LIMITED TO RESTRICTIONS ON VEHICULAR TRAFFIC AND HOURS OF OPERATION OF THE FACILITY.
 - j. THIS SECTION ALLOWS AUTHORIZATION OF ACTIVITIES TO UNDERTAKE ALL ON-SITE INVESTIGATIVE, CONSTRUCTION, AND MAINTENANCE ACTIVITIES ANCILLARY TO THE OPERATION OF THE FACILITY. ALL OFF-SITE DISCHARGES OF ANY SUBSTANCE SHALL BE SEPARATELY AUTHORIZED PURSUANT TO APPLICABLE LAWS.
 - k. THE STRUCTURES USED FOR THE FACILITY SHALL NOT EXCEED A TOTAL AREA OF 5,000 SQUARE FEET.
- 24. **COMMUNITY GARDEN.** ACCESSORY SALES OF PRODUCTS CULTIVATED ON SITE WITHIN TEN DAYS OF HARVESTING SUBJECT TO APPROVAL OF A USE PERMIT PURSUANT TO SECTION 307. ON-SITE OPERATIONAL CONDITIONS AND IMPROVEMENTS MAY BE STIPULATED AS A CONDITION OF USE PERMIT APPROVAL.
- 25. **FARMERS MARKET,** SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 AND SUBJECT TO THE FOLLOWING STANDARDS: **FARMERS MARKET, SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 AND SUBJECT TO THE FOLLOWING STANDARDS:**
 - a. NO MORE THAN SIX ONE-DAY MARKET EVENTS IN ANY 30-DAY PERIOD.
 - b. HOURS OF OPERATION SHALL BE ONLY BETWEEN 7:00 A.M. AND 9:00 P.M. THESE HOURS MAY BE RESTRICTED AS PART OF THE USE PERMIT APPROVAL.
 - c. NO SIGNAGE SHALL BE PERMITTED.
 - d. ON-SITE IMPROVEMENTS AND OTHER OPERATIONAL CONDITIONS MAY BE STIPULATED AS A CONDITION OF USE PERMIT APPROVAL.

26. **CONSTRUCTION FACILITIES AND STORAGE**, INCIDENTAL TO A CONSTRUCTION PROJECT AND LOCATED ON THE PROJECT SITE, ARE PERMITTED. WHEN SUCH FACILITIES OR STORAGE ARE USED FOR CONSTRUCTION ON A LOT OR LOTS OTHER THAN THE LOT OR LOTS USED FOR SUCH FACILITIES OR STORAGE, SUCH USE SHALL MAINTAIN THE SETBACKS PROVIDED BY THE REQUIREMENTS OF THIS CHAPTER AND SHALL BE SUBJECT TO SECURING A USE PERMIT. WHEN SUCH FACILITIES AND STORAGE SERVE A RESIDENTIAL SUBDIVISION, ARE APPROVED IN CONJUNCTION WITH MODEL HOMES BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND MEET ALL OF THE STANDARDS LISTED BELOW, NO USE PERMIT IS REQUIRED:
- a. THE FACILITIES SHALL NOT BE PLACED ON A LOT WHICH ABUTS, JOINS AT THE CORNERS, OR IS ACROSS A STREET OR ALLEY FROM A DWELLING UNIT WHICH IS UNDER CONSTRUCTION OR OCCUPIED AT THE TIME OF SAID PLACEMENT, UNLESS WRITTEN AGREEMENT TO THE PLACEMENT IS GIVEN BY THE OWNER OR OCCUPANT OF THE AFFECTED PROPERTY.
 - b. ALL OUTSIDE STORAGE SHALL BE SCREENED BY A SIX-FOOT-HIGH SOLID FENCE OR MASONRY WALL. NO CONSTRUCTION VEHICLES OR MACHINERY SHALL BE PLACED WITHIN TEN FEET OF THE SCREEN FENCE OR WALL.
 - c. ALL SIGNS ON THE FACILITY SHALL FULLY COMPLY WITH SECTION 705, THE SIGN CODE.
 - d. ALL FACILITIES AND STORAGE SHALL BE REMOVED WITHIN THREE MONTHS OF THE CLOSURE OF THE MODEL HOMES.
27. **HOME OCCUPATIONS** INCLUDING BUT NOT LIMITED TO ARCHITECT, LAWYER, OFF-SITE SALES BUSINESSES, ACCOUNTANT, REAL ESTATE AGENT, TELEMARKETING SALES, AND PSYCHOLOGIST. FOR PURPOSES OF THIS SECTION, OFF-SITE SALES MEANS PROCESSING ORDERS BY MAIL, FACSIMILE, PHONE, MODEM OR INTERNET.
- a. NO ONE OUTSIDE THE FAMILY RESIDING IN THE DWELLING UNIT SHALL BE EMPLOYED IN THE HOME OCCUPATION.
 - b. NO EXTERIOR DISPLAY, NO EXTERIOR STORAGE OF MATERIALS, NO SIGN, AND NO OTHER EXTERIOR INDICATION OF THE HOME OCCUPATION OR VARIATION FROM THE

RESIDENTIAL CHARACTER OF THE PRINCIPAL OR ACCESSORY BUILDING, EXCEPT AS AUTHORIZED IN SECTION 608.E.3.H.608.E.27.h.

- c. NO HOME OCCUPATION SHALL EMIT ODOR, DUST, GAS, NOISE, VIBRATION, SMOKE, HEAT, OR GLARE BEYOND ANY BOUNDARY OF THE LOT ON WHICH THE HOME OCCUPATION IS CONDUCTED.
- d. ACTIVITY SHALL BE LIMITED TO THE HOURS BETWEEN 7:00 A.M. AND 10:00 P.M.
- e. NO MECHANICAL EQUIPMENT SHALL BE USED EXCEPT THAT NORMALLY USED FOR DOMESTIC, HOBBY, STANDARD OFFICE, OR HOUSEHOLD PURPOSES.
- f. NOT MORE THAN 25 PERCENT OF THE TOTAL AREA UNDER ROOF ON THE SITE SHALL BE USED FOR ANY HOME OCCUPATION.
- g. ANY PARKING INCIDENTAL TO THE HOME OCCUPATION SHALL BE PROVIDED ON THE SITE.
- h. HOME OCCUPATIONS SHALL OBTAIN A USE PERMIT FROM THE ZONING ADMINISTRATOR IN ACCORDANCE WITH SECTION 307 WHEN:
 - (1) TRAFFIC (OTHER THAN TRIPS BY OCCUPANTS OF THE HOUSEHOLD) IS GENERATED BY THE HOME OCCUPATION; OR
 - (2) THE HOME OCCUPATION IS CONDUCTED IN AN ACCESSORY BUILDING, INCLUDING AN ADU; OR
 - (3) THE HOME OCCUPATION IS CONDUCTED AS AN OUTSIDE USE; OR
 - (4) MINOR VARIATIONS TO SECTION 608.E.3.C ARE REQUIRED TO CONDUCT THE HOME OCCUPATION; OR
 - (5) AN APPLICANT DESIRES AN OFFICIAL APPROVAL OF A HOME OCCUPATION.
- i. A HOME OCCUPATION SHALL NOT INCLUDE, BUT SUCH EXCLUSION SHALL NOT BE LIMITED TO, THE FOLLOWING USES:

- (1) BARBERSHOPS AND BEAUTY PARLORS.
- (2) COMMERCIAL STABLES, VETERINARY OFFICES.
- (3) DOG GROOMING.
- (4) MASSAGE PARLORS.
- (5) RESTAURANTS.
- (6) VETERINARY HOSPITALS AND COMMERCIAL KENNELS.

28. **NONDAILY NEWSPAPER DELIVERY SERVICE** SHALL BE PERMITTED SUBJECT TO THE FOLLOWING LIMITATIONS:

- a. DELIVERED BULK MATERIALS RELATED TO NONDAILY PUBLICATIONS SHALL BE TRANSFERRED TO AN ENCLOSED BUILDING OR SECURED AREA SO THAT MATERIALS ARE NOT VISIBLE FROM THE STREET OR ADJACENT PROPERTIES UNLESS FOR PREPARATION OF MATERIALS FOR SAME DAY DISTRIBUTION. PREPARATION OF MATERIALS FOR SAME DAY DISTRIBUTION MAY OCCUR ON OR ABOUT ADJACENT PUBLIC RIGHTS-OF-WAY; PROVIDED, THAT MATERIALS DO NOT REMAIN IN PUBLIC VIEW FOR LONGER THAN 24 HOURS.
- b. MATERIALS STORED FOR PERIODS GREATER THAN 24 HOURS SHALL BE ENCLOSED WITHIN A BUILDING OR SECURED BY A WALL OR FENCE OF SUCH MATERIAL, CONSTRUCTION, AND HEIGHT SO AS TO CONCEAL THE MATERIALS LOCATED.
- c. ACTIVITIES RELATING TO AND/OR ACCESSORY TO THE PREPARATION OF MATERIALS STORED FOR PERIODS GREATER THAN 24 HOURS SHALL OCCUR WITHIN AN ENCLOSED BUILDING OR AN AREA SECURED BY A WALL OR FENCE OF SUCH MATERIAL, CONSTRUCTION, AND HEIGHT SO AS TO COMPLETELY CONCEAL THE ACTIVITIES.
- d. SUCH DELIVERY SHALL BE LIMITED TO TWO BULK DELIVERIES IN A SEVEN-DAY PERIOD. MORE FREQUENT DELIVERIES SHALL REQUIRE A USE PERMIT IN ACCORDANCE WITH THE PROCEDURES OF SECTION 307.
- e. NO TRAFFIC OTHER THAN THAT REQUIRED FOR THE BULK DELIVERY AND PICKUP SHALL BE ALLOWED BY OUTSIDE EMPLOYEES. ANY OTHER BUSINESS-RELATED TRAFFIC SHALL

REQUIRE A USE PERMIT IN ACCORDANCE WITH THE
PROCEDURES OF SECTION 307.

29. **THE DISPLAY FOR SALE OF A VEHICLE**, WHICH FOR PURPOSES OF THIS PROVISION INCLUDES TRAILERS, WATERCRAFT OR OTHER TYPES OF TRANSPORTATION THAT ARE BUILT TO CARRY PASSENGERS OR CARGO SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS:
- a. NO MORE THAN ONE VEHICLE CAN BE LABELED FOR SALE OR SHOW ANY INDICATION THAT IT IS FOR SALE AT ANY GIVEN TIME ON A PROPERTY, WHETHER VISIBLE ON SITE OR THROUGH SOME OTHER FORM OF ADVERTISING.
 - b. NO MORE THAN TWO VEHICLES CAN BE SOLD ON A PROPERTY DURING ANY CALENDAR YEAR.
 - c. FOR PURPOSES OF SECTIONS 608.A AND B, TWO JET SKIS, A BOAT OR SIMILAR TYPES OF RECREATIONAL VEHICLES THAT ARE TRANSPORTED ON ONE TRAILER SHALL, TOGETHER WITH THE TRAILER, BE CONSIDERED ONE VEHICLE.
 - d. THE OWNERSHIP OF THE VEHICLE(S) MUST BE REGISTERED TO THE LOCATION WHERE THE VEHICLE IS LISTED FOR SALE.
 - e. NO VEHICLE CAN BE LABELED FOR SALE OR SHOW ANY INDICATION THAT IT IS FOR SALE AT AN UNOCCUPIED HOUSE OR ON A VACANT LOT OR PARCEL.
 - f. NO VEHICLE CAN BE LABELED FOR SALE OR SHOW ANY INDICATION THAT IT IS FOR SALE IN CONJUNCTION WITH A RETAIL OR WHOLESALE VEHICLE SALES DEALERSHIP OR BUSINESS WITHOUT OBTAINING A TEMPORARY USE PERMIT.
30. **FACILITIES FOR HOUSEHOLD PETS**, THE MAINTENANCE OF WHICH IS NOT OTHERWISE PROHIBITED BY STATUTE, REGULATIONS, OR THE CITY CODE OF THE CITY OF PHOENIX AND WHICH FACILITIES ARE IN COMPLIANCE WITH ALL APPLICABLE ORDINANCES OF THE CITY OF PHOENIX, ARE PERMITTED.
31. **GARAGE OR YARD SALES** MAY BE CONDUCTED TWICE EVERY 12 MONTHS ON ANY RESIDENTIALLY ZONED PROPERTY OCCUPIED BY A DWELLING UNIT. ANY SALE SHALL NOT EXCEED THE TIME PERIOD OF THREE CONSECUTIVE DAYS.

32. **MATERIALS USED IN CONJUNCTION WITH A HOBBY, AVOCATION, OR PASTIME**, THE USE OF WHICH DOES NOT OTHERWISE CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE, ARE PERMITTED.
33. **PARKING OF VEHICLES** IN FACILITIES AND LOCATIONS ON THE PROPERTY NOT OTHERWISE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE, IS PERMITTED.
34. **PRIVATE TENNIS OR OUTDOOR GAME COURTS** AS AN ACCESSORY USE IS PERMITTED. TENNIS OR OUTDOOR GAME COURT FENCES OVER SIX FEET HIGH IN REQUIRED REAR YARD OR REQUIRED SIDE YARD ARE PERMITTED SUBJECT TO A USE PERMIT. TENNIS OR OUTDOOR GAME COURT LIGHTS ARE ALSO SUBJECT TO A USE PERMIT.
35. **OFFSITE MANUFACTURED HOME DEVELOPMENTS** ARE PERMITTED WITH USE PERMIT APPROVAL PER SECTION 307, AND SUBJECT TO THE DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.7.

Amend Chapter 6, Section 608.F (Residence Districts—Permitted with Use Permit Approval Pursuant to Section 307) to read as follows:

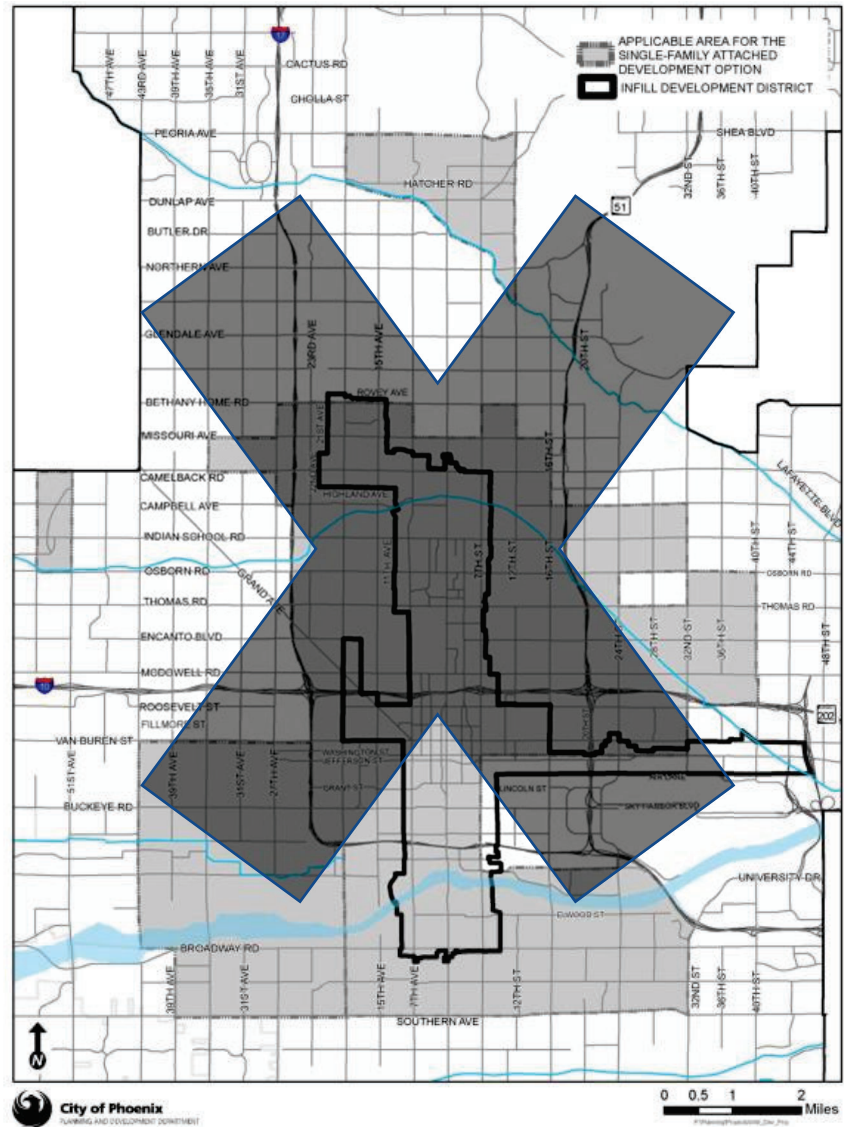
~~F. Permitted Uses with Use Permit Approval Pursuant to Section 307.~~

- ~~1. Boarding house permitted in the R-3, R-3A, R-4, R-4A, and R-5 zoning districts, subject to a use permit and conditions as outlined in each respective zoning district.~~
- ~~2. Group home permitted in the R-3, R-3A, R-4, R-4A, and R-5 zoning districts, subject to a use permit and conditions as outlined in each respective zoning district.~~
- ~~3. Adult day care home for the care of five to ten adult persons, subject to a use permit; and provided, that:~~
 - ~~a. Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
- ~~4. Dependent care facility for seven to 12 dependents, subject to obtaining a use permit in accordance with the provisions of Section 307 and subject to the following standards:~~
 - ~~a. Resident dependents under the age of 12 years shall not be counted when they are present on the premises.~~

- b. ~~Outdoor play areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
- c. ~~Hours of operation shall be only between 6:00 a.m. and 10:00 p.m. These hours may be restricted as part of the use permit approval.~~
- d. ~~Nonresident employees may be permitted with the use permit if necessary to meet state requirements.~~
- e. ~~One parking space shall be provided for each employee who does not reside at the facility.~~
- f. ~~No signage shall be permitted.~~
- g. ~~The facility shall be subject to Arizona licensing requirements.~~
- 5. ~~Environmental remediation facility, subject to the following conditions:~~
 - a. ~~A use permit shall be obtained in accordance with Section 307.~~
 - b. ~~The above ground area of land occupied by the environmental remediation facility shall not exceed the minimum number of square feet necessary to implement the remedial or corrective action.~~
 - c. ~~All structures and devices constructed above ground level shall be shielded from the view of persons outside the property boundary by an opaque fence constructed of materials of similar composition and appearance to fences and structures on nearby property.~~
 - d. ~~Outdoor equipment installed as part of the final environmental remediation facility shall not exceed a height of ten feet and shall be set back from the perimeter wall a minimum of three feet for every one foot of height over six feet.~~
 - e. ~~After installation, no equipment or materials beyond that necessary to operate the facility shall be stored on the lot.~~
 - f. ~~A perimeter landscaping plan shall be approved by the Planning and Development Department as necessary unless an applicable approved landscape plan already exists.~~

- g. ~~Any lighting shall be placed so as to reflect the light away from adjacent residential districts. Noise, odor, or vibration shall not be emitted any time by the facility so that it exceeds the general level of noise, odor, or vibration emitted by uses outside the site. Such comparison shall be made at the boundary of the lot on which the treatment facility is located.~~
 - h. ~~The facility shall comply with all applicable provisions of the Fire Code.~~
 - i. ~~A permit issued under Section 307 shall include reasonable restrictions on the operation of the facility to mitigate any adverse impacts on nearby land, including but not limited to restrictions on vehicular traffic and hours of operation of the facility.~~
 - j. ~~This section allows authorization of activities to undertake all on-site investigative, construction, and maintenance activities ancillary to the operation of the facility. All off-site discharges of any substance shall be separately authorized pursuant to applicable laws.~~
 - k. ~~The structures used for the facility shall not exceed a total area of 5,000 square feet.~~
6. ~~Community Garden. Accessory sales of products cultivated on site within ten days of harvesting subject to approval of a use permit pursuant to Section 307. On-site operational conditions and improvements may be stipulated as a condition of use permit approval.~~
7. ~~Farmers market, subject to obtaining a use permit in accordance with the provisions of Section 307 and subject to the following standards: Farmers market, subject to obtaining a use permit in accordance with the provisions of Section 307 and subject to the following standards:~~
- a. ~~No more than six one-day market events in any 30-day period.~~
 - b. ~~Hours of operation shall be only between 7:00 a.m. and 9:00 p.m. These hours may be restricted as part of the use permit approval.~~
 - c. ~~No signage shall be permitted.~~
 - d. ~~On-site improvements and other operational conditions may be stipulated as a condition of use permit approval.~~

8. Single-family attached (SFA) development option is allowed within the infill development district identified in the General Plan or with use permit approval for R-2, R-3, R-3A, R-4, R-5, R-4A, C-1, and C-3 zoned properties within the following boundaries:



- a. The SFA development option does not eliminate any redevelopment area, special planning district or overlays. Where conflicts occur between the requirements of the SFA development option and redevelopment areas, overlay zoning districts, special planning districts, and specific plans, the requirements of the overlay zoning districts, special planning districts, redevelopment areas or specific plans shall apply.

~~Historic preservation designated properties or properties in historic preservation districts cannot use the single-family attached development option.~~

b. ~~Design Requirements. Applicants must provide photographs of the property surrounding their site and an explanation of how the single-family attached project architecture would complement and be integrated into the surrounding neighborhood.~~

- ~~(1) Individual units fronting on street rights-of-way shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall to accentuate the primary entrance.~~
- ~~(2) Required covered parking spaces shall not front on street rights-of-way.~~

c. ~~Perimeter Landscape Setbacks and Requirements.~~

- ~~(1) Residences that front on arterial, collector, or local street rights-of-way shall provide a minimum ten-foot-wide landscape tract or community maintained landscaping abutting the street, except when within 2,000 feet of a light rail station.~~
- ~~(2) Residences that side on arterial, collector, or local street rights-of-way shall provide a minimum 15-foot-wide landscape tract or community maintained landscaping abutting the street.~~
- ~~(3) Perimeter of the development not abutting rights-of-way must provide a minimum five-foot landscape setback, except that development adjacent to a single-family residential district or historic preservation designated property must provide a minimum ten-foot landscape setback.~~
- ~~(4) Minimum trees spaced 20 feet on center or equivalent groupings in required landscape setbacks.~~

~~Minimum one and one-half inch caliper (50 percent of required trees). Minimum two-inch caliper or multi-trunk tree (25 percent of required trees). Minimum three-inch caliper or multi-trunk tree (25 percent of required trees). Provide minimum five five-gallon shrubs per tree.~~

d. ~~Open Space. Only fences to enclose pool or community amenities allowed within required open space.~~

- e. ~~Attached single-family units in a row shall not exceed a total length of 200 feet without having a minimum 20-foot wide open area.~~
- f. ~~Parking Requirements.~~
 - (1) ~~Within infill development district: 1.3 spaces per efficiency unit, 1.5 spaces per two-bedroom unit and two spaces per three or more bedroom unit must be provided that are covered or located within a garage and a minimum 0.25 unreserved guest parking space per unit must be provided on site.~~
 - (2) ~~Within the applicable area that is not located within the infill development district: Two parking spaces per dwelling unit must be provided that are covered or located within a garage. The required spaces for each unit must be located on the lot that the unit is on. A minimum 0.25 unreserved guest parking space per unit must be provided on site.~~
- g. ~~Alley Access.~~
 - (1) ~~Within infill development district: alley access allowed.~~
 - (2) ~~Within the applicable area that is not located within the infill development district: No alley access allowed if adjacent to single-family or historic preservation zoning district unless approved as part of the use permit hearing and all necessary technical appeals have been approved.~~
- h. ~~Maximum 40-inch fence height allowed in the required building setback along perimeter rights-of-way.~~
- i. ~~Signage subject to the regulations of Section 705, Table D-1, Single-Family Residential.~~

9. ~~**Offsite-manufactured home developments.**~~

- A. ~~Offsite-manufactured home development is allowed R-2, R-3, R-3A, R-4, R-5, R-4A, C-1, C-2, and C-3 zoning districts subject to a use permit and the conditions outlined below:~~
 - (1) ~~Placement for each offsite-manufactured home shall be provided as follows:~~

- (a) ~~There shall be a minimum of twenty feet between offsite manufactured homes and ten feet between awnings and canopies. All annexes or structural additions shall be considered part of the offsite manufactured home.~~
 - (b) ~~There shall be at least forty feet between offsite manufactured homes on opposite sides of a private accessway.~~
 - (c) ~~No offsite manufactured home, annex or structural addition shall be closer than eight feet to any private accessway or private drive.~~
- (2) ~~Each offsite manufactured home space shall have private outdoor living space of at least 150 square feet. The dimension of this space shall be at least fifteen feet in width.~~
 - (3) ~~For each occupied offsite manufactured home space, there shall be an enclosed storage locker for yard tools and other bulky items convenient to the space with a storage capacity of at least one hundred fifty cubic feet.~~
 - (4) ~~All areas not covered by structures or paved surfaces shall be landscaped and maintained in accordance with the site plans required under Section 507.~~
 - (5) ~~Screening the perimeter of an offsite manufactured home development by a wall or other approved material may be required.~~
 - (6) ~~There shall be a network of pedestrian walks connecting offsite manufactured home spaces with each other and with development facilities.~~
 - (7) ~~If storage yards are provided, there shall be a screened storage yard or yards for boats, recreational vehicles, etc. Such storage yards shall have a minimum of sixty square feet of storage space for each offsite manufactured home space in the development and shall be located so as to not detract from surrounding properties. All boats and recreational vehicles shall be parked in the storage yard.~~
 - (8) ~~Each offsite manufactured home shall a): be affixed permanently to the ground or b): have "skirting" around its perimeter to screen its wheels and undercarriage.~~

- (9) ~~All utilities and the wires of any central television or radio antenna system shall be underground.~~
- (10) ~~Not more than fifteen percent of the spaces in any one offsite manufactured home development shall be developed or used for recreational vehicles.~~
- (11) ~~Development of offsite manufactured home communities shall be under the Planned Residential Development option of the underlying zoning district.~~
- (12) ~~Private drives may be used for access to each offsite manufactured homes only when there is no subdivision of the mobile home development into individual lots.~~
- (13) ~~There shall be a minimum of five percent of the total area of the offsite manufactured home development dedicated or reserved as usable common "open space" land. Common "open space" lands shall be clearly designated on the plan as to the character of use and development but shall not include:~~
 - (a) ~~Areas reserved for the exclusive use or benefit of an individual tenant or owner; nor~~
 - (b) ~~Dedicated streets, alleys, and other public rights-of-way; nor~~
 - (c) ~~Vehicular drives, parking, loading, and storage areas; nor~~
 - (d) ~~Required setback areas at exterior boundaries of the site; nor~~
 - (e) ~~Golf courses.~~

~~Adequate guarantees must be provided to ensure permanent retention of "open space" land area resulting from the application of these regulations, either by private reservation for the use of the residents within the development or by dedication to the public, or a combination thereof.~~

F. SPECIAL REGULATIONS

1. NO STRUCTURE MAY BE BUILT ON A LOT WHICH DOES NOT FRONT ON A STREET WHICH IS IN ACCORDANCE WITH THE ADOPTED STREET CLASSIFICATION MAP UNLESS EXEMPTED BY THIS SECTION.
2. IN ANY DISTRICT WHERE A HALF STREET NOT LESS THAN ONE-HALF OF THAT WIDTH PRESCRIBED FOR THAT STREET BY THE STREET CLASSIFICATION MAP, AND AMENDMENTS THERETO, HAS BEEN DEDICATED, ANY LOTS FACING OR SIDING ON SUCH HALF STREET FROM WHICH SIDE THE REQUIRED WIDTH OF DEDICATION HAS BEEN MADE SHALL BE DEEMED TO HAVE FRONTAGE ON A STREET.
3. NO PERMIT SHALL BE ISSUED FOR BUILDINGS ON A LOT FRONTING ON A HALF STREET OF LESS THAN THAT PRESCRIBED BY THE STREET CLASSIFICATION MAP FOR AN ARTERIAL OR COLLECTOR STREET OR 25 FEET FOR ALL OTHER STREETS EXCEPT FOR SINGLE-FAMILY ATTACHED DEVELOPMENT INDIVIDUAL DWELLING UNITS.
 - a. FOR DEVELOPMENT UTILIZING AN AVERAGE LOT OR PRD DEVELOPMENT OPTION OR FOR DEVELOPMENT BUILT UNDER A PLANNED AREA DEVELOPMENT DISTRICT, A MINIMUM OF 16.58-FOOT HALF-STREET RIGHT-OF-WAY MAY BE PROVIDED WHEN ALL OF THE FOLLOWING CONDITIONS ARE MET:
 - (1) THE STREET IS NOT DESIGNATED AS A COLLECTOR OR ARTERIAL STREET.
 - (2) THERE ARE NO RESTRICTIONS TO PUBLIC ACCESS TO THE STREET.
 - (3) PAVEMENT WIDTH SHALL BE 33.16 FEET FROM BACK OF CURB TO BACK OF CURB.
 - (4) PAVEMENT THICKNESS AND DESIGN SHALL BE IN ACCORDANCE WITH MARICOPA ASSOCIATION OF GOVERNMENTS' STANDARDS.
 - (5) ALL TERMINATIONS SHALL CONTAIN A 40-FOOT-RADIUS RIGHT-OF-WAY.
 - (6) THE STREET HAS BEEN CONSTRUCTED PRIOR TO MARCH 19, 1986.

4. THERE SHALL BE NO OUTDOOR STORAGE OF PERSONAL PROPERTY VISIBLE BEYOND THE BOUNDARIES OF THE PROPERTY WITHIN ANY FRONT OR SIDE YARD.
5. NO ACCESSORY USE SHALL INCLUDE OUTDOOR DISPLAY OR STORAGE OF ANY OF THE FOLLOWING LISTED ITEMS WHEN SUCH ITEMS ARE VISIBLE OR EMIT ODOR, DUST, GAS, NOISE, VIBRATION, SMOKE, HEAT OR GLARE BEYOND ANY BOUNDARY OF THE LOT ON WHICH SUCH ITEMS ARE DISPLAYED OR STORED:
 - a. ANY BUILDING OR LANDSCAPING MATERIALS.
 - b. ANY MACHINERY, PARTS, SCRAP, OR APPLIANCES.
 - c. VEHICLES WHICH ARE UNLICENSED, INOPERABLE, OR REGISTERED TO OR OWNED BY PERSONS NOT RESIDING ON OR THE GUEST OF PERSONS RESIDING ON THE PREMISES.
 - d. ANY OTHER CHATTEL USED FOR OR INTENDED FOR A COMMERCIAL PURPOSE OR ULTIMATE USE ON OTHER THAN THE SUBJECT PREMISES.
6. **SINGLE-FAMILY INFILL (SFI).** SINGLE-FAMILY INFILL DEVELOPMENT REGULATIONS MAY BE APPLIED IN ZONING DISTRICTS WHERE THE SFI DEVELOPMENT OPTION IS OFFERED, BUT ONLY WHEN THE DEVELOPMENT FALLS WITHIN THE INFILL DEVELOPMENT DISTRICT IDENTIFIED IN THE GENERAL PLAN, OR WITH USE PERMIT APPROVAL WITHIN THE FOLLOWING AREAS LOCATED OUTSIDE OF THE INFILL DEVELOPMENT DISTRICT:

[illegible]

- a. THE SFI DEVELOPMENT OPTION DOES NOT ELIMINATE ANY REDEVELOPMENT AREA, SPECIAL PLANNING DISTRICT OR OVERLAYS. WHERE CONFLICTS OCCUR BETWEEN THE REQUIREMENTS OF THE SFI DEVELOPMENT OPTION AND REDEVELOPMENT AREAS, OVERLAY ZONING DISTRICTS, SPECIAL PLANNING DISTRICTS, AND SPECIFIC PLANS, THE REQUIREMENTS OF THE OVERLAY ZONING DISTRICTS, SPECIAL PLANNING DISTRICTS, REDEVELOPMENT AREAS OR SPECIFIC PLANS SHALL APPLY.
- b. HISTORIC PRESERVATION DESIGNATED PROPERTIES OR PROPERTIES IN HISTORIC PRESERVATION DISTRICTS CANNOT USE THE SFI DEVELOPMENT OPTION.
- c. DWELLING UNITS. THE SFI DEVELOPMENT OPTION IS INTENDED PRIMARILY FOR SINGLE-FAMILY ATTACHED DWELLING UNITS; HOWEVER, UP TO 20% OF THE UNITS IN A DEVELOPMENT MAY BE SINGLE-FAMILY DETACHED DWELLING UNITS TO ALLOW FOR VARIETY AND EFFICIENCY OF DESIGN.

 - (1) ANY PROVIDED DETACHED DWELLING UNITS SHALL COMPLY WITH THE SAME DEVELOPMENT REGULATIONS APPLICABLE TO THAT SFI DEVELOPMENT.
- d. DESIGN REQUIREMENTS.

 - (1) INDIVIDUAL UNITS FRONTING ON STREET RIGHTS-OF-WAY SHALL PROVIDE AN ENTRYWAY THAT IS EITHER ELEVATED, DEPRESSED OR INCLUDES A FEATURE SUCH AS A LOW WALL TO ACCENTUATE THE PRIMARY ENTRANCE.
 - (2) REQUIRED COVERED PARKING SPACES SHALL NOT FRONT ON PERIMETER STREET RIGHTS-OF-WAY.
 - (3) INDIVIDUAL UNIT REAR YARDS SHALL NOT ABUT PERIMETER STREET ROW OR AN ADJACENT PERIMETER STREET LANDSCAPE AREA.
 - (4) ATTACHED DWELLING UNITS CONSTRUCTED IN A ROW SHALL NOT EXCEED A TOTAL LENGTH OF 200 FEET WITHOUT HAVING A MINIMUM 20-FOOT-WIDE OPEN AREA
- e. PERIMETER LANDSCAPE SETBACKS AND REQUIREMENTS.

- (1) RESIDENCES THAT FRONT ON ARTERIAL, COLLECTOR, OR LOCAL STREET RIGHTS-OF-WAY SHALL PROVIDE A MINIMUM TEN-FOOT-WIDE LANDSCAPE TRACT OR COMMUNITY MAINTAINED LANDSCAPING ABUTTING THE STREET, EXCEPT WHEN WITHIN 2,000 FEET OF A LIGHT RAIL STATION.
- (2) RESIDENCES THAT SIDE ON ARTERIAL, COLLECTOR, OR LOCAL STREET RIGHTS-OF-WAY SHALL PROVIDE A MINIMUM 15-FOOT-WIDE LANDSCAPE TRACT OR COMMUNITY MAINTAINED LANDSCAPING ABUTTING THE STREET.
- (3) PERIMETER OF THE DEVELOPMENT NOT ABUTTING RIGHTS-OF-WAY AND ADJACENT TO A SINGLE-FAMILY RESIDENTIAL DISTRICT OR HISTORIC PRESERVATION DESIGNATED PROPERTY MUST PROVIDE A MINIMUM TEN-FOOT LANDSCAPE SETBACK. WALLS/FENCES UP TO 6 FEET HIGH WITHIN PRIVATE REAR YARDS MAY BE PROVIDED WITHIN THE PERIMETER SETBACK SO LONG AS THE REQUIRED LANDSCAPE IS STILL PROVIDED.
- (4) TREES SHALL BE PROVIDED IN REQUIRED LANDSCAPE SETBACKS AT A MINIMUM RATE OF 20 FEET ON CENTER OR EQUIVALENT GROUPINGS, AS APPROVED BY THE PDD LANDSCAPE ARCHITECT, SUBJECT TO THE FOLLOWING:
 - (a) 50% OF THE REQUIRED TREES SHALL BE MINIMUM ONE-AND-ONE-HALF-INCH CALIPER AT THE TIME OF INSTALLATION.
 - (b) 25% OF THE REQUIRED TREES SHALL BE MINIMUM TWO-INCH CALIPER OR MULTI-TRUNKED TREES AT THE TIME OF INSTALLATION.
 - (c) 25% OF THE REQUIRED TREES SHALL BE MINIMUM THREE-INCH CALIPER OR MULTI-TRUNKED TREES AT THE TIME OF INSTALLATION.
- (5) A MINIMUM OF FIVE FIVE-GALLON SHRUBS PER TREE SHALL BE PROVIDED.

- f. OPEN SPACE REGULATIONS. THE ONLY WALLS/FENCES ALLOWED WITHIN REQUIRED COMMON AREA OPEN SPACE ARE REQUIRED POOL SECURITY FENCES AND OTHER NECESSARY SECURITY FENCES, AS APPROVED BY PDD.
- g. PARKING REQUIREMENTS. SECTION 702 APPLIES TO SFI DEVELOPMENT, EXCEPT WHERE SPECIFICALLY MODIFIED BY THIS SECTION.

 - (1) WITHIN THE INFILL DEVELOPMENT DISTRICT: ONE (1) PARKING SPACE PER DWELLING UNIT MUST BE PROVIDED THAT IS COVERED OR LOCATED WITHIN A GARAGE.
 - (2) WITHIN THE APPLICABLE SFI AREA THAT IS NOT LOCATED WITHIN THE INFILL DEVELOPMENT DISTRICT: TWO (2) PARKING SPACES PER DWELLING UNIT MUST BE PROVIDED THAT ARE COVERED OR LOCATED WITHIN A GARAGE.
 - (3) THE REQUIRED SPACES FOR EACH DWELLING UNIT MUST BE LOCATED ON THE SAME LOT AS THE UNIT FOR WHICH THEY ARE PROVIDED.
 - (4) A MINIMUM 0.25 ADDITIONAL UNRESERVED GUEST PARKING SPACE PER DWELLING UNIT MUST BE PROVIDED WITHIN ANY SFI DEVELOPMENT.
- h. ALLEY ACCESS AND MANEUVERING.

 - (1) ALL MANEUVERING FOR ON-SITE PARKING MUST BE LOCATED ON PRIVATE PROPERTY AND NOT IN PUBLIC ROW.
 - (2) ACCESS TO THE SITE FROM A FULLY DEDICATED AND PAVED ALLEY IS PERMITTED WITHIN THE INFILL DEVELOPMENT DISTRICT.
 - (3) ACCESS TO THE SITE FROM A FULLY DEDICATED AND PAVED ALLEY IS PERMITTED WITHIN THE SFI APPLICABLE AREA OUTSIDE OF THE INFILL DEVELOPMENT DISTRICT IF ALL THREE CONDITIONS ARE MET, AS FOLLOWS:

- (a) THE SITE IS NOT ACROSS THE ALLEY FROM EITHER A SINGLE-FAMILY OR HISTORIC PRESERVATION ZONING DISTRICT;
- (b) ALLEY ACCESS IS SPECIFICALLY APPROVED AS PART OF THE USE PERMIT HEARING; AND
- (c) ALL NECESSARY TECHNICAL APPEALS HAVE BEEN APPROVED.

- h. MAXIMUM 40-INCH FENCE HEIGHT ALLOWED IN THE REQUIRED SETBACKS ALONG PERIMETER STREET RIGHTS-OF-WAY.
- i. SIGNAGE IS SUBJECT TO THE REGULATIONS OF SECTION 705, TABLE D-1, SINGLE-FAMILY RESIDENTIAL.

7. **OFFSITE MANUFACTURED HOME DEVELOPMENTS.** OFFSITE MANUFACTURED HOME DEVELOPMENT IS SUBJECT TO USE PERMIT APPROVAL IN THE C-1, C-2, AND C-3 DISTRICTS, IN ADDITION TO ZONING DISTRICTS INDICATED IN SECTION 608.D; AND SUBJECT TO THE FOLLOWING ADDITIONAL DEVELOPMENT REGULATIONS:

a. THE PROVISIONS OF SECTION 703.B DO NOT APPLY TO OFFSITE MANUFACTURED HOME DEVELOPMENTS.

a. b. THESE REGULATIONS APPLY TO DEVELOPMENT OF A SINGLE LOT OR PARCEL, NOT TO BE FURTHER SUBDIVIDED.

b. c. PLACEMENT FOR EACH OFFSITE MANUFACTURED HOME SHALL BE PROVIDED AS FOLLOWS:

- (1) THERE SHALL BE A MINIMUM OF TWENTY FEET BETWEEN OFFSITE MANUFACTURED HOMES AND TEN FEET BETWEEN AWNINGS AND CANOPIES. ALL ANNEXES OR STRUCTURAL ADDITIONS SHALL BE CONSIDERED PART OF THE OFFSITE MANUFACTURED HOME.
- (2) THERE SHALL BE AT LEAST FORTY FEET BETWEEN OFFSITE MANUFACTURED HOMES ON OPPOSITE SIDES OF A PRIVATE ACCESSWAY.
- (3) NO OFFSITE MANUFACTURED HOME, ANNEX OR STRUCTURAL ADDITION SHALL BE CLOSER THAN EIGHT FEET TO ANY PRIVATE ACCESSWAY OR PRIVATE DRIVE.

- e.-d.** EACH OFFSITE MANUFACTURED HOME SPACE SHALL HAVE PRIVATE OUTDOOR LIVING SPACE OF AT LEAST 150 SQUARE FEET. THE DIMENSION OF THIS SPACE SHALL BE AT LEAST FIFTEEN FEET IN WIDTH.
- d.-e.** AT EACH OCCUPIED OFFSITE MANUFACTURED HOME SPACE, THERE SHALL BE AN ENCLOSED STORAGE LOCKER FOR YARD TOOLS AND OTHER BULKY ITEMS CONVENIENT TO THE SPACE WITH A STORAGE CAPACITY OF AT LEAST ONE HUNDRED FIFTY CUBIC FEET.
- e.-f.** ALL AREAS NOT COVERED BY STRUCTURES OR PAVED SURFACES SHALL BE LANDSCAPED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED DEVELOPMENT REVIEW DOCUMENTS REQUIRED UNDER SECTION 507.
- f.-g.** SCREENING THE PERIMETER OF AN OFFSITE MANUFACTURED HOME DEVELOPMENT BY A WALL OR OTHER APPROVED MATERIAL MAY BE REQUIRED AS A CONDITION OF USE PERMIT APPROVAL.
- g.-h.** THERE SHALL BE A NETWORK OF PEDESTRIAN WALKWAYS CONNECTING OFFSITE MANUFACTURED HOME SPACES WITH EACH OTHER AND WITH DEVELOPMENT FACILITIES AND AMENITIES.
- h.-i.** IF STORAGE YARDS ARE PROVIDED, THERE SHALL BE A SCREENED STORAGE YARD OR YARDS FOR BOATS, RECREATIONAL VEHICLES, ETC. SUCH STORAGE YARDS SHALL HAVE A MINIMUM OF SIXTY SQUARE FEET OF STORAGE SPACE FOR EACH OFFSITE MANUFACTURED HOME SPACE IN THE DEVELOPMENT AND SHALL BE LOCATED SO AS TO NOT DETRACT FROM SURROUNDING PROPERTIES. ALL BOATS AND RECREATIONAL VEHICLES SHALL BE PARKED IN THE STORAGE YARD.
- i.-j.** EACH OFFSITE MANUFACTURED HOME SHALL A): BE AFFIXED PERMANENTLY TO THE GROUND OR B): HAVE "SKIRTING" AROUND ITS PERIMETER TO SCREEN ITS WHEELS AND UNDERCARRIAGE.
- j.-k.** ALL UTILITIES AND THE WIRES OF ANY CENTRAL TELEVISION OR RADIO ANTENNA SYSTEM SHALL BE UNDERGROUND.

- ~~k.~~ l. NOT MORE THAN FIFTEEN PERCENT OF THE SPACES IN ANY ONE OFFSITE MANUFACTURED HOME DEVELOPMENT SHALL BE DEVELOPED OR USED FOR RECREATIONAL VEHICLES.
- ~~l.~~ m. DEVELOPMENT OF OFFSITE MANUFACTURED HOME COMMUNITIES SHALL BE UNDER THE PLANNED RESIDENTIAL DEVELOPMENT OPTION APPLICABLE IN THE UNDERLYING ZONING DISTRICT.
- ~~m.~~ n. PRIVATE DRIVES MAY BE USED FOR ACCESS TO EACH OFFSITE MANUFACTURED HOMES.
- ~~n.~~ o. THERE SHALL BE A MINIMUM OF FIVE PERCENT OF THE TOTAL AREA OF THE OFFSITE MANUFACTURED HOME DEVELOPMENT DEDICATED OR RESERVED AS USABLE COMMON "OPEN SPACE" LAND. COMMON "OPEN SPACE" LANDS SHALL BE CLEARLY DESIGNATED ON THE PLAN AS TO THE CHARACTER OF USE AND DEVELOPMENT BUT SHALL NOT INCLUDE:
- (1) AREAS RESERVED FOR THE EXCLUSIVE USE OR BENEFIT OF AN INDIVIDUAL TENANT OR OWNER; NOR
 - (2) DEDICATED STREETS, ALLEYS, AND OTHER PUBLIC RIGHTS-OF-WAY; NOR

VEHICULAR DRIVES, PARKING, LOADING, AND STORAGE AREAS; NOR
 - (3) REQUIRED SETBACK AREAS AT EXTERIOR BOUNDARIES OF THE SITE; NOR
 - (4) GOLF COURSES.

ADEQUATE GUARANTEES MUST BE PROVIDED TO ENSURE PERMANENT RETENTION OF "OPEN SPACE" LAND AREA RESULTING FROM THE APPLICATION OF THESE REGULATIONS, EITHER BY PRIVATE RESERVATION FOR THE USE OF THE RESIDENTS WITHIN THE DEVELOPMENT OR BY DEDICATION TO THE PUBLIC, OR A COMBINATION THEREOF.

Amend Chapter 6, Section 608.G (Accessory Uses) to read as follows:

G. ~~Accessory Uses.~~ RESERVED.

1. ~~Facilities for household pets, the maintenance of which is not otherwise prohibited by statute, regulations, or the City Code of the City of Phoenix and which facilities are in compliance with all applicable ordinances of the City of Phoenix.~~
2. ~~Garage or yard sales may be conducted twice every 12 months on any residentially zoned property occupied by a dwelling unit. Any sale shall not exceed the time period of three consecutive days.~~
3. ~~Materials used in conjunction with a hobby, avocation, or pastime, the use of which does not otherwise conflict with the provisions of this ordinance.~~
4. ~~Parking of vehicles in facilities and locations on the property not otherwise in conflict with the provisions of this ordinance.~~
5. ~~Private tennis or outdoor game courts as an accessory use. Tennis or outdoor game court fences over six feet high in required rear yard or required side yard, subject to a use permit. Tennis or outdoor game court lights, subject to a use permit.~~
6. ~~No accessory use of land or structures shall be maintained except as hereinafter provided or except as may be permitted as a home occupation.~~
7. ~~No accessory use shall include outdoor display or storage of any of the following listed items when such items are visible or emit odor, dust, gas, noise, vibration, smoke, heat or glare beyond any boundary of the lot on which such items are displayed or stored:~~
 - a. ~~Any building or landscaping materials.~~
 - b. ~~Any machinery, parts, scrap, or appliances.~~
 - c. ~~Vehicles which are unlicensed, inoperable, or registered to or owned by persons not residing on or the guest of persons residing on the premises.~~
 - d. ~~Any other chattel used for or intended for a commercial purpose or ultimate use on other than the subject premises.~~

Amend Chapter 6, Section 608.H (General Provisions) to read as follows:

H. ~~General Provisions.~~ RESERVED.

1. ~~No structure may be built on a lot which does not front on a street which is in accordance with the adopted street classification map unless exempted by this section.~~

~~In any district where a half street not less than one-half of that width prescribed for that street by the street classification map, and amendments thereto, has been dedicated, any lots facing or siding on such half street from which side the required width of dedication has been made shall be deemed to have frontage on a street.~~

~~No permit shall be issued for buildings on a lot fronting on a half street of less than that prescribed by the street classification map for an arterial or collector street or 25 feet for all other streets except for single-family attached development individual dwelling units.~~

- a. ~~For development utilizing an average lot or PRD development option or for development built under a planned area development district, a minimum of 16.58-foot half street right-of-way may be provided when all of the following conditions are met:~~

- (1) ~~The street is not designated as a collector or arterial street.~~
- (2) ~~There are no restrictions to public access to the street.~~
- (3) ~~Pavement width shall be 33.16 feet from back of curb to back of curb.~~
- (4) ~~Pavement thickness and design shall be in accordance with Maricopa Association of Governments' standards.~~
- (5) ~~All terminations shall contain a 40-foot radius right-of-way.~~
- (6) ~~The street has been constructed prior to March 19, 1986.~~

2. ~~There shall be no outdoor storage of personal property visible beyond the boundaries of the property within any front or side yard.~~

Amend Chapter 6, Section 608.I (Development Regulations) to read as follows:

- I. **Development Regulations.** Following are definitions of terms used in the development standards tables for each district:

2. **Dwelling unit density:** The total number of dwelling units on a site divided by the gross area of the site.

- a. ~~Under the planned residential development, additional density may be granted in the R1-10 through R-4A districts (Sections 611 through 619) for detached single-family development by providing site enhancements from the following list. In R1-10 through R1-6, an increase of 0.1 du/ac may be achieved for each ten bonus points earned up to the maximum listed in Table A. In R-2 through R-4A, an increase of 0.275 du/ac may be achieved for each five bonus points earned up to a maximum of 12 du/ac. However, at least half of the bonus points used to achieve densities in excess of seven and one-half du/ac must be from the architectural design category.~~

DENSITY BONUS POINTS. ADDITIONAL DENSITY MAY BE GRANTED BY EARNING DENSITY BONUS POINTS BY PROVIDING SITE ENHANCEMENTS FROM THE TABLE BELOW, AS FOLLOWS:

- (1) SINGLE-FAMILY DETACHED DEVELOPMENT IN THE R1-10 THROUGH R1-6 DISTRICTS (SECTIONS 611 THROUGH 613) MAY EARN INCREASED DENSITY OF 0.1 DU/AC FOR EACH TEN (10) DENSITY BONUS POINTS EARNED WHEN ALSO USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION, UP TO THE MAXIMUM DENSITY ALLOWED BY THE DISTRICT.
- (2) SINGLE-FAMILY DETACHED DEVELOPMENT IN THE R-2 THROUGH R-4A DISTRICTS (SECTIONS 614 THROUGH 619) MAY EARN INCREASED DENSITY OF 0.275 DU/AC FOR EACH FIVE (5) DENSITY BONUS POINTS EARNED WHEN ALSO USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION, UP TO THE MAXIMUM DENSITY ALLOWED BY THE DISTRICT. HOWEVER, AT LEAST HALF OF THE BONUS POINTS USED TO ACHIEVE DENSITIES IN EXCESS OF SEVEN AND ONE-HALF (7.5) DU/AC MUST BE FROM THE ARCHITECTURAL DESIGN BONUS POINT CATEGORY.

- b. ~~Under the planned residential development option, additional density may be granted in the R1-10 through R-4A districts (Sections 614 through 619) for attached single-family and multifamily development, and under the single-family attached development additional density may be granted in the R-2 through R-4A districts (Sections 614 through 619) up to the maximum shown in Table B by providing open space areas beyond the minimum required in each district in accordance with the following:~~

ADDITIONAL COMMON AREA/OPEN SPACE. ADDITIONAL DENSITY MAY BE GRANTED BY PROVIDING ADDITIONAL COMMON AREA, ABOVE ANY MINIMUM REQUIREMENTS, AS FOLLOWS:

- (1) QUALIFYING DEVELOPMENTS (LISTED BELOW) MAY EARN: ~~A one percent density bonus for each four percent of basic common area; or~~
- (a) A ONE PERCENT DENSITY BONUS FOR EACH FOUR PERCENT OF BASIC COMMON AREA; OR
 - (b) A ONE PERCENT DENSITY BONUS FOR EACH TWO PERCENT OF IMPROVED COMMON AREA.
 - (c) THE PLANNING AND DEVELOPMENT DEPARTMENT SHALL DETERMINE THE ADEQUACY OF BOTH BASIC AND IMPROVED COMMON AREAS AS PART OF THE DEVELOPMENT REVIEW PROCESS. OPEN SPACE SHALL NOT INCLUDE:
 - i. PUBLIC RIGHT-OF-WAY.
 - ii. VEHICULAR DRIVES OR PARKING AREAS.
 - iii. PRIVATE PATIO AREAS, NARROW STRIPS BETWEEN OR IN FRONT OF UNITS; OR, IN GENERAL, AREAS RESERVED FOR THE EXCLUSIVE USE OF INDIVIDUAL TENANTS.
 - iv. REQUIRED SETBACK AREAS AT THE EXTERIOR BOUNDARIES OF THE SITE.
 - v. GOLF COURSES.
 - (d) IN NO CASE SHALL THE DENSITY OF THE DEVELOPMENT EXCEED THE MAXIMUM DENSITY ALLOWED BY THE DISTRICT.

- (2) ~~A one percent density bonus for each two percent of improved common area.~~
DEVELOPMENTS QUALIFYING FOR THE ADDITIONAL COMMON AREA/OPEN SPACE DENSITY BONUS ARE AS FOLLOWS:
- (a) SINGLE-FAMILY DEVELOPMENT IN THE RE-35 AND R1-18 ZONING DISTRICTS (SECTIONS 609 AND 610), WHEN ALSO USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION.
 - (b) SINGLE-FAMILY ATTACHED DEVELOPMENT IN THE R1-10 THROUGH R-4A ZONING DISTRICTS (SECTIONS 611 THROUGH 619), WHEN USING THE PLANNED RESIDENTIAL DEVELOPMENT **OPTION**.
 - (c) SINGLE-FAMILY DEVELOPMENT IN THE R-2 THROUGH R-4A ZONING DISTRICTS (SECTIONS 614 THROUGH 619), WHEN USING THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION.
 - (d) MULTIFAMILY DEVELOPMENT IN THE R1-10 THROUGH R-4A ZONING DISTRICTS (SECTIONS 611 THROUGH 619), WHEN USING THE PLANNED RESIDENTIAL DEVELOPMENT OPTION.
- (3) ~~Review and determination of the adequacy of common areas, basic and improved, will be part of development review by the Site Planning Division of the Planning and Development Department. Open space shall not include:~~
- (a) ~~Public right-of-way.~~
 - (b) ~~Vehicular drives or parking areas.~~
 - (c) ~~Private patio areas, narrow strips between or in front of units; or, in general, areas reserved for the exclusive use of individual tenants.~~
 - (d) ~~Required setback areas at the exterior boundaries of the site.~~
 - (e) ~~Golf courses.~~

8. **Allowed uses-DEVELOPMENT:** ~~Refer to the following tables for uses allowed in each district and to chapter 2 for definitions of permitted uses.~~ THE DEVELOPMENT OPTIONS TABLES PROVIDED IN SECTIONS 609 THROUGH 619 INDICATE THE ONLY TYPES OF RESIDENTIAL DEVELOPMENT PERMITTED UNDER EACH DEVELOPMENT OPTION AND ASSOCIATED DEVELOPMENT REGULATIONS. THE COMPLETE LIST OF ALL PERMITTED USES, INCLUDING ACCESSORY AND TEMPORARY USES, IS PROVIDED IN SECTION 608.C.

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

Section 609. RE-35 Single-Family Residence District

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

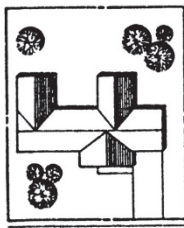
- B. **District Regulations.** The following tables establishes standards to be used for ~~each district in the RE-35 district. Following are definitions of terms used in these standards:~~ THE DEFINITIONS OF TERMS USED IN THESE STANDARDS ARE FOUND IN SECTION 608.I.

1. ~~**Minimum Lot Dimension:** The minimum width and depth of lot lines and where specified, the minimum area of each lot.~~
2. ~~**Dwelling Unit Density:** The total number of dwelling units on a site divided by the gross area of the site. Under the planned residential development option, additional density may be granted for areas beyond minimum required in each district in accordance with the following:~~
 - a. ~~A one percent density bonus for each four percent of basic common area; or~~
 - b. ~~A one percent density bonus for each two percent of improved common area.~~

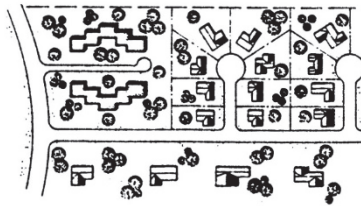
- e. ~~Review and determination of the adequacy of common areas, basic and improved, will be part of the development review by the Site Planning Division of the Planning and Development Department. Open space shall not include:~~
 - ~~(1) Public right-of-way.~~
 - ~~(2) Vehicular drives or parking areas.~~
 - ~~(3) Private patio areas, narrow strips between or in front of units; or, in general, areas reserved for the exclusive use of individual tenants.~~
 - ~~(4) Required setback areas at the exterior boundaries of the site.~~
 - ~~(5) Golf courses.~~
- 3. **~~Perimeter standards:~~** ~~Setbacks for structures which are required at the perimeter of a development. These standards shall apply only to lots which are created by a subdivision or a project approved under the provisions of Section 507. These standards shall not apply in the following circumstances: when contiguous developments are to be developed using the same development option with the same perimeter standards and are on the same preliminary plat or are platted concurrently; when the perimeter of a development is contiguous to a permanent open space, such as a natural wash, hillside preserve, or existing golf course, the depth of which is at least forty feet; or when the development was properly platted prior to September 13, 1981.~~
- 4. **~~Building setback:~~** ~~The required separation of buildings from lot lines.~~
- 5. **~~Maximum height:~~** ~~The maximum allowed height as measured from natural grade which measurement shall be as in chapter 2~~
- 6. **~~Lot coverage:~~** ~~The maximum area of a lot occupied by structures and open projections as defined in chapter 2~~
- 7. **~~Common areas:~~** ~~Required areas in a planned residential development to be used and enjoyed by residents of a development and either improved in accordance with the standards in chapter 2 or maintained in a natural state as approved by the Planning and Development Department.~~
- 8. **~~Allowed uses:~~** ~~Refer to the following tables for uses allowed in each district and to chapter 2 for definitions of permitted uses.~~

9. **Required review:** ~~Where a site plan is required, development shall be according to Section 507 of this ordinance. Development on land for which neither a subdivision nor a site plan has been approved shall be according to standards in option (a), subdivision.~~
10. **Required parking:** ~~The minimum number of off-street parking spaces to be provided and which shall be according to Section 702.A.~~
11. **Street standards:** ~~The class of street required to provide access to any parcel or subdivided lot within a development.~~

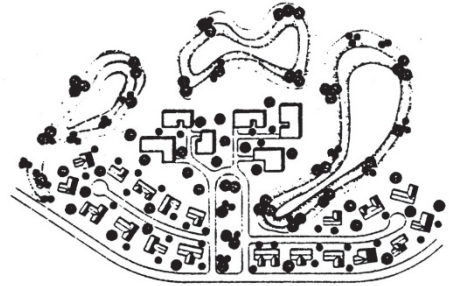
ILLUSTRATIONS OF DEVELOPMENT OPTIONS



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 609.A
RE-35 Development Option OPTIONS

Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Minimum lot dimensions (width and depth)	150' width, 175' depth (Minimum area 35,000 sq. ft.)	100' width, 125' depth	None
Dwelling unit density (units/gross acre)	1.10	1.10	1.15; 1.32 with bonus

TABLE 609.A
RE-35 Development Option OPTIONS

Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Perimeter standards	None	40' front or rear, 20' side	40' adjacent to a public street-STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 20' adjacent to property line
Building setbacks	40' front, 40' rear, 20' side	25' front, 50' total front and rear	25' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30'
Lot coverage	25%, except if all structures are less than 20' and 1 story in height then a maximum of 30% lot coverage is allowed.	Primary structure, not including attached shade structures: 25% Total: 30%	Primary structure, not including attached shade structures: 25% Total: 30%
Common areas	None	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached	Single-family attached; plus (a)	Single-family attached; plus (a)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Site plan per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾ (1)

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.

- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.

~~C.~~ Special Regulations.

1. ~~Guesthouse, subject to the following conditions:~~

- a. ~~The square footage of the guesthouse shall not exceed fifty percent of the gross floor area of the primary dwelling unit with a maximum of nine hundred square feet, except as set forth in subsection b, below. Any garage area attached to the guesthouse which is more than the area of a single car garage shall be counted toward the allowable square footage of the guesthouse.~~
- b. ~~On lots with more than forty-three thousand five hundred sixty square feet in net area with a primary dwelling unit of at least three thousand six hundred square feet in gross floor area, the square footage of the guesthouse may be twenty-five percent of the gross floor area of the primary dwelling unit.~~
- c. ~~The floor area of the connecting structure shall be included in the floor area of the guesthouse.~~
- d. ~~Pergolas and other roofed structures without walls shall not be considered a connecting structure.~~
- e. ~~Vehicular access to the accessory dwelling unit must be provided from the same curb (driveway) as the primary dwelling unit, except that separate access may be permitted from a paved alley.~~
- f. ~~One parking space must be provided for the accessory dwelling unit in addition to the parking required for the primary dwelling unit.~~
- g. ~~Only one guesthouse is permitted on a single lot.~~
- h. ~~The guesthouse shall be constructed of similar building materials and in the same architectural style as that of the primary dwelling unit and shall not exceed the height in feet or number of stories of the primary dwelling unit.~~
- i. ~~A guesthouse shall not:~~
 - (1) ~~Provide more parking than the one required space;~~
 - (2) ~~Be advertised for occupancy through any print or electronic media or through placement of signs on the property;~~

- (3) ~~Provide separate mail service or have a separate address from the primary dwelling unit; or~~
- (4) ~~Be separately metered for utilities.~~
- (j) ~~Single-family use requirements shall apply to the guesthouse and the primary dwelling unit as a single unit.~~
- (k) ~~Any guesthouse existing as of (the effective date of this ordinance) may qualify as "connected to the primary dwelling unit" by being connected to the primary dwelling unit without meeting the minimum width requirements.~~

Amend Chapter 6, Section 610 (R1-18 Single-Family Residence District) to read as follows:

Section 610. R1-18 Single-Family Residence District.

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

- B. **District Regulations.** The following tables establishes standards to be used for each district in the R1-18 district. ~~Following are definitions of terms used in these standards:~~ THE DEFINITIONS OF TERMS USED IN THESE STANDARDS ARE FOUND IN SECTION 608.I.

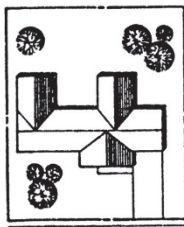
- 1. ~~**Minimum Lot Dimension:** The minimum width and depth of lot lines and where specified, the minimum area of each lot.~~
- 2. ~~**Dwelling Unit Density:** The total number of dwelling units on a site divided by the gross area of the site. Under the planned residential development option, additional density may be granted for areas beyond minimum required in each district in accordance with the following:~~

- a. ~~A one percent density bonus for each four percent of basic common area; or~~
- b. ~~A one percent density bonus for each two percent of improved common area.~~
- c. ~~Review and determination of the adequacy of common areas, basic and improved, will be part of the development review by the Site Planning Division of the Planning and Development Department. Open space shall not include:~~
 - (1) ~~Public right of way.~~
 - (2) ~~Vehicular drives or parking areas.~~
 - (3) ~~Private patio areas, narrow strips between or in front of units; or, in general, areas reserved for the exclusive use of individual tenants.~~
 - (4) ~~Required setback areas at the exterior boundaries of the site.~~
 - (5) ~~Golf courses.~~
- 3. ~~**Perimeter standards:** Setbacks for structures which are required at the perimeter of a development. These standards shall apply only to lots which are created by a subdivision or a project approved under the provisions of Section 507. These standards shall not apply in the following circumstances: when contiguous developments are to be developed using the same development option with the same perimeter standards and are on the same preliminary plat or are platted concurrently; when the perimeter of a development is contiguous to a permanent open space, such as a natural wash, hillside preserve, or existing golf course, the depth of which is at least forty feet; or when the development was properly platted prior to September 13, 1981.~~
- 4. ~~**Building setback:** The required separation of buildings from lot lines.~~
- 5. ~~**Maximum height:** The maximum allowed height as measured from natural grade which measurement shall be as in chapter 2~~
- 6. ~~**Lot coverage:** The maximum area of a lot occupied by structures and open projections as defined in chapter 2~~
- 7. ~~**Common areas:** Required areas in a planned residential development to be used and enjoyed by residents of a development and either improved in~~

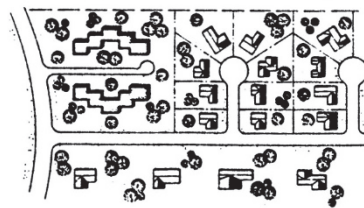
accordance with the standards in chapter 2 or maintained in a natural state as approved by the Planning and Development Department.

8. **Allowed uses:** Refer to the following tables for uses allowed in each district and to chapter 2 for definitions of permitted uses.
9. **Required review:** Where a site plan is required, development shall be according to Section 507 of this ordinance. Development on land for which neither a subdivision nor a site plan has been approved shall be according to standards in option (a), subdivision.
10. **Required parking:** The minimum number of off-street parking spaces to be provided and which shall be according to Section 702.A.
11. **Street standards:** The class of street required to provide access to any parcel or subdivided lot within a development.

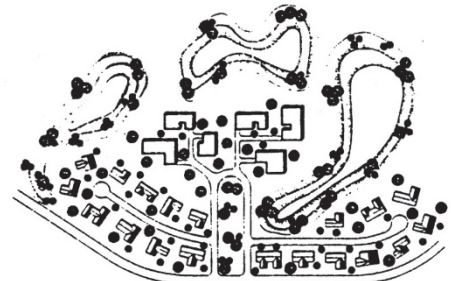
ILLUSTRATIONS OF DEVELOPMENT OPTIONS



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 610.A
R1-18 Development Option OPTIONS

<i>Standards</i>	<i>(a) Subdivision</i>	<i>(b) Average Lot</i>	<i>(c) Planned Residential Development</i>
Minimum lot dimensions (width and depth)	130' width, 120' depth (Minimum area 18,000 sq. ft.)	90' width, 80' depth	None
Dwelling unit density (units/gross acre)	1.95	1.95	2.05; 2.34 with bonus

TABLE 610.A
R1-18 Development Option OPTIONS

Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Perimeter standards	None	30' front or rear, 10' side	20' adjacent to a public street-STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line
Building setbacks	25' front, 30' rear, 10' side	25' front, 50' total front plus rear	25' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30'
Lot coverage	25%-30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%	Primary structure, not including attached shade structures: 25% Total: 30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%	Primary structure, not including attached shade structures: 25% Total: 30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%
Common areas	None	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached	Single-family attached; plus (a)	Single-family attached; plus (a)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Site plan per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾ ⁽¹⁾

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.

~~C. Reserved.~~

Amend Chapter 6, Section 611 (R1-10 Single-Family Residence District) to read as follows:

Section 611. R1-10 Single-Family Residence District.

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

- B. **District Regulations.** The following tables establish standards to be used ~~is~~ IN the R1-10 district. The definitions of terms used in these standards are found in Section ~~608.D~~ 608.I.

**~~Table A. Single-Family Detached Development~~
~~R1-10 Development Options~~**

TABLE 611.A
R-10 Development Option OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

Standards	Conventional	Planned Residential Development
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	75' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	3.0	3.5; 4.5 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)

TABLE 611.A
R-10 R1-10 Development Option OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

Standards	Conventional	Planned Residential Development
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%

TABLE 611.A
R-10 R1-10 Development Option OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

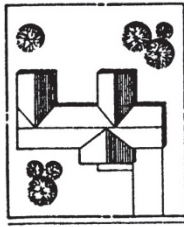
Standards	Conventional	Planned Residential Development
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single-family, detached development built or subdivided under the subdivision option prior to June 2, 1999, refer to the subdivision option in table B. FOR~~

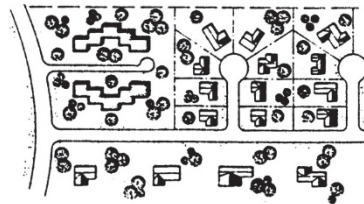
PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.

- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO JUNE 2, 1999, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 611.B.

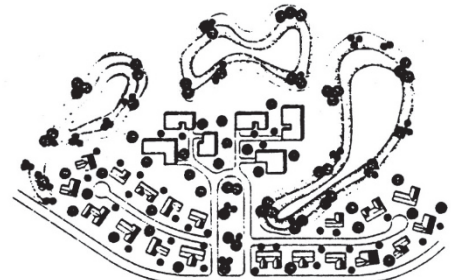
Table B. Single-Family Detached (Subdivided Prior to June 2, 1999), Single-Family Attached and Multifamily Development



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 611.B R1-10 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2, 1999)			
Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Minimum lot dimensions (width and depth)	80' width, 94' depth (Minimum area 10,000 sq. ft.)	60' width, 65' depth	None
Dwelling unit density (units/gross acre)	3.50	3.50	3.68; 4.20 with bonus

TABLE 611.B
R1-10 DEVELOPMENT OPTIONS
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO
JUNE 2, 1999)

Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Perimeter standards	None	30' front, 25' rear, 10' side	20' adjacent to a public street STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line
Building setbacks	25' front, 25' rear, 10' and 3' side	10' front, 35' front plus rear	10' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30' for first 150'; 1' in 5' increase to 48' high and 4 stories
Lot coverage	40%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%

TABLE 611.B R1-10 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2, 1999)			
Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Common areas	None	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾ AND DUPLEX	Single-family attached; plus (a)	Multiple-family MULTIFAMILY plus (b)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Site plan per Section 507
Street standards	Public street required	Public street	Public street or private accessway (2) (1)

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO JUNE 2, 1999.

~~C. Reserved.~~

Amend Chapter 6, Section 612 (R1-8 Single-Family Residence District) to read as follows:

Section 612. R1-8 Single-Family Residence District.

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

- B. **District Regulations.** The following tables establish standards to be used ~~is~~ IN the R1-8 district. The definitions of terms used in these standards are found in Section ~~608.D~~ 608.I.

~~Table A. Single-Family Detached Development~~

TABLE 612.A R1-8 Development Option OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	65' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	4.0	4.5; 5.5 with bonus

TABLE 612.A
R1-8 Development Option OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum

TABLE 612.A
R1-8 Development Option OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

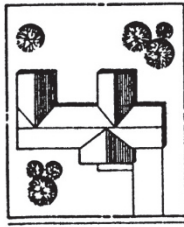
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾

TABLE 612.A
R1-8 Development Option OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

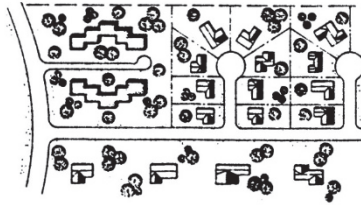
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20' to 30' on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single-family, detached development built or subdivided under the subdivision option prior to June 2, 1999, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO JUNE 2, 1999, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 612.B.

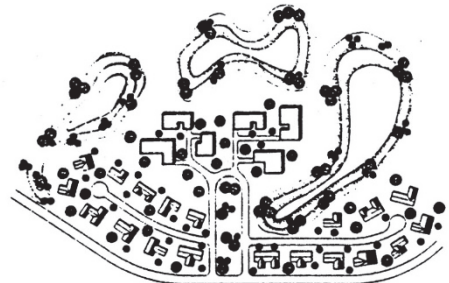
Table B. Single-Family Detached (Subdivided Prior to June 2, 1998), Single-Family Attached and Multifamily Development



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 612.B R1-8 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2, 1999)			
Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Minimum lot dimensions (width and depth)	70' width, 94' depth (Minimum area 8,000 sq. ft.)	50' width, 65' depth	None
Dwelling unit density (units/gross acre)	4.30	4.30	4.52; 5.16 with bonus
Perimeter standards	None	25' front or rear 10' side	20' adjacent to a public street STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line
Building setbacks	20' front, 25' rear, 10' and 3' side	10' front, 35' front plus rear	10' front

TABLE 612.B R1-8 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO JUNE 2, 1999)			
Standards	(a) Subdivision	(b) Average Lot	(c) Planned Residential Development
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30' for first 150'; 1' in 5' increase to 48' high and 4 stories
Lot coverage	40%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾ AND DUPLEX	Single-family attached; plus (a)	Multiple-family MULTIFAMILY plus (b)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Site plan per Section 507
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾ (1)

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO JUNE 2, 1999.

~~G.~~ Reserved.

Amend Chapter 6, Section 613 (R1-6 Single-Family Residence District) to read as follows:

Section 613. R1-6 Single-Family Residence District.

- A. **Purpose.** A basic purpose of these regulations is to foster the creation of living areas which can assist the establishment of stable, functional neighborhoods. An established pattern of living in this metropolitan area reflects a tradition of single-family occupied dwellings which also emphasize outdoor living. Many of these dwellings are thereby located on relatively large urban or suburban lots.

These regulations provide standards for dwellings built at low and moderate densities. While the predominant housing type is expected to be single-family dwelling, provisions are made for alternative housing types within the same density limits.

- B. **District Regulations.** The following tables establish standards to be used in the R1-6 district. The definitions of terms used in these standards are found in Section ~~608.D~~ 608.I.

~~Table A. Single-Family, Detached Development~~

TABLE 613.A
R1-6 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

Standards	Conventional	Planned Residential Development
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	5.5; 6.5 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)

TABLE 613.A
R1-6 Development Option-~~Options~~
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾

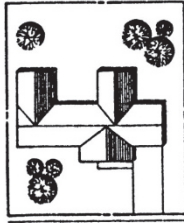
TABLE 613.A
R1-6 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

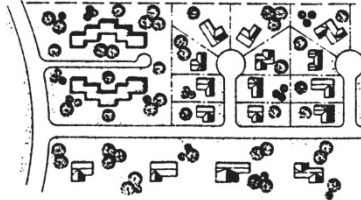
- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT

BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 613.B

Table B. Single-Family Detached (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 613.B R1-6 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)			
Standards	(a) Subdivision⁽³⁾	(b) Average Lot	(c) Planned Residential Development
Minimum lot dimensions (width and depth)	60' width, 94' depth (Minimum area 6,000 sq. ft.)	40' width, 60' depth	None
Dwelling unit density (units/gross acre)	5.30	5.30	5.54; 6.34 with bonus
Perimeter standards	None	25' front or rear 10' side	20' adjacent to a public street STREET ⁽²⁾ ; this area is to be in common ownership unless lots front on the perimeter public street; 15' adjacent to property line

TABLE 613.B R1-6 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)			
Standards	(a) Subdivision⁽³⁾	(b) Average Lot	(c) Planned Residential Development
Building setbacks	20' front, 25' rear, 10' and 3' side	10' front, 35' front plus rear	10' front
Maximum height	2 stories and 30'	2 stories and 30'	2 stories and 30' for first 150'; 1' in 5' increase to 48' high and 4 stories
Lot coverage	40%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 45%. 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	None	Minimum 5% of gross area ⁽³⁾ AREA
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾ AND DUPLEX	Single-family attached; PLUS (a)	Multiple-family MULTIFAMILY and single-family attached-PLUS (b)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507

TABLE 613.B R1-6 DEVELOPMENT OPTIONS SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)			
<i>Standards</i>	<i>(a)</i> <i>Subdivision⁽³⁾</i>	<i>(b)</i> <i>Average Lot</i>	<i>(c)</i> <i>Planned</i> <i>Residential</i> <i>Development</i>
Street standards	Public street required	Public street	Public street or private accessway ⁽²⁾⁽¹⁾

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) ~~These standards apply only to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.

G. ~~Reserved.~~

Amend Chapter 6, Section 614 (R-2 Multifamily Residence District) to read as follows:

Section 614. R-2 Multifamily Residence District.

- B. **District Regulations.** The following tables establish standards to be used in the R-2 district. The definitions of terms used in these standards are found in Section 608.I. The single-family ~~attached~~ INFILL development option must meet Section 608.F.6 requirements.

~~Table A. Single-Family, Detached Development⁽²⁾~~

TABLE 614.A
R-2 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic])))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)

TABLE 614.A
R-2 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

Standards	Conventional	Planned Residential Development
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area

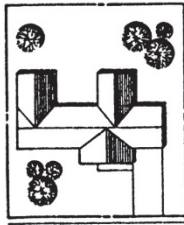
TABLE 614.A
R-2 Development Option-~~Options~~
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

Standards	Conventional	Planned Residential Development
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section <u>507</u> , and subdivision to create 4 or more lots	Development review per Section <u>507</u> , and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

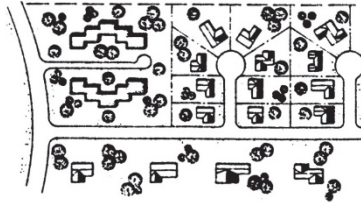
- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.

- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 614.B

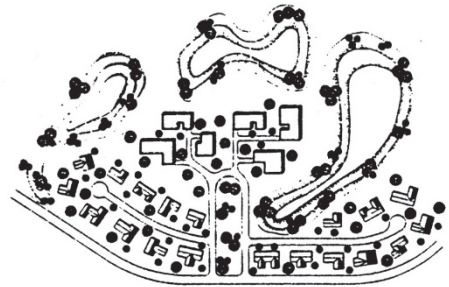
Table B. Single-Family Detached (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 614.B R-2 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1,1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Development site: none. Individual dwelling lot: 20'.
Dwelling unit density (units/gross acre)	10.0	10.0	10.50; 12.00 with bonus	10.50; 12.00 with bonus

TABLE 614.B
R-2 Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY
1,1998)

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 10' 15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line.
Building setbacks	25' front, 25' rear, 10' and 3' side	10' front, 35' front plus rear	10' front	Individual unit lot: none
Maximum height	2 stories and 30' 30' ⁽⁵⁾	2 stories and 30' 30' ⁽⁵⁾	2 stories and 30' for first 150'; 1' in 5' increase to 48' high HEIGHT, and 4- stories* STORY MAXIMUM ⁽⁵⁾	3 stories or AND 40' for first 150'; 1' in 1' increase to 48' height, 4-story maximum* MAXIMUM ⁽⁶⁾

TABLE 614.B
R-2 Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY
1,1998)

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Lot coverage	40%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%-50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES . TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area ⁽²⁾	Minimum 5% of gross area ⁽²⁾
Allowed uses DEVELOPMENT	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE- FAMILY attached, and multifamily	Single-family attached and SINGLE- FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY) home occupations per Section 608
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507

TABLE 614.B
R-2 Development Options
SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND
SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY
1,1998)

Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway, alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

* ~~There shall be a 15-foot maximum height within ten feet of a single family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~

(1) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.

(2) ~~These standards also apply to single family, detached development built or subdivided under the subdivision option prior to May 1, 1998.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.

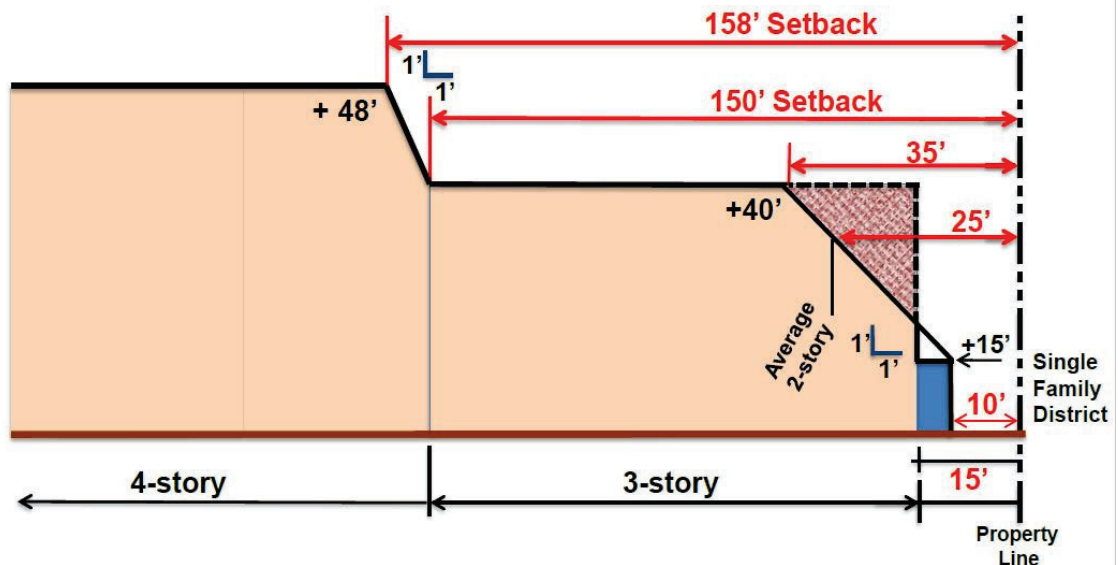
(3) ~~The single family attached development option must meet Section 608.F.8 requirements.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.

- (4) THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

Single-Family Infill Stepbacks

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

- 3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story).
- There shall be a 15' maximum height within 10' of single-family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



SETBACK FROM ADJACENT SINGLE-FAMILY DISTRICT:
 40' for first 150', 1' in 1' increase to 48' (4 story). *There shall be a
 n height within 10' of Single-Family zoned district, which height may
 1' for each additional 1' of building setback to maximum permitted

The diagram illustrates the setback requirements for a building adjacent to a Single-Family District. The building footprint is shown in grey and brown, with setbacks indicated by red arrows and dimensions. The setbacks are 158' and 150' from the property line, and 35' and 25' from the adjacent district. The height restrictions are 48' for the first 150' of setback, 40' for the next 150', and 15' for the final 10' of setback. The building is divided into a 3-story section and an 'Average 2-story' section. A 'Single Family District' is shown to the right, separated by a 'Property Line'.

4. ~~A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single-family dwellings on individual lots.~~
2. Reserved.

Amend Chapter 6, Section 615 (R-3 Multifamily Residence District) to read as follows:

- Table A. Single-Family Development⁽²⁾**

TABLE 615.A
R-3 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

Standards	Conventional	Planned Residential Development
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic])))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)

TABLE 615.A
R-3 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

Standards	Conventional	Planned Residential Development
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾

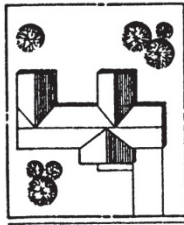
TABLE 615.A
R-3 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

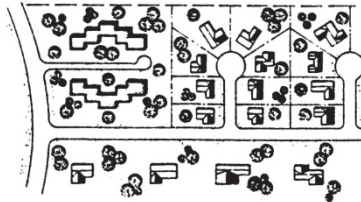
- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT

BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 615.B

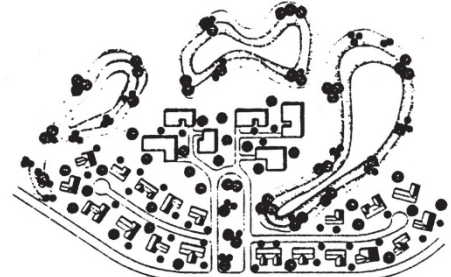
Table B. Single-Family (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 615.B R-3 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽²⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Individual unit lot: 20' width, no minimum depth
Dwelling unit density (units/gross acre)	14.5	14.5	15.23; 17.40 with bonus	15.23; 17.40 with bonus

<p align="center">TABLE 615.B R-3 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)</p>				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽²⁾ INFILL⁽⁴⁾
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line.
Building setbacks	25' front, 15' rear, 10' and 3' side	10' front, 30' front plus rear	10' front	Individual unit lot: none
Maximum height	2 stories and 30' 30' ⁽⁵⁾	2 stories and 30' 30' ⁽⁵⁾	2 stories and 30' for first 150'; 1' in 5' increase to 48' high HEIGHT, and 4- stories* STORY MAXIMUM ⁽⁵⁾	3 stories or AND 40' for first 150'; 1' in 1' increase to 48' height, 4-story maximum* MAXIMUM ⁽⁶⁾

<p align="center">TABLE 615.B R-3 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)</p>				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development⁽²⁾	(d) Single-Family Attached⁽²⁾ INFILL⁽⁴⁾
Lot coverage	40%-50% , PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%-50% , PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%-50% , PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area (2)	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family attached and SINGLE-FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY) home occupations per Section 608
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507

TABLE 615.B R-3 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision²⁾	(b) Average Lot	(c) Planned Residential Developmen t	(d) Single- Family Attached¹⁾⁽³⁾ INFILL⁽⁴⁾
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway; alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

* ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~

(1) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way. PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.~~

(2) ~~These standards also apply to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998. FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.~~

(3) ~~The single-family attached development option must meet Section 608.F.8 requirements. THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS~~

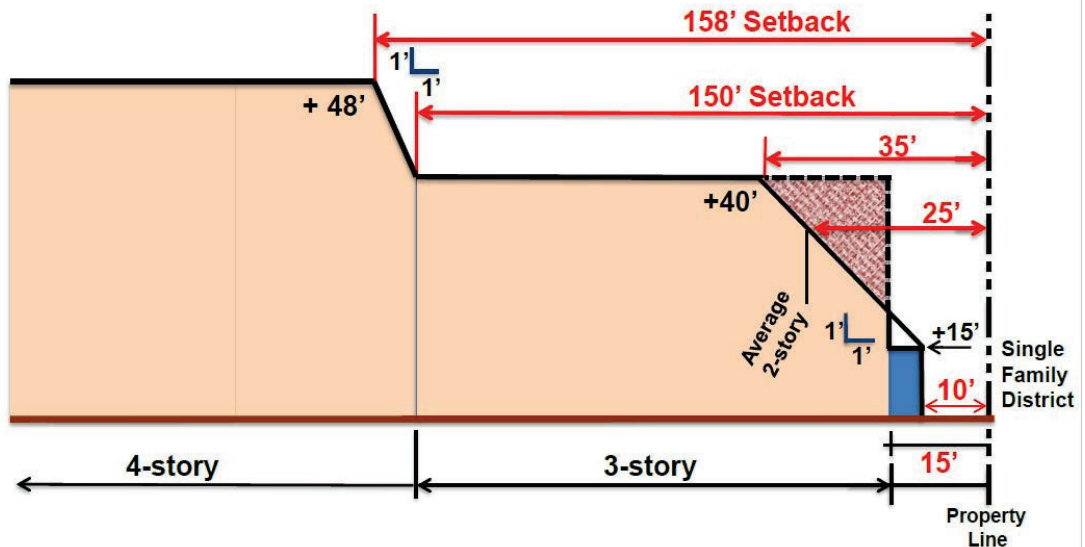
THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.

- (4) THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

Single-Family Infill Stepbacks

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

- 3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story).
- There shall be a 15' maximum height within 10' of single-family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



C. Special Regulations

1. ~~Adult day care home for the care of one to four adult persons; provided, that:~~
 - a. ~~Outdoor recreation areas shall be screened from adjacent properties by a six foot high landscape hedge, solid fence, or solid wall.~~
2. ~~Boarding house, subject to a use permit and the following conditions:~~

- a. ~~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.~~
 - b. ~~No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
3. ~~Community residence center, subject to a use permit and the following conditions:~~
- a. ~~Such center 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.~~
 - b. ~~No community residence center 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 or center within a residential zoning district.~~
 - c. ~~Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~
 - d. ~~A maximum lot coverage of 25 percent.~~
 - e. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - f. ~~The lot shall only have vehicular access from an arterial or collector street.~~
4. ~~Group home, subject to a use permit and the following conditions:~~

- a. ~~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.~~
- b. ~~No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~
- c. ~~A maximum lot coverage of 25 percent.~~
- d. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
- e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
- 5. ~~Group foster home, subject to a use permit.~~
- 6. ~~Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
- 7. ~~A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single-family dwellings on individual lots.~~
- 8. ~~Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~

Amend Chapter 6, Section 616 (R-3A Multifamily Residence District) to read as follows:

Section 616. R-3A Multifamily Residence District.

- B. **District Regulations.** The following tables establish standards to be used in the R-3A district. The definitions of terms used in these standards are found in Section 608.I. The single-family attached-INFILL development option must meet Section 608.F.6 requirements.

~~Table A. Single-Family Development⁽²⁾~~

TABLE 616.A
R-3A Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

Standards	Conventional	Planned Residential Development
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)

TABLE 616.A
R-3A Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

Standards	Conventional	Planned Residential Development
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%

TABLE 616.A
R-3A Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

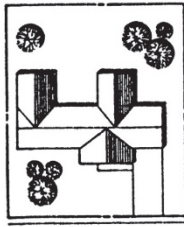
Standards	Conventional	Planned Residential Development
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~

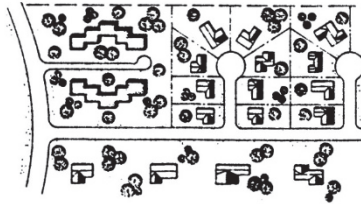
FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.

- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 616.B

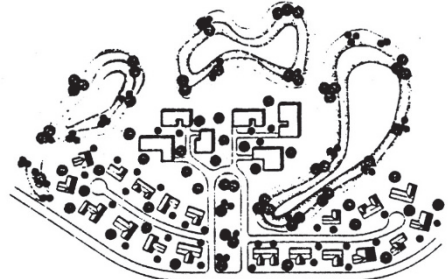
Table B. Single-Family (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

TABLE 616.B R-3A Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development⁽³⁾	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Individual unit lot: 20' width, no minimum depth
Dwelling unit density (units/gross acre)	22	22	23.1; 26.4 with bonus	23.1; 26.4 with bonus

TABLE 616.B R-3A Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Developmen t	(d) Single- Family Attached⁽²⁾ INFILL⁽⁴⁾
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line
Building setbacks	25' front, 15' rear, 10' and 3' side	10' front, 30' front plus rear	10' front	Individual unit lot: none
Maximum height	3 stories or 40' 40' ⁽⁵⁾	3 stories or 40' 40' ⁽⁵⁾	3 stories or 40' for 150'; 1' in 5' increase to 48' HEIGHT, 4-story maximum ⁽⁵⁾	3 stories or 40' for first 150'; 1' in 1' increase to 48' height, 4-story maximum* MAXIMUM ⁽⁶⁾

<p align="center">TABLE 616.B R-3A Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)</p>				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development⁽²⁾	(d) Single-Family Attached⁽²⁾ INFILL⁽⁴⁾
Lot coverage	40%-50% , PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%-50% , PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	45%-50% , PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area (2)	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family attached and SINGLE-FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY) home occupations per Section 608
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507

TABLE 616.B R-3A Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision²⁾	(b) Average Lot	(c) Planned Residential Developmen t	(d) Single- Family Attached¹⁾⁽³⁾ INFILL⁽⁴⁾
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway; alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

* ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~

(1) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way. PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.~~

(2) ~~These standards also apply to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998. FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.~~

(3) ~~The single-family attached development option must meet Section 608.F.8 requirements. THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS~~

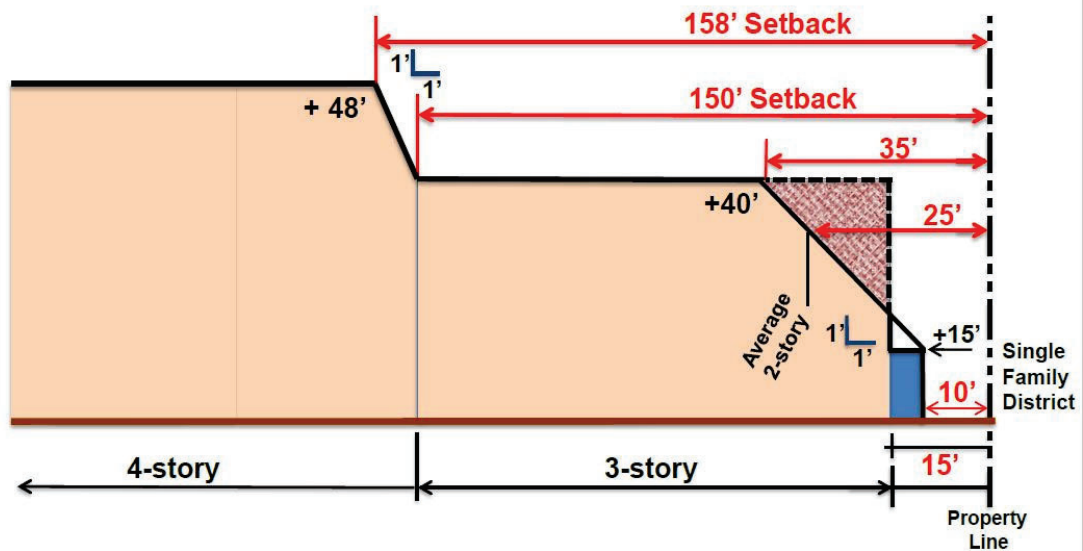
THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.

- (4) THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

Single-Family Infill Stepbacks

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

- 3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story).
- There shall be a 15' maximum height within 10' of single-family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



G. Special Regulations

1. ~~Adult day care center, subject to a use permit; and provided, that:~~
 - a. ~~Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
2. ~~Boarding house, subject to a use permit and the following conditions:~~

- a. ~~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.~~
 - b. ~~No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
3. ~~Community residence center, subject to a use permit and the following conditions:~~
- a. ~~Such center 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.~~
 - b. ~~No community residence center 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 or center within a residential zoning district.~~
 - c. ~~Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~
 - d. ~~A maximum lot coverage of 25 percent.~~
 - e. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - f. ~~The lot shall only have vehicular access from an arterial or collector street.~~
4. ~~Group home, subject to a use permit and the following conditions:~~

- a. ~~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.~~
 - b. ~~No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
- 5. ~~Group foster home, subject to a use permit.~~
 - 6. ~~Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
 - 7. ~~A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single-family dwellings on individual lots.~~
 - 8. ~~A residential convenience market is permitted as an accessory use to a multiple-family development, subject to the following conditions:~~
 - a. ~~Signage shall be allowed only as part of a Comprehensive Sign Plan pursuant to Section 705. The Zoning Administrator may approve wall mounted signage up to a maximum height of 30 feet as part of an approved Comprehensive Sign Plan.~~
 - b. ~~The development shall contain a minimum of 400 dwelling units.~~
 - c. ~~The market shall not exceed 1,000 square feet in total floor area (display and storage) if the development contains less than 850 dwelling units. The market shall not exceed 3,000 square feet in total floor area (display and storage) if the development contains 850 or more dwelling units.~~
 - d. ~~No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.~~

9. ~~Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~

Amend Chapter 6, Section 617 (R-4 Multifamily Residence District) to read as follows:

Section 617. R-4 Multifamily Residence District.

- B. **District Regulations.** The following tables establish standards to be used in the R-4 district. The definitions of terms used in these standards are found in Section 608.I. The single-family ~~attached~~ INFILL development option must meet Section 608.F.6 requirements.

~~Table A. Single-Family Development⁽²⁾~~

TABLE 617.A R-4 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial

TABLE 617.A
R-4 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets STREETS ⁽²⁾	None	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots, 60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for

TABLE 617.A
R-4 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

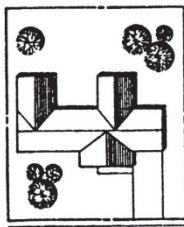
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
		demonstrating enhanced architecture)
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
Allowed uses DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards		Perimeter common: trees spaced a maximum of 20

TABLE 617.A
R-4 Development Option-~~Options~~
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

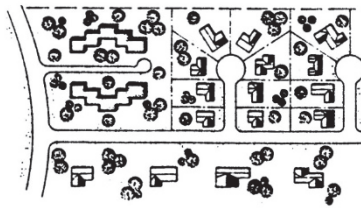
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
		to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) ~~For single family, detached development built or subdivided under the subdivision option prior to May 1, 1998, refer to the subdivision option in table B.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.
- (3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 617.B

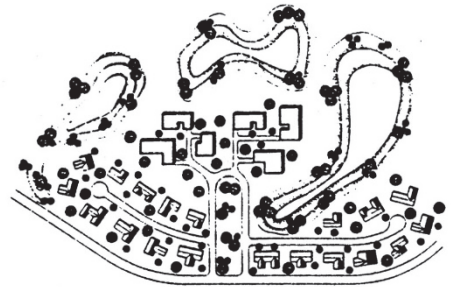
~~Table B. Single-Family (Subdivided Prior to May 1, 1998) Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
(a)



AVERAGE LOT
(b)



PLANNED RESIDENTIAL DEVELOPMENT
(c)

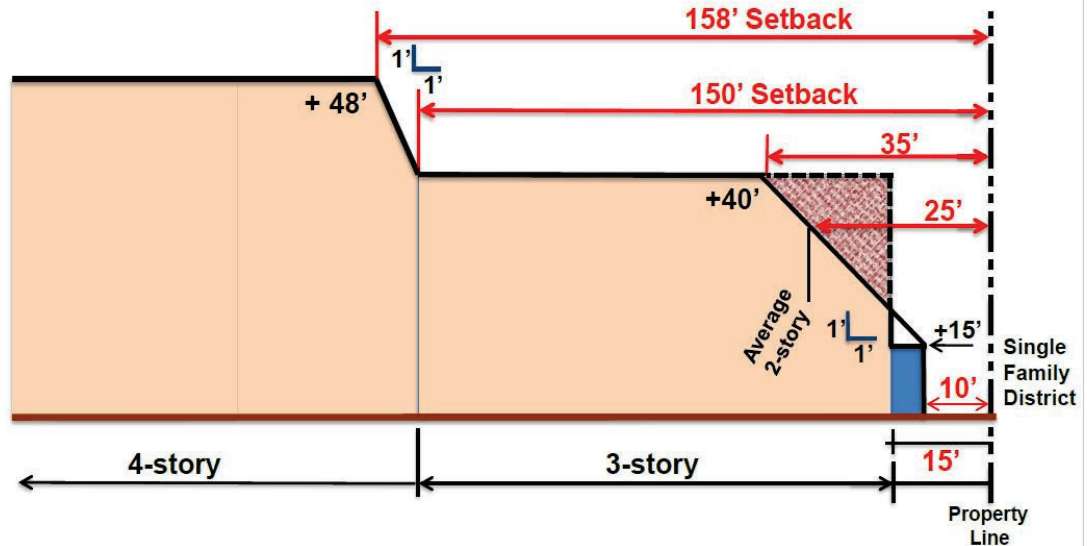
TABLE 617.B R-4 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽²⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Individual unit lot: 20' width, no minimum depth
Dwelling unit density (units/gross acre)	29.0	29.0	30.45; 34.80 with bonus	30.45; 34.80 with bonus
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 10'-15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line
Building setbacks	20' front, 15' rear, 10' and 3' side	10' front, 30' front plus rear	10' front	Individual unit lot: none

TABLE 617.B R-4 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development⁽³⁾	(d) Single-Family Attached⁽³⁾ INFILL⁽⁴⁾
Maximum height	3 stories or 40' ⁽⁵⁾ 40'	3 stories or 40' ⁽⁵⁾ 40'	3 stories or 40' for 150'; 1' in 5' increase to 48' HEIGHT, 4-story maximum ⁽⁵⁾	3 stories or 40' for first 150'; 1' in 1' increase to 48' height, 4-story maximum* MAXIMUM ⁽⁶⁾
Lot coverage	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area ⁽³⁾	Minimum 5% of gross area

TABLE 617.B R-4 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development	(d) Single-Family Attached⁽²⁾ INFILL⁽⁴⁾
Allowed uses DEVELOPMENT	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family DETACHED ⁽³⁾ , SINGLE-FAMILY attached, and multifamily	Single-family attached and SINGLE-FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY) home occupations per Section 608
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway, alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

- * ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~
- (1) ~~1.3 for efficiency; 1.5 for one or two bedrooms; 2.0 for more than two bedrooms or for single-family detached.~~ PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) ~~These standards also apply to single-family, detached development built or subdivided under the subdivision option prior to May 1, 1998.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.
- (4) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

- 3 stories and 40' for first 150', 1' in 1' increase to 48' (4 story).
- There shall be a 15' maximum height within 10' of single-family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.



C.

4. ~~Adult day care center, subject to a use permit; and provided, that:~~
 - a. ~~Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
2. ~~Boarding house, subject to a use permit and the following conditions:~~
 - a. ~~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.~~
 - b. ~~No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~

- d. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
 - 3. ~~Community residence center, subject to a use permit and the following conditions:~~
 - a. ~~Such center 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.~~
 - b. ~~No community residence center 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 or center within a residential zoning district.~~
 - c. ~~Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~
 - d. ~~A maximum lot coverage of 25 percent.~~
 - e. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~
 - f. ~~The lot shall only have vehicular access from an arterial or collector street.~~
 - 4. ~~Group home, subject to a use permit and the following conditions:~~
 - a. ~~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.~~
 - b. ~~No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 100 square feet of usable outdoor open space per bed shall be provided.~~

- e. ~~The lot shall only have vehicular access from an arterial or collector street.~~
- 5. ~~Group foster home, subject to a use permit.~~
- 6. ~~Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
- 7. ~~A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single family dwellings on individual lots.~~
- 8. ~~A residential convenience market is permitted as an accessory use to a multiple family development, subject to the following conditions:~~
 - a. ~~Signage shall be allowed only as part of a Comprehensive Sign Plan pursuant to Section 705. The Zoning Administrator may approve wall mounted signage up to a maximum height of 30 feet as part of an approved Comprehensive Sign Plan.~~
 - b. ~~The development shall contain a minimum of 400 dwelling units.~~
 - c. ~~The market shall not exceed 1,000 square feet in total floor area (display and storage) if the development contains less than 850 dwelling units. The market shall not exceed 3,000 square feet in total floor area (display and storage) if the development contains 850 or more dwelling units.~~
 - d. ~~No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.~~
- 9. ~~Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~

Amend Chapter 6, Section 618 (R-5 Multifamily Residence District) to read as follows:

Section 618. R-5 Multifamily Residence District – RESTRICTED COMMERCIAL.

- B. **District Regulations - RESIDENTIAL USES.** THE FOLLOWING TABLES ESTABLISH STANDARDS TO BE USED FOR RESIDENTIAL DEVELOPMENTS IN THE R-5 DISTRICT. THE DEFINITIONS OF TERMS USED IN THESE STANDARDS ARE FOUND IN SECTION 608.I. THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST MEET SECTION 608.F.6 REQUIREMENTS.

4. **Development Standards for Residential Uses.** ~~The following tables establish standards to be used in the R-5 District. The definitions of terms used in these standards are found in Section 608.I. The single-family attached development option must meet Section 608.F.8 requirements.~~

Table A. Single-Family, Detached Development (Subdivided on or after May 1, 1998)

TABLE 618.A R-5 Development Option-OPTIONS SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾		
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area)	55' minimum	45' minimum (unless approved by either the design advisor or the DESIGN REVIEW COMMITTEE Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage. (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.0	6.5; 12 with bonus

TABLE 618.A
R-5 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Minimum perimeter building setbacks	Front: 15'; Rear: 15' (1-story), 20' (2-story); Side: 10' (1-story), 15' (2-story)	Street STREET ⁽²⁾ (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets ⁽²⁾	None	15' average, 10' minimum (does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: 10'; combined front and rear: 35', street side: 10'; sides: 13' total (3' minimum, unless 0')	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	10'	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum
Maximum height	2 stories and 30'	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture)

TABLE 618.A
R-5 Development Option-OPTIONS
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

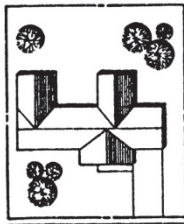
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%	Primary structure, not including attached shade structures: 40% Total: 50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 60%
Common areas	None	Minimum 5% of gross area
ALLOWED DEVELOPMENT	Single-family detached DETACHED ⁽³⁾	Single-family detached DETACHED ⁽³⁾
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street, or private street built to City standards with a homeowners' association established for maintenance OR PRIVATE ACCESSWAY ⁽¹⁾	Public street or private accessway ⁽¹⁾
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements

TABLE 618.A
R-5 Development Option-~~Options~~
SINGLE-FAMILY DETACHED DEVELOPMENT ⁽³⁾

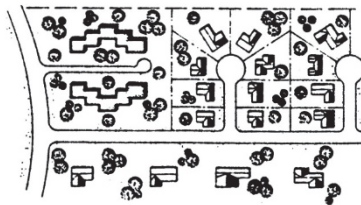
<i>Standards</i>	<i>Conventional</i>	<i>Planned Residential Development</i>
Landscape standards		Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

- (1) Public streets may be required as a part of subdivision or development review for extensions of street patterns, for circulation within neighborhoods, or to continue partial dedications.
- (2) For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.
- (3) FOR SINGLE-FAMILY DETACHED DEVELOPMENT BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998, REFER TO THE DEVELOPMENT STANDARDS OF TABLE 618.B

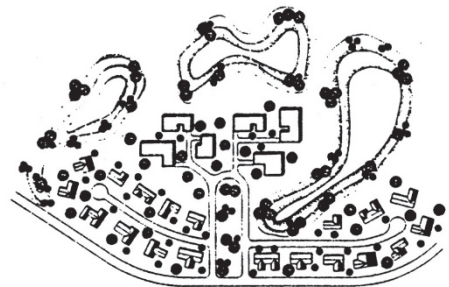
~~Table B. Single-Family (Subdivided Prior to May 1, 1998), Single-Family Attached and Multifamily Development~~



STANDARD SUBDIVISION
 (a)



AVERAGE LOT
 (b)



PLANNED RESIDENTIAL DEVELOPMENT
 (c)

<p align="center">TABLE 618.B R-5 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)</p>				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Developmen t	(d) Single- Family Attached⁽²⁾ INFILL⁽⁴⁾
Minimum lot dimensions (width and depth)	60' width, 94' depth	40' width, 50' depth	None	Individual unit lot: 20' width, no minimum depth
Dwelling unit density (units/gross acre)	43.5	43.5	45.68; 52.20 with bonus	45.68; 52.20 with bonus
Perimeter standards	None	20' front, 15' rear, 10' side	20' adjacent to a public street; this area is to be in common ownership unless lots front on the perimeter public street STREET ⁽²⁾ ; 10'-15' adjacent to property line	10' for units fronting street rights-of-way; 15' for units siding street rights-of-way. This area is to be in common ownership or management. 10' adjacent to property line
Building setbacks	20' front, 15' rear, 10' and 3' side	10' front, 30' front plus rear	10' front	Individual unit lot: none
Maximum height	4 stories or 48' ⁽⁴⁾ -(2) (5)	4 stories or 48' ⁽⁴⁾ -(2) (5)	4 stories or 48' ⁽⁴⁾ -(2) (5)	4 stories or 48' ⁽⁴⁾ -(2) (6)

<p align="center">TABLE 618.B R-5 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)</p>				
Standards	(a) Subdivision⁽²⁾	(b) Average Lot	(c) Planned Residential Development⁽¹⁾	(d) Single-Family Attached⁽²⁾ INFILL⁽⁴⁾
Lot coverage	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	50%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURE S. TOTAL: 60%	100% FOR EACH INDIVIDUAL LOT. 50% FOR OTHER PARCELS OR TRACTS WITH ACCESSORY STRUCTURE S.
Common areas	None	None	Minimum 5% of gross area ⁽³⁾	Minimum 5% of gross area
ALLOWED DEVELOPMENT	SINGLE-FAMILY DETACHED, SINGLE-FAMILY ATTACHED, AND MULTIFAMILY	SINGLE-FAMILY DETACHED, SINGLE-FAMILY ATTACHED, AND MULTIFAMILY	SINGLE-FAMILY DETACHED, SINGLE-FAMILY ATTACHED, AND MULTIFAMILY	SINGLE-FAMILY ATTACHED AND SINGLE-FAMILY DETACHED (PER THE PROVISIONS OF 608.F.6 ONLY)
Required review	Subdivision to create 4 or more lots	Subdivision with building setbacks	Development review per Section 507	Development review per Section 507

TABLE 618.B R-5 Development Options SINGLE-FAMILY ATTACHED AND MULTIFAMILY DEVELOPMENT, AND SINGLE-FAMILY DETACHED DEVELOPMENT (SUBDIVIDED PRIOR TO MAY 1, 1998)				
Standards	(a) Subdivision²⁾	(b) Average Lot	(c) Planned Residential Developmen t	(d) Single- Family Attached³⁾ INFILL⁽⁴⁾
Street standards	Public street required	Public street	Public street or private accessway ACCESSWAY ⁽¹⁾	Development site: public street, PUBLIC ALLEY, or private accessway. Individual unit lot: private accessway; alley right-of-way or driveway OR PRIVATE DRIVE ⁽¹⁾ .

* ~~There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.~~

(1) ~~1.3 for efficiency; 1.5 for one or two bedrooms; 2.0 for more than two bedrooms or for single-family detached.~~ PUBLIC STREETS MAY BE REQUIRED AS A PART OF SUBDIVISION OR DEVELOPMENT REVIEW FOR EXTENSIONS OF STREET PATTERNS, FOR CIRCULATION WITHIN NEIGHBORHOODS, OR TO CONTINUE PARTIAL DEDICATIONS.

(2) ~~The height limitation of four stories or 48 feet applies to residential uses.~~ FOR PURPOSES OF THIS SECTION, CANAL RIGHTS-OF-WAY SHALL BE TREATED THE SAME AS PUBLIC STREET RIGHTS-OF-WAY.

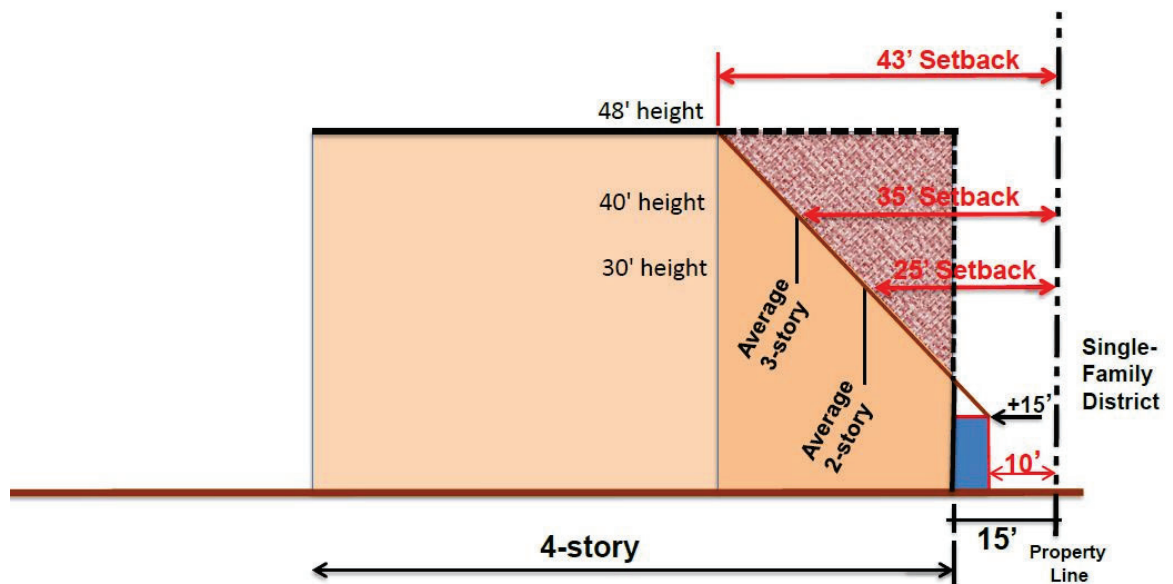
(3) ~~For purposes of this section, canal rights-of-way shall be treated the same as public street rights-of-way.~~ THE ONLY SINGLE-FAMILY DETACHED DEVELOPMENTS THAT THE STANDARDS OF THIS TABLE APPLY TO ARE ONES BUILT OR SUBDIVIDED PRIOR TO MAY 1, 1998.

- (4) ~~The single-family attached development option must meet Section 608.F.8 requirements.~~ THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION MUST COMPLY WITH THE ADDITIONAL DEVELOPMENT REGULATIONS PROVIDED IN SECTION 608.F.6.
- (5) THERE SHALL BE A 15-FOOT MAXIMUM HEIGHT WITHIN TEN FEET OF A SINGLE-FAMILY ZONED DISTRICT, WHICH HEIGHT MAY BE INCREASED ONE FOOT FOR EACH ADDITIONAL ONE FOOT OF BUILDING SETBACK TO THE MAXIMUM PERMITTED HEIGHT.

Single-Family Infill Stepbacks

BUFFER FROM ADJACENT SINGLE-FAMILY ZONED DISTRICT:

- **R-5: 4 stories and 48'.**
- ***There shall be a 15' maximum height within 10' of Single-Family zoned district, which height may be increased 1' for each additional 1' of building setback to maximum permitted height.**



2. Development standards for commercial and mixed uses (including hotels and motels) shall be in accordance with Section 622.E.3 and E.4.
- G. ~~Special~~ **DISTRICT Regulations FOR NON-RESIDENTIAL AND MIXED USES.** DEVELOPMENT REGULATIONS FOR NON-RESIDENTIAL AND MIXED USES SHALL BE IN ACCORDANCE WITH C-1 STANDARDS (SECTIONS 622.E.3 AND E.4).
1. ~~A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single family dwellings on individual lots.~~

D. ADDITIONAL Permitted Uses.

- ~~1. Adult day care center, subject to a use permit; and provided, that:~~
 - ~~a. Outdoor recreation areas shall be screened from adjacent properties by a six-foot high landscape hedge, solid fence, or solid wall.~~
- ~~2-1. Bed and breakfast establishment.~~
- ~~3-2. Biomedical and Medical Research Offices. A biomedical or medical research laboratory shall be permitted as an accessory use to a biomedical and medical research office, subject to the following limitations:~~
 - a. The use shall be subject to obtaining a use permit in accordance with the procedures and standards of Section 307.
 - b. Entrance to the laboratory shall only be from within the building and shall not be through doors which open to the outside of the building.
 - c. No sign or display for the laboratory shall be visible from adjacent public rights-of-way.
 - d. Access to a property containing a laboratory shall only be from a major arterial or arterial, as designated on the street classification map.
- ~~4-3. Biomedical and Medical Research Offices. A biomedical or medical research laboratory shall be permitted as an accessory use to a biomedical and medical research office, subject to the following limitations:~~
- ~~5. Boarding house, subject to a use permit and the following conditions:~~
 - ~~a. 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.~~
 - ~~b. No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.~~
 - ~~c. A maximum lot coverage of 25 percent.~~

~~d. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~

~~e. The lot shall only have vehicular access from an arterial or collector street.~~

~~6. 4. Branch offices of the following uses are permitted subject to a use permit: banks, building and loan associations, brokerage houses, savings and loan associations, finance companies, title insurance companies, and trust companies.~~

~~7. Community residence center, subject to a use permit and the following conditions:~~

~~a. Such center 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.~~

~~b. No community residence center 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 or center within a residential zoning district.~~

~~c. Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~

~~d. A maximum lot coverage of 25 percent.~~

~~e. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~

~~f. The lot shall only have vehicular access from an arterial or collector street.~~

~~8. 5. Copy and reproduction center, subject to a use permit.~~

~~9. Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~

~~10. Group foster home, subject to a use permit.~~

~~11. Group home, subject to a use permit and the following conditions:~~

- a. ~~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.~~
 - b. ~~No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
12. ~~Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
13. 6. Hospice, subject to a use permit.
14. 7. Hotel or Motel. The following accessory uses are permitted; provided, that the entrance to said accessory uses shall be from within the building only and that no sign or display for the accessory uses shall be located so as to be visible from a public thoroughfare or adjacent property:
- a. Auto rental agency; provided, that there are no more than three vehicles stored on the hotel property.
 - b. Child care, for hotel/motel guests only.
 - c. Cocktail lounges with recorded music or one musician.
 - d. Convention or private group activities.
 - e. Gift shop.
 - f. News stand.
 - g. Restaurants with recorded music or one musician.
 - h. Other services customarily accessory thereto.

- ~~15-~~ 8. Office for Administrative, Clerical, or Sales Services. No commodity or tangible personal property, either by way of inventory or sample, shall be stored, kept, or exhibited for purposes of sale in any said office or on the premises wherein the said office is located. Seminars shall be permitted as an accessory use; provided, that they are clearly accessory to the office use.
- ~~16-~~ 9. Office for professional use, including medical center, wellness center, and counseling services (provided that services are administered or overseen by a State licensed professional).
- a. The following accessory uses are permitted; provided, that the entrance to said accessory uses shall be from within the building only, that no sign or display for the accessory uses shall be located so as to be visible from a public thoroughfare or adjacent property, and that no more than 25 percent of the floor area can be used for the accessory uses:
- (1) Fitness center.
 - (2) Massage therapy, administered by a State licensed massage therapist.
 - (3) Ophthalmic materials dispensing.
 - (4) Pharmacy.
 - (5) Sleep disorder testing with less than a 24-hour stay duration.
 - (6) Snack bar.
 - (7) Surgical center, provided there are no overnight stays.
- b. The following accessory uses are permitted, subject to a use permit and provided that the entrance to said accessory uses shall be from within the building only, that no sign or display for the accessory uses shall be located so as to be visible from a public thoroughfare or adjacent property:
- (1) Medical and dental laboratories.
 - (2) Orthotics and prosthetic laboratories.
- ~~17-~~ 10. Nursing home, subject to a use permit and the following conditions:
- a. A maximum lot coverage of 25 percent.

- b. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.
- ~~18.~~ 11. Private clubs and lodges qualifying by law as a nonprofit entity, subject to a use permit. The use permit is not required if a special permit, according to Section 647, is obtained. Bingo may be operated as an accessory use on the premises of the club no more than two days per week.
- ~~19.~~ ~~A residential convenience market is permitted as an accessory use to a multiple-family development, subject to the following conditions:~~
 - ~~a. Signage shall be allowed only as part of a Comprehensive Sign Plan pursuant to Section 705. The Zoning Administrator may approve wall mounted signage up to a maximum height of 30 feet as part of an approved Comprehensive Sign Plan.~~
 - ~~b. The development shall contain a minimum of 400 dwelling units.~~
 - ~~c. The market shall not exceed 1,000 square feet in total floor area (display and storage) if the development contains less than 850 dwelling units. The market shall not exceed 3,000 square feet in total floor area (display and storage) if the development contains 850 or more dwelling units.~~
 - ~~d. No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.~~
- ~~20.~~ 12. Teaching of the fine arts, subject to use permit.
- ~~21.~~ 13. Volunteer community blood centers qualifying by law as a nonprofit entity, subject to a use permit.

Amend Chapter 6, Section 619 (R-4A District—Multifamily Residence—General) to read as follows:

Section 619. R-4A District—Multifamily Residence—General

- A. **Permitted Uses.** PRIMARY USES AND ACCESSORY USES ARE PERMITTED AS INDICATED IN THE RESIDENTIAL DISTRICTS LAND USE MATRIX, SECTION 608.D, PLUS THE FOLLOWING:

1. ~~All uses permitted in the RE-24, R-3 and R-4 districts.~~
2. ~~Same accessory uses and buildings as RE-24.~~
3. ~~Adult day care center, subject to a use permit; and provided, that:~~
 - a. ~~Outdoor recreation areas shall be screened from adjacent properties by a six-foot-high landscape hedge, solid fence, or solid wall.~~
4. ~~Boarding house, subject to a use permit and the following conditions:~~
 - a. ~~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.~~
 - b. ~~No boarding house 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 boarding house, group home, or community residence home or center within a residential zoning district.~~
 - c. ~~A maximum lot coverage of 25 percent.~~
 - d. ~~A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
5. ~~Community residence center, subject to a use permit and the following conditions:~~
 - a. ~~Such center 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.~~
 - b. ~~No community residence center 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 or center within a residential zoning district.~~
 - c. ~~Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.~~
 - d. ~~A maximum lot coverage of 25 percent.~~

- ~~e. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
- ~~6. Group foster home, subject to a use permit.~~
- ~~7. Group home, subject to a use permit and the following conditions:~~
 - ~~a. 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.~~
 - ~~b. No group 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 group home, boarding house, or community residence home or center within a residential zoning district.~~
 - ~~c. A maximum lot coverage of 25 percent.~~
 - ~~d. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
- ~~8. 1. Hospice, subject to a use permit.~~
- ~~9. 2. Nursing home, subject to a use permit and the following conditions:~~
 - ~~a. A maximum lot coverage of 25 percent.~~
 - ~~b. A minimum of 50 square feet of usable outdoor open space per bed shall be provided.~~
- ~~10. Dormitories and convents shall be permitted as accessory uses to churches or similar places of worship.~~
- ~~11. A residential convenience market is permitted as an accessory use to a multiple-family development, subject to the following conditions:~~
 - ~~a. Signage shall be allowed only as part of a Comprehensive Sign Plan pursuant to Section 705. The Zoning Administrator may approve wall mounted signage up to a maximum height of 30 feet as part of an approved Comprehensive Sign Plan.~~
 - ~~b. The development shall contain a minimum of 400 dwelling units.~~

- c. ~~The market shall not exceed 1,000 square feet in total floor area (display and storage) if the development contains less than 850 dwelling units. The market shall not exceed 3,000 square feet in total floor area (display and storage) if the development contains 850 or more dwelling units.~~
- d. ~~No parking spaces shall be required or permitted for the market except for spaces designated for deliveries or handicapped individuals.~~

12. ~~The display for sale of a vehicle, which for purposes of this provision includes trailers, watercraft or other types of transportation that are built to carry passengers or cargo, shall be subject to the following restrictions:~~

- a. ~~No more than one [1] vehicle can be labeled for sale or show any indication that it is for sale at any given time on a property, whether visible on site or through some other form of advertising.~~
- b. ~~No more than two [2] vehicles can be sold on a property during any calendar year.~~
- c. ~~For purposes of Subsections a and b above, two [2] jet skis, a boat or similar types of recreational vehicles that are transported on one trailer shall, together with the trailer, be considered one vehicle.~~
- d. ~~The ownership of the vehicle[s] must be registered to the location where the vehicle is listed for sale.~~
- e. ~~No vehicle can be labeled for sale or show any indication that it is for sale at an unoccupied house or on a vacant lot or parcel.~~
- f. ~~No vehicle can be labeled for sale or show any indication that it is for sale in conjunction with a retail or wholesale vehicle sales dealership or business without obtaining a temporary use permit.~~

13. ~~Dependent care facility for 13 or more dependents and schools for the mentally or physically handicapped subject to securing a use permit pursuant to Section 307.~~

3. SINGLE-FAMILY INFILL DEVELOPMENTS, PER THE PROVISIONS OF SECTION 608.F.6 AND SECTION 617 (R-4) TABLE B, COLUMN D.

B. **Yard, Height and Area Requirements.** Except as required by Section 701, the following yard, height and area provisions shall be required for this district:

7. Yards for ACCESSORY DWELLING UNITS and ~~detached~~ OTHER accessory ~~buildings~~ STRUCTURES shall be permitted as in ACCORDANCE WITH THE PROVISIONS OF Section 706.
 8. Single-family ~~attached~~ INFILL development must comply with ~~R-4 standards~~ ALL REGULATIONS APPLICABLE TO SFI DEVELOPMENT IN THE R-4 DISTRICT EXCEPT FOR DENSITY, WHICH SHALL BE PERMITTED PER SECTION 619.B.1.
 9. OFFSITE MANUFACTURED HOME DEVELOPMENTS, UPON OBTAINING USE PERMIT APPROVAL, SHALL COMPLY WITH THE R-4 STANDARDS FOR PLANNED RESIDENTIAL DEVELOPMENTS (TABLE 617.B, COLUMN C) EXCEPT FOR DENSITY, WHICH SHALL BE PERMITTED PER SECTION 619.B.1
- ~~G. **Site Plan Required.** A site plan in accordance with Section 507 is required for all development in the R-2, R-3, R-3A, R-4, R-4A and R-5 districts except when the development consists of single-family dwellings on individual lots.~~

Amend Chapter 6, Section 635 (Planned Area Development) to read as follows:

Section 635. Planned Area Development.

C. Use Regulations.

1. **Uses permitted.** In the planned area development districts only the following uses are permitted:
 - a. ~~Single-family detached, duplex, and multiple dwellings; apartment houses.~~ AS STATED IN SECTION 608.D, RESIDENTIAL DISTRICTS LAND USE MATRIX.
 - b. ~~Other uses as permitted in Sections 608 and 703.A.~~
 - e.b. Neighborhood retail uses and other nonresidential uses limited to those enumerated in the C-1 district may be specifically and selectively authorized as to type and size only when integrated by design as an accessory element of the project, and only when located in an area proposed to be appropriately zoned for said use and approved as provided below, provided that the development is planned for more than four hundred dwelling units.

- d. ~~Same accessory uses and buildings as RE-24.~~
- e. ~~The display for sale of a vehicle, which for purposes of this provision includes trailers, watercraft or other types of transportation that are built to carry passengers or cargo shall be subject to the following restrictions:~~
 - (1) ~~No more than one [1] vehicle can be labeled for sale or show any indication that it is for sale at any given time on a property, whether visible on-site or through some other form of advertising.~~
 - (2) ~~No more than two [2] vehicles can be sold on a property during any calendar year.~~
 - (3) ~~For purposes of subsections a and b above, two [2] jet skis, a boat or similar types of recreational vehicles that are transported on one trailer shall, together with the trailer, be considered one vehicle.~~
 - (4) ~~The ownership of the vehicle[s] must be registered to the location where the vehicle is listed for sale.~~
 - (5) ~~No vehicle can be labeled for sale or show any indication that it is for sale at an unoccupied house or on a vacant lot or parcel.~~
 - (6) ~~No vehicle can be labeled for sale or show any indication that it is for sale in conjunction with a retail or wholesale vehicle sales dealership or business without obtaining a temporary use permit.~~

Amend Chapter 6, Section 649 (Mixed Use Agricultural (MUA) District) to read as follows:

Section 649. Mixed Use Agricultural (MUA) District.

- E. **Permitted Accessory Uses.** Land in the MUA District may be used as permitted accessory uses and structures, incidental to and on the same zoning lot as the primary use, for the following uses:

4. ~~Guesthouse, provided that it does not exceed six hundred square feet or twenty-five percent of the floor area of the principal structure, whichever is larger.~~ ACCESSORY DWELLING UNIT, PER THE PROVISIONS OF SECTION 706.A.

Amend Chapter 6, Section 651 (Baseline Area Overlay District) to read as follows:

Section 651. Baseline Area Overlay District (BAOD).

- C. **Use Regulations.** The regulations governing the uses of land and structures shall be as set forth in the underlying zoning districts except as expressly modified by the following regulations.

~~Detached guesthouses are permitted in R1-18 to R1-6 single-family districts, provided that:~~

1. ~~The structure shall not exceed seven hundred square feet. A use permit is required to exceed seven hundred square feet.~~
2. ~~The minimum lot size is eight thousand square feet.~~
3. ~~An additional parking space shall be provided.~~
4. ~~There shall be no more than one guesthouse per lot.~~
5. ~~The guesthouse shall maintain the same setbacks as the primary structure.~~
6. ~~The guesthouse shall maintain the same architectural style, color and building materials as the primary dwelling in order to be viewed as an accessory to the main unit and not a separate dwelling.~~
7. ~~A use permit shall be required for all guests homes where the primary structure existed prior to the effective date of this section of the ordinance.~~
8. ~~There shall be a minimum lot width of sixty-five feet.~~

Amend Chapter 6, Section 653 (Desert Character Overlay Districts) to read as follows:

Section 653. Desert Character Overlay Districts.

B. Desert Maintenance Overlay (Sub-Districts A and B).

4. **Permitted uses for Sub-Districts A and B.** Land and structures in the Desert Maintenance Overlay Sub-Districts A and B shall only be used for the following purposes subject to the standards and procedures in Chapters 3 and 5 of the Zoning Ordinance and the regulations and special standards set forth herein. In the event there is a conflict these provisions shall prevail.

- c. ~~AN guesthouse~~ ACCESSORY DWELLING UNIT, WHEN PERMITTED, ~~shall be allowed as a structure subordinate to a residence. It is to be sited within the building envelope. The~~ SHOULD HAVE AN architectural character and detailing ~~must be consistent with the main residence. and should appear to tie in to the main residence.~~

5. **District regulations for Desert Maintenance Overlay Sub-District A.**

- s. Model homes are allowed prior to recording a subdivision plat, subject to submitting a final plat which shall show the following information for each model home lot as well as meet other requirements of this ordinance and Section ~~608.C.3~~ 608.D.7 of the Zoning Ordinance.

6. **District regulations for Desert Maintenance Overlay Sub-District B.**

- h. Model homes are allowed prior to recording a subdivision plat, subject to submitting a final plat which shall show the following information for each model home lot as well as meet other requirements of this ordinance and Section ~~608.C.3~~ 608.D.7 of the Zoning Ordinance.

Amend Chapter 6, Section 658 (Deer Valley Airport Overlay (DVAO) District) to read as follows:

Section 658. Deer Valley Airport Overlay (DVAO) District.

- C. **Regulation Areas:** The DVAO District is divided into three separate regulation areas. When a parcel falls partially into one or more of the regulation areas, the most restrictive regulation area shall apply to the entire parcel.

2. **Prohibited uses, Areas 2 & 3:** Same as Area 1 and the following:

- d. Church or similar place of worship; including parish houses, parsonages, rectories and convents, and dormitories (including all elements of such as defined in Section ~~608.E.1~~ 608.E.21).

Amend Chapter 6, Section 664 (North Central Avenue Special Planning District (SPD) Overlay District) to read as follows:

Section 664. North Central Avenue Special Planning District (SPD) Overlay District.

- D. **District Regulations.** The following table establishes variations to the current standards for the R1-10 Subdivision Option. The definitions of terms used in these standards are found in Section ~~608.D~~ 608.I. Development standards that are not listed here shall follow the standards in the R1-10 Subdivision Option, Section 611, Table 611.B. Variances to these regulations should also consider objectives of the Special Planning District Plan. To use a development option other than subdivision requires approval through the rezoning public hearing process, Section 506.B.

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

- A. **Lots.**

3. Projections.

- a. The following provisions apply to development in ~~the subdivision option of~~ Sections 604 through 607 AND 619, and IN THE SUBDIVISION OPTION OF Sections 609 through 618:

(2) Closed Projections.

- (d) The main building in ~~a residence district~~ (WHICH MAY INCLUDE AN ATTACHED ADU) may project ~~five feet~~ into the required rear yard ~~for no more than one-half the maximum width of the structure.~~ WHEN NO PORTION OF THE PROJECTION EXCEEDS 15' IN HEIGHT; THE PROJECTION IS NO CLOSER TO THE REAR PROPERTY LINE THAN 3', AND THE PROJECTION IS NO CLOSER TO A SIDE PROPERTY LINE THAN ALLOWED BY THE DISTRICT; ~~UNLESS A greater projection than five feet is subject to obtaining a use permit~~ IS OBTAINED in accordance with the provisions of Section 307.

Amend Chapter 7, Section 702.F (Special Parking Standards) to read as follows:

F. Special Parking Standards.

1. Residential lots.

- a. Required parking spaces for single-family ~~and duplex~~ residential uses may not be located in the required front yard.
- b. Spaces in excess of those required for single family ~~and duplex~~ residential uses may be located in the required front yard. However, all parking and maneuvering areas within the required front yard shall not exceed ~~forty-five percent (45%)~~ 50% OF THE AREA OF THE REQUIRED FRONT YARD, EXCEPT THAT A DRIVEWAY SHALL

NOT BE REQUIRED TO BE LESS THAN 18' IN WIDTH UNLESS OTHERWISE STIPULATED BY HISTORIC PRESERVATION.

- (1) ~~The area of the required front yard, or~~
- (2) ~~An area equal to the required front yard setback times the average lot width when the adjoining side property lines are not parallel. Notwithstanding the above requirements, the parking and maneuvering area shall not be required to be less than:~~
 - (a) ~~Eighteen (18) feet in width, or~~
 - (b) ~~The cumulative width of all front facing garage doors or carports plus three (3) feet, whichever is greater.~~

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

- B. 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 ~~in any district containing a structure with two~~ FOUR or more dwelling units.

Section 706. Accessory Uses and Structures.

Amend Chapter 7, Section 706 (Accessory Uses and Structures) to add language regarding Accessory Dwelling Units, and revising the existing language to apply only to other types of accessory structures, and to read as follows:

Section 706. Accessory Uses and Structures.

- A. ~~No detached accessory structures or swimming pools are permitted within the required front yard(s) of any residential district.~~
- B. ~~— All detached accessory structures in the side and rear yard, not used for sleeping or living purposes, are to maintain a minimum setback of three feet from property lines. Swimming pools are to maintain a minimum setback of three feet from exterior property lines.~~
- C. ~~All accessory structures located within the required side yard are not to exceed eight feet in height.~~

- ~~D. On any corner lot contiguous to a key lot, detached structures with a height which exceeds eight feet must be set back from the street side a distance equal to the required front yard setback of the adjoining key lot.~~
- ~~E. On any other corner lot no detached accessory building over eight feet high shall be closer to the side street property line than a distance of ten feet.~~
- ~~F. Detached accessory structures may be constructed on the property line where the rear lot line is adjacent to a fully dedicated alley.~~
- ~~G. No detached accessory structure located within the required rear yard of a residentially zoned property shall exceed a height of one story or fifteen feet except as approved by a use permit in accordance with the provisions of Section 307.~~

A. ACCESSORY DWELLING UNITS (ADU)

1. IN ZONING DISTRICTS WHERE ACCESSORY DWELLING UNITS ARE A PERMITTED USE, ONE (1) ADU IS PERMITTED PER LOT WHEN A SINGLE-FAMILY DETACHED PRIMARY DWELLING UNIT IS ALSO PROVIDED, UNLESS OTHERWISE PERMITTED BY THE 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.
3. AN ADU MAY BE EITHER ATTACHED TO OR DETACHED FROM THE PRIMARY DWELLING UNIT, 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, 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.

4. A DETACHED ADU MAY BE LOCATED WITHIN THE REQUIRED REAR YARD, SUBJECT TO THE FOLLOWING:
 - a. SETBACKS.
 - (1) MINIMUM 10 FEET FROM A STREET SIDE PROPERTY LINE.
 - (2) MINIMUM 3 FEET FROM AN INTERIOR PROPERTY LINE.
 - (3) NO SETBACK IS REQUIRED ADJACENT TO A FULLY DEDICATED ALLEY.
 - b. HEIGHT. MAXIMUM 15 FEET UNLESS USE PERMIT APPROVAL FOR A GREATER HEIGHT IS OBTAINED PER SECTION 307.
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. 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. 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. AN ADU SHALL COMPLY WITH THE LOT COVERAGE REQUIREMENTS APPLICABLE TO THE PROPERTY.
9. AN 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 OR ATTACHED SHADE STRUCTURE CONSTRUCTED AS PART OF A DETACHED ADU SHALL COUNT TOWARD THE GROSS FLOOR AREA OF THE ADU. ANY ATTACHED SHADE STRUCTURES SHALL COUNT TOWARDS LOT COVERAGE, BUT NOT GROSS FLOOR AREA.

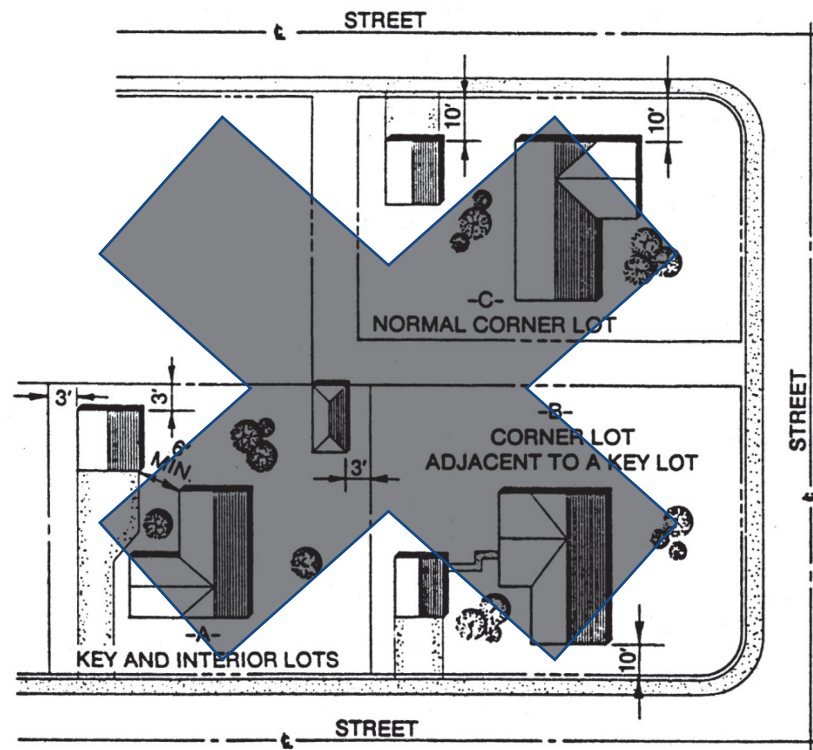
- 10. PERMIT ISSUANCE AND RESTRICTIVE COVENANT. PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR AN ADU, THE PROPERTY OWNER SHALL SIGN BEFORE A NOTARY PUBLIC A RESTRICTIVE COVENANT THAT RUNS WITH THE LAND ON A FORM PREPARED BY THE CITY ATTORNEY OR DESIGNEE AFFIRMING THAT THE PROPERTY OWNER SHALL:

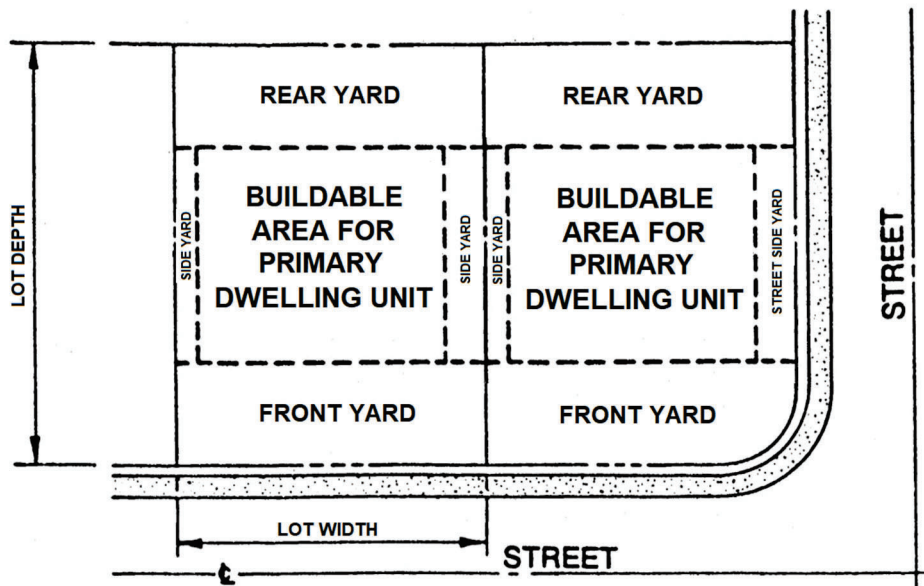
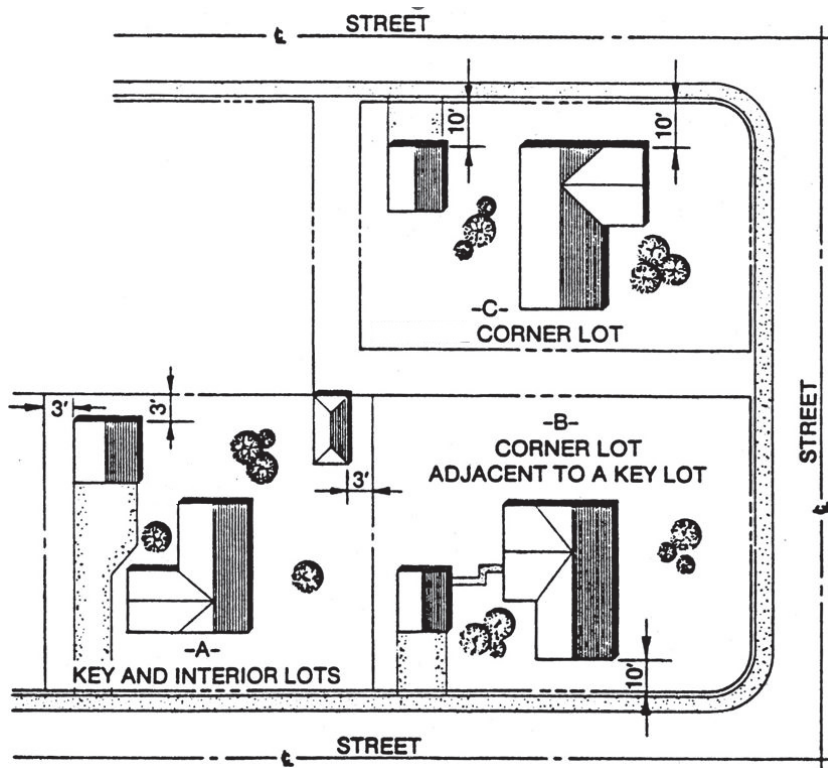
- a. OCCUPY EITHER THE PRIMARY DWELLING UNIT OR THE ADU, OR
 - b. IF THE PROPERTY OWNER RENTS OR LEASES A PROPERTY WITH BOTH A PRIMARY DWELLING UNIT AND AN ADU TO A THIRD PARTY, THEN NEITHER THE PRIMARY RESIDENCE NOR THE ADU SHALL BE **RENTED OR LEASED SEPARATELY FROM THE REMAINDER OF THE PROPERTY, NOR** SUB-LEASED.

- B. **SINGLE-FAMILY RESIDENTIAL ACCESSORY STRUCTURES.** THE FOLLOWING REGULATIONS APPLY TO ACCESSORY STRUCTURES WHICH ARE NOT USED FOR SLEEPING OR LIVING PURPOSES, 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. PERMITTED HEIGHTS.
 - a. MAXIMUM HEIGHT OF 8 FEET WHEN LOCATED WITHIN 10 FEET OF A STREET SIDE PROPERTY LINE, OR 15 FEET WHEN LOCATED ELSEWHERE WITHIN THE REQUIRED REAR OR SIDE YARD.

- b. HEIGHTS IN EXCESS OF 15 FEET, WHEN NOT LOCATED WITHIN 10' OF **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 3 FEET ADJACENT TO A REAR OR SIDE PROPERTY LINE, EXCEPT THAT NO SETBACK IS REQUIRED ADJACENT TO A FULLY DEDICATED ALLEY.





C. SWIMMING POOLS.

1. SWIMMING POOLS SHALL NOT BE LOCATED IN THE REQUIRED FRONT YARD, NOR IN ANY REQUIRED LANDSCAPE SETBACK.
2. SWIMMING POOLS SHALL MAINTAIN A MINIMUM SETBACK OF THREE FEET FROM PROPERTY LINES, EXCEPT THAT POOLS LOCATED ON A LOT DESIGNATED "HILLSIDE" PER SECTION 710 SHALL COMPLY WITH ALL HILLSIDE DEVELOPMENT REGULATIONS, INCLUDING SETBACKS.

Amend Chapter 7, Section 708. (Temporary uses) to read as follows:

Section 708. Temporary uses.

- L. Charitable Drop Box Container Permit.** A charitable drop box container permit is subject to the following:

1. An annual permit is required for the following uses or analogous uses:
 - a. Charitable drop box containers.

- (9) Permits are not required when the container is in compliance pursuant to Section ~~608.E.1~~ 608.E.21.

Amend Chapter 12, Sections 1204.C and D (Land Use Matrix) to correct references of "Single-Family Attached" to "Single-Family Infill", and to read as follows:

**Chapter 12
DOWNTOWN CODE**

Section 1204. Land Use Matrix.

- C. The following shall apply to uses that are permitted with conditions (pc) as indicated with a number that corresponds with the Land Use Matrix in Section 1204.D:

27. ~~Single-family attached~~ INFILL SUBDIVISION, ~~subject to the following~~; PER THE STANDARDS OF SECTION 608.F.6 AND SECTION 614, TABLE 614.B, COLUMN D, EXCEPT AS MODIFIED BELOW:
- a. Historic preservation designated properties or properties in historic preservation districts cannot use the single-family ~~attached~~ INFILL development option.
 - b. ~~Individual unit lot: minimum 20-foot width, no minimum depth.~~ MAXIMUM HEIGHT: AS PER HEIGHT MAP, SECTION 1202.B.
 - c. ~~Perimeter standards: maximum ten feet for units fronting street rights-of-way; minimum 15 feet for units siding street rights-of-way. This area is to be in common ownership or management, ten feet adjacent to property line.~~ MAXIMUM DENSITY: AS PER DENSITY MAP, SECTION 1202.C.
 - d. ~~Building setbacks, individual unit lot: none.~~ MAXIMUM LOT COVERAGE: 100 PERCENT PER LOT; OVERALL SUBDIVISION LOT COVERAGE PER APPLICABLE CHARACTER AREA.
 - e. ~~Maximum stories: as per height map, Section 1202.C.~~ FRONTAGE SETBACKS AND REQUIREMENTS: AS PER THE APPLICABLE CHARACTER AREA; OR, IF LOTS FRONT ON A NEW INTERNAL STREET OR DRIVE, PER THE REGULATIONS OF SECTION 608.F.6 AND SECTION 614, TABLE B, COLUMN D.
 - f. ~~Lot coverage per dwelling unit: 100 percent.~~ PERIMETER STANDARDS (NOT ON A STREET): PER THE REGULATIONS OF SECTION 608.F.6.
 - g. ~~Common areas: minimum five percent of gross area.~~ INDIVIDUAL LOT SETBACKS.

- (1) THE STEPBACK REQUIREMENTS OF TABLE 614.B, COLUMN D DO NOT APPLY TO BUILDINGS COMPLYING WITH THE MAXIMUM HEIGHT ALLOWED BY THE HEIGHT MAP, SECTION 1202.B.
 - (2) INDIVIDUAL LOT FRONT: 10' OR THE REQUIRED FRONTAGE SETBACK, WHICHEVER IS GREATER.
 - (3) INDIVIDUAL LOT SIDE AND REAR: 0' OR THE REQUIRED PERIMETER SETBACK, WHICHEVER IS GREATER.
- h. ~~Allowed uses: single family attached and home occupations per Section 608.~~ PARKING REQUIREMENTS: PER SECTION 608.F.6, AS THE REGULATIONS APPLY TO THE INFILL DEVELOPMENT DISTRICT.
 - i. ~~Development review per Section 507.~~ 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. ~~Design: front of units should face right of way. No garages allowed to face pedestrian or side streets.~~ 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.
 - k. ~~Other requirements of Section 608.F.8 shall apply if not specifically modified by this section.~~

D. Land Use Matrix.

LAND USE CATEGORIES	CHARACTER AREAS				
	ACTIVE USE	***	Commercial Corridor	***	Warehous e
Residential Uses					
***	***	***	***	***	***
Dwelling UNIT, Multi-Family MULTIFAMILY		***	p		p

Dwelling UNIT, Single-Family, Detached (INCLUDING DUPLEX AND TRIPLEX USES)		***	p	***	np
Dwelling UNIT, Single-Family and Duplex, Attached		***	p	***	np
***	***	***	***	***	***
SUBDIVISION, Single-Family Attached-Infill		***	np-PC27	***	pc27-NP

Amend Chapter 13, Sections 1303 (Transect lot standards), 1305.C (Fence Standards), 1306 (Land Use Matrix) and 1310 (Open Space Improvements) to correct references of “Single-Family Attached” to “Single-Family Infill”, and to read as follows:

Chapter 13 WALKABLE URBAN (WU) CODE

Section 1303. Transect lot standards.

A. General Lot Standards.

1. Subdivisions shall comply with development standards per this chapter, including frontage standards, for all existing and newly created lots abutting public streets, private accessways, and private driveways, with the following caveats:
 - a. A development may instead utilize the Single-Family ~~attached~~-INFILL development option standards per Section ~~608(F)(8)~~ 608.F.6 and Section 614, Table 614.B, Column D (except for the density, which is not restricted) if it meets all three of the following conditions:
 - (1) The development consists solely of ~~attached~~-SINGLE-FAMILY dwelling units and allowable accessory uses;
 - (2) The development is located within the applicable area for the single-family ~~attached~~-INFILL development option or the Infill Development District as depicted on the map provided in Section ~~608(F)(8)~~ 608.F.6; and

2. All developments adjacent to single-family zoning districts shall follow the same setback and stepback standards as the single-family ~~attached~~-INFILL development option (Section 614, Table 614.B, Column D); with additional requirements as follows:

B. Transect Setbacks and Lot Standards.

Table 1303.2 Transect T4

BUILDING HEIGHT			BUILDING STEPBACKS		
a	Main Building	T4:2 30-foot maximum			
		T4:3 40-foot maximum			
		SFA-SFI : 48-foot maximum		Required for SFA-SFI as per Sections 1303.A.1 and 2	

* Lot coverage maximum may be modified for ~~SFA-SFI~~ development option.

Table 1303.2 Transect T5

BUILDING HEIGHT

BUILDING STEPBACKS

* a. Lot coverage maximum may be modified for ~~SFA-SFI~~ development option.

b. Lot coverage maximum may vary depending on setback requirements when adjacent to existing single-family residential districts and historic preservation properties or districts.

Table 1303.2 Transect T6

Minimum glazing shall apply to commercial building frontages only, as per Section 1305.B.2. For residential products T4 glazing standards shall apply.

	<p><i>* a. Lot coverage maximum may be modified for SFA-SFI development option.</i></p> <p><i>b. Lot coverage maximum may vary depending on setback requirements when adjacent to existing single-family residential districts and historic preservation properties or districts.</i></p>
--	---

1305. Frontage Standards.

C. Fence Standards.

1. T3 and T4.

- a. Primary frontages: 40 inches maximum height.
- b. Secondary frontages: 72 inches maximum height. For SFA-SFI development: 48 inches maximum height solid fence. Above 48 inches to 72 inches allowed only as a 70 percent open view fence, unless screening above grade utilities or trash enclosures.

Section 1306. Land Use Matrix.

Table 1306.1. Land Use Matrix

CATEGORY: RESIDENTIAL USES	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR
***	***	***	***	***	***
Dwelling UNIT, Multif	NP	P		P	P
Dwelling UNIT, Single-Family, Detached (INCLUDING DUPLEX AND TRIPLEX USES)	P	P	***	NP	NP
Dwelling UNIT, Single-Family and Duplex, Attached	P	P	***	P	P

C. Residential Uses, Land Use Conditions.

3. Dependent Care Facility.

- a. One to six dependents: standards as per Section 608.D.5-608.E.15.
~~Use permit required for s~~Seven to 12 dependents: USE PERMIT,
AND STANDARDS AS PER SECTION 608.E.16.

Table 1306.1. Land Use Matrix

CATEGORY: SERVICES	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR

Home Occupation As per Section 608.E.3	PC	PC	***	P	P
***	***	***	***	***	***
Hotel As per Section 618.D.14-7	NP	PC	***	PC	PC
***	***	***	***	***	***
Office, Professional As per Section 618.D.15-8 and 16-9	PC	PC	***	PC	PC

CATEGORY: LOCAL FOOD PRODUCTION	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR
Community Garden As per Section 608.F.6-608.E.24	UP	UP	***	UP	UP

Farmers Markets As per Section 608.F.7 608.E.25	UP	UP	***	UP	UP

CATEGORY: ACCESSORY USES	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR
Accessory Dwelling Unit	P	P	***	P	P
Accessory Dwelling Unit Guest	P	P	***	P	P

Home Occupation As per Section 608.E.3 608.E.27	PC	PC	***	PC	PC

CATEGORY: INTERIM USES	T3	T4	***	T6:7 T6:15	T6:22 T6: HWR
Environmental Remediation Facility As per 608.F.5 608.E.23	UP	UP	***	UP	UP

Section 1310. Open space improvements.

A. Open Space Guidelines.

1. Parcels zoned T3 are exempt from required public open space improvements.
2. Open space requirements for developments within the T4, T5, and T6 transects are as follows:
 - a. For sites of one gross acre or larger, minimum open space of at least five percent of the gross site area shall be required. For developments utilizing the single-family ~~attached~~ INFILL development option standards in accordance with Section ~~1303(A)(1)(a)~~ 1303.A.1.a., open space shall be provided as required by Section 614, Table 614,B, Column D, regardless of lot size.

Table 1310.1 Public Open Space Type Guidelines

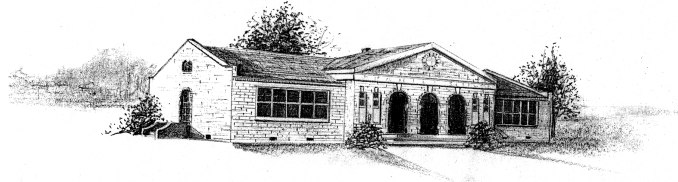
[table unchanged]

* Single-family ~~attached~~ INFILL developments must provide open space as required per Section ~~1310(A)(2)(a)~~ 1310.A.2.a.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.

ATTACHMENT I

Phoenix Historic Neighborhoods Coalition



HISTORIC FRANKLIN SCHOOL

July 8, 2023

Via Email

jeffrey.barton@phoeix.gov
racelle.escolar@phoenix.gov
john.roanhorse@phoenix.gov
nick.klimek@phoenix.gov
council.district.1@phoenix.gov
council.district.2@phoenix.gov
council.district.3@phoenix.gov

council.district.4@phoenix.gov
council.district.5@phoenix.gov
council.district.6@phoenix.gov
council.district.7@phoenix.gov
council.district.8@phoenix.gov
mayor.gallego@phoenix.gov

Re: Text Zoning Ordinance Text Amendment Z-TA-5-23-Y

City of Phoenix
Staff, Encanto Planning Committee, Planning Commission, and Council Members

Dear Members,

I am writing to you on behalf of the Phoenix Historic Neighborhoods Coalition. As you know, we are a coalition of people who live throughout the historic neighborhoods within the City of Phoenix. We come together because we value the history of Phoenix and we seek to share our love of our City's historic neighborhoods to preserve not only the buildings but to also help stabilize and build strong communities.

Many historic homes have historic guest houses or historic garages that have been converted to guest houses, so we welcome the impetus of Z-TA-5-23-Y, to create more density and affordable housing in our city and our historic neighborhoods. We hope that we can suggest ways that density can continue to be accommodated so as not to upset the fabric of our vibrant communities.

There are at least three places in the text amendment where the document should be clarified that Historic Preservation review and policies have not been supplanted with something new or made optional. We do not believe that the document intends to sideline Historic Preservation, we would just like to avoid any ambiguity later.

- **Section 507 Tab A II.C 8**

(c) Individual duplexes (as specified above) shall incorporate Design Guidelines Section 8.5. DWELLING UNITS ON LOTS ZONED OR DESIGNATED HP ARE EXEMPT FROM THE PROVISIONS OF SECTION 8.5, SO LONG AS THE PLANS ARE REVIEWED AND APPROVED THROUGH HISTORIC PRESERVATION PRIOR TO ISSUANCE OF ANY BUILDING PERMITS.

There should simply be a period after “SECTION 8.5” with the balance of the sentence (highlighted) removed. The paragraph should then have a new sentence that states: “**Any Dwelling Units proposed on a lot with a historic preservation zoning districts or to individually designated historic property must be approved in accordance with Section 811.**”

- **Section 706. (Accessory Uses and Structures)**

(A)(3)

(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, OR AS MAY BE APPROVED BY HISTORIC PRESERVATION FOR HP ZONED OR DESIGNATED PROPERTIES. (P)

There should be a period after “DWELLING UNIT with the balance of the sentence (highlighted) removed. The paragraph should then have a new sentence that states: “**Any ADU proposed on a lot with a historic preservation zoning districts or to individually designated historic property must be approved in accordance with Section 811.**”

- **Section 702.F 1. (Special Parking Standards)**

(b). Spaces in excess of those required for single family and duplex residential uses may be located in the required front yard. However, all parking and maneuvering areas within the required front yard shall not exceed 50% OF THE AREA OF THE REQUIRED FRONT YARD, EXCEPT THAT A DRIVEWAY SHALL NOT BE REQUIRED TO BE LESS THAN 18' IN WIDTH UNLESS OTHERWISE STIPULATED BY HISTORIC PRESERVATION.

There should be a period after “IN WIDTH” with the balance of the sentence (highlighted) removed. The paragraph should then have a new sentence that states: “**All parking spaces, maneuvering areas and driveways proposed on a lot in historic preservation zoning district or to individually designated historic property must be approved in accordance with Section 811.**”

In addition, there are at least 11 Special Planning Districts in our city. Some of these plans were adopted as far back as 1986. This text amendment appears to broadly apply to these areas without considering the context of each plan and the stake holders impacted. The coalition is concerned that this action may be a violation of the commitment made to these stake holders without an appropriate public process to amend each plan.

Thank you for your attention to this matter.

Sincerely,

/s/ Robert C. Warnicke
Robert C. Warnicke
Vice President

Racelle Escolar

From: Abby Wilkymacky <abby@mindflowerstudio.com>
Sent: Monday, July 24, 2023 4:07 PM
To: Racelle Escolar
Subject: I support Phoenix ADUs

Dear Racelle,

My name is Abby Wilkymacky and I'm reaching out as a resident of the City of Phoenix to express my support for the Accessory Dwelling Unit (ADU) Zoning Ordinance Text Amendment ([Z-TA-5-23-Y](#)).

The average cost of a home in Arizona has risen 54.2% in the last two years, while the median income has increased just 5% since 2019. Where we live affects every aspect of our lives, from access to workplaces and childcare to healthcare and groceries. Even our life expectancy depends on what ZIP code we live in – there is a gap of more than 24 years in life expectancy from the healthiest Arizona neighborhood to the least healthy.

These amendments will help increase the housing supply and make more neighborhoods in the City of Phoenix attainable for more Phoenix residents. Allowing accessory dwelling units in all neighborhoods will help increase the rentals supply and allow more seniors to stay with families or find smaller units in their current neighborhoods.

Please forward this message to members of the Planning Commission to convey my support for approving this amendment.

Kindly,
Abby



Abby Wilkymacky
Founder, Facilitator
abby@mindflowerstudio.com
513-265-0438 (mobile)
Phoenix, Arizona

www.MindflowerStudio.com [mindflowerstudio.com]

@MindflowerStudio

Racelle Escolar

From: Tom Kelly <tkelly20040@yahoo.com>
Sent: Wednesday, July 26, 2023 10:00 AM
To: Racelle Escolar
Subject: Letter of support - Zoning Code Amendment for ADUs to be considered at Aug 3rd Planning Commission Meeting

I am writing in full support of the proposed zoning amendment that would permit the construction of ADUs in single-family zoned lots of sufficient size.

ADUs offer a significant new source of affordable housing without materially impacting the neighborhoods around them.

I am hopeful that we will also see real estate tax incentives for those home owners who commit to ADU rental pricing targeted to low income individuals and families

I am also hopeful that manufactured housing will be broadly permitted. Manufactured housing is an essential supplier of ADUs (including advanced technologies) given the limited capacity in the housing construction industry, and the need for simple and expedited processes of plan review and approval.

I recognize that much more will need to be done to address the severe shortage of affordable housing, but congratulate city staff and elected leadership in making ADUs a significant step forward.

Sincerely,

Tom Kelly
30 E Saint Anne Ave
Phoenix 85042

Member:
Arizona Housing Coalition
PCA Social & Housing Advancement Committee
Valley Leadership's Housing & Healthy Neighborhood's Impact Team

Board member:
FSL
South Central Collaborative

Early adopter of manufactured small homes (749 S 2nd St)

Sent from my iPad

Racelle Escolar

From: Amy Schwabenlender <aschwabenlender@gmail.com>
Sent: Tuesday, August 1, 2023 9:54 AM
To: Racelle Escolar
Subject: Support for Phoenix ADUs

Dear Racelle,

My name is Amy Schwabenlender, and I'm reaching out as a resident of the City of Phoenix to express my support for the Accessory Dwelling Unit (ADU) Zoning Ordinance Text Amendment ([Z-TA-5-23-Y](#)).

The average cost of a home in Arizona has risen 54.2% in the last two years, while the median income has increased just 5% since 2019. Where we live affects every aspect of our lives, from access to workplaces and childcare to healthcare and groceries. Even our life expectancy depends on what ZIP code we live in – there is a gap of more than 24 years in life expectancy from the healthiest Arizona neighborhood to the least healthy.

These amendments will help increase the supply of housing and make more neighborhoods in the City of Phoenix attainable for more Phoenix residents. Allowing accessory dwelling units in all neighborhoods will help increase the supply of rentals and allow more seniors to stay with families or find smaller units in their current neighborhoods.

Please forward this message along to members of the Planning Commission to convey my support for the approval of this amendment.

Sincerely,
Amy

Racelle Escolar

From: Kelly Hatch <Kelly.Hatch@multi.studio>
Sent: Tuesday, August 1, 2023 2:05 PM
To: PDD Planning Commission
Subject: August 3, 2023_Planning commission_SUPPORT FOR ITEMS 16 and 17

To whom it may concern:

I am writing to **support the following items** on the August 3, 2023 Planning Commission Agenda:

Item 16: Z-TA-5-23-Y (ADU's): This would positively allow for:

- incremental density/missing middle and affordable housing
- multi-generational housing
- property owner wealth building through rental opportunities
- aligns with the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Item 17: Z-TA-8-23-Y (Parking reductions): This would positively allow for:

- greater utilization of transit systems
- allows for greater density to be built on small infill lots
- promotes development of small lots that could not be developed due high parking requires that cannot reasonably fit on site
- supports development of affordable housing
- aligns with the Walkable Urban Code
- aligns with transit-oriented plans including the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Kelly Hatch

Kelly Hatch NCIDQ
Senior Associate

multistudio

o 602.650.7635 c 425.218.5383

Kelly.Hatch@multi.studio

w [Multi.studio](https://multi.studio) [multi.studio]

Racelle Escolar

From: Krista Shepherd <Krista.Shepherd@multi.studio>
Sent: Tuesday, August 1, 2023 1:53 PM
To: PDD Planning Commission
Cc: Krista.Shepherd@multi.studio
Subject: August 3, 2023_Planning commission_SUPPORT FOR ITEMS 16 and 17

To whom it may concern:

I am writing to **support the following items** on the August 3, 2023 Planning Commission Agenda:

Item 16: Z-TA-5-23-Y (ADU's): This would positively allow for:

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- aligns with the Walkable Urban Code
- aligns with transit-oriented plans including the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Thank you.

Krista

Resident of District 6, Business location is District 7, Member of the 2025 Plan Phoenix Leadership Committee

Krista Shepherd AIA, LEED AP, NCARB
Principal

multistudio

o 602.650.7630 c 602.708.4588

Krista.Shepherd@multi.studio

w Multi.studio [multi.studio]

Racelle Escolar

From: Melissa Alexander <Melissa.Alexander@multi.studio>
Sent: Tuesday, August 1, 2023 2:29 PM
To: PDD Planning Commission
Subject: August 3, 2023_Planning commission_SUPPORT FOR ITEMS 16 and 17

To whom it may concern:

I am writing to **support the following items** on the August 3, 2023 Planning Commission Agenda:

Item 16: Z-TA-5-23-Y (ADU's): This would positively allow for:

- incremental density/missing middle and affordable housing
- multi-generational housing
- property owner wealth building through rental opportunities
- aligns with the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Item 17: Z-TA-8-23-Y (Parking reductions): This would positively allow for:

- greater utilization of transit systems
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- supports development of affordable housing
- aligns with the Walkable Urban Code
- aligns with transit-oriented plans including the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Thank you.

Melissa

Resident of District 6, Business location is District 7

Melissa Alexander NCIDQ, IIDA
Principal

multistudio

o 602.650.7627 c 602.748.5505
Melissa.Alexander@multi.studio
w Multi.studio [multi.studio]

Racelle Escolar

From: Mike Anglin <Mike.Anglin@multi.studio>
Sent: Tuesday, August 1, 2023 2:11 PM
To: PDD Planning Commission
Subject: Aug 3, 2023 - Planning Commission - SUPPORT FOR ITEMS 16 and 17

Importance: High

To whom it may concern:

I am writing to **support** the following items on the August 3, 2023 Planning Commission Agenda:

Item 16: Z-TA-5-23-Y (ADU's):

This would positively allow for:

- incremental density/missing middle and affordable housing
- multi-generational housing
- property owner wealth-building through rental opportunities
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This would positively allow for:

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- greater density to be built on small infill lots
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- supporting development of affordable housing
- alignment with the Walkable Urban Code
- alignment with transit-oriented plans including the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Thank you.

Mike

Resident of District 5 and employee of business located in District 7

Mike Anglin RA, LEED AP
Senior Associate
he/him

multistudio

o 602.650.7614 c 520.664.4625

Mike.Anglin@multi.studio

w Multi.studio [multi.studio]



P H O E N I X
C O M M U N I T Y
A L L I A N C E

August 1, 2023

Phoenix Planning Commission
200 W. Washington Street
Phoenix, AZ 85003

Dear Phoenix Planning Commission Members:

The city of Phoenix is currently in a housing crisis. In 2022 over 56,000 new residents arrived in Maricopa County with many relocating to the City of Phoenix. As the population of Phoenix continues to increase, innovative solutions must be employed to ensure that adequate housing stock is available for all who choose to call Phoenix home.

While no single change to current zoning ordinances, building practices, or development patterns will provide immediate relief to the current housing shortage; adoption of Z-TA-5-23-Y which allows for increased construction of Accessory Dwelling Units (ADUs), is a first step in increasing housing supply in areas and neighborhoods where the current densities would permit.

Increasing construction of ADUs offers many benefits to individual families and entire communities. ADUs will help to promote multigenerational living on a single parcel of land. Families will benefit from increased generational connectivity and strengthened family bonds. With greater construction of ADUs senior citizens will be allowed to age in place surrounded by a family support network. Communities in turn will benefit from a stable residential base comprised of invested neighbors with long-standing neighborhood ties.

Phoenix Community Alliance is fully aware of concerns that have been expressed regarding proposed revisions in the text amendment. Language in the text amendment regarding ADUs in designated historic neighborhoods needs further

An affiliate of



Activate, Advocate & Build the Phoenix We Want!

Phoenix Community Alliance

1 East Washington Street, Suite 230 • Phoenix, AZ 85004 • (602) 254-7477 • phoenixcommunityalliance.com



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A L L I A N C E

clarification. Similarly, language regarding the intersection of ADU construction and home owner associations (HOAs) requires more refinement. While the above outlined concerns are valid, the benefits of greater adaptation of ADUs far outweighs the potential side effects of increased ADU construction.

By way of background Phoenix Community Alliance (PCA) is the 40 year –old business leadership and advocacy organization for greater Downtown Phoenix and has nearly 300 Members ranging from small non-profit community organizations to large corporations, from college students to private professionals to start-up businesses. Our Members work together to create a stronger Downtown for a better Phoenix through advocacy Committees which focus on the priorities outlined in the Downtown Strategic Plan.

PCA strongly urges approval of Z-TA-5-23-Y by the Planning Commission and City Council. Revision of this text amendment is a first step in addressing housing supply challenges in Phoenix. Families and communities will benefit economically and socially by providing for increased access to ADUs throughout the City of Phoenix.

Patrick McDaniel
Advocacy Director

Diane Haller
Board Chair



Activate, Advocate & Build the Phoenix We Want!

Phoenix Community Alliance

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aarp.org/az | azaarp@aarp.org | twitter: @AZ_AARP
facebook.com/aarparizona

AARP Arizona on City of Phoenix Text Amendments Z-TA-5-23-y and Z-TA-8-23-Y

AARP Arizona, on behalf of its almost 900,000 Arizona members is excited to support both text amendments as they will reduce and remove barriers to creating more housing that is affordable to all Phoenixians.

TA-5-23:

The City of Phoenix is in desperate need of more units that are affordable. As one of the largest cities in the nation, and growing, we must work to address these concerns. As our economy and population have grown, so too have the prices of rent. While we welcome the growth and prosperity to our city, we must ensure that city residents have access to stable housing. We've watched our population of unhoused grow dramatically over the last few years, especially amongst the 50+. In our heat, housing is a matter of life and death.

Accessible Dwelling Units (ADUs), also known as Casitas or Mother-in-Law Suites, are a great way to combat the over 150,000-unit shortage we have in the city. We also have evidence that these units, if allowed, will go to those most in need of them. A 2018 study in Vancouver found that 32% of the residents of ADUs had income that was less than 80% of the regional median income, and 16% had income that was less than half of the regional median income.

The average Social Security check in Arizona is roughly \$1,550 per month, whereas the average rent in Phoenix is closer to \$2,100 per month. People who moved to Arizona in years past are now being priced out leading to some of the difficulties we are currently seeing.

From another perspective, ADUs can also allow for older adults, who need care by family but can't afford living in a long-term care facility, to have a home to age in place. There are an estimated 800,000 unpaid family caregivers in Arizona and having more options to those needing care to be near those providing helps everyone.

TA-8-23:

Regarding the parking requirement changes, AARP policy actually recommends no on-site parking requirements. Parking requirements create additional barriers to ADU

creation because there is additional land needed and present additional costs. For instance, depending on the type of parking being built it can range between \$2,500 and \$15,000.

Interestingly, we do not require more parking for every additional bedroom created in a home, thus, AARP believes that ADUs should be treated similarly.

According to a recent AARP Arizona survey, 80% of respondents put increasing rent as one of the top concerns they had which could prevent them from aging in place. In the same survey, 90% of respondents said that Elected Leaders should make affordable housing a priority.

We are seeing everyone including stakeholders, elected officials, and residents all agree that housing is a major concern. These proposed changes would be a step in the right direction to allow Phoenix to grow without leaving people, especially older adults behind.

Sincerely,

Dana Marie Kennedy, MSW

State Director, AARP Arizona





August 2, 2023

Re: ADU and Parking Reform Items Before Your Commission

To Whom It May Concern:

As a Phoenix resident, father of two children, and someone who works in the development and construction industry, I urge the Phoenix Planning Commission to support text amendments Z-TA-5-23-Y (legalizing casitas) and Z-TA-8-23-Y (right-sizing parking mandates).

Our zoning code must keep pace with the needs of society. These needs are not static. Indeed, they are dynamic and always changing. If our zoning code is meant to serve our community and protect its best interests, then it too must remain dynamic and open to change. Because affordability metrics, long permitting times, and housing production numbers clearly indicate that the status quo is not keeping up. This reality demands action.

I am proud to see our city step up to the plate and show leadership by taking a serious look at zoning reform. Both text amendments before you are critical.

Backyard units give people options, especially for multi-generational families or those who need more space but cannot move due to an existing job or today's much higher interest rates. These same units were once legal in some of our most beloved historic neighborhoods—just take a look around Coronado, for example. It is time we re-legalize what was once a common sense way to gently grow and incrementally expand a family's use of their hard-won property.

PLEASE VOTE YES on Z-TA-5-23-Y to legalize casitas!

Relaxed parking minimums are equally valuable. There is a long and proven literature covering the many ways high parking ratios negatively impact our communities, but that's not even the most important point. Simply put, these requirements driven significant cost, and those costs transfer all the way down to the monthly rent paid by everyday people. Reducing parking ratios is not a giveaway to well capitalized developers. Instead, it is a leg up to our neighbors, many of whom rent either out of necessity or by choice. We need to do everything we can to encourage efficient use of infill land while reducing the cost to construct infill housing.

PLEASE VOTE YES on Z-TA-8-23-Y to align mandatory parking ratios with today's needs!

Thank you,
Lucas Lindsey





August 3, 2023

Sent via email

City of Phoenix Planning Commission
200 W Jefferson St
Phoenix AZ 85003

RE: August 3, 2023 Planning Commission Meeting Agenda Items 16 and 17 (ADUs and Parking Minimums)

Dear Phoenix Planning Commission:

On behalf of the Home Builders Association of Central Arizona (“HBACA”), we write in support of the proposed zoning ordinance text amendments related to Accessory Dwelling Units¹ (“ADUs”) and parking minimums² on the August 3 Planning Commission meeting under agenda items 16 and 17. The City of Phoenix and the State of Arizona are facing a housing supply and affordability crisis.³ The City itself has set a goal of creating or preserving 50,000 homes by 2030.⁴ **These two text amendments are a necessary first step in achieving that goal and we respectfully request you vote “yes” on both text amendments.**

Legalizing ADUs are an increasingly popular way to increase housing supply around the country. “Accessory Dwelling Units (ADUs) provide one option for increasing housing supply without noticeably changing neighborhood aesthetics, since ADUs are typically secondary units that discretely share a lot with a primary residence.”⁵ While ADUs are helpful in increasing housing supply it is important that these ordinances are drafted in a way that results in ADUs being constructed. “But getting the rules right is important: in many cases, cities adopt excessively strict rules surrounding ADUs, resulting in few units being built.”⁶

As these ordinances have been adopted and implemented around the country there are several key recommendations for making ADUs feasible to build⁷:

- No owner occupier requirement
- No parking requirement for the ADU
- Approve ADUs by-right/ministerially
- Allow attached and detached ADUs
- Allow reasonably sized ADUs

¹ Z-TA-5-23-Y

² Z-TA-8-23-Y

³ See e.g., *Why experts say Arizona housing crisis is a ‘growing cancer’* (available at <https://azbigmedia.com/real-estate/why-experts-say-arizona-housing-crisis-is-a-growing-cancer/>).

⁴ [Phoenix.gov/housing](https://phoenix.gov/housing)

⁵ Vanessa Brown Calder and Jordan Gygi, *The Promising Results of Accessory Dwelling Unit Reform*, Cato at Liberty Blog (June 28, 2023) (available at <https://www.cato.org/blog/results-accessory-dwelling-unit-reform-so-far>).

⁶ M. Nolan Gray, *Arbitrary Lines: How Zoning Broke the American City and How to Fix It*, 113 (Island Press 2022).

⁷ See *The Promising Results of Accessory Dwelling Unit Reform*.

It appears that the proposed text amendment covers most of these. We are concerned about an owner occupier requirement as this requirement tends to reduce the value add of an ADU to a property's appraisal and makes financing for ADU construction more difficult. We are also concerned that the City's lot coverage regulations will hinder the ability of some homeowners to add an ADU despite the increase in lot coverage proposed in the text amendment. The City's current setback requirements are sufficient to regulate the buildable area on a lot. Therefore, the city should remove any owner occupier requirement and the general lot coverage limitations.

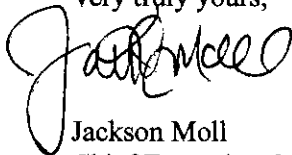
Although it is not within the purview of this text amendment, the HBACA is concerned about the implementation of this ordinance amendment. Our members are experiencing very long plan review, permitting, and approval times in the City. Our concern is that this problem is going to get worse with an influx of new applications to build ADUs. The City should consider how it is going to go about reviewing and approving these applications so as to not elongate an already cumbersome process.

The HBACA also supports the parking minimum reform text amendment. While this amendment will only affect a few of our members, these reforms will help reduce housing costs. Moreover, it is a recognition that the market is better at determining these needs than municipal planners.

As far as off-street parking goes, developers – not planners – have both the right incentives and local knowledge needed to determine how much off-street parking is necessary. After all, if a developer builds too much parking, they waste money, while if they build too little, they may have trouble selling or leasing out the space. Eliminating minimum parking requirements merely gives developers the flexibility needed to adjust the amount of parking to local conditions, perhaps building more in suburban areas and less in more urban areas.⁸

The HBACA and our members are very appreciative of the City's work on increasing the supply of housing. However, there is still much work that needs to be done. We are looking forward to working with the City on future reforms such as addressing the missing middle (duplexes, triplexes), reducing minimum lot sizes, and reforming design review regulations. In addition, we are looking forward to procedural reforms to expedite the plan review, permitting, and approval processes. After all the value of these text amendments is significantly diminished if our members cannot actually get these additional units constructed in a timely fashion.

Very truly yours,



Jackson Moll
Chief Executive Officer
Home Builders Association of Central Arizona
Registered Lobbyist with the City of Phoenix

Cc: Josh Bednarek, Director City of Phoenix Planning and Development

⁸ *Arbitrary Lines* at 114.

Racelle Escolar

From: Dudzik Smith, Katherine <Katherine.DudzikSmith@hdrinc.com>
Sent: Thursday, August 3, 2023 8:58 AM
To: PDD Planning Commission
Subject: Support for Z-TA-5-23-Y and Z-TA-8-23-Y

Hello,

I am writing in support of the Zoning text amendments suggested by the City of Phoenix staff to allow ADUs and reduction of parking minimums. Both of these measures will help with the affordable housing crisis that the Phoenix metro area is experiencing and thus help the homelessness situation. Both of these measures help with creating a stronger community by allowing more diverse development. Please adopt these zoning text amendments.

Thank you,
Katherine

Katherine Dudzik Smith, AIA, NOMA, LEED AP, NCARB
Senior Design Architect

HDR
20 East Thomas Road, Suite 2500
Phoenix, AZ 85012
D 602.474.7812 **M** 480.239.6291
Katherine.DudzikSmith@hdrinc.com

hdrinc.com/follow-us [hdrinc.com]

Racelle Escolar

From: pearce@carbon-vudu.us
Sent: Thursday, August 3, 2023 8:07 AM
To: PDD Planning Commission
Subject: ADU Support and less parking

Yes I support the ADU program and less parking c.

Pearce | 602.430.3451 ©2023 OWNERSHIP OF SERVICE -- All reports, plans, specifications, computer documents, field data, notes and information prepared by **CARBON VUDU LLC** and their consultants shall remain the property thereto. **CARBON VUDU LLC** shall retain all common law, statutory and other reserved rights, including the copyright thereto.

August 3rd, 2023

City of Phoenix Planning Commission,

As community organizations led by and serving Phoenix families and community leaders, we urge the Planning Commission at the City of Phoenix to support text amendments Z-TA-5-23-Y (legalizing casitas) and Z-TA-8-23-Y (right-sizing parking mandates). **These proposals will help make housing more affordable and attainable across our city, increase access to jobs and amenities, and save Phoenixians money when we desperately need it.**

Housing is a basic human need and we believe that any hard-working Phoenixian should be able to find safe, stable housing they can afford. We also recognize that our outdated zoning codes present a huge barrier to affordable and attainable housing. **Our city policymakers have an obligation to act, to ensure no hard-working Phoenixian is priced out of their community.**

The two proposals before the Planning Commission and City Council would provide modest, but important improvements to affordability and livability in Phoenix. They will create a pathway for our city to stay a place Phoenixians can afford to live, work, and raise families, while maintaining the visual character and livability of our neighborhoods.

Legalize casitas to expand affordable housing options

Vote YES on Z-TA-5-23-Y to legalize casitas, vital to any affordable housing strategy.

Casitas are among the most naturally affordable forms of housing.

- A new market-rate casita **rents for 75% less** than a new single-family home.¹
- Multiple studies have found the average casita is **affordable at between 60% and 80% of area median income.**

Casitas provide opportunity to people of all ages.

- Casitas **enable seniors to age in place** by providing ongoing rental income without needing to move off their property.²
- Casitas **enable multigenerational living on a single parcel**, particularly useful for families who want to live in multigenerational arrangements.³

Legalizing casitas is popular. A YouGov poll of Arizona voters in May-June of this year found that **73% of Maricopa County residents support allowing owners of single-family houses to build and rent out casitas on their property, vs. only 18% opposition.**⁴

¹ <https://www.sightline.org/2021/08/01/we-ran-the-rent-numbers-on-portlands-7-newly-legal-home-options/>

² <https://www.aarp.org/home-family/your-home/info-2020/accessory-dwelling-unit.html>

³ <https://accessorydwellings.org/2016/01/22/adu-multigenerational-families/>

⁴ https://drive.google.com/file/d/1BrOgBvXI9v1q7Z_fFm-tC7uE5fV9FuTF/view?usp=sharing

Right-size parking mandates to bring down housing costs

Vote YES on Z-TA-8-23-Y to align mandatory parking ratios with the needs and budgets of everyday, hardworking Phoenixians.

Study after study shows parking mandates make housing more expensive.

- Multiple independent, nonpartisan analyses of parking mandates found that on-site parking adds 15% - 17% to the cost of rent.^{5 6}
- Another study showed that during peak periods 37% of urban residential parking spaces are unoccupied.⁷

Relaxing parking mandates enables more homes to be built more quickly.

- Studies of cities that repealed parking mandates in the last ten years found that 60% to 70% of new homes built there would not have been legal under prior mandates.⁸

Right-sizing parking mandates are popular. The May-June YouGov poll of Arizona voters found that **60% of Maricopa County residents support reducing parking mandates, so long as at least one parking space is provided per home, vs. only 22% opposition.**

Phoenixians support bold action to build more affordable housing

With Phoenix facing a shortage of over 163,000 homes, the working residents of our city are done waiting for action.⁹ The May-June YouGov poll of Arizona voters found that **55% of Maricopa County residents believe “building more affordable housing” is important.**

The time to act is now. Phoenix’s working families need you to vote YES on text amendments Z-TA-5-23-Y and Z-TA-8-23-Y.

Signed,

Urban Phoenix Project
Arizona State Senator Anna Hernandez
Arizona State Representative Analise Ortiz
American Institute of Architects
AIA Phoenix Metro
A Permanent Voice Foundation

⁵ https://www.sightline.org/research_item/who-pays-for-parking/

⁶ <https://www.tandfonline.com/doi/full/10.1080/10511482.2016.1205647>

⁷ <https://www.seattletimes.com/seattle-news/data/seattles-car-population-has-finally-peaked/>

⁸ <https://www.sightline.org/2023/04/13/parking-reform-legalized-most-of-the-new-homes-in-buffalo-and-seattle/>

⁹ <https://www.phoenixnewtimes.com/news/phoenix-draft-homeless-plan-hopes-portal-advocates-community-gallego-11478370>

Carbon Vudu LLC
Carnation Association of Neighbors
CHISPA AZ
Fuerte AZ
Merge Architectural Group
Phoenix Spokes People
RAIL CDC
SoPho Convening
Trees Matter
Unemployed Workers United

ATTACHMENT J



1 August 2023

Chair and Commissioners
Planning Commission
c/o City of Phoenix, Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

RE: TA-5-23 (ADUs); TA-8-23 (Affordable and Multi-Family Housing parking reductions)

Mr. Chairman and Commissioners:

Attached with this letter is a correspondence the Neighborhood Coalition (NCGP) sent to all Village Planning Committees (VPCs) in July regarding the subject text amendments.

NCGP representatives presented on the subject at ten of the 15 VPCs.

Planning and Development submitted to you an addendum to the ADU text amendment. While we appreciate the effort to improve the TA, the changes have yet to be aired so we wish for a more fulsome public discussion before embracing the changes suggested.

We continue to stand by our recommendations—amending the ADU TA to improve the clarity of its impact on historic preservation districts, special planning districts and overlays, and HOAs and CC&Rs. We also think managing short term rentals (STRs) deserves a greater inspection.

We also believe that the proposed parking reductions to affordable and multifamily housing projects warrant substantial amendments to be considered viable on a citywide basis. Indeed, nine of the 15 VPCs voted to deny the reduced parking text amendment as presented to you.

Please consider the recommendations NCGP has offered you for both TAs.

Respectfully,

Neighborhood Coalition of Greater Phoenix members and friends

att.



11 July 2023

Chair and Committee Members
Desert View Village Planning Committee
c/o City of Phoenix, Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

RE: TA-5-23 (ADUs); TA-8-23 (Affordable and Multi-Family Housing parking reductions)

Chair and Committee members:

The Neighborhood Coalition of Greater Phoenix is registered with the Corporation Commission of the State of Arizona and has continuously been a member in good standing since 1984. Our members are from neighborhoods across the City of Phoenix.

Background

We understand that our nation is facing a housing shortage and that Arizona and Phoenix have not been spared from this shortage. NCGP members believe it falls upon all of us to help provide relief and a sustainable path forward.

In that spirit, members of the NCGP working group gathered to review and discuss the proposed subject text amendments the City has anticipated to address our housing shortage.

2023 Arizona Legislative Session

This year's session saw several housing bills make their way through the Legislature without success. Indeed, NCGP, its members and our partners across the Valley and the state were active in seeking 'no' votes from elected representatives. Ultimately, the bills were either voted down decisively, on a bipartisan basis, or they failed to make their way to the floor of either Chamber.¹

¹ Senate bill SB1117 was denied in the Senate on a bipartisan vote, failing 20 to 9 in March. The bill was then broken into 3 separate bills: HB1161, HB1163 and SB2536. On the final day of voting in June, SB2536 was defeated on a bipartisan basis, 19-10. HB1161 and HB1163 failed to get a vote on the House floor, ending the bill sponsor's push for so-called 'zoning reform.'

We provide this information to let VPC members know that all the text amendments coming through committees in the last several months--and now this month—can claim origins from the bills at the state legislature that we are intimately familiar with.

Z-TA-5-23 (Accessory Dwelling Units or ADUs)

Many of us think that ADUs can have a positive impact on the housing supply in our city. Yet, we believe that there are several elements of the proposed TA that require additional scrutiny. These are our comments and suggestions.

I. Historic Preservation and other Special Planning/Overlay Districts:

We have great concern that the TA as presented will create confusion and contention between this ordinance and the ordinances that govern properties of historic significance. Z-TA-5-23-Y must state that for historic properties, Chapter 8 of the Zoning Ordinance takes precedence over the design review standards for ADUs. Specifically, the proposed language states:

"(c) DWELLING UNITS ON LOTS ZONED OR DESIGNATED HP ARE EXEMPT FROM THE PROVISIONS OF SECTION 8.5, SO LONG AS THE PLANS ARE REVIEWED AND APPROVED THROUGH HISTORIC PRESERVATION PRIOR TO ISSUANCE OF ANY BUILDING PERMITS."

The phrase "so long as..." is imprecise and doesn't make it clear that ADUs in historic districts MUST be reviewed by the HP Office. The proposed language is subject to misinterpretation that a project may EITHER be approved by the HP Office OR incorporate the Design Guidelines of Section 8.5 of the TA.

To make it clear that ADUs in historic districts must have HP approval, we suggest the following language:

"Dwelling units within a historic district and/or with HP or HP-L zoning overlay are subject to review by the City of Phoenix Historic Preservation Office pursuant to Article 8 of the Zoning Ordinance. In the event the provisions of Section 8.5 herein, or other ordinance or regulations are inconsistent with Article 8 of the Zoning Ordinance (Historic Preservation), Article 8 shall have precedence."

We also believe the proposed TA Section 702.F.1(b) (Special Parking Standards), likewise does not make it clear that HP approval is REQUIRED for the addition of parking to the front of a historic property (widening of driveways and curb cuts, etc.), and the language should be strengthened. The proposed language states:

"Spaces in excess of those required for single family and duplex residential uses may be located in the required front yard. However, all parking and maneuvering areas within the required front yard shall not exceed forty-five percent (45%) 50% OF THE AREA OF THE REQUIRED FRONT YARD, EXCEPT THAT A DRIVEWAY SHALL NOT BE REQUIRED TO BE LESS THAN 18' IN WIDTH UNLESS OTHERWISE STIPULATED BY HISTORIC PRESERVATION."

We think stronger language is needed to ensure that Historic Preservation regulation takes precedence over the ADU ordinance by deleting, "Unless otherwise stipulated by Historic Preservation", and adding the following sentence:

"Any and all changes to driveways, parking and maneuvering areas within a historic district and/or with HP or HP-L zoning overlay are subject to review by the City of Phoenix Historic Preservation Office pursuant to Article 8 of the Zoning Ordinance. In the event the provisions of Section 702.F.1 herein, or other ordinance or regulations are inconsistent with Article 8 of the Zoning Ordinance (Historic Preservation), Article 8 shall have precedence."

Third, the proposed amendment Section 706.A.3.b (Accessory Dwelling Units (ADU)) is also worded in such a way that makes HP approval seem optional.

The proposed language states:

"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, OR AS MAY BE APPROVED BY HISTORIC PRESERVATION FOR HP ZONED OR DESIGNATED PROPERTIES. (P)"

Instead of using the imprecise phrase, "or as may be approved", the language should be strengthened as follows to make it clear HP approval is REQUIRED for historic properties:

Delete the phrase "or as may be approved by Historic Preservation..." and add the following sentence:

"A detached ADU within a historic district and/or with HP or HP-L zoning overlay is subject to review by the City of Phoenix Historic Preservation Office pursuant to Article 8 of the Zoning Ordinance. In the event the provisions of Chapter 7, Section 706.A.3.b herein, or other ordinance or regulations are inconsistent with Article 8 of the Zoning Ordinance (Historic Preservation), Article 8 shall take precedence."

II. Parking for ADUs

We agree that the amount of the front yard that can be allowed for parking needs to increase from 45% to 50% for parcels that are approved for an Additional Dwelling Unit. We also know, based on experience, that on-street parking will become more frequent.

To ensure that property owners in proximity to a property with an ADU is not inconvenienced or that use of their property is not diminished, on-street parking should be regulated. Please note that homes subject to Historic Preservation, Special Zoning and Overlay Districts are still subject to whatever specific regulation(s) applies to those properties per the first consideration in this position statement.

Combining on-site and on-street parking concerns, the regulation should read:

“A minimum of 1 parking space shall be available either on-site with adherence to Section 720.F.1 as amended to 50% of the front yard, or on-street parking that must only be in front of the subject property unless the property is a corner lot and side-street parking is possible.”

Consideration should also be given to adding language to ensure visibility triangles are maintained.

III. Short Term Rental

We appreciate the addition of the paragraph in the revised TA requiring a Restrictive Covenant but do not feel it is strong enough to meet the City’s goal of increasing affordable housing supply for permanent residents. As currently worded, the Restrictive Covenant will preclude investors who own residential property from applying for an ADU, but it does not prevent an owner-occupied property from renting an ADU on a short-term basis. The consequence will have a negative impact on affordable housing for first time renters (e.g., college-aged adults), and temporary workers (e.g., traveling nurses), among others.

The Restrictive Covenant paragraph should be revised to add the regulation that ADUs, if rented, must be for a term of no less than thirty (30) days. The current City of Flagstaff ordinance states:

(a)The property owner, which includes title holders and contract purchasers, shall occupy either the primary dwelling unit or the ADU as their principal residence, unless the primary dwelling unit and ADU are allowed to be separately leased or rented in accordance with subsection G of this Section.

(b)The primary dwelling unit or the ADU that is not occupied by the property owner that is rented or leased shall be for a period of no less than 30 days.

IV. Homeowners’ Associations/ CCRs

The proposed TA does not address coordination with Homeowners’ Associations or Covenants, Conditions and Restrictions. By law, these contracts must be honored in addition to municipal codes and ordinances. This TA should state that applicants for ADUs must comply with HOA and Covenants, Conditions and Restrictions in addition to the provisions of the ordinance.

Z- TA-8-23 (Affordable and Multi-Family Housing parking reductions)

We understand the desire to relieve what developers perceive as parking ‘constraints.’ We generally believe, however, that a ‘one size fits all’ approach to parking reductions does not reflect a thoughtful approach for a city of 517 square miles.

Any reduction in the current parking space calculations for multi-family housing, in any district and any price category, will put the burden of parking on public streets throughout the city. Therefore, any revisions to the current ordinance need careful consideration.

We believe this TA is being rushed through the approval process without such diligence. With the goal of working together to find suitable solutions, we make observations and propose revisions to the current ordinance as follows:

I. Parking space calculations for multi-family developments should only be based on proximity to currently available transportation options. They should never be based on the rental rates of the units (i.e., luxury, affordable, market rate, low-income/subsidized). It is discriminatory to believe that people who live in lower-priced housing do not have or do not want personal vehicles.

II. Because of the cost of apartment rentals, more units of every size are being shared by two or more people, oftentimes housemates rather than couples. Expecting that no occupant will have a car, even in TODs and WU code areas, is not based on empirical data.

III. Reducing the on-site parking requirements for multi-family housing might be appropriate for residents living in the Downtown Core, Transit Oriented and WU Code districts, yet it is not acceptable to residents living outside of those districts.

Phoenix is the second largest city by area in the United States. Because of the lack of convenient, reliable public transportation in every Phoenix Village outside of downtown and within walking distance of light rail, residents depend on personal vehicles to go to work, to the grocery, and to the entertainment venues clustered in downtown.

Those residents who do not live downtown will also need parking to continue enjoying all that downtown has to offer. If all the street parking is taken by downtown residents, commuting patrons will be deterred from attending events.

IV. Include a requirement that visibility triangles must be maintained.

A. Reducing on-site parking to encourage more density with potentially small front and side setbacks could lead to encroachment on the visibility triangle that is a necessity to ensure safety.

V. City-wide Multi-family Parking Requirement

A. The base parking space requirement should be 1.5 spaces per dwelling unit.

- i. This simplifies the calculation instead of calculation based on size of DU
- ii. Maintains the current requirement as the most frequently built size of unit (1-2 bdrm)
- iii. Averages the current requirements (1.25/efficiency; 1.5/1-2 bdrm; 2/3 bdrm)

iv. It should not be less than the current efficiency DU requirement

VI. Citywide Affordable housing Parking Reduction

- A. Delete this provision because it does not consider proximity to alternative to personal vehicle modes of transportation.

VII. Infill Development District Parking Reduction

- A. Delete the calculations entirely
- B. Use 10% bonus density incentive

VII. Walkable Urban (WU) Code affordable housing parking requirements

- A. Required parking should never be “zero”
- B. Parking for handicapped residents should always be required and maintained
- C. It should not be expected that residents living in affordable housing in the areas of the WU Code will not have personal vehicles
- D. It should not be expected that residents living in affordable housing in the areas of the WU Code will never have a guest with a personal vehicle

IX. Passenger Loading Zones within WU Code

- A. Also require parking of service vehicles (e.g., repair technicians) that require more time than the other stated examples
- B. Also require parking for renter move-in/move-out vehicles that require more time than the other stated examples

Process: Lack of neighborhood outreach

In a June 1, 2023, staff report to the City of Phoenix Planning Commission, PDD staff wrote:

Staff obtained input from various stakeholders and held four meetings to review and request additional input on the proposed text amendment. Stakeholders included individuals from the following organizations:

- *Manufactured Housing Communities of Arizona (MHCA)*
- *Manufactured Housing Industry of Arizona (MHIA)*
- *Arizona Department of Housing Board of Manufactured Housing Member*
- *Affordable Housing/Private Developers*
- *Arizona State University, Real Estate Development*

While we understand that staff feels the need to reach out to industry representatives to understand their position, so, too does staff need to reach out to citizens and neighborhoods to understand the issues of the vast swaths of residents who will be impacted by these proposed sweeping changes to our housing stock.

Does the City of Phoenix think that simply vetting these proposals—changes that can have a vast impact on the existing population—should only be presented to VPCs?

Clearly, some VPCs took issue with the speed and confusion of the proposals of the initial two text amendments when they were presented. It appears six of 15 VPCs did not meet quorum on the first go-around; yet another VPC did not meet quorum last night.

We ask: How can vast changes to the entire city be vetted by, perhaps, 150 people or less?

Next steps: Approve our recommended amendments

We have pored over these proposals to identify the gaps and looked ahead to stave off unintended consequences. We've shared those with you here. Simply approving what's been presented in your packet would be to ignore the serious concerns we've presented without rectifying those issues.

The Neighborhood Coalition looks to make these TAs the strongest and most applicable they can be. We would be disappointed if members simply approved the proposals "as is" because we don't want to see this opportunity squandered for the sake of speed, with all of us missing out on something that can truly help our city now and in the future.

Respectfully,

Neighborhood Coalition of Greater Phoenix (NCGP)

Neal Haddad, President, NCGP; Arcadia Osborn Neighborhood Association

B. Paul Barnes, Vice President, NCGP; AZ APA Distinguished Citizen Planner; former CEVPC chair

Mary Crozier, President, North Central Phoenix Homeowners Association

Sandy Grunow, Co-Chair, Mid-Century Modern Neighborhood Association

Dave Jackson, President, Rancho Ventura Neighborhood Association

Jack Leonard, architect, AIA, NCARB, LEED AP; 2015 General Plan update committee;

former Camelback East and Encanto Village Planning Committees

Michael Phillips, President, Arcadia Camelback Neighborhood Association

Jackie Rich, President, Murphy Trail Estates Neighborhood Association

Larry Whitesell, Co-Chair, The Peak Neighborhood Association



July 28, 2023

Helana Ruter
Interim Historic Preservation Officer
City of Phoenix
200 West Washington St., 3rd Floor
Phoenix, AZ 85003

Re: Importance of Abiding by City of Phoenix Historic Preservation Ordinance for ADUs

Dear Helana:

Historic preservation ordinances play a crucial role in maintaining the cultural and architectural heritage of the City of Phoenix. These regulations safeguard properties of historic significance, and their architectural characteristics including their setting and overall density. The proposed “ADU ordinance”, Z-TA-5-23 (Accessory Dwelling Units or ADUs), has garnered much attention for its potential to increase housing supply. While ADUs can be beneficial, it is vital to address concerns regarding density considerations in order to ensure the coexistence of ADUs with historic neighborhoods, and in some cases individual historic properties.

I. Protecting Historic Properties:

The City recognizes the importance of preserving its historic districts and properties. It is crucial to avoid any conflict between Z-TA-5-23-Y and the existing historic preservation ordinances and other regulations relating to lot coverage, height and scale – especially in the historic neighborhoods. It is therefore imperative that Z-TA-5-23-Y explicitly states that Chapter 8 of the Zoning Ordinance takes precedence over any new design review standards for ADUs in regards to properties and neighborhoods listed on the Phoenix Historic Property Register.

To avoid confusion, the language of all proposed regulations pertaining to ADUs should be revised to state that **“Dwelling units within a historic district and/or with HP or HP-L zoning overlay are subject to review by the City of Phoenix Historic Preservation Office pursuant to Article 8 of the Phoenix Zoning Ordinance.** In the event the provisions of Section 8.5 therein or other ordinance or regulations are inconsistent with Article 8 of the Zoning Ordinance (Historic Preservation), Article 8 shall have precedence.”

II. Strengthening Parking Standards:

The proposed TA Section 702.F.1(b) should be amended to emphasize that HP approval also pertains to driveways, parking, and maneuvering areas within a historic district or properties with HP or HP-L zoning overlay. Driveways are often character-defining aspects of properties that effect the overall character of the site and setting. This revision is necessary to maintain the integrity and character of historic neighborhoods.

To achieve this, the phrase "Unless otherwise stipulated by Historic Preservation" should be removed from section 702.F.1 and the following sentence should be added: "Any and all changes to driveways, parking, and maneuvering areas within a historic district and/or with HP or HP-L zoning overlay are subject to review by the City of Phoenix Historic Preservation Office pursuant to Article 8 of the Zoning Ordinance. In the event the provisions of Section 702.F.1 herein or other ordinance or regulations are inconsistent with Article 8 of the Zoning Ordinance (Historic Preservation), Article 8 shall have precedence."

III. Ensuring Compliance for ADUs in Historic Districts:

The proposed amendment to Section 706.A.3.b of the ADU ordinance requires careful wording to make it evident that HP approval is mandatory for ADUs within historic districts or properties with HP or HP-L zoning overlay.

To achieve clarity, the phrase "or as may be approved by Historic Preservation..." should be removed, and the following sentence should be added: "A detached ADU within a historic district and/or with HP or HP-L zoning overlay is subject to review by the City of Phoenix Historic Preservation Office pursuant to Article 8 of the Zoning Ordinance. In the event the provisions of Chapter 7, Section 706.A.3.b herein, or other ordinance or regulations are inconsistent with Article 8 of the Zoning Ordinance (Historic Preservation), Article 8 shall take precedence."

IV: Department Coordination and Permit Streamlining:

There needs to be a concerted cross-departmental effort to resolve any zoning conflicts between Historic Preservation and conventional standards. Conflicts between various departmental objectives will constrain the effectiveness of the design guidelines pertaining to historic and architectural factors. The internal inefficiencies will put more pressure on the Historic Preservation Office to simply capitulate in deference to the goal creating the more housing units. If the Historic Preservation Officer, and the office staff does not have clear consensus to balance the objectives to protect the context of the historic neighborhoods, the overall character of the historic neighborhoods will quickly deteriorate due to the influx of new housing units.

The zoning ordinance needs to be thoroughly reviewed and conflicting policies addressed across departments such as Site Development, Site Planning, Parking, Traffic, etc. Property owners and ADU designers need to have access to a clear flow chart of the regulatory requirements to achieve the intent of the ADU ordinance with existing historic preservation objectives and guidelines.

It is crucial to implement these proposed revisions to Z-TA-5-23-Y to ensure the continued preservation of our city's rich heritage.

Sincerely,



Roger Brevoort
Chair, Advocacy Committee
Preserve Phoenix

cc: Kate Gallego, Mayor
Members of Council
Alan Stephenson, City of Phoenix
Josh Bednarek, City of Phoenix
Kevin Weight, City of Phoenix
Members, Historic Preservation Commission
G.G. George, Phoenix Historic Neighborhoods Coalition
Neal Haddad, Neighborhood Coalition of Greater Phoenix
Jim McPherson, Arizona Preservation Foundation
Donna Reiner, Postwar Architecture Task Force of Greater Phoenix

Racelle Escolar

From: jvrich@gmail.com
Sent: Tuesday, August 1, 2023 5:46 PM
To: PDD Planning Commission
Subject: Comments on Agenda Items 16 and 7 (Z-TA-5-23-Y and Z-TA-8-23-Y)

Dear Planning Commissioners,

I am writing this email to urge you to take your time in considering the proposed complex text amendments pertaining to Accessory Dwelling Units and Reduced Parking Requirements. Do not rush into a decision before you are comfortable that what you are acting on will not come back and bite you and the city of Phoenix at a later date.

These two text amendments will have a big impact on Phoenix and Phoenicians. They sprung from the Planning Department, were sent to the Village Planning Committees for their recommendations (all of whom are Council appointees), now you, also Council appointees, are considering them, and then finally, the Council will act on them. The public's opportunity to provide input was neither publicized or solicited. No neighborhood stakeholders were included in their development. While there were articles in the AZ Republic about the Accessory Dwelling Unit amendment as early as July 3, the first article on the parking reduction text amendment was on July 19, when all but 3 VPCs had already met and made recommendations. It is also worth mentioning that the agendas for the VPCs did not identify Z-TA-8-23-Y as reducing required parking although they identified the other amendment as allowing ADUs. Instead the agenda listed all the sections that needed to be changed so that someone looking at it would have no idea what that text amendment was actually about.

The only members of the public who have participated in the VPC meetings are people who serve on a different VPC, work for an industry that would benefit from these amendments, or neighbors and neighborhood groups who accidentally found out about the amendments. I have been to five VPC meetings, each of which lasted for as long as 3.5 hours, just to be able to speak for 2 minutes max on each text amendment. (Note, some VPCs allowed more time for members of the public to speak - just not the ones I attended.) At the meetings I attended, I was not allowed to ask questions. Following public comments, staff often offered a rebuttal to what members of the public said, and after that the public was ignored - no opportunity for any of us to answer questions that came up or to respond to incorrect information. It was frustrating.

I have other concerns about the VPC meetings. The packets that were sent to the VPC members online were well in excess of 200 pages. Some packets weren't sent out until after 3:30 pm the day of the meeting; some VPC members never received a packet; other VPC members received packets but didn't read them (perhaps because of lack of time or because of the length). There was a questionable email conversation about the text amendments that all VPC members were part of and which was potentially in violation of the Open Meeting Law that was referred to at a VPC meeting by several VPC members. Several of the VPCs did not have a quorum in June and so learned about the text amendments for the first time in July when they were expected to vote on them.

Some of the Planning Commission members are essentially in the same position as those VPC members who had the least amount of time to learn about the text amendments. They are hearing staff's presentation about these complex text amendments on the same night they are expected to vote on them. Your consideration of the text amendments will be late in the night after considering 13 other cases. How many hundreds of pages were in your packet? The text amendments alone are a lot of information to digest in an evening.

These text amendments are too important and consequential to be rushed through and there is no compelling reason to do so. I urge you to take your time and give these text amendments the time and attention that they deserve.

Thank you,

Jackie Rich
Murphy Trail Estates Neighborhood Association

Racelle Escolar

From: Opal Wagner <opal.wagner@gmail.com>
Sent: Tuesday, August 1, 2023 9:43 AM
To: PDD Planning Commission
Cc: Council District 4; Joshua Bednarek; Helana Ruter; Tricia Gomes; Bradley Brauer
Subject: URGENT: Letter Re: Z-TA-5-23-Y (Item #16 at Aug. 2nd Planning Commission)
Attachments: Gmail - Text Amendment Z-TA-5-23-Y (ADUs).pdf

Dear Planning Commissioners:

I am writing to request that Z-TA-5-23-Y (the text amendment permitting ADUs in Phoenix) be revised and amended to clarify that, for ADU applications in historic districts, Phoenix's existing **Historic Preservation guidelines supersede the design standards in the text amendment.**

Upon receipt of Z-TA-5-23-Y as a member of the Encanto Village Planning Committee, I immediately became concerned about confusing wording in the TA that gives the impression that compliance with the Historic Preservation Office approval process and guidelines is optional. I immediately called Helana Ruter, the City's Historic Preservation Officer to let her know of my concerns, which I followed up in a letter with suggested changes to the TA (see attached). I also sent a copy of the TA to a local attorney involved in preservation matters, who agreed with my assessment of the confusing wording and deemed the TA "poorly drafted" with regard to historic properties.

At the Encanto Village Planning Committee meeting on July 10th, I presented these concerns to Mr. Chris DePerro, the author of the TA. Although the purpose of presentation of text amendments to the Village Planning Committees is to receive the members' feedback to improve the final version, this was not the case, as Mr. DePerro pushed back on every suggested change, insisting he knew what he was doing based on his many years of experience, stating no changes were needed. He said the "intent" of the text amendment was that it was subordinate to HP guidelines, while acknowledging this was not expressly stated in the TA. I told Mr. DePerro I would have to vote "no", since I had to vote on the language in front of me - not his "intent."

I believe the revisions stated in my letter to Helana Ruter and expressed to Mr. DePerro at the EVPC meeting are necessary **to clarify that the existing City of Phoenix Historic Preservation guidelines supersede the design standards in the text amendment.** Without this additional language and clarification, it is likely the text amendment's wording may be misconstrued to create the impression that HP guidelines are optional and may be overridden. I am concerned that it is also unclear whether special planning and conservation districts, zoning overlays and HOAs may be superseded by Z-TA-5-23-Y. All these concerns could be laid to rest with a few simple revisions.

I urge you to pass Z-TA-5-23-Y with the revisions suggested in my attached letter, as well as those suggested by the Phoenix Historic Neighborhoods Coalition, Neighborhoods Coalition of Greater Phoenix, several of the VPCs and others. This text amendment is transformational in its nature and, in my opinion, we all need to slow down and take the time to get it right.

Sincerely,

Opal Wagner
330 W. Coronado Rd.
Phoenix, AZ 85003
520-444-5698



Opal Wagner <opal.wagner@gmail.com>

Text Amendment Z-TA-5-23-Y (ADUs)

1 message

Opal Wagner <opal.wagner@gmail.com>
 To: Helana Ruter <helana.ruter@phoenix.gov>
 Bcc: Opal Wagner <opal.wagner@gmail.com>

Thu, Jul 6, 2023 at 12:45 PM

Dear Helana,

Thanks for taking the time to talk with me this morning about concerns I have with language in the above TA as it applies to Phoenix's historic districts. I believe the TA as written fails to make it clear that ADUs in historic districts must comply with the design review procedures and standards of Chapter 8, the Historic Preservation Zoning Ordinance. To recap, the specific concerns I have are as follows:

1) The proposed amendment to Chapter 5, Section 507 Tab A 11.C 8 (Single-Family Detached Design Review) (p. 6, Section 8(c) of the TA) does not make it clear that, for historic properties, Chapter 8 of the Zoning Ordinance takes precedence over the design review standards for ADUs set forth in the TA. The current language states:

"(c) DWELLING UNITS ON LOTS ZONED OR DESIGNATED HP ARE EXEMPT FROM THE PROVISIONS OF SECTION 8.5, SO LONG AS THE PLANS ARE REVIEWED AND APPROVED THROUGH HISTORIC PRESERVATION PRIOR TO ISSUANCE OF ANY BUILDING PERMITS. ."

I think the phrase "so long as..." is imprecise and doesn't make it clear that ADUs in historic districts **MUST** be reviewed by the HP Office. I think the current language is subject to misinterpretation that a project may **EITHER** be approved by the HP Office **OR** incorporate the Design Guidelines of Section 8.5 of the TA. In order to make it clear that ADUs in historic districts must have HP approval, I suggest the following language:

"Dwelling units within a historic district and/or with HP or HP-L zoning overlay are subject to review by the City of Phoenix Historic Preservation Office pursuant to Article 8 of the Zoning Ordinance. In the event the provisions of Section 8.5 herein, or other ordinance or regulations are inconsistent with Article 8 of the Zoning Ordinance (Historic Preservation), Article 8 shall apply."

2) I believe the proposed amendment to Section 702.F.1(b) (Special Parking Standards) (p. 178 of the TA), likewise does not make it clear that HP approval is **REQUIRED** for the addition of parking to the front of a historic property (widening of driveways and curb cuts, etc.), and the language should be strengthened. The current language states:

"Spaces in excess of those required for single family and duplex residential uses may be located in the required front yard. However, all parking and maneuvering areas within the required front yard shall not exceed forty-five percent (45%) 50% OF THE AREA OF THE REQUIRED FRONT YARD, EXCEPT THAT A DRIVEWAY SHALL NOT BE REQUIRED TO BE LESS THAN 18' IN WIDTH UNLESS OTHERWISE STIPULATED BY HISTORIC PRESERVATION."

I think it should be made clear that HP approval is **REQUIRED** for changes to front yard parking for historic properties by deleting, "Unless otherwise stipulated by Historic Preservation", and adding the following sentence, "Any and all changes to driveways, parking and maneuvering areas within a historic district and/or with HP or HP-L zoning overlay are subject to review by the City of Phoenix Historic Preservation Office pursuant to Article 8 of the Zoning Ordinance. In the event the provisions of Section 702.F.1 herein, or other ordinance or regulations are inconsistent with Article 8 of the Zoning Ordinance (Historic Preservation), Article 8 shall apply."

3) The proposed amendment to Chapter 7, Section 706.A.3.b (Accessory Dwelling Units (ADU)) (p. 180 of the Text Amendment) is also worded in such a way that makes HP approval seem optional.

The current language states:

"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, OR AS MAY BE APPROVED BY HISTORIC PRESERVATION FOR HP ZONED OR DESIGNATED PROPERTIES. (P)"

Instead of using the imprecise phrase, "or as may be approved", I think the language should be strengthened as follows to make it clear HP approval is REQUIRED for historic properties:

Delete the phrase "or as may be approved by Historic Preservation..." and add the following sentence:

A detached ADU within a historic district and/or with HP or HP-L zoning overlay is subject to review by the City of Phoenix Historic Preservation Office pursuant to Article 8 of the Zoning Ordinance. In the event the provisions of Chapter 7, Section 706.A.3.b herein, or other ordinance or regulations are inconsistent with Article 8 of the Zoning Ordinance (Historic Preservation), Article 8 shall apply."

As I mentioned this morning, this TA is on the Encanto Village Planning Committee agenda for a possible vote on Monday, July 10th. I wanted to make the HP Office aware of my above concerns with some of the language of the TA and how it might be misconstrued to weaken the HP Office's role with regard to ADU approval. If you share these concerns with any of the TA's current language or have any stipulations to offer, the committee would surely value hearing from you.

Thanks again for taking the time to hear my concerns and have a great rest of your day.

Sincerely,

Opal

PS I've attached a copy of the TA for handy reference (the highlighting is mine). -O.

 **Z-TA-5-23-Y_Accessory Dwelling Units-2.pdf**
5004K



Agenda Date: 9/6/2023, Item No. 70

*****REQUEST TO CONTINUE (SEE ATTACHED MEMO)*** Public Hearing - Amend City Code - Ordinance Adoption - Parking Reductions for Multifamily Developments - Z-TA-8-23-Y (Ordinance G-7161)**

Request to hold a public hearing on a proposed text amendment Z-TA-8-23-Y and to request City Council approval per the Planning Commission recommendation which amends Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, and revise parking space, unreserved; amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing); amend Chapter 7, Sections 702.C (Parking Requirements) and Section 702.E (Modifications to Parking Requirements); and amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multifamily, single-family attached, and affordable housing, and add requirements for passenger loading zones.

Summary

The intent of the proposed text amendment is to reduce parking requirements for multifamily developments. Related definitions have been revised and/or deleted, with new definitions provided as necessary; “passenger loading space” and “passenger loading zone” has been added for use with the Walkable Urban code, together with proposed development standards; and parking requirements have been reduced for multifamily developments as detailed in the Staff Report (**Attachment B**).

Applicant: City of Phoenix, Planning Commission

Representative: City of Phoenix, Planning and Development Department

Staff Recommendation: Approval of Z-TA-8-23-Y as shown in Exhibit A of the Staff Report (**Attachment B**).

VPC Info: Eleven of the 15 Village Planning Committees (VPCs) heard this item for information only throughout June, as reflected in **Attachments C and D**.

VPC Action: Fourteen VPCs considered the request. Four VPCs recommended approval, per the staff recommendation; two VPCs recommended approval, per the staff recommendation, with modifications; and nine VPCs recommended denial, as reflected in **Attachments C and E**.

PC Info: The Planning Commission heard this item on June 1, 2023, for information

only (**Attachment F**).

PC Action: The Planning Commission heard this item on Aug. 3, 2023, and recommended approval, per the staff recommendation (in the Staff Report) with modifications, by a vote of 6-2, as reflected in **Attachment G**.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.




City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: August 30, 2023

From: Joshua Bednarek 
Planning and Development Director

Subject: CONTINUANCE OF ITEM 70 ON THE SEPTEMBER 6, 2023, FORMAL AGENDA
- PUBLIC HEARING - AMEND CITY CODE - ORDINANCE ADOPTION -
PARKING REDUCTIONS FOR MULTIFAMILY DEVELOPMENTS - Z-TA-8-23-Y
(ORDINANCE G-7161)

Item 70, Z-TA-8-23-Y is a request to amend Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, and revise parking space, unreserved; amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing); amend Chapter 7, Sections 702.C (Parking Requirements) and Section 702.E (Modifications to Parking Requirements); and amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multifamily, single-family attached, and affordable housing, and add requirements for passenger loading zones.

The Planning and Development Department requests the text amendment be continued to the November 1, 2023, City Council Formal meeting to allow it to be heard by the City Council, Transportation, Infrastructure and Planning (TIP) Subcommittee on October 18, 2023, before returning to City Council Formal.

Approved:


Alan Stephenson, Deputy City Manager

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING PORTIONS OF THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX BY AMENDING CHAPTER 2, SECTION 202 (DEFINITIONS) TO ADD DEFINITIONS FOR AFFORDABLE HOUSING, PASSENGER LOADING SPACE, PASSENGER LOADING ZONE, AND REVISE PARKING SPACE, UNRESERVED; AMEND CHAPTER 6, SECTION 608.J (DENSITY BONUS FOR LOW OR MODERATE INCOME HOUSING); AMEND CHAPTER 7, SECTIONS 702.C (PARKING REQUIREMENTS) AND SECTION 702.E (MODIFICATIONS TO PARKING REQUIREMENTS); AND AMEND CHAPTER 13, SECTION 1307 (PARKING STANDARDS) TO MODIFY THE PARKING REQUIREMENTS FOR MULTIFAMILY, SINGLE-FAMILY ATTACHED, AND AFFORDABLE HOUSING, AND ADD REQUIREMENTS FOR PASSENGER LOADING ZONES OF THE PHOENIX ZONING ORDINANCE TO MODIFY PARKING STANDARDS FOR AFFORDABLE HOUSING DEVELOPMENTS.

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

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

AFFORDABLE HOUSING: RESIDENTIAL OR MIXED-USE DEVELOPMENT PROVIDING HUD OR OTHER ASSISTED LOW- TO MODERATE-INCOME HOUSING, AS VERIFIED BY THE PHOENIX HOUSING DEPARTMENT; TYPICALLY INCLUDES DWELLING UNIT(S) COMMITTED FOR A MINIMUM TERM THROUGH COVENANTS OR RESTRICTIONS TO HOUSEHOLDS WITH INCOMES AT 80 PERCENT OR LESS OF THE AREA MEDIAN INCOME, AS DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE CITY.

Parking Space, Unreserved: An unassigned parking space that is available to both residents, EMPLOYEES, and visitors TO THE PROPERTY. UNRESERVED PARKING SPACES WHICH COUNT TOWARD ANY REQUIRED PARKING MINIMUMS SHALL NOT BE USED FOR OFF-SITE OR COMMERCIAL PARKING USES.

FOR RESIDENTIAL DEVELOPMENTS, UNRESERVED SPACES MAY BE LOCATED BEHIND A VEHICULAR GATE IF A CALL BOX IS PROVIDED TO ALLOW VISITOR ENTRY BY RESIDENTS OF THE PROPERTY.

FOR NON-RESIDENTIAL DEVELOPMENTS, UNRESERVED SPACES MAY NOT BE LOCATED BEHIND A VEHICULAR GATE UNLESS THE GATE IS OPEN (OR WILL OPEN AUTOMATICALLY UPON APPROACH) DURING ALL STANDARD BUSINESS HOURS.

PASSENGER LOADING SPACE: A DESIGNATED SPACE FOR THE SHORT-TERM USE BY ONE VEHICLE TO STAND DURING PASSENGER PICK UP OR DROP OFF OF VISITORS, RESIDENTS, OR OCCUPANTS OF THE BUILDING OR USE; OR DURING DELIVERY OF GOODS TO INDIVIDUAL OCCUPANTS. A PASSENGER LOADING SPACE MAY NOT INCLUDE ANY DELIVERY OF GOODS OR SERVICE AREAS FOR COMMERCIAL USES, NOR ANY USE NOT CONSIDERED SHORT-TERM.

PASSENGER LOADING ZONE: AN AREA ADJACENT TO A PRIMARY ENTRY COMPRISED OF AT LEAST ONE PASSENGER LOADING SPACE, CONSTRUCTED IN TANDEM (WITH NO BARRIERS IN BETWEEN) FOR USE AS ONE CONTIGUOUS LOADING ZONE.

SECTION 2: That Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing), is amended to read as follows:

- J. **~~Density Bonus INCENTIVES For Low or Moderate Income AFFORDABLE Housing.~~** In order to overcome a demonstrated deficiency in the supply of housing for persons of low and moderate income, ~~density bonus incentives are established to foster the provision of such housing. The bonuses in this paragraph shall apply to the maximum density for any district and may be in addition to bonuses earned by the provision of additional open space.~~

1. **Applicability.** All development LOCATED WITHIN A ZONING DISTRICT SUBJECT TO THE PROVISIONS OF SECTION 608 providing HUD or other ~~assisted mixed income rental housing as approved by the Phoenix Housing and Urban Redevelopment Department~~ AFFORDABLE HOUSING AS DEFINED IN SECTION 202.
2. **Density bonus.**
 - a. One additional ~~conventional~~ unit SHALL BE allowed for every two ~~low/moderate income~~ AFFORDABLE HOUSING units, provided that the overall project density does not exceed ten percent beyond that which would otherwise be allowed.
 - b. ~~The A DENSITY bonuses in this paragraph~~ AWARDED PER THIS SECTION shall apply to the maximum density for any district and may be in addition to A DENSITY bonuses earned by the provision of ~~additional open space~~ PER THE PROVISIONS OF SECTION 608.I.2.
3. **Other requirements.** The total number of units within a project shall be as approved by the Department of Housing. ~~and Urban Development. Further, the location of any such units shall be consistent with the goals of the City of Phoenix Housing Assistance Allocation Plan.~~

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

E. Modifications to Parking Requirements.

3. **Reductions.** Parking reductions are specified within the specific zoning districts. The listed zoning districts offer parking reductions:
 - a. ~~Downtown Core District: No parking required. (Section 643)~~
DOWNTOWN CODE: PER SUSTAINABILITY BONUS AWARDS.
(CHAPTER 12)

- b. ~~Warehouse District: No parking required. (Section 645)~~ WALKABLE URBAN (WU) CODE. (CHAPTER 13)

9. **~~Reductions for Infill Development District.~~** THE INFILL DEVELOPMENT DISTRICT, AS SHOWN ON THE GENERAL PLAN, IS SUBJECT TO THE FOLLOWING PROVISIONS:

- a. ~~Within the infill development district, as shown on the general plan for Phoenix, a development's on-street parking adjacent to and along the same side of a public, local or collector street may be counted toward parking requirements.~~ PARKING REDUCTIONS.

(1) THESE REDUCTIONS DO NOT APPLY TO PROPERTIES ZONED DOWNTOWN CODE OR WALKABLE URBAN CODE.

(2) NON-RESIDENTIAL USES SUBJECT TO THE PARKING REQUIREMENTS OF SECTION 702.C WITH NO OTHER PARKING REDUCTIONS MAY REDUCE THE AMOUNT OF REQUIRED PARKING BY 20%.

(3) MULTI-FAMILY USES SUBJECT TO THE PARKING REQUIREMENTS OF SECTION 702.C WITH NO OTHER PARKING REDUCTIONS MAY REDUCE THE AMOUNT OF REQUIRED PARKING BY 50%.

- c. Use Permit Notice Procedure for ~~Infill-OFF-SITE Parking Reductions.~~ The following additional procedures shall be followed as part of the ~~infill parking reduction-use permit process~~ (in addition to the procedures required by Section 307):

SECTION 4: That Chapter 13, Section 1307 (Walkable Urban Code, Parking Standards), is amended to read as follows:

Section 1307. Parking AND LOADING standards.

B. Required Vehicular Parking.

1. Vehicular parking must be provided for each use in accordance with Table 1307.1 and as follows:
 - a. Minimum required vehicular parking is the sum of parking required for each use within a lot.
 - b. ~~Accessory dwellings in T3 and T4 require one parking space per unit.~~
 - c. ~~B. Vehicular parking may be limited to a maximum number of spaces by parking districts where established.~~
 - d. ~~C. Other uses not identified on Table 1307.1 shall follow Section 702 standards.~~

Table 1307.1 Minimum Required Vehicular Parking

USE	MEASURE	T3	T4	T5 1—5 Stories	T5 6—10 Stories	T6
Residential, Single-Family DETACHED	per unit	2.0		n/a	n/a	n/a
Residential: Single-Family Attached and Multifamily	(1) As per Section 702. Additional 25% reduction when the off-street parking area is located within 1,320 feet from a light rail station when measured in a direct line from the building, and 10% reduction of required parking if the development is greater than 1,320 feet from a light rail station. The minimum required on-site vehicular parking is exclusively for the patrons of the subject parcel.					

USE	MEASURE	T3	T4	T5 1—5 Stories	T5 6—10 Stories	T6
RESIDENTIAL, SINGLE-FAMILY ATTACHED	PER SECTION 608.F.6, IF DEVELOPING UNDER THE PROVISIONS OF 1303.A.1.A.; OTHERWISE PER SECTION 702.					
RESIDENTIAL, MULTI-FAMILY ⁽²⁾	PER UNIT	N/A	0.65 A MINIMUM OF 30% OF THE REQUIRED SPACES SHALL REMAIN UNRESERVED.			

Affordable Housing	per unit	0.85	0.75	0.5		0.5

- D. **Required SERVICE/GOODS Loading AREAS and Service Bays.** THE FOLLOWING REQUIREMENTS APPLY TO SHORT-TERM LOADING AND UNLOADING OF SERVICE VEHICLES WITH MATERIALS, GOODS OR EQUIPMENT. PASSENGER LOADING ZONES ARE ADDRESSED IN SECTION 1307.I.

1. On-site SERVICE/GOODS loading shall be required for all development as follows:

- E. **Off-Street Parking Location and Access.**

1. Parking must be set back from frontages according to Table 1303.2, except where parking is located underground. PASSENGER LOADING SPACES/ZONES ARE NOT SUBJECT TO THESE SETBACK REQUIREMENTS.

- I. **PASSENGER LOADING.** THE FOLLOWING REQUIREMENTS APPLY TO PASSENGER LOADING SPACES AND ZONES ONLY. SERVICE/GOODS LOADING AREAS ARE ADDRESSED IN SECTION 1307.D.

1. **REQUIRED NUMBER OF SPACES.** PASSENGER LOADING SPACES SHALL BE PROVIDED AS FOLLOWS:

TABLE. 1307.3 REQUIRED PASSENGER LOADING SPACES	
<i>USE TYPE</i>	<i>PASSENGER LOADING SPACES REQUIRED⁽²⁾</i>
CULTURAL OR PUBLIC FACILITY	2
HOSPITAL	3
HOTEL OR MOTEL	3
MULTI-FAMILY RESIDENTIAL	1 PER 50 DWELLING UNITS ⁽¹⁾
PUBLIC ASSEMBLY	1 PER 50 REQUIRED PARKING SPACES ⁽¹⁾
ALL OTHER USES	1 PER 25,000 GROSS SF ⁽¹⁾

(1) OR PORTION THEREOF. NO SITE SHALL BE REQUIRED TO PROVIDE MORE THAN 10 PASSENGER LOADING SPACES.

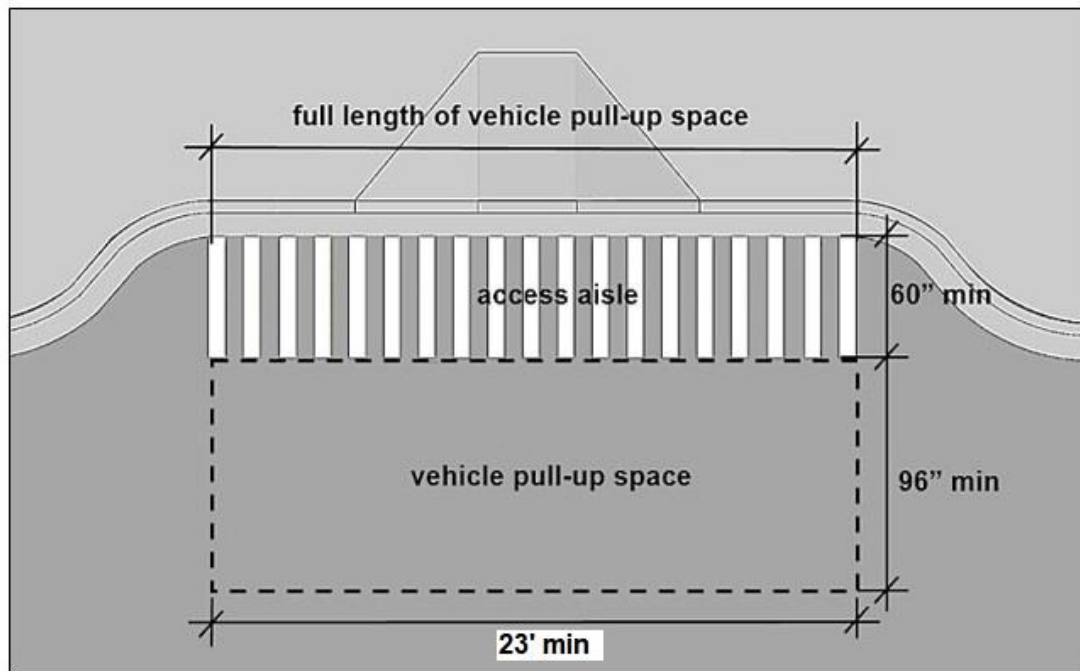
(2) FOR MIXED USES, THE MINIMUM NUMBER OF REQUIRED SPACES SHALL BE THE SUM OF THE SPACES REQUIRED FOR THE INDIVIDUAL USES, ALTHOUGH ROUNDING UP SHALL OCCUR AT THE FINAL STEP OF THE CALCULATIONS. FOR EXAMPLE, A DEVELOPMENT WITH 70,000 GROSS SF OF OFFICE SPACE, PLUS 125 MULTI-FAMILY DWELLING UNITS, IS REQUIRED 1.4 SPACES (70,000 SF / 50,000 SF/SPACE), PLUS 1.25 SPACES (125 DU / 100 DU/SPACE), WHICH TOTALS 2.65 REQUIRED, OR 3 PASSENGER LOADING SPACES.

2. **DEVELOPMENT STANDARDS FOR PASSENGER LOADING ZONES.**

A. ACCESSIBLE PASSENGER LOADING SPACES.

- (1) AT LEAST ONE ACCESSIBLE PASSENGER LOADING SPACE SHALL BE PROVIDED FOR EVERY 100 LINEAR FEET OF CONTIGUOUS PASSENGER LOADING ZONE. HOWEVER, EACH PHYSICALLY SEPARATE PASSENGER LOADING ZONE MUST ALSO HAVE AT LEAST ONE ACCESSIBLE PASSENGER LOADING SPACE.
- (2) AN ACCESSIBLE PASSENGER LOADING SPACE SHALL BE A MINIMUM OF 96 INCHES WIDE AND A MINIMUM 23 FEET LONG.
- (3) THE PEDESTRIAN ACCESS AISLE SERVING THE ACCESSIBLE LOADING ZONE SPACE SHALL EXTEND THE LENGTH OF THE SPACE AND SHALL BE A MINIMUM 60 INCHES WIDE.
- (4) THE VEHICLE PULL-UP SPACE AND ACCESS AISLE MUST COMPLY WITH ADA REQUIREMENTS FOR GROUND AND FLOOR SURFACES AND CANNOT EXCEED A SLOPE OF 2%.
- (5) CURB RAMPS CANNOT OVERLAP ACCESS AISLES OR VEHICLE PULL-UP SPACES.
- (6) A VERTICAL CLEARANCE OF 14 FEET IS REQUIRED FOR EACH VEHICLE PULL-UP SPACE AND ACCESS AISLE, AND ALL ALONG ANY VEHICULAR ROUTE CONNECTING THEM TO A VEHICLE ENTRANCE AND EXIT, UNLESS OTHERWISE APPROVED FOR EMERGENCY/SERVICE VEHICLE ACCESS.
- (7) THE PEDESTRIAN ACCESS AISLES SHALL NOT ENCROACH INTO A TRAVEL LANE.

DETAIL 1307.1. ACCESSIBLE PASSENGER LOADING SPACE



B. GENERAL REQUIREMENTS FOR PASSENGER LOADING ZONES.

- (1) STANDARD PASSENGER LOADING SPACES, WHEN PROVIDED IN ADDITION TO THE MINIMUM REQUIRED ACCESSIBLE PASSENGER LOADING SPACE(S), SHALL BE CONSTRUCTED TO THE SAME STANDARDS AS AN ACCESSIBLE PASSENGER LOADING SPACE, BUT WITHOUT THE REQUIREMENT FOR AN ACCESS AISLE.
- (2) A CONTIGUOUS PASSENGER LOADING ZONE MAY BE PROVIDED, WHICH SHALL CONSIST OF TWO (2) OR MORE LOADING ZONE SPACES PROVIDED IN TANDEM WITH NO BARRIERS SEPARATING SAID SPACES, THUS ENABLING VEHICLES TO MOVE FORWARD THROUGH MULTIPLE PASSENGER LOADING ZONE SPACES.

- (3) PASSENGER LOADING ZONES SHALL BE PROVIDED WITHIN 50' OF THE MAIN ENTRANCE OF THE USE OR STRUCTURE THEY ARE INTENDED TO SERVE, AS APPROVED BY PLANNING AND DEVELOPMENT DEPARTMENT STAFF.
- (4) PASSENGER LOADING ZONES SHALL NOT ENCROACH WITHIN THE MINIMUM WIDTH OF ANY FIRE LANES OR DRIVE AISLES.
- (5) PARKING AND/OR STANDING SHALL BE LIMITED TO 30 MINUTES WITHIN A PASSENGER LOADING ZONE, AND SIGNS SHALL BE INSTALLED AND MAINTAINED STATING THIS RESTRICTION, AS APPROVED BY PDD AND STREET TRANSPORTATION.
- (6) A PASSENGER LOADING ZONE SHALL NOT BE LOCATED BEHIND ANY TYPE OF VEHICULAR GATE OR BARRIER, EXCEPT FOR NON-RESIDENTIAL USES, WHEN SUCH GATE OR BARRIER IS LEFT OPEN DURING ON-SITE BUSINESS HOURS.
- (7) ON-STREET PASSENGER LOADING ZONES LOCATED IN THE PUBLIC RIGHT-OF-WAY ADJACENT TO THE PROPERTY MAY ONLY BE PROVIDED WHEN COMPLIANCE WITH ALL OF THE FOLLOWING IS DEMONSTRATED:
 - (A) APPROVAL FOR THE DESIGN OF THE PASSENGER LOADING ZONE HAS BEEN OBTAINED FROM THE STREET TRANSPORTATION DEPARTMENT.
 - (B) AN ENCROACHMENT PERMIT HAS BEEN OBTAINED FROM THE STREET TRANSPORTATION DEPARTMENT FOR ANY STRUCTURES REQUIRED AS PART OF THE PASSENGER LOADING ZONE (SHADE CANOPIES, SCREEN WALLS, SIGNS, ETC.).

(C) THE PASSENGER LOADING ZONE DOES NOT REDUCE OR PRECLUDE ANY REQUIRED STREETScape OR FRONTAGE ELEMENTS, INCLUDING THE PROVISION OF REQUIRED STREET TREES AND SHADE.

(D) THE PASSENGER LOADING ZONE DOES NOT INTERRUPT A DESIGNATED BICYCLE LANE.

C. PASSENGER LOADING AREA DESIGN GUIDELINES.

- (1) PASSENGER LOADING ZONES SHOULD BE LOCATED INTERNALLY TO THE BUILDING WHEN POSSIBLE.
- (2) PASSENGER LOADING ZONES SHOULD HAVE PRIMARY ACCESS FROM A STREET, RATHER THAN AN ALLEY.
- (3) PASSENGER LOADING ZONES SHOULD PROVIDE LANDSCAPED AND/OR STRUCTURAL SHADE FOR A MINIMUM OF 75% OF THE PASSENGER WAITING AREAS.

PASSED by the Council of the City of Phoenix this 6th day of September, 2023

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report
Zoning Ordinance Text Amendment
Z-TA-8-23-Y
June 30, 2023

Application No Z-TA-8-23-Y: Amend Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, and revise parking space, unreserved; amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing); amend Chapter 7, Sections 702.C (Parking Requirements) and Section 702.E (Modifications to Parking Requirements); and amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multifamily, single-family attached, and affordable housing, and add requirements for passenger loading zones.

Staff recommendation: Staff recommends approval of Z-TA-8-23-Y as shown in the recommended text in Attachment A.

BACKGROUND

In 2020, City Council unanimously approved the Housing Phoenix Plan to create a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. The Plan's primary goal is to create or preserve 50,000 homes by 2030, and increase overall supply of market, workforce, and affordable housing to address the housing shortage in Phoenix. In order to implement this goal, nine policy initiatives were identified. Policy Initiative 5 is "Building Innovations and Cost Saving Practices". These proposed changes would address concerns that existing parking requirements are more than necessary, and contribute to the increasing costs of development, and in turn, increasing housing costs.

PURPOSE

The intent of the proposed text amendment is to reduce parking requirements for multi-family developments. Related definitions have been revised and/or deleted, with new definitions provided as necessary; "passenger loading space" and "passenger loading zone" has been added for use with the Walkable Urban code, together with proposed development standards; and parking requirements have been reduced for multi-family developments as further detailed below.

DESCRIPTION OF THE PROPOSED TEXT

The proposed text amendment primarily reduces parking requirement for multi-family development, but in varying degrees based primarily upon location and/or if the housing qualifies as "affordable" per definitions used by HUD and the City's Housing Department. It also introduces a requirement for multi-family developments zoned WU Code for Passenger Loading Zones, to provide staging zones for rideshare, food deliveries, and personal package deliveries.

1. City-wide multi-family parking requirements:

The proposed text modifies the standard multi-family parking requirement to more closely match parking demand identified for multi-family housing as published in the Institute of Transportation Engineers (ITE) Manual, 5th Edition, 2019. The demand is identified at 1.21 spaces per dwelling unit, for low rise (up to 2-story) development not located near rail transit, in a general urban/suburban area. The proposed City-wide standard requirement is proposed to be 1.25 spaces per dwelling unit, with 30% of parking to remain unreserved (not assigned for a particular unit or person).

Proposed: 100 dwelling units = 125 spaces, of which 38 must be unreserved.
Existing: 100 dwelling units = 150 spaces*, of which 50 must be unreserved.

**For 1- or 2-bedroom apartments. 1.3 required for studio and 2 spaces for 3-bedroom, but outside of DTC these are not provided in great numbers*

2. City-wide affordable housing parking reduction:

The proposed text modifies an existing provision in the zoning ordinance which provides a density bonus for affordable housing, to add a parking reduction for affordable housing. The reduction is proposed to be 50%, or 0.625 spaces per dwelling unit. This is supported by the demand identified for affordable housing as published in the ITE Manual, 5th Edition, 2019. The demand is identified at 0.53 spaces per dwelling unit, for affordable (income-limited) developments in a dense multi-use urban area.

Proposed: 100 dwelling units = 63 spaces, of which 19 must be unreserved.
Existing: 100 dwelling units = 150 spaces*, of which 50 must be unreserved.

**For 1- or 2-bedroom apartments. 1.3 required for studio and 2 spaces for 3-bedroom, but outside of DTC these are not provided in great numbers*

3. Infill Development District (IDD) parking reductions:

The same reduction proposed for City-wide affordable housing is also proposed for multi-family development within the Infill Development District (IDD). The reduction is proposed to be 50%, or 0.625 spaces per dwelling unit. This is supported by the demand identified for affordable housing as published in the ITE Manual, 5th Edition, 2019. The demand is identified at 0.58 spaces per dwelling unit, for low-rise developments in a dense multi-use urban area located within ½ mile of rail transit.

Proposed: 100 dwelling units = 63 spaces, of which 19 must be unreserved.
Existing: 100 dwelling units = 150 spaces*, of which 50 must be unreserved.

**only reduction currently available is to be able to count adjacent on-street parking.*

Non-Residential Reduction

A smaller reduction of 20% is also proposed for non-residential development, since the reduction was written in such a way to remove the existing “reduction” of allowing on-street parking spaces to count toward parking requirements. The on-street parking has conflicted with some proposed bike lanes. This proposed 20% reduction should meet or exceed the typical amount of on-street parking which could be counted toward on-site parking requirements.

4. Walkable Urban (WU) Code parking requirements:

The proposed text modifies the existing standard multi-family housing parking requirements to more closely match parking demand identified for dense multi-family housing as published in the ITE Manual, 5th Edition, 2019. The demand is identified at 0.71 spaces per dwelling unit, for mid-rise (3-10 story) developments in a dense multi-use urban area, within ½ mile of rail transit. The proposed multi-family parking requirement for development zoned WU Code is proposed to change from a 25% reduction from City-wide standards, to 0.5 spaces per dwelling unit, with 30% of parking to remain unreserved (not assigned for a particular unit or person).

Proposed: 100 dwelling units = 50 spaces, of which 15 must be unreserved.

Existing: 100 dwelling units = 113 spaces*, of which 38 must be unreserved.

**For 1- or 2-bedroom apartments. 1.3 required for studio and 2 spaces for 3-bedroom, but outside of DTC these are not provided in great numbers.*

5. Walkable Urban (WU) Code affordable housing parking requirements:

The proposed text modifies the existing affordable multi-family housing parking requirements to more closely match parking demand identified for dense affordable multi-family housing as published in the ITE Manual, 5th Edition, 2019. The demand is identified at 0.53 spaces per dwelling unit, for affordable (income-limited) developments in a dense multi-use urban area. The proposed affordable multi-family housing parking requirement for development zoned WU Code is proposed to change from a 0.5 spaces per dwelling unit to 0 spaces (no minimum required).

Proposed: 100 dwelling units = 0 spaces.

Existing: 100 dwelling units = 50 spaces, with no unreserved requirement.

6. Passenger Loading Zones within WU Code:

This text amendment also proposes a new requirement for passenger loading spaces/zones, which are pull-out areas for short-term waiting for rideshare vehicles, meal delivery vehicles, and package delivery vehicles (but not commercial docks or loading areas). Such services are frequently used by persons living in denser central urban environments to supplement transit and bicycle transportation. Such areas should be located on-site but may be located off-street if they do not reduce required landscaping and pedestrian amenities, and if approved by Street

Transportation. The proposed rates are adapted from standards adopted by the Town of Eloy, AZ and Chandler, AZ, with development standards provided in accordance with federal requirements:

USE TYPE	PASSENGER LOADING SPACES REQUIRED ⁽²⁾
CULTURAL OR PUBLIC FACILITY	2
HOSPITAL	3
HOTEL OR MOTEL	3
MULTI-FAMILY RESIDENTIAL	1 PER 50 DWELLING UNITS ⁽¹⁾
PUBLIC ASSEMBLY	1 PER 50 REQUIRED PARKING SPACES ⁽¹⁾

Conclusion:

The proposed changes to parking requirements, generally to reduce parking minimums for transit-oriented, multi-family, and affordable development, is supported by demand studies in the ITE Parking Generation Manual. The requirement for passenger loading zones in WU Code is to support the use of ancillary transportation services often used by persons utilizing transit or bicycle as a primary means of transportation.

Staff recommends approval of the changes to the Zoning Ordinance as proposed in Attachment A.

Writer

C. DePerro

6/30/2023

Attachments

A. Proposed Language

EXHIBIT A

Text Amendment Z-TA-8-23-Y:

Parking Reductions for Multifamily and Affordable Housing

Proposed Language:

Amend Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, and revise parking space, unreserved, as follows:

AFFORDABLE HOUSING: RESIDENTIAL OR MIXED-USE DEVELOPMENT PROVIDING HUD OR OTHER ASSISTED LOW- TO MODERATE-INCOME HOUSING, AS VERIFIED BY THE PHOENIX HOUSING DEPARTMENT; TYPICALLY INCLUDES DWELLING UNIT(S) COMMITTED FOR A MINIMUM TERM THROUGH COVENANTS OR RESTRICTIONS TO HOUSEHOLDS WITH INCOMES AT 80 PERCENT OR LESS OF THE AREA MEDIAN INCOME, AS DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE CITY.

Parking Space, Unreserved: An unassigned parking space that is available to both residents, EMPLOYEES, and visitors TO THE PROPERTY. UNRESERVED PARKING SPACES WHICH COUNT TOWARD ANY REQUIRED PARKING MINIMUMS SHALL NOT BE USED FOR OFF-SITE OR COMMERCIAL PARKING USES.

FOR RESIDENTIAL DEVELOPMENTS, UNRESERVED SPACES MAY BE LOCATED BEHIND A VEHICULAR GATE IF A CALL BOX IS PROVIDED TO ALLOW VISITOR ENTRY BY RESIDENTS OF THE PROPERTY.

FOR NON-RESIDENTIAL DEVELOPMENTS, UNRESERVED SPACES MAY NOT BE LOCATED BEHIND A VEHICULAR GATE UNLESS THE GATE IS OPEN (OR WILL OPEN AUTOMATICALLY UPON APPROACH) DURING ALL STANDARD BUSINESS HOURS.

PASSENGER LOADING SPACE: A DESIGNATED SPACE FOR THE SHORT-TERM USE BY ONE VEHICLE TO STAND DURING PASSENGER PICK UP OR DROP OFF OF VISITORS, RESIDENTS, OR OCCUPANTS OF THE BUILDING OR USE; OR DURING DELIVERY OF GOODS TO INDIVIDUAL OCCUPANTS. A PASSENGER LOADING SPACE MAY NOT INCLUDE ANY DELIVERY OF GOODS OR SERVICE AREAS FOR COMMERCIAL USES, NOR ANY USE NOT CONSIDERED SHORT-TERM.

PASSENGER LOADING ZONE: AN AREA ADJACENT TO A PRIMARY ENTRY COMPRISED OF AT LEAST ONE PASSENGER LOADING SPACE, CONSTRUCTED IN TANDEM (WITH NO BARRIERS IN BETWEEN) FOR USE AS ONE CONTIGUOUS LOADING ZONE.

Amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing) to read as follows:

- J. ~~Density Bonus~~ **INCENTIVES For Low or Moderate Income AFFORDABLE Housing.** In order to overcome a demonstrated deficiency in the supply of housing for persons of low and moderate income, ~~density bonus~~ incentives are established to foster the provision of such housing. ~~The bonuses in this paragraph shall apply to the maximum density for any district and may be in addition to bonuses earned by the provision of additional open space.~~
1. **Applicability.** All development LOCATED WITHIN A ZONING DISTRICT SUBJECT TO THE PROVISIONS OF SECTION 608 providing ~~HUD or other assisted mixed income rental housing as approved by the Phoenix Housing and Urban Redevelopment Department~~ AFFORDABLE HOUSING AS DEFINED IN SECTION 202.
 2. **Density bonus.**
 - a. One additional ~~conventional~~ unit SHALL BE allowed for every two ~~low/moderate income~~ AFFORDABLE HOUSING units, provided that the overall project density does not exceed ten percent beyond that which would otherwise be allowed.
 - b. ~~The A DENSITY bonuses in this paragraph~~ AWARDED PER THIS SECTION shall apply to the maximum density for any district and may be in addition to A DENSITY bonuses earned ~~by the provision of additional open space~~ PER THE PROVISIONS OF SECTION 608.I.2.
 3. **PARKING REDUCTION.**
 - A. FOR EACH AFFORDABLE HOUSING UNIT, THE REQUIRED PARKING CALCULATION MAY BE REDUCED BY 50%.

B. A PARKING REDUCTION AWARDED PER THIS SECTION SHALL APPLY ONLY WHEN NO OTHER TYPE OF PARKING REDUCTION AUTHORIZED ELSEWHERE IN THE ZONING ORDINANCE HAS BEEN GRANTED.

~~3.4. Other requirements. The total number of units within a project shall be as approved by the Department of Housing, and Urban Development. Further, the location of any such units shall be consistent with the goals of the City of Phoenix Housing Assistance Allocation Plan.~~

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

C. **Parking Requirements.** Off-street automobile parking space or area shall be provided according to the following table, except for large scale retail commercial uses (see Section 702.D). The parking ratios in the table identify the minimum level of parking required to serve that use and receive site plan approval.

Type of Land Use	Parking Requirements

Type of Land Use	Parking Requirements
Dwelling Unit, Multi-Family	<p>Total required parking</p> <p>1.3 spaces per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit and 2 spaces per 3 or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms</p> <p>When the required parking is reserved for residents, additional unreserved parking is required as follows: 0.3 spaces for each efficiency unit and 0.5 spaces per each 1 or 2 bedroom unit and 1.0 space per each 3 or more bedroom unit.</p> <p>Exception for unreserved parking: where minimum 18 foot driveways are provided for individual units, .25 space per each unit.</p> <p>Unreserved parking shall be distributed throughout the site.</p> <p>Note: Any unreserved parking spaces required by this section may be counted toward the total required parking count.</p> <p>1.25 SPACES PER DWELLING UNIT</p> <p>A MINIMUM OF 30% OF THE REQUIRED PARKING SPACES MUST REMAIN UNRESERVED.</p>
Dwelling Unit, Single-Family Attached	<p>1.3 spaces per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit and 2 spaces per 3 or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms</p> <p>PER SECTION 608.F.6, IF DEVELOPING UNDER THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION PER SECTIONS 614-618</p> <p>2 SPACES PER UNIT IF NOT DEVELOPING UNDER THE SFI OPTION. THE REQUIRED SPACES FOR EACH DWELLING UNIT MUST BE PROVIDED ON THE SAME LOT. AN ADDITIONAL 0.25 UNRESERVED SPACE PER DWELLING UNIT MUST PER PROVIDED ELSEWHERE WITHIN THE DEVELOPMENT FOR VISITOR PARKING.</p>

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

E. Modifications to Parking Requirements.

3. **Reductions.** Parking reductions are specified within the specific zoning districts. The listed zoning districts offer parking reductions:

- a. ~~Downtown Core District: No parking required. (Section 643)~~
DOWNTOWN CODE: PER SUSTAINABILITY BONUS AWARDS.
(CHAPTER 12)
- b. ~~Warehouse District: No parking required. (Section 645)~~ WALKABLE
URBAN (WU) CODE. (CHAPTER 13)

- F. INCENTIVES FOR AFFORDABLE HOUSING (RESIDENTIAL
DISTRICTS, SECTION 608.J)

9. **Reductions for Infill Development District.** THE INFILL DEVELOPMENT DISTRICT, AS SHOWN ON THE GENERAL PLAN, IS SUBJECT TO THE FOLLOWING PROVISIONS:

- a. ~~Within the infill development district, as shown on the general plan for Phoenix, a development's on-street parking adjacent to and along the same side of a public, local or collector street may be counted toward parking requirements.~~ PARKING REDUCTIONS.

(1) THESE REDUCTIONS DO NOT APPLY TO PROPERTIES
ZONED DOWNTOWN CODE OR WALKABLE URBAN CODE.

(2) NON-RESIDENTIAL USES SUBJECT TO THE PARKING
REQUIREMENTS OF SECTION 702.C WITH NO OTHER
PARKING REDUCTIONS MAY REDUCE THE AMOUNT OF
REQUIRED PARKING BY 20%.

(3) MULTI-FAMILY USES SUBJECT TO THE PARKING
REQUIREMENTS OF SECTION 702.C WITH NO OTHER
PARKING REDUCTIONS MAY REDUCE THE AMOUNT OF
REQUIRED PARKING BY 50%.

- c. Use Permit Notice Procedure for ~~Infill~~ OFF-SITE Parking ~~Reductions~~. The following additional procedures shall be followed as part of the ~~infill parking reduction-use~~ permit process (in addition to the procedures required by Section 307):

Amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multi-family, single-family attached, and affordable housing, and add requirements for passenger loading zones to read as follows:

Chapter 13 WALKABLE URBAN (WU) CODE

Section 1307. Parking AND LOADING standards.

B. Required Vehicular Parking.

1. Vehicular parking must be provided for each use in accordance with Table 1307.1 and as follows:
 - a. Minimum required vehicular parking is the sum of parking required for each use within a lot.
 - ~~b. Accessory dwellings in T3 and T4 require one parking space per unit.~~
 - ~~c. B.~~ Vehicular parking may be limited to a maximum number of spaces by parking districts where established.
 - ~~d. C.~~ Other uses not identified on Table 1307.1 shall follow Section 702 standards.

Table 1307.1 Minimum Required Vehicular Parking

USE	MEASURE	T3	T4	T5 1—5 Stories	T5 6—10 Stories	T6
Residential, Single-Family DETACHED	per unit	2.0		n/a	n/a	n/a
Residential: Single-Family Attached and Multifamily	(1) As per Section 702. Additional 25% reduction when the off-street parking area is located within 1,320 feet from a light rail station when measured in a direct line from the building, and 10% reduction of required parking if the development is greater than 1,320 feet from a light rail station. The minimum required on-site vehicular parking is exclusively for the patrons of the subject parcel.					
RESIDENTIAL, SINGLE-FAMILY ATTACHED	PER SECTION 608.F.6, IF DEVELOPING UNDER THE PROVISIONS OF 1303.A.1.A.; OTHERWISE PER SECTION 702.					
RESIDENTIAL, MULTI-FAMILY ⁽²⁾	PER UNIT	N/A	0.5 A MINIMUM OF 30% OF THE REQUIRED SPACES SHALL REMAIN UNRESERVED.			

Affordable Housing	per unit	0.85	0.75	0.5		0.5
AFFORDABLE HOUSING	PER UNIT	0.75	NONE REQUIRED			

- D. **Required SERVICE/GOODS Loading AREAS and Service Bays.** THE FOLLOWING REQUIREMENTS APPLY TO SHORT-TERM LOADING AND UNLOADING OF SERVICE VEHICLES WITH MATERIALS, GOODS OR EQUIPMENT. PASSENGER LOADING ZONES ARE ADDRESSED IN SECTION 1307.I.

1. On-site SERVICE/GOODS loading shall be required for all development as follows:

E. Off-Street Parking Location and Access.

1. Parking must be set back from frontages according to Table 1303.2, except where parking is located underground. PASSENGER LOADING SPACES/ZONES ARE NOT SUBJECT TO THESE SETBACK REQUIREMENTS.

- I. **PASSENGER LOADING.** THE FOLLOWING REQUIREMENTS APPLY TO PASSENGER LOADING SPACES AND ZONES ONLY. SERVICE/GOODS LOADING AREAS ARE ADDRESSED IN SECTION 1307.D.

1. **REQUIRED NUMBER OF SPACES.** PASSENGER LOADING SPACES SHALL BE PROVIDED AS FOLLOWS:

TABLE. 1307.3 REQUIRED PASSENGER LOADING SPACES	
<i>USE TYPE</i>	<i>PASSENGER LOADING SPACES REQUIRED ⁽²⁾</i>
CULTURAL OR PUBLIC FACILITY	2
HOSPITAL	3
HOTEL OR MOTEL	3
MULTI-FAMILY RESIDENTIAL	1 PER 50 DWELLING UNITS ⁽¹⁾
PUBLIC ASSEMBLY	1 PER 50 REQUIRED PARKING SPACES ⁽¹⁾
ALL OTHER USES	1 PER 25,000 GROSS SF ⁽¹⁾

(1) OR PORTION THEREOF. NO SITE SHALL BE REQUIRED TO PROVIDE MORE THAN 10 PASSENGER LOADING SPACES.

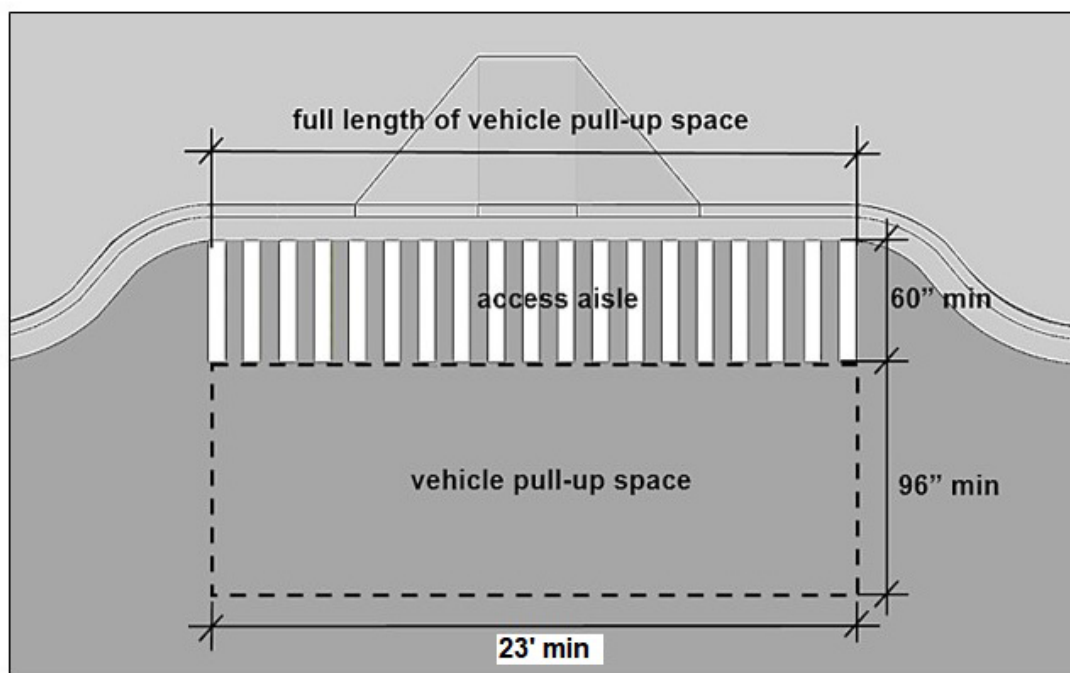
(2) FOR MIXED USES, THE MINIMUM NUMBER OF REQUIRED SPACES SHALL BE THE SUM OF THE SPACES REQUIRED FOR THE INDIVIDUAL USES, ALTHOUGH ROUNDING UP SHALL OCCUR AT THE FINAL STEP OF THE CALCULATIONS. FOR EXAMPLE, A DEVELOPMENT WITH 70,000 GROSS SF OF OFFICE SPACE, PLUS 125 MULTI-FAMILY DWELLING UNITS, IS REQUIRED 1.4 SPACES (70,000 SF / 50,000 SF/SPACE), PLUS 1.25 SPACES (125 DU / 100 DU/SPACE), WHICH TOTALS 2.65 REQUIRED, OR 3 PASSENGER LOADING SPACES.

2. **DEVELOPMENT STANDARDS FOR PASSENGER LOADING ZONES.**

A. ACCESSIBLE PASSENGER LOADING SPACES.

- (1) AT LEAST ONE ACCESSIBLE PASSENGER LOADING SPACE SHALL BE PROVIDED FOR EVERY 100 LINEAR FEET OF CONTIGUOUS PASSENGER LOADING ZONE. HOWEVER, EACH PHYSICALLY SEPARATE PASSENGER LOADING ZONE MUST ALSO HAVE AT LEAST ONE ACCESSIBLE PASSENGER LOADING SPACE.
- (2) AN ACCESSIBLE PASSENGER LOADING SPACE SHALL BE A MINIMUM OF 96 INCHES WIDE AND A MINIMUM 23 FEET LONG.
- (3) THE PEDESTRIAN ACCESS AISLE SERVING THE ACCESSIBLE LOADING ZONE SPACE SHALL EXTEND THE LENGTH OF THE SPACE AND SHALL BE A MINIMUM 60 INCHES WIDE.
- (4) THE VEHICLE PULL-UP SPACE AND ACCESS AISLE MUST COMPLY WITH ADA REQUIREMENTS FOR GROUND AND FLOOR SURFACES AND CANNOT EXCEED A SLOPE OF 2%.
- (5) CURB RAMPS CANNOT OVERLAP ACCESS AISLES OR VEHICLE PULL-UP SPACES.
- (6) A VERTICAL CLEARANCE OF 14 FEET IS REQUIRED FOR EACH VEHICLE PULL-UP SPACE AND ACCESS AISLE, AND ALL ALONG ANY VEHICULAR ROUTE CONNECTING THEM TO A VEHICLE ENTRANCE AND EXIT, UNLESS OTHERWISE APPROVED FOR EMERGENCY/SERVICE VEHICLE ACCESS.
- (7) THE PEDESTRIAN ACCESS AISLES SHALL NOT ENCROACH INTO A TRAVEL LANE.

DETAIL 1307.1. ACCESSIBLE PASSENGER LOADING SPACE



B. GENERAL REQUIREMENTS FOR PASSENGER LOADING ZONES.

- (1) STANDARD PASSENGER LOADING SPACES, WHEN PROVIDED IN ADDITION TO THE MINIMUM REQUIRED ACCESSIBLE PASSENGER LOADING SPACE(S), SHALL BE CONSTRUCTED TO THE SAME STANDARDS AS AN ACCESSIBLE PASSENGER LOADING SPACE, BUT WITHOUT THE REQUIREMENT FOR AN ACCESS AISLE.
- (2) A CONTIGUOUS PASSENGER LOADING ZONE MAY BE PROVIDED, WHICH SHALL CONSIST OF TWO (2) OR MORE LOADING ZONE SPACES PROVIDED IN TANDEM WITH NO BARRIERS SEPARATING SAID SPACES, THUS ENABLING VEHICLES TO MOVE FORWARD THROUGH MULTIPLE PASSENGER LOADING ZONE SPACES.

- (3) PASSENGER LOADING ZONES SHALL BE PROVIDED WITHIN 50' OF THE MAIN ENTRANCE OF THE USE OR STRUCTURE THEY ARE INTENDED TO SERVE, AS APPROVED BY PLANNING AND DEVELOPMENT DEPARTMENT STAFF.
- (4) PASSENGER LOADING ZONES SHALL NOT ENCROACH WITHIN THE MINIMUM WIDTH OF ANY FIRE LANES OR DRIVE AISLES.
- (5) PARKING AND/OR STANDING SHALL BE LIMITED TO 30 MINUTES WITHIN A PASSENGER LOADING ZONE, AND SIGNS SHALL BE INSTALLED AND MAINTAINED STATING THIS RESTRICTION, AS APPROVED BY PDD AND STREET TRANSPORTATION.
- (6) A PASSENGER LOADING ZONE SHALL NOT BE LOCATED BEHIND ANY TYPE OF VEHICULAR GATE OR BARRIER, EXCEPT FOR NON-RESIDENTIAL USES, WHEN SUCH GATE OR BARRIER IS LEFT OPEN DURING ON-SITE BUSINESS HOURS.
- (7) ON-STREET PASSENGER LOADING ZONES LOCATED IN THE PUBLIC RIGHT-OF-WAY ADJACENT TO THE PROPERTY MAY ONLY BE PROVIDED WHEN COMPLIANCE WITH ALL OF THE FOLLOWING IS DEMONSTRATED:
 - (A) APPROVAL FOR THE DESIGN OF THE PASSENGER LOADING ZONE HAS BEEN OBTAINED FROM THE STREET TRANSPORTATION DEPARTMENT.
 - (B) AN ENCROACHMENT PERMIT HAS BEEN OBTAINED FROM THE STREET TRANSPORTATION DEPARTMENT FOR ANY STRUCTURES REQUIRED AS PART OF THE PASSENGER LOADING ZONE (SHADE CANOPIES, SCREEN WALLS, SIGNS, ETC.).

(C) THE PASSENGER LOADING ZONE DOES NOT REDUCE OR PRECLUDE ANY REQUIRED STREETScape OR FRONTAGE ELEMENTS, INCLUDING THE PROVISION OF REQUIRED STREET TREES AND SHADE.

(D) THE PASSENGER LOADING ZONE DOES NOT INTERRUPT A DESIGNATED BICYCLE LANE.

C. PASSENGER LOADING AREA DESIGN GUIDELINES.

- (1) PASSENGER LOADING ZONES SHOULD BE LOCATED INTERNALLY TO THE BUILDING WHEN POSSIBLE.
- (2) PASSENGER LOADING ZONES SHOULD HAVE PRIMARY ACCESS FROM A STREET, RATHER THAN AN ALLEY.
- (3) PASSENGER LOADING ZONES SHOULD PROVIDE LANDSCAPED AND/OR STRUCTURAL SHADE FOR A MINIMUM OF 75% OF THE PASSENGER WAITING AREAS.

ATTACHMENT C
Z-TA-8-23: Parking Reductions
Village Planning Committee Summary Results

Village	Information Only Date	Recommendation Date	Recommendations	Vote
Paradise Valley	6/5/2023	7/10/23	No Quorum	N/A
Encanto	6/5/2023	7/10/23	Approval, per the staff recommendation	12-1
Laveen	6/12/2023	7/10/23	Denial	8-0
Central City	6/12/2023	7/10/23	Approval, per the staff recommendation	10-4
Camelback East	6/6/2023	7/11/23	Approval, per the staff recommendation	14-1
Desert View	6/6/2023	7/11/23	Denial	9-0
Rio Vista	6/13/2023	7/11/23	Denial	3-2
South Mountain	6/13/2023	7/11/23	Denial	11-0
Maryvale	6/14/2023	7/12/23	Denial	7-2-1
Deer Valley	6/8/2023	7/13/23	Denial	5-4
North Gateway	6/8/2023	7/13/23	Denial	6-0
Estrella	6/20/2023	7/18/23	Denial	8-1
North Mountain	6/21/2023	7/19/23	Approval, per the staff recommendation with direction that staff and the city council to explore additional methods to help with the production of affordable housing	12-1-1
Ahwatukee Foothills	6/26/2023	7/24/23	Denial	6-2
Alhambra	6/27/2023	7/25/23	Approval, per the staff recommendation	9-6



Village Planning Committee Meeting Summary

Z-TA-8-23-Y

INFORMATION ONLY

Date of VPC Meeting	June 5, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

Mr. Zambrano shared the parking reductions proposed and displayed an image of a typical multifamily development with a lot of parking. Mr. Zambrano shared the current and proposed parking requirement for multifamily development City-wide, affordable multifamily development City-wide, multifamily development in the Infill Development District, market-rate multifamily development in the Walkable Urban (WU) Code, and affordable multifamily development in the WU Code. Mr. Zambrano displayed an example for each type of multifamily development of a 300-unit complex, having only 1- or 2-bedroom units, and shared what the difference in the parking requirement would be. Mr. Zambrano then discussed passenger loading zones, a new requirement proposed only for sites zoned WU Code. Mr. Zambrano concluded with the timeline for the text amendment.

Mr. Soronson asked if there are parking reductions proposed adjacent to transit. **Mr. Zambrano** responded that transit would be covered under the Infill Development District and the Walkable Urban Code.

Chair Popovic asked what the current parking requirement is for multifamily. **Mr. Zambrano** displayed the current requirement verbatim from the Phoenix Zoning Ordinance.

Roy Wise asked about the intent of this text amendment. **Mr. Zambrano** responded that current parking requirements are resulting in overparking. **Mr. Wise** stated that he believes the text amendment is trying to force more people to use transit.

Ms. Balderrama asked how the proposed parking requirement was calculated. **Mr. Zambrano** responded that the Traffic Services Division conducted a study that showed the actual parking demand is less than what the current parking requirements are. Mr. Zambrano added that part of the intent behind the text amendment is trying to encourage more transit use and acknowledging that not everyone may own a private vehicle and may rely on other modes of transportation.

Ms. Sepic asked if the proposed parking ratio would apply to four-bedroom units as well. **Mr. Zambrano** responded affirmatively, noting that the previous requirement was two parking spaces per three or more-bedroom unit.

Chair Popovic asked where the distance to a light rail station in the Walkable Urban Code is measured from. **Mr. Zambrano** responded that it is measured from the lot line.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting

June 5, 2023

Request

Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

No quorum.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting	June 12, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

Committee Member Rouse left during this item bringing quorum to eight.

Staff Presentation:

Mrs. Sanchez Luna provided an overview of the proposed text amendment. Mrs. Sanchez Luna noted that the proposed text amendment would allow for a reduction in parking for multifamily and affordable multifamily citywide. Ms. Sanchez Luna summarized other parking reductions. Mrs. Sanchez Luna presented examples of the proposed parking reductions. Mrs. Sanchez Luna concluded the presentation by noting the proposed hearing dates for the text amendment.

Questions from the Committee:

Mr. Nasser-Taylor asked if ADA parking would still be required. **Ms. Gomes** confirmed. **Mr. Nasser-Taylor** asked prompted this text amendment. **Ms. Gomes** noted that the text amendment has been in response to legislative and affordability movements. Ms. Gomes noted that the city analyzed affordability and that is why there were standards for infill development, the walkable urban code, and city wide. **Mr. Nasser-Taylor** noted that it would allow for more units because of the reduction in parking. **Ms. Gomes** noted that residents in affordable housing have less vehicles and that more units would drive down rental costs. Ms. Gomes noted that these would be minimum parking standards. **Mr. Nasser-Taylor** noted that Phoenix doesn't have an efficient public transportation system to support the parking reduction. Mr. Nasser-Taylor added that existing multifamily developments do not have enough parking. Mr. Nasser-Taylor asked if a study was conducted before presenting the new parking ratios. **Ms. Gomes** stated that the city utilized ITE data that focuses on traffic counts in order to create the proposal. **Ms. Perrera** asked what year the data was collected. **Ms. Gomes** stated that that information could be provided at a later date.

Ms. Perrera noted that the parking reduction made sense in infill development if amenities are in a walkable distance. Ms. Perrera noted that a citywide reduction was

not feasible. Ms. Perrera added that Laveen did not have sufficient public transit. Ms. Perrera noted that there should be a reduction in commercial parking rather than multifamily parking. Ms. Perrera added that she had concerns on data utilized.

Ms. Rouse voiced her agreement and stated that parking would spill onto the street.

Ms. Rubio-Raffin agreed that the city doesn't have the public transit infrastructure to support the reduction. Ms. Rubio-Raffin noted that the City of Tempe has an efficient public transit system. Ms. Rubio-Raffin added that the reduction could reduce the number of cars.

Ms. Jensen stated that more public transportation infrastructure would be required before a reduction could occur. Ms. Jensen asked how much overflow parking occurs in walkable urban code areas. **Ms. Gomes** noted that the department has been working to gather the data.

Mr. Chiarelli noted that apartments could start charging for parking which would affect housing affordability. Mr. Chiarelli asked what would make a housing project affordable. Mr. Chiarelli added that people that live in affordable housing still have vehicles.

Francisco Barraza noted that a reduction in vehicles per household would not be attainable. Mr. Barraza stated that downtown development discourages parking, but other parts of the city cannot accommodate the reduction. Mr. Barraza added that the proposed text amendment would benefit developers rather than individuals.

Chair Abegg stated that she hasn't seen a decrease in vehicles with less parking availability. Chair Abegg asked if existing projects could revise their site plan to reduce the parking. Chair Abegg asked about the outreach and noted that in-person meetings are less accessible for the community.

Vice Chair Hurd noted that she has seen multifamily projects with excessive parking but would discourage filling empty parking lots with more housing. Vice Chair Hurd noted that the data utilized needed to be evaluated. **Chair Abegg** noted that the reduction made sense in some overlay areas but not the entire city.

Ms. Gomes noted that staff has heard similar comments from northern villages. Ms. Gomes noted that if the text amendment is adopted, all current developments could utilize the parking reduction. Ms. Gomes noted that existing projects would have to be evaluated on a case by case basis. Ms. Gomes noted that information only items for text amendment allow the community to voice their initial concerns prior to recommendation. Ms. Gomes added that the information is available online and recommended the committee to promote any input. **Chair Abegg** noted that the in-person meetings are not accessible to the entire community. **Ms. Gomes** stated that the text amendments have been a respond to City Council requests and legislative movements. **Chair Abegg** reiterated that a virtual meeting would increase community input and accessibility. **Ms. Gomes** stated that not all facilities have the technical

capabilities to host hybrid meetings.

Mr. Chiarelli noted that South Mountain has not have quorum in several months. Mr. Chiarelli added that this prevents community input. Mr. Chiarelli asked what the city has done to ensure an active committee. **Chair Abegg** encouraged Committee Member Chiarelli to contact the City Council. **Ms. Gomes** voiced her agreement and confirmed that the City Council is addressing the issue.

Public Comment:

Mr. Hertel stated that ADA parking spaces will be utilized by non-ADA vehicles. Mr. Hertel added that an efficient public transportation system is required prior to a parking reduction. Mr. Hertel asked for the purpose behind the text amendment and if any data was collected to support the reduction in Laveen. Mr. Hertel added that this would result in modifications to existing approved site plans. Mr. Hertel voiced his opposition to the text amendment.

Committee Discussion:

None.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting	June 12, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

No members of the public registered to speak on this item.

Anthony Grande, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. He described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

Committee Member Sherman stated that the pick-up/drop-off areas should be encouraged to be on-street to reduce the number of driveways.

Committee Member Olivas expressed concern about the proposal, citing an example of an affordable housing development with a low parking requirement where there is an issue with cars parking on the street.

Committee Member Dana Johnson asked for clarification regarding the on-street parking allowance in the infill district and expressed concern about the proposal from an equity perspective. **Mr. Grande** provided clarification that on-street parking would no longer count toward parking requirements in the infill district.

Committee Member Uss stated that parking is a barrier to providing affordable housing and that this proposal would open up more parcels for affordable housing development.

Committee Member Martinez agreed with the example raised by Ms. Olivas, noting that traffic situation around the development is problematic due to the reduced parking requirements.

Committee Member Gaughan stated that it is important to get families into housing units and that providing parking makes the units more expensive.

Committee Member Martinez noted that low-income people still own cars. **Ms. Uss** replied that the vehicle ownership rate is lower for low-income people.

Vice Chair O'Grady stated that it would be helpful to tour affordable developments with minimal parking, such as the Native American Connections buildings.

Committee Member Rachel Frazier Johnson asked that staff provide examples of affordable developments with lower parking requirements for the next meeting.

Chair Gonzales asked for clarification on how the proposal would affect the Downtown Code. **Mr. Grande** clarified that it would not change any requirements of the Downtown Code.

Committee Member Sonoskey asked about maximum parking requirements. **Mr. Grande** replied that there were only parking maximums in the Downtown Code, and this proposal would not change that.

Committee Member Olivas asked about congestion on narrow streets with street parking. **Mr. Grande** replied that the Street Transportation Department reviews any on-street parking to verify the street width is sufficient to handle the parked cars and the flow of traffic.

Village Planning Committee Meeting Summary

Z-TA-8-23-Y INFORMATION ONLY

Date of VPC Meeting	June 6, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing

VPC DISCUSSION:

No member of the public registered to speak on this item.

STAFF PRESENTATION:

John Roanhorse, staff, provided a presentation the proposed text amendment to reduce parking, the scope, requirements and adjustments for multifamily development. Mr. Roanhorse discussed the current parking requirements, the proposal and the comparative reduction calculations for affordable housing, infill development, Walkable Urban Code areas and other site adjustments. Mr. Roanhorse displayed the changes that will include passenger loading zones pull up/drop off spaces for streetscapes. Mr. Roanhorse discussed the time frame for review for the at Villages, Planning Commission and City Council.

QUESTIONS FROM COMMITTEE:

Ms. Schmieder asked about the text amendment as a method of clarifying information and parking reduction is a significant change and why this being considered as a text amendment. Mr. Roanhorse responded that the text amendment is a method that allow the City to adjust an existing requirement. Ms. Schmieder stated that changing the parking requirements has big implications for neighborhoods and new development. **Mr. Roanhorse** responded that a text amendment is changes to the text of the requirement.

PUBLIC COMMENTS:

None.

STAFF RESPONSE:

None.

COMMITTEE DISCUSSION:

None.

Village Planning Committee Meeting Summary

Z-TA-8-23-Y INFORMATION ONLY

Date of VPC Meeting	June 6, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing

VPC DISCUSSION:

No members of the public registered to speak on this item.

Anthony Grande, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. He described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

Committee Member Hankins asked about the impetus behind this proposal. **Mr. Grande** replied that there was interest from the city and stakeholders in reducing barriers to providing housing.

Vice Chair Lagrave asked if the proposal makes the assumption that people residing in affordable housing have lower vehicle usage. **Mr. Grande** replied that he didn't have any studies available on the question but will try to provide more information at the next meeting.

Committee Member Santoro asked if there were studies done that show apartment buildings with vacant parking spaces. **Mr. Grande** replied that he would follow up with more information at the next meeting.

Chair Bowser stated that multifamily housing has different users than single-family, which could impact the need for parking, adding that he would like to see a requirement for proximity to transit as part of the proposal.

Committee Member Kollar stated that parking in many apartment complexes can be very difficult and that he'd like to see studies showing the feasibility of the proposal.

Committee Member Younger asked if this amendment would only affect new construction. **Mr. Grande** replied that it was for new construction.

Committee Member Israel asked about the AMI levels included in the definition of affordable housing. **Mr. Grande** replied that there will be more information by the next meeting when there is proposed text.

Committee Member Reynolds stated that low-income families may have multiple people working and needing parking spaces, which could be an issue.

Committee Member Nowell stated that the proposal could increase demand on commercial parking lots nearby, potentially leading to issues in the future.

Committee Member Younger asked what the purpose of the proposal was. **Mr. Grande** replied that it would eliminate a barrier to providing additional housing.

Chair Bowser stated that there is a general need to reduce parking requirements across the city because the city is generally overparked, adding that he would like to see some studies to show the need for this specific proposal.

Committee Member Kollar stated that the 1.25 spaces per unit for multifamily housing seems low.

Committee Member Israel asked for clarification on the proposed citywide requirements for multifamily housing compared to proposed requirements related to transit-oriented areas in the central part of Phoenix. **Mr. Grande** provided clarification.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting June 13, 2023
Request Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

Mr. Zambrano shared the parking reductions proposed and displayed an image of a typical multifamily development with a lot of parking. Mr. Zambrano shared the current and proposed parking requirement for multifamily development City-wide, affordable multifamily development City-wide, multifamily development in the Infill Development District, market-rate multifamily development in the Walkable Urban (WU) Code, and affordable multifamily development in the WU Code. Mr. Zambrano displayed an example for each type of multifamily development of a 300-unit complex, having only 1- or 2-bedroom units, and shared what the difference in the parking requirement would be. Mr. Zambrano then discussed passenger loading zones, a new requirement proposed only for sites zoned WU Code. Mr. Zambrano concluded with the timeline for the text amendment.

Mr. Virgil stated that developers will try to fit more homes in a development by removing parking spaces. Mr. Virgil stated that there is never enough parking for visitors. Mr. Virgil stated that the City wants to push people out of their cars.

Mr. Sommacampagna asked about removing on-street parking in the Infill Development District. **Mr. Zambrano** responded that the Street Transportation Department has had issues with adding bike lanes in certain areas because developments are counting the on-street parking towards their minimum required parking spaces.

Mr. Virgil stated that the City does not want people to own cars.

Mr. Zambrano stated that part of the intent of the text amendment is trying to support multi-modal transportation.

Chair Lawrence stated that this would be a great idea if everything was within walking distance of the light rail.

Mr. Virgil stated that he would rather have too much parking than not enough. Mr. Virgil asked if handicap parking would be reduced as well. **Mr. Zambrano** responded that ADA parking requirements would still be the same. **Mr. Virgil** asked if the ideas for the text amendments are coming from California. **Mr. Zambrano** responded that they are trying to address a number of issues, including the housing shortage and affordability.

Vice Chair Perreira asked Mr. Zambrano could share his opinion on the text amendment. **Mr. Zambrano** responded that based on information he has heard, the current Phoenix Zoning Ordinance parking requirement requires more parking than what the actual market demand is for parking.

Mr. Virgil reiterated that he would rather have more parking than not enough.

Chair Lawrence stated that he would have to disagree with the parking requirement supplying more than the actual parking demand. Chair Lawrence asked if Mr. Zambrano has ever lived in apartment complex in Phoenix. **Mr. Zambrano** responded he has lived in apartment complex only in Tempe. **Chair Lawrence** asked if there was plenty of parking when coming home at 9:00 PM. **Mr. Zambrano** responded that he had a reserved parking space. **Chair Lawrence** stated that when the parking ratio is 0.5 spaces per dwelling unit, there are not enough reserved spaces for each unit. **Mr. Zambrano** responded that the 0.5 spaces per unit ratio is only for the Walkable Urban Code, which is typically along the light rail corridor. **Chair Lawrence** stated that he is okay with the proposal along the light rail, but that other apartment complexes he has been to have had parking issues. Chair Lawrence added that he has never driven into an apartment complex before that has had many empty parking spots or an empty space nearby the unit, which is under the current parking requirements.

Mr. Virgil stated that there is an apartment complex on Union Hills Drive and 35th Avenue where off-street parking is impossible to find in the complex and people park in the street, noting that their parking is under the current requirements.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting June 13, 2023
Location Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Committee member Ashley Hare left during the previous item, thus losing quorum.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting	June 14, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

No quorum.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting

June 8, 2023

Request

Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

No quorum.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting June 8, 2023

Request Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

Staff Presentation:

Mr. Zambrano shared the parking reductions proposed and displayed an image of a typical multifamily development with a lot of parking. Mr. Zambrano shared the current and proposed parking requirement for multifamily development City-wide, affordable multifamily development City-wide, multifamily development in the Infill Development District, market-rate multifamily development in the Walkable Urban (WU) Code, and affordable multifamily development in the WU Code. Mr. Zambrano displayed an example for each type of multifamily development of a 300-unit complex, having only 1- or 2-bedroom units, and shared what the difference in the parking requirement would be. Mr. Zambrano then discussed passenger loading zones, a new requirement proposed only for sites zoned WU Code. Mr. Zambrano concluded with the timeline for the text amendment.

Discussion:

None.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting June 20, 2023

Request Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

Staff Presentation:

Mrs. Sanchez Luna provided an overview of the proposed text amendment. Mrs. Sanchez Luna noted that the proposed text amendment would allow for a reduction in parking for multifamily and affordable multifamily citywide. Ms. Sanchez Luna summarized other parking reductions. Mrs. Sanchez Luna presented examples of the proposed parking reductions. Mrs. Sanchez Luna concluded the presentation by noting the proposed hearing dates for the text amendment.

Questions from the Committee:

Mr. Sanou and **Ms. Wallace** voiced their disagreement.

Chair Perez stated that the text amendment came from movement at the legislative level. Chair Perez voiced her disagreement on the proposed text amendment and provided an example on 67th Avenue and Broadway Road that would be able to reduce parking with the proposed text amendment. Chair Perez noted that all current projects could revise their site plan to reduce the number of parking.

Angelica Terrazas voiced her disagreement and stated that the reduction in parking would make living in the city inconvenient, negatively affecting the population.

Chair Perez stated that Estrella did not have the infrastructure nor amenities to support the reduction. Chair Perez added that the reduction could work in certain areas of the city, but not the entire city nor Estrella.

Dan Rush stated multifamily development did not have enough parking. **Chair Perez** stated that if parking is unavailable, it could allow for alternative forms of transportation.

Ms. Wallace stated that Estrella did not have the public transportation infrastructure or street infrastructure to support the reduction. Ms. Wallace stated that the population

needed vehicles and parking spaces. Ms. Wallace reiterated her disagreement and opposition to the text amendment. **Chair Perez** noted that families have numerous vehicles that overcrowd garages and driveways. **Ms. Wallace** stated that parking garages could help reduce on street parking and overcrowded driveways.

Ms. Terrazas stated that single-family residences don't always have families that require one vehicle. Ms. Terrazas noted that numerous people share one house, requiring additional vehicles. Ms. Terrazas voiced her disagreement and added that the reduction was impractical.

Ms. Wallace noted that a reduction in parking is only feasible to certain social groups who can afford the reduction.

Chair Perez asked staff about the input that they have received in the northern villages. **Ms. Escolar** noted that they have heard similar concerns and were opposed to the text amendment.

Ms. Terrazas asked for information regarding commercial parking reduction. Ms. Terrazas noted that a reduction in commercial parking would also have negative effects on the village. **Ms. Escolar** stated that the proposed text amendment would not reduce commercial parking.

Public Comment:

Ms. Groff stated that the proposed text amendment does not affect the parking maximum. Ms. Groff stated that the idea would be to allow the market demand to determine the number of parking. Ms. Groff noted that this could lead to shared parking between developments and parking adjusted to the market.

Committee Discussion:

Ms. Wallace stated that the reduction would allow for zero parking. **Mrs. Sanchez Luna** responded that the zero required parking would only be in the Walkable Urban Code and affordable housing projects.

Ms. Groff added that the lack of parking could reduce rental rates. **Mr. Sanou** disagreed.

Chair Perez noted that there could be additional revenue if there were rented parking garages. **Ms. Wallace** stated that the parking garages should be free in certain areas.

Ms. Wallace voiced her opposition for the proposed text amendment.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting June 12, 2023
Request Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

Mr. Klimek shared the parking reductions proposed and displayed an image of a typical multifamily development with a lot of parking. He shared the current and proposed parking requirement for multifamily development City-wide, affordable multifamily development City-wide, multifamily development in the Infill Development District, market-rate multifamily development in the Walkable Urban (WU) Code, and affordable multifamily development in the WU Code. He displayed an example for each type of multifamily development of a 300-unit complex, having only 1- or 2-bedroom units, and shared what the difference in the parking requirement would be. He then discussed passenger loading zones, a new requirement proposed only for sites zoned WU Code and concluded with the timeline for the text amendment.

COMMITTEE MEMBER QUESTIONS

Committee Members Adams, Alauria, O'Hara and Vice Chair Fogelson expressed concern over the proposed parking reduction.

Committee Members O'Hara asked if 1.25 spaces per unit is a standard that comes from a national study or if it focuses on cities such as Phoenix. **Mr. Klimek** responded that the ITE study is national and shows 1.23 spaces per unit for suburban development and 1.2 spaces per unit for urban development. He added that the proposal also equates to 1 space per resident dwelling plus 0.25 guest spaces.

Committee Member Molfetta stated that the zoning district prescribes the number of dwelling units permitted on a site so less parking means more units can be constructed.

Committee Member Freeman stated that this provides greater flexibility, that the parking supply should be specific to the context, and that the current standard is high. He asked if this will limit the amount of parking that can be provided. **Mr. Klimek** responded that this reduces the number of spaces that are required but does not limit the amount of parking that can be provided.

Committee Members O'Hara asked Chair Jaramillo how the proposal was received by the Planning Commission. **Chair Jaramillo** responded that the proposal was well received, will support affordable housing, and he then cited cul-de-sac in Tempe as an example of an innovative community that would not be permitted in Phoenix.

Committee Members O'Hara stated that cul-de-sac is at a good location with plenty of students, good access to transit and ASU, and a responsible owner. He expressed concern that not all owners are responsible, and this could be used to create less desirable housing products. **Committee Members Krentz** stated he was involved in the cul-de-sac project and that half the residents are not affiliated with ASU.

Committee Member Sommacampagna asked if the parking reductions in the Infill Development District would be allowed by-right and if there were any parking reductions permitted in the area that require a use permit. **Mr. Klimek** responded that the parking reductions are by-right in the Infill Development Area and responded that he wasn't sure about the use permit areas.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting June 26, 2023
Request Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

Meeting was canceled due to lack of quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Meeting was canceled due to lack of quorum.



Village Planning Committee Meeting Summary

Z-TA-8-23-Y INFORMATION ONLY

Date of VPC Meeting	June 27, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Two members of the public registered to speak on this item.

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. He described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

QUESTIONS FROM THE COMMITTEE

Committee Member Adams asked how the parking reductions were determined. **Mr. Rogers** stated that he was not aware of how the reductions were determined, but he would provide the staff report.

Committee Member Keyser stated that surveys have shown that people want mass transit, but he expects innovation in autonomous vehicles, electric vehicles, or smart car technology to impact how people interact with cars. Committee Member Keyser stated that Phoenix could become walkable someday, but the City needs to implement linear cores. Committee Member Keyser stated that he is shy on this text amendment until we know the future automobile market trends.

Committee Member Solorio stated that parking minimums have been eliminated across the country in cities like Buffalo, Seattle, and Portland and in the City of Mesa's downtown form-based code. Committee Member Solorio explained that parking will be determined by the financier based on the product type, so luxury apartments will still provide parking and developments that serve specialty populations such as veterans,

the elderly, or individuals with severe mental illnesses will be able to provide less parking and thus more units.

Committee Member Fitzgerald encouraged everyone to read the text amendments very carefully and stated that there is no outreach to the people in neighborhoods.

PUBLIC COMMENTS

John Hathaway stated that there is a law of unintended consequences that is always present and stated that the increase in luxury apartments being built in Phoenix has caused the City to be ranked number one in the county for increasing housing rates at 32 percent. Mr. Hathaway stated that he understands the need for affordable housing, but there will be consequences and explained that places like Portland, Southern California, or Manhattan are not the same as Phoenix because car ownership is much higher in Phoenix.

Jackie Rich stated that she would like to see the research that supports the parking reduction and stated that the proposed text amendment would reduce parking requirements for luxury units to what is currently required for a studio unit. Ms. Rich stated that luxury unit residents will likely want amenities like electric vehicle charging rather than fewer parking spaces and explained people will not walk because the City of Phoenix is seeing around 100 days with temperatures over 100 degrees Fahrenheit and because Phoenix is ranked number six in most pedestrian fatalities. Ms. Rich stated that while some residents in affordable housing developments may not drive, some residents may have a medical condition that make it difficult to walk and those residents need easily accessible parking and explained more public transit needs to be available before this text amendments moves forward.

STAFF COMMENTS REGARDING VPC RECOMMENDATION

None.



Village Planning Committee Meeting Summary

Z-TA-8-23-Y

Date of VPC Meeting	August 7, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.
VPC Recommendation	Approval, per staff recommendation, with modifications
VPC Vote	14-0

VPC DISCUSSION:

Staff Presentation:

Mr. Zambrano discussed the purpose of the parking reductions text amendment and potential benefits. Mr. Zambrano shared the parking reductions proposed and then shared the current and proposed parking requirement for multifamily development City-wide, affordable multifamily development City-wide, multifamily development in the Infill Development District, market-rate multifamily development in the Walkable Urban (WU) Code, and affordable multifamily development in the WU Code. Mr. Zambrano noted that the proposed parking ratio for multifamily development City-wide was based on an average of multifamily parking demand of 1.23 spaces per unit for suburban development and 1.2 spaces per unit for urban development, per the Institute of Transportation Engineers (ITE) Manual, which has decades-worth of data based on studies done in cities throughout the nation where cars were counted and resulted in these parking ratios based on the actual parking demand. Mr. Zambrano then discussed passenger loading zones, a new requirement proposed only for sites zoned WU Code. Mr. Zambrano concluded with the timeline for the text amendment, VPC results, Planning Commission results, and stated that staff recommends approval as listed in the staff report.

Questions from the Committee:

Ms. Sepic asked how the City defines affordable housing, noting that the term is often used politically. **Mr. Zambrano** responded that development would only qualify as affordable housing after being vetted through the various programs and meeting the criteria to be able to qualify as an affordable housing project. Mr. Zambrano added that the City would not accept a development as affordable housing just because the developer calls it affordable, and that it would need to go through the programs necessary to qualify it as an affordable housing project.

Chair Popovic stated that he works for the largest affordable housing developer in the country and the seventh largest market-rate housing developer in the country. Chair Popovic stated that parking is the most prohibitive, restrictive and costly element in housing development. Chair Popovic noted that the costs spent on building parking cannot be recuperated and it limits affordable housing developers on bringing their projects to fruition. Chair Popovic stated that his firm recently put in a bid for a Request for Proposals (RFP) in Tempe for affordable housing, which required over 435 parking spaces, costing over \$15 million to build two parking structures, or \$35,000 per parking stall, and the project died. Chair Popovic emphasized that parking increases costs for housing development and makes housing less affordable by requiring more parking.

Mr. Goodhue asked where people would park their cars. **Chair Popovic** responded that not many people living in true affordable housing projects own cars and the current parking requirements do not meet the actual parking demand of affordable housing.

Ms. Sepic stated that she is a multifamily operator and thinks it would be wrong to not reduce the parking requirements. Ms. Sepic stated that one of her clients that is building a high-rise building in Downtown Phoenix is still building in parking, despite having minimal parking requirements because it is located right along the light rail. Ms. Sepic added that based on her experience of operating Class C apartment buildings, most of the residents in the studio and one-bedroom units did not own vehicles. Ms. Sepic stated that most of the two-bedroom units had at least one vehicle and the three- and four-bedroom units that had anywhere from eight to 10 people living in it typically had two vehicles. Ms. Sepic noted that an average of about one-fourth of parking was unused for apartment complexes she operated. Ms. Sepic stated that she does believe there is room to adjust the parking ratios and that she does not believe they should be kept as high as they currently are.

Mr. Goodhue stated that he moved in 1990 from Seattle into an apartment nearby his current home and stayed there for a few months, and there was no one parking on the street. Mr. Goodhue noted that these parking ratios were based on what was required back in the 1980s and now the streets are covered with cars and are coming into the adjacent neighborhoods. Mr. Goodhue added that the City of Seattle requires no parking adjacent to their light rail and someone he knew opened up a business next to a brand-new apartment complex that had cars parked along the alley that were blocking the loading bay for the business. Mr. Goodhue agreed that parking ratios should be looked at to make sure they are realistic but disagreed with reducing the parking ratios to an extreme.

Chair Popovic agreed that the parking ratios should not be reduced to an extreme, noting that the parking ratios still do need to be reduced. Chair Popovic reiterated that many of the parking spaces for his affordable housing developments are unused. Chair Popovic shared the criteria in order to get the credits for affordable housing.

Mr. Goodhue agreed that parking for affordable housing should be reduced to meet their demand but expressed concerns with reducing parking for market-rate housing.

Chair Popovic reiterated the cost of building parking structures. **Vice Chair Anita Mortensen** asked if the parking spaces are used once the building is built. **Chair Popovic** responded that it depends, but most residents in market-rate studio and one-bedroom units do not use cars.

Ms. Sepic added that she knows two people her age that do not have a driver's license.

Chair Popovic agreed, noting that this lowers the parking ratio. Chair Popovic stated that the younger generation does not want cars.

Mr. Wise stated that he has lived in Arizona for a long time, and it is car-centric.

Ms. Sepic stated that rideshare is another way to get around.

Chair Popovic disagreed that Phoenix is car-centric, noting that it is changing.

Ms. Sepic agreed. Ms. Sepic stated that she is okay with the passenger loading zone requirement as proposed. Ms. Sepic added that she believes there should be a reduction to the parking ratios, but not to the extent as proposed. Ms. Sepic recommended there be 0.5 parking spaces required for each studio unit or one-bedroom unit, 1.25 parking spaces required for each two-bedroom unit, and 1.5 spaces required for each three- or more bedroom unit. Ms. Sepic recommended that the average parking ratio for market-rate housing be 1.75 spaces per unit.

Mr. Soronson asked for clarification that Ms. Sepic recommends the proposed 1.25 parking spaces per unit ratio is increased to 1.75 parking spaces per unit. **Ms. Sepic** responded affirmatively. **Mr. Soronson** asked why Ms. Sepic would recommend increasing the parking ratio to 1.75 when she just stated that she believes the parking ratios should be reduced.

Chair Popovic agreed, noting that the current parking ratio is 1.5 parking spaces per unit for one- and two-bedroom units.

Ms. Sepic stated that she believes the proposed parking ratio of 1.25 parking spaces per unit for market-rate housing needs to be increased. **Mr. Soronson** asked again why Ms. Sepic believes it should be increased when she had just stated that she believes the parking ratios need to be decreased. **Ms. Sepic** responded that 1.25 parking spaces per unit is still too low for market-rate housing.

Chair Popovic disagreed, noting that 1.75 parking spaces per unit is too high and is above the current requirement of 1.5 parking spaces per unit for one- and two-bedroom units.

Mr. Soronson concurred.

Ms. Sepic asked if the proposed parking ratio of 1.25 parking spaces per unit was the average of the current requirement. **Mr. Zambrano** responded that the parking ratio of

1.25 parking spaces per unit is the average of actual parking demands per the ITE Manual.

Mr. Goodhue stated that there was a similar discussion of parking reductions for a project within the Kierland Commons area which proposed 1.45 parking spaces per unit, noting that the parking ratio of 1.25 parking spaces per unit is even lower than what was approved in Kierland Commons. Mr. Goodhue recommended the parking ratio match what was approved in Kierland Commons.

Chair Popovic disagreed, noting that he believes the parking reduction for that project should have been more. Chair Popovic stated that from a developer's perspective, 1.25 parking spaces per unit is more than reasonable.

Ms. Sepic noted that 1.45 parking spaces per unit is a higher ratio than 1.25 parking spaces per unit.

Mr. Soronson agreed, noting that Ms. Sepic had previously stated that she recommended a parking ratio of 1.75 parking spaces per unit.

Chair Popovic concurred, noting that it would result in even more parking.

Ms. Sepic recommended that the parking ratios for affordable housing be lower than market-rate housing. Ms. Sepic noted that the current requirement for a studio unit is 1.3 parking spaces per unit, and most people that live in studio units do not even have a car.

Mr. Zambrano asked for clarification if Ms. Sepic wanted to keep the parking ratios broken out based on the number of units. **Ms. Sepic** responded affirmatively.

Mr. Goodhue asked if Ms. Sepic's proposed parking ratios are based on traffic engineering studies. **Ms. Sepic** responded that it is based on her experience of operating multiple apartment complexes that had studio, one-, two-, three-, and four-bedroom units. Ms. Sepic reiterated that residents in studio and one-bedroom units did not have a car.

Chair Popovic agreed, noting that it is a trend that is being seen more often.

Ms. Hall asked if the proposed parking ratio was prepared by traffic engineers. **Mr. Zambrano** responded affirmatively, noting that it came from the ITE Manual.

Chair Popovic stated that he agreed with the proposed parking ratios per staff recommendation.

Ms. Hall stated that most multifamily projects in the Kierland Commons area opt for PUD zoning so they can reduce their parking requirements, noting that there is a way to get around it now rather than changing the Phoenix Zoning Ordinance.

Abram Bowman asked if the proposed parking ratio of 1.25 parking spaces per unit would simplify the process for developers rather than having the parking ratios broken out by unit. **Chair Popovic** responded that some projects have more studios than one-bedroom units and other projects do not have any studios and have all one- and two-bedroom units. Chair Popovic stated that the parking ratios do need to be broken out by unit.

Ms. Sepic concurred. Ms. Sepic added that more three- and four-bedroom units are needed for families, but they are more expensive to build. Ms. Sepic noted that Arizona is top five in refugee resettlement and most refugee families have a lot of children. Ms. Sepic reiterated that the type of housing product needed is three- and four-bedroom units. Ms. Sepic stated that the information of the parking ratios should have been put in a graph to better understand the proposal.

Chair Popovic agreed, noting that there are some individuals that may not fully understand what the parking ratios translate to.

Ms. Sepic concurred, noting that the proposed parking ratio of 1.25 parking spaces per unit for any type of unit and a 50% reduction of that for affordable housing was confusing.

Mr. Wise asked if the Committee's recommended modifications would get to the City Council if the Planning Commission has already recommended approval of this text amendment with their own modifications. **Mr. Zambrano** responded affirmatively, noting that the City Council members and Mayor would review the results and meeting minutes of the VPCs and the Planning Commission and would make their own decision based on that information collectively.

Ms. Sepic stated that if there was a generic parking ratio and an apartment complex was built with all three-bedroom units, 1.25 parking spaces per unit would not be enough parking.

Daniel Mazza asked if the developer would just build more parking in that scenario. **Chair Popovic** responded that they would not build more than required because of the cost associated with it.

Mr. Soronson asked if it costs \$35,000 per parking stall for surface parking or structured parking. **Chair Popovic** responded that surface parking costs \$30,000 per parking stall and \$35,000 per parking stall for structured parking. Chair Popovic added that the cost could go up to \$60,000 per parking stall for underground parking on the first level and goes up from there the further underground it goes. Chair Popovic stated that almost a third of real estate development costs are related to parking.

Mr. Wise expressed concerns with there being no parking left after the parking reductions, assuming people will still drive as much as they are now. **Chair Popovic** stated that from the data his firm is getting, the trend is to not own a car. **Mr. Wise** asked if someone could rent an apartment unit without a parking space. **Chair Popovic**

responded affirmatively. **Mr. Wise** asked what someone would do if they owned a car, and the apartment complex did not have a dedicated parking space for them. **Chair Popovic** responded that they would go somewhere else that did have parking available for them.

Mr. Soronson stated that there is a project being built with no parking in the City of Tempe along the light rail.

Mr. Goodhue stated that the City Council would probably focus on the Planning Commission's recommendation versus this Committee's recommendation. **Mr. Zambrano** responded that this information may be helpful to the City Council, since the City Council did direct staff to initiate this text amendment through the Housing Phoenix Plan that was adopted.

Public Comments:

None.

Staff Response:

None.

MOTION – Z-TA-8-23-Y:

Ms. Sepic motioned to recommend approval of Z-TA-8-23-Y, per the staff recommendation, with modifications. **Mr. Bowman** seconded the motion.

Modifications listed for clarity:

- *Market-Rate Housing City-wide*
 - *1 parking space per studio unit*
 - *1.5 parking spaces per 1- or 2-bedroom unit*
 - *2 spaces per 3- or more bedroom unit*
- *Affordable Housing City-wide*
 - *0.5 parking spaces per studio unit*
 - *1 parking space per 1- or 2-bedroom unit*
 - *2 parking spaces per 3- or more bedroom unit*

VOTE – Z-TA-8-23-Y:

14-0; motion to recommend approval of Z-TA-8-23-Y per the staff recommendation with modifications passes with Committee members Bowman, Bustamante, DeMoss, Goodhue, Hall, Mazza, Petersen, Schmidt, Sepic, Soronson, Ward, Wise, Mortensen, and Popovic in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 10, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	12-1

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

*1 member of the public registered in support, wishing to speak.
1 member of the public registered in opposition wishing to speak.*

STAFF PRESENTATION

Mr. Roanhorse, staff, provided a presentation on the proposed text amendment to reduce parking city wide for residential developments with inclusion of minimum requirements. Mr. Roanhorse discussed the current parking requirements, the proposal and the comparative reduction calculations for affordable housing, infill development, Walkable Urban Code areas and other site adjustments. Mr. Roanhorse displayed the changes that will include passenger loading zones pull up/drop off spaces for streetscapes. Mr. Roanhorse discussed affordable housing at the applicability for parking and demand adjustments that will be made. Mr. Roanhorse discussed the time frame for review for the at Villages, Planning Commission and City Council.

Mr. DePerro stated that the development of the text amendment was based on many years of trying to address parking for multifamily development with a nominal city-wide reduction and reductions for affordable and infill housing and the biggest reduction for the Walkable Urban Code. Mr. DePerro noted that the staggered approach for parking was possible. Mr. DePerro explained parking information was obtained from the Institute of Traffic Engineers (ITE) Parking Manual to determine parking demands and to make it meaningful and applicable to the city.

QUESTIONS FROM THE COMMITTEE

Committee Member Jewett asked if the parking demand we are seeing now is accurate or is there a margin for adjustment. **Mr. DePerro** responded that certain adjustments were made where the calculated demand was 1.23 spaces which was rounded up to 1.25 spaces to provide a measure of simplification.

Vice Chair Rodriguez asked what is expected in the future for single family or commercial developments and will parking requirements decrease overall. **Mr. DePerro** responded that there has been a focus on multifamily development and this is unlikely to change but for now Council is looking to reduce parking requirements Citywide.

Mr. Procaccini asked has there been any consideration for requiring parking maximums. **Mr. DePerro** responded that this exists in the Downtown Code but was not consider for this text amendment because there are different expectations downtown and there are no plans currently, but it may be applicable for the WU Code in the future. **Mr. Proaccinni** asked about the applicability for infill areas. **Mr. DePerro** responded it might be possible but it would depend if an infill area were rezoned to WU Code.

Chair Wagner asked about the applicability of 0 parking within the WU Code. **Mr. DePerro** responded that the City has invested funds on light rail and other transit methods and these are encouraged with reducing parking. **Mr. DePerro** mentioned that there is a difference between caps and minimums and it is ideal to have some flexibility.

PUBLIC COMMENT

Cory Kincaid introduced himself and mentioned his volunteer work with Perfect Phoenix and has been involved with parking issues. **Mr. Kincaid** expressed concern and has spoken with developers and understands the frustration with parking around the city. **Mr. Kincaid** noted the economics of parking and expressed support for the parking reduction text amendment.

Neal Haddad with the Neighborhood Coalition of Greater Phoenix introduced himself and expressed concerns with the parking reduction. **Mr. Haddad** stated in some areas of the city you need access to an automobile and you cannot impose reductions for the entire city. **Mr. Haddad** noted that in some villages the distance to stores is far and an automobile is necessary. **Mr. Haddad** stated that reducing parking to 0 does not make sense. **Mr. Haddad** stated that there is also an issue with providing outreach and getting information to the public and that the Village Planning Committees was not the best method. **Mr. Haddad** expressed that the text amendment was not presented in some Villages because there was no quorum so the information did not reach the public. **Mr. Haddad** stated that the proposed parking reduction will create a big problem all over the city.

Committee Member Kleinman commented that there are various meeting coordinated by the city and asked what type of outreach is expected to get more people involved. **Mr. Haddad** responded that the Planning and Development should include outreach to registered neighborhood groups through NSD to get information directly to the public. **Mr. Haddad** stated he works with a neighborhood group to disseminate information and noted that many meetings are not well attended and there has to be a way to get people involved.

STAFF RESPONSE

Mr. Roanhorse responded that there are many issues that have been discussed and that the City has taken great steps to provide information and has received and extensive volume of comments and these will be reviewed and considered.

Mr. DePerro noted there is an additional action regarding short term rentals that is not zoning related, the City Code is being amended to adopt the strictest regulations that the state will allow for licensing, and this may impact short term rentals and there is much more happening.

Mr. Cardenas asked for clarification on state requirements and taxation for short term rentals. **Mr. DePerro** stated this text amendment is zoning entitlement to allow an ADU on your property and talks about accessory uses. Mr. Cardenas asked if there is only one chance for review and will there be an opportunity to make changes in the future if there are unintended consequences. Mr. DePerro responded from the meeting tonight the recommendations will be reviewed and the amendment will go to the Planning Commission for further review and discussion and finally to the City Council for action.

MOTION:

Vice Chair Nicole Rodriguez made a motion to recommend approval of Z-TA-8-23-Y per the staff recommendation. **Committee Member Paul Benjamin** seconded the motion.

DISCUSSION:

Committee Member George noted a situation in Encanto Palmcroft where a developer wanted to develop vacant lot with reduced parking. Ms. George stated if the development did occur it would have been detrimental to the surrounding neighborhoods and there was extensive opposition. Ms. George expressed her concern and stated her opposition for the proposed text amendment.

Committee Member G. G. George made a substitute motion to deny Z-TA-8-23-Y.

Chair Wagner asked for a second to the substitute motion and no second motion was received and Chair Wagner stated the substitute motion failed. Chair Wagner stated the original motion for approval would be considered and asked the Committee for discussion and no discussion was noted.

VOTE:

12-1; motion to approve Z-TA-8-23-Y per the staff recommendation passes with Committee Members Benjamin, Cardenas, Doescher, Jewett, Kleinman, Mahrle, Picos, Procaccini, Searles, Tedhams, Vice Chair Rodriguez and Chair Wagner in support; with Committee Member George opposed.

Chair Wagner stated that the text amendment does not work for all of Phoenix but does work for Encanto Village and supports the proposal.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 10, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Denial
VPC Vote	8-0

VPC DISCUSSION:

Staff Presentation:

Tricia Gomes, acting Deputy Director of the Planning and Development Department, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. Ms. Gomes described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

Questions from the Committee:

Rebecca Perrera asked if any research was done to determine the proposed parking ratio. **Ms. Gomes** stated that staff utilized ITE data. **Ms. Perrera** asked if it was for the entire country or were there categories. **Ms. Gomes** noted that there are three subcategories to evaluate the data. **Ms. Perrera** stated that Laveen needed parking and that there is not enough infrastructure to support the reduction. Ms. Perrera stated that she would like to see a reduction in commercial uses rather than residential. Ms. Perrera added that the proposed text amendment seems to treat people in affordable housing differently from other individuals.

Carlos Ortega asked how the parking reduction would benefit Laveen as it continues to grow. **Ms. Gomes** noted that the text amendment would apply city-wide and would make housing more affordable by reducing some requirements. Ms. Gomes added that the proposed changes are minimums and that some developments provide more than the required.

JoAnne Jensen stated that the proposed text amendment would treat individuals in affordable housing differently from market rate housing. **Ms. Gomes** asked for clarification. **Ms. Jensen** noted that the parking rate should be the same for affordable housing and market rate housing. Ms. Jensen stated that she would not support the text

amendment.

Francisco Barraza stated that the city has a large footprint and instead of having sufficient public transit or density, it continues to grow outward. Mr. Barraza stated that Laveen doesn't have enough public transit infrastructure to support the text amendment. **Ms. Gomes** added that affordable housing developments are typically located along transit options. Ms. Gomes noted that developers would look at the surrounding amenities.

Public Comment:

Dan Penton asked for clarification on-street parking and bike lanes. **Phil Hertel** agreed. **Ms. Gomes** stated that developers could utilize on-street parking as part of their required parking; however, current initiatives have promoted bicycle lanes. Ms. Gomes explained that the bicycle lanes replace on-street parking. Ms. Gomes added that the proposed reduction would remove the need for on-street parking by providing a reduction for on-site parking. **Mr. Penton** stated that there should be a reduction in vehicle lanes to provide bike lanes. Mr. Penton added that developers should provide additional bicycle parking since there is a reduction in auto parking. Mr. Penton added that the LCRD supports the Neighborhood Coalition of Greater Phoenix letter and that the reductions should be a village-by-village basis. Mr. Penton stated that public transit needed to be provided before a reduction was approved.

Phil Hertel asked if ADA parking spaces are considered reserved or unreserved. **Ms. Gomes** noted that ADA parking spaces are reserved. **Mr. Hertel** noted that enforcement would be an issue and Laveen doesn't have the public transit infrastructure to support the reduction. Mr. Hertel noted a multifamily development on 35th Avenue and Southern Road and asked if individuals from the development parked in the commercial uses, who would enforce the parking situation. **Ms. Gomes** stated that the proposed development is probably not affordable and would be at the 1.25 parking requirement. Ms. Gomes noted that the commercial development can enforce who parks in their parking lot.

Jack Purvis asked if the reduction would apply to existing or proposed developments. **Ms. Gomes** stated that it would be existing and new developments.

Committee Discussion:

Mr. Ortega asked the committee if they would support a standard parking reduction regardless of affordable or market rate. **Patrick Nasser-Taylor** stated that this would negatively impact individuals living in all multifamily developments.

Mr. Penton stated that the LCRD supports the Neighborhood Coalition of Greater Phoenix letter regarding the parking reduction and that there is a need for pedestrian-only zones.

Mr. Hertel stated that the committee could vote to recommend denial.

Motion:

Carlos Ortega motioned to recommend denial of Z-TA-8-23-Y. **Jennifer Rouse** seconded the motion.

Ms. Perrera asked staff to provide their input on the Neighborhood Coalition of Greater Phoenix recommendation. **Ms. Gomes** stated the City's recommendation would be approval, but the committee could still recommend a different parking ratio. Ms. Gomes noted that the passenger loading zones are meant for drop off services such as food or getting an Uber. Ms. Gomes noted that commercial loading areas are away from the street and that the passenger loading zones are not meant for commercial loading.

Vote:

8-0, motion to recommend denial of Z-TA-8-23-Y passed with Committee Members Barraza, Chiarelli, Jensen, Nasser-Taylor, Ortega, Perrera, Rouse, and Hurd in favor.

Staff Comments Regarding VPC Recommendation:

None.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 10, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Approval per the staff recommendation
VPC Vote	10-4

VPC DISCUSSION:

No members of the public registered to speak on this item.

STAFF PRESENTATION

Anthony Grande, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. He described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

QUESTIONS FROM COMMITTEE

Committee Member Gaughan stated that this proposal could create more resistance to affordable housing from neighbors concerned about traffic.

Committee Member Sherman stated that the streets belong to the public, anyone can park there, and streets can be safer with cars parked on the street.

Committee Member Dana Johnson stated that he doesn't support the reductions for affordable housing because he doesn't want to assume residents of affordable housing don't own cars, noting that vehicle ownership is still the way people are living in Phoenix.

Committee Member Uss stated that there are statistics from different organizations that show lower vehicle ownership rates for low-income people, further noting that parking requirements historically have been racially discriminatory.

Committee Member Olivas stated that parking is an issue in projects that have used reduced parking requirements, leading to people parking a long way from their units

and streets becoming parking lots.

Committee Member Starks asked for clarification on the amount of affordable housing that needs to be provided to use the lower rate. **Mr. Grande** replied that the reduced requirement would only apply to the affordable units.

Chair Gonzales stated that it can be challenging to get funding for projects with parking requirements that are lower than what's standard. **Mr. Grande** stated that he would discuss the issue with staff internally.

Committee Member Greenman asked whether the city explored the idea of removing permit requirements for on-street parking for historic neighborhoods. **Mr. Grande** replied that he wasn't aware of any conversations about that option.

Committee Member Martinez stated that she doesn't see a difference in vehicle ownership between affordable housing and market rate housing.

Committee Member Greenman asked whether these new requirements would apply to existing apartments or only new developments. **Mr. Grande** replied that if a developer were to add new units to a site and go through a new site plan review process, the proposed requirements would apply to the whole site.

Committee Member Sonoskey stated that developers should have more tools available to make this feasible and that more parking could be provided on-street if the city allowed head-in parking.

Committee Member Sherman asked about the Downtown Code. **Mr. Grande** replied that this proposal would not affect Downtown Code and that there is already a bonus points system for reducing parking downtown.

Committee Member Olivas expressed concern about the process used to approve the text amendment.

Committee Member Uss asked if the city is planning any further transportation studies related to this proposal. **Mr. Grande** replied that individual projects typically do traffic analysis and provide necessary improvements.

Committee Member Gaughan asked about whether parking is reviewed for individual development projects. **Mr. Grande** stated that the focus is on traffic generated for each use.

Committee Member Panetta asked if there are many variances looking for parking reductions and if this is approved, will there be more units constructed. **Mr. Grande** discussed the requirements of variances and noted that there are projects that don't reach their maximum potential due to an inability to provide enough parking.

Committee Member Sonoskey stated that changing the size of required parking stalls would also allow more room for parking in garages, which would reduce the amount of garage space developers need to build.

PUBLIC COMMENTS

None.

MOTION

Eva Olivas made a motion to recommend denial of Z-TA-8-23-Y. There was no second; therefore, the motion failed.

MOTION

Jeff Sherman made a motion to recommend approval of Z-TA-8-23-Y per the staff recommendation. **Ash Uss** seconded the motion for approval.

VOTE

10-4, Motion to recommend approval of Z-TA-8-23-Y per the staff recommendation passed, with Committee Members Burns, Burton, Gaughan, Greenman, Panetta, Sherman, Sonoskey, Starks, Uss, and Gonzales in favor; Committee Members Johnson, Lockhart, Martinez, and Olivas opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 11, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Approval per the staff recommendation
VPC Vote	14-1

VPC DISCUSSION:

1 member of the public registered to speak on this item in opposition.

Chris DePerro, staff, provided a presentation on the proposed text amendment to reduce parking city wide for residential developments with inclusion of minimum requirements. Mr. DePerro discussed the current parking requirements, the proposal and the comparative reduction calculations for affordable housing, infill development, Walkable Urban Code areas and other site adjustments. Mr. DePerro displayed the changes that will include passenger loading zones pull up/drop off spaces for streetscapes. Mr. DePerro provided information on the Institute for Traffic Engineers (ITE) Parking Manual to determine suitable parking demands. Mr. DePerro discussed affordable housing at the applicability for parking and demand adjustments that will be made. Mr. DePerro discussed the time frame for review for the at Villages, Planning Commission and City Council.

QUESTIONS FROM THE COMMITTEE:

None.

PUBLIC COMMENTS:

Neal Haddad thanked the Committee for the opportunity to speak and stated he wanted to high light some of the points in the letter provided to the Committee. Mr. Haddad stated that some developers have had to deal with parking constraints, but the one size fits all is not an appropriate action for a City as large as Phoenix. Mr. Haddad stated that parking spaces calculations for multifamily development should only be based on proximity to public transportation options not on rental rates or affordable rates. Mr. Haddad noted the text amendment might be appropriate for the downtown area but is

not acceptable to areas outside the downtown areas and that visibility triangles should be maintained and part of the parking requirements.

STAFF RESPONSE:

Mr. DePerro responded that visibility triangles are required under City Code, and they are mentioned in the zoning ordinance when they are not covered by intersections. Nothing regarding visibility triangles has been changed.

COMMITTEE DISCUSSION:

None.

MOTION

Committee member Dawn Augusta motioned to recommend approval of Z-TA-8-23-Y per the staff recommendation. **Committee member Kitty Langmade** seconded the motion.

VOTE:

14-1; motion to approve Z-TA-8-23-Y per the staff recommendation passes with Committee members Abbott, Augusta, Baumer, Bayless, Beckerleg Thraen, Czerwinski, Eichelkraut, Grace, Langmade, Miller, O'Malley, Paceley, Wilenchik and Swart in favor and Committee member Schmieder in opposition.

Mr. Paceley stated the corridor center, high density, light rail are areas where we focus, and this could be perceived as negative but does support this amendment and votes yes.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Staff have no comments.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 11, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Denial
VPC Vote	9-0

VPC DISCUSSION:

Two members of the public registered to speak on this item, in opposition.

STAFF PRESENTATION

Anthony Grande, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. He described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

QUESTIONS FROM COMMITTEE

Committee Member Nowell asked about the criteria for units to be considered affordable. **Mr. Grande** responded with the definition of affordable housing in the proposed text.

Vice Chair Lagrave expressed concern that funding for transit projects could run out at some point. **Mr. Grande** responded by highlighting the Transportation 2050 plan, which provides a funding source for transit projects for many years into the future.

Committee Member Israel asked about the applicability to single-family attached housing. **Mr. Grande** replied that the changes would apply to single-family attached developments.

Committee Member Kirkilas asked if ADA accessible parking spaces would be required for developments with no parking. **Mr. Grande** replied that it wouldn't because it is based on the number of spaces provided. **Chair Bowser** noted that the requirement is one accessible space per 25 parking spaces.

PUBLIC COMMENTS

Larry Whitesell introduced himself and noted that the NCGP recommends denial of the text amendment, noting that parking studies are not relevant to Phoenix where transit is lacking. However, he reviewed several recommended modifications if the proposal is approved.

Jackie Rich introduced herself and spoke about the lack of transit options in Phoenix, highlighting the amount of time it would take to travel to the VPC meeting by transit.

STAFF RESPONSE

Mr. Grande stated that residential developments require loading zones, separate from passenger drop off and pick up, further noting that the text amendment is targeting transit-rich sections of the city for the largest reductions, acknowledging that transit options are limited in many areas of the city.

COMMITTEE DISCUSSION

MOTION

Committee Member Rick Nowell made a motion to recommend denial of Z-TA-8-23-Y. **Committee Member Rick Powell** seconded the motion for denial.

Vice Chair Lagrave stated that Phoenix is not a walkable city, and he has concerns about where cars are going to park without enough off-street parking.

Committee Member Powell stated that the text amendment was being rushed and that the city should focus on WU Code and TOD areas for parking reductions, adding that reductions for affordable housing don't make sense.

Committee Member Israel stated that affordable housing has financing issues and that he would be in favor of affordable housing parking reductions.

Vice Chair Lagrave stated that there is no correlation between affordable housing and a reduced need for parking.

VOTE

9-0, motion to recommend denial of Z-TA-8-23-Y passed; Committee Members Barto, Israel, Kirkilas, Nowell, Powell, Reynolds, Santoro, Lagrave, and Bowser in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary

Z-TA-8-23-Y

Date of VPC Meeting	July 11, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.
VPC Recommendation	Denial
VPC Vote	3-2

VPC DISCUSSION:

Staff Presentation:

Mr. Zambrano shared the parking reductions proposed and then shared the current and proposed parking requirement for multifamily development City-wide, affordable multifamily development City-wide, multifamily development in the Infill Development District, market-rate multifamily development in the Walkable Urban (WU) Code, and affordable multifamily development in the WU Code. Mr. Zambrano noted that the proposed parking ratio for multifamily development City-wide was based on an average of multifamily parking demand of 1.23 spaces per unit for suburban development and 1.2 spaces per unit for urban development, per the Institute of Transportation Engineers (ITE) Manual, which has data based on studies done in cities throughout the nation where cars were counted and resulted in these parking ratios based on the actual parking demand. Mr. Zambrano displayed an example for each type of multifamily development of a 100-unit complex, having only 1- or 2-bedroom units, and shared what the difference in the parking requirement would be. Mr. Zambrano then discussed passenger loading zones, a new requirement proposed only for sites zoned WU Code. Mr. Zambrano concluded with the timeline for the text amendment and stated that staff recommends approval as listed in the staff report.

Questions from the Committee:

Chair Lawrence asked for clarification that the current requirement is a minimum of 1.5 parking spaces per unit for 1- to 2-bedroom units and 2 parking spaces per unit for 3- or more bedroom units. **Mr. Zambrano** responded affirmatively. **Chair Lawrence** asked if the proposed parking ratio is for any number of bedrooms. **Mr. Zambrano** responded affirmatively.

Ms. Stockham added that the staff that wrote the proposed text amendment not only looked at the ITE Manual, which is a mega study of cities throughout the nation over several decades, but also conducted a study of City of Phoenix projects in terms of the actual amount of parking most projects provide, and parking variances requested.

Chair Lawrence stated that Phoenix is like no other city in the country. Chair Lawrence asked for clarification that the multifamily affordable housing example with the parking reduction would have 100 units with only 63 parking spaces and 19 unreserved spaces, noting that it is less than the number of units and that there would be no parking spaces for visitors if everyone in the apartment complex owned a vehicle. **Mr. Zambrano** responded that the parking ratio is a minimum standard, and that developers could still provide more parking than the minimum based on the demand of their clientele. **Chair Lawrence** responded that developers would not provide more than the minimum parking required because they would not have to provide it and they do not want to provide it. **Mr. Zambrano** responded that developers would know what their clientele parking demand is and will know what they will need to provide in order to have a successful project, which may be more than the minimum requirement.

Ms. Stockham added that she looked at a recent project that the Rio Vista VPC approved near the I-17 freeway and Jenny Lin Road, which had provided 25 percent more parking spaces than the minimum required.

Chair Lawrence agreed that people would not be inclined to rent at a certain apartment complex if they are not able to park their car there.

Mr. Virgil stated that the parking reduction text amendment would negatively impact apartment rentals as a result.

Mr. Holton asked what the typical dimensions are for a parking space. **Mr. Zambrano** responded that they are typically about eight feet wide and 19 feet long.

Mr. Virgil asked if the text amendment would change the minimum parking dimensions. **Mr. Zambrano** responded that it would not change those requirements, noting that parking dimensions are existing requirements in the Phoenix Zoning Ordinance. Mr. Zambrano added that the text amendment is only changing the minimum number of parking spaces required. **Mr. Virgil** stated that everyone that lives in the Rio Vista Village has a car, and that most households have two individuals that work in order to afford living there, so each household will typically have two cars. Mr. Virgil added that there is not any affordable housing in the Rio Vista Village. **Mr. Zambrano** responded that the idea of including affordable housing in the parking reduction text amendment was to encourage more affordable housing. **Mr. Virgil** responded that people would be overcrowded in an apartment complex with not enough parking. **Mr. Zambrano** responded that the idea behind the inclusion of affordable housing is that parking spaces take up a lot of land which makes projects more expensive because of all the land needing to be dedicated to parking. **Mr. Virgil** responded that it would make more sense in Downtown Phoenix since there is not a lot of room to build there, but it will not work in the Rio Vista Village.

Chair Lawrence added that there are parking garages in Downtown Phoenix. **Mr. Virgil** agreed, adding that there is a lack of public transit in their area.

Chair Lawrence added that people are not walking a few blocks in the extreme heat during Phoenix's summer to go somewhere.

Mr. Virgil stated that projects in Downtown Phoenix may need the extra space to build projects, but in the Rio Vista Village they do not, and people will need the extra parking in the Rio Vista Village. Mr. Virgil was unclear why the proposed parking reduction was City-wide.

Chair Lawrence added that he does not know anyone that lives in Phoenix that does not own a vehicle since there are other regional and recreational destinations that require a car to travel to them.

Ms. Stockham stated that she has two employees that do not have cars. **Chair Lawrence** asked if they lived in Downtown Phoenix. **Ms. Stockham** responded that one employee lives east of Downtown Phoenix and the other lives by Margaret T. Hance Park. **Chair Lawrence** asked if Ms. Stockham would agree that reduced parking is unusual for Arizona. **Ms. Stockham** responded that there are students that do not have cars and there is a trend of younger adults that do not want to own cars. **Chair Lawrence** stated that he would question the number of students without cars since Arizona State University (ASU) has a zoo of parking. **Ms. Stockham** responded that some students do not have cars because they live in Downtown Phoenix and that is where their classes are. **Chair Lawrence** disagreed with a 50 percent reduction for parking, noting that it would be less than one parking space per home.

Mr. Zambrano stated that the 50 percent parking reduction would not really impact the Rio Vista Village, because it is specific for the Walkable Urban (WU) Code which is typically adjacent to the light rail. **Chair Lawrence** asked for clarification that the parking ratio of 1.25 parking spaces per unit would be the parking ratio that would apply to their village. **Mr. Zambrano** responded affirmatively, noting that it would apply only for multifamily residential development, and not for single-family homes. **Chair Lawrence** asked for clarification that the difference for their village would be 1.5 parking spaces per unit for 1- and 2-bedroom units and 2 parking spaces per unit for 3- or more bedroom units versus 1.25 parking spaces per unit for any number of bedroom units. **Mr. Zambrano** responded affirmatively. **Chair Lawrence** stated that it would be challenging since their village has no other places to park, such as parking garages, and they do not have street parking. Chair Lawrence added that his HOA does not even allow street parking and if he has friends that come over, all the cars have to be jammed into his driveway, or parked on his RV side, which then results in a letter from the HOA for parking in a landscape area. Chair Lawrence added that his children used to live in an apartment complex and when visiting them, he could never find a parking space. Chair Lawrence stated that his son would have to park three blocks away because of the lack of parking spaces.

Ms. Stockham reiterated that the proposed parking ratios are a minimum and that the developer that came to the Rio Vista VPC a few months ago knew the area they were building in and provided 100 more parking spaces than the minimum required. Ms. Stockham reiterated that more than the minimum number of parking spaces could be provided, based on the area and the type of people a developer is serving. Ms. Stockham stated that she had also looked at an affordable housing project and a project next to the light rail within the Central City Village, which still provided between eight

percent to 12 percent more parking than the minimum required. **Chair Lawrence** asked what the reason is for reducing the parking minimums so much. **Ms. Stockham** responded that this text amendment stems from the Housing Phoenix Plan, and that the City Council directed staff to look at cost-saving ways to incentivize more housing construction. Ms. Stockham reiterated that parking is extremely expensive and that most of the time, a developer is burdened by so much parking requirement, that the first part of the design in a project is for parking. Ms. Stockham added that parking really limits development based on how much parking needs to be provided.

Mr. Virgil stated that the residential building would become larger in place of the removed parking spaces.

Chair Lawrence stated that a developer could also buy a smaller lot, which would cost less money, and they would be able to get more units on smaller lots, and that it is being set up to appear as if it costs less.

Mr. Scharboneau asked what the process would be if there is a developer that wants an exception to the minimum parking requirement. **Ms. Stockham** responded that one option would be a shared parking model, such as being located next to a parking garage, or one could apply for a variance to reduce the required parking and would have to prove that the lot has a hardship.

Chair Lawrence stated that if a developer chooses to provide less parking, they will have a hard time selling or leasing units when people find out they would not have a parking space. Chair Lawrence stated that it would hinder developers on the performance of their projects if they do not make good decisions.

Ms. Stockham added that most projects are funded with construction loans, and banks are usually conservative in the amount of money they will lend to developers and would likely not lend money to a developer that would want to build multifamily residential with less parking in an area that required more parking.

Mr. Holton asked what had been said regarding projects in the Rio Vista Village. **Ms. Stockham** responded that she was providing an example of a developer that was building a project within their village. **Mr. Holton** stated that people are coming to Phoenix for the space because they are tired of being in small spaces.

Chair Lawrence asked if the text amendment language was reviewed by the Law Department. **Ms. Stockham** responded affirmatively.

Mr. Virgil recommended looking at the City of Las Vegas because they have a similar type of development as Phoenix. Mr. Virgil asked if the City looked at parking for the City of Las Vegas. **Ms. Stockham** was not sure if Las Vegas was looked at.

Chair Lawrence stated that Phoenix's environment is pretty brutal to walk in. Chair Lawrence added that he believes a majority of people in Arizona have a vehicle. Chair Lawrence stated that he is in the construction industry, and each one of their workers

living within an affordable housing project would need a vehicle to get to a job site where construction is happening, which is not within walking distance.

Mr. Zambrano reiterated that the parking ratios came from the ITE Manual, which comes from professional traffic engineers that did a study of the actual parking demand.

Mr. Holton asked if handicap parking is incorporated in the text amendment. **Mr. Zambrano** responded that handicap parking requirements are existing standards that would remain and are not being changed. **Mr. Holton** asked about the handicap parking ratios. **Mr. Zambrano** responded that he is unsure of the exact parking ratios, but he believes it is based on the number of dwelling units.

Chair Lawrence stated that handicap parking would not be affected by this text amendment since it is federally regulated.

Mr. Holton stated that the overall message is a parking reduction, so all parking would be reduced.

Chair Lawrence asked for clarification that this text amendment is separate from handicap parking requirements. **Mr. Zambrano** responded affirmatively.

Mr. Scharboneau asked if it was ever considered to focus on specific areas, such as Downtown Phoenix, rather than City-wide. **Mr. Zambrano** responded that there are some existing parking reductions, such as allowing on-street parking to be counted towards the minimum required parking within the Infill Development District, and parking reductions within the WU Code, based on proximity to the light rail, or based on being located in Downtown Phoenix. Mr. Zambrano added that there are separate parts to the text amendment, including multifamily City-wide, affordable multifamily City-wide, the Infill Development District, and the Walkable Urban Code.

Chair Lawrence stated that the part of the text amendment that would affect the Rio Vista Village would be the multifamily parking reduction City-wide. Chair Lawrence asked for clarification that the Infill Development District does not come up to the Rio Vista Village. **Mr. Zambrano** responded affirmatively.

Ms. Stockham added that the Committee could vote to approve parts of the text amendment, such as the Infill Development District and the Walkable Urban Code, if they are okay with those parts of the text amendment but not okay with the other City-wide parts of the text amendment.

Mr. Virgil asked what the other VPC recommendations were. **Ms. Stockham** responded that the Central City VPC and Encanto VPC recommended approval and the Laveen VPC recommended denial.

Chair Lawrence stated that the City Council will look at the VPC recommendations and will make the ultimate decision.

Mr. Holton stated that the VPC should let the City Council see what they are standing for.

Mr. Sommacampagna asked about the boundary of the Infill Development District. **Mr. Zambrano** responded that anything within the boundary allows single-family attached (SFA) development by-right, whereas anything outside of the boundary within the grey area on the map allows single-family attached development subject to obtaining a use permit. **Mr. Sommacampagna** asked if a development is outside of the boundary within the grey area on the map, they would be able to obtain a use permit for SFA as well as have a 50 percent reduction in parking. **Mr. Zambrano** responded that they would not be able to get that parking reduction since that would be single-family development, and the proposed parking reductions are for multifamily development. **Mr.**

Sommacampagna asked if townhomes such as duplexes, triplexes, and fourplexes, if condo platted, would not be allowed a parking reduction. **Mr. Zambrano** responded that a triplex and above would be considered multifamily. **Mr. Sommacampagna** asked for clarification that the proposed parking reductions do not affect SFA development.

Ms. Stockham responded that as she understands it, the text amendment would only allow the 50 percent parking reduction for multifamily development within the Infill Development District. **Ms. Stockham** added that the main intent of the map is to indicate if SFA development is allowed by-right or subject to a use permit, in addition to some other items related to development.

Mr. Holton asked what by-right meant. **Mr. Zambrano** responded that it means it is allowed without having to go through a special process to allow it. **Mr. Holton** stated that he wished to make a motion, noting that the parking reduction is not appropriate for the Rio Vista Village.

Mr. Virgil stated that **Mr. Holton** could recommend stipulations with his motion.

Mr. Zambrano stated that text amendments do not have stipulations, but they can be approved with direction, or that portions of the text amendment could be approved.

Chair Lawrence added that **Mr. Holton** could also make a motion to deny the entire text amendment.

Public Comments:

None.

Staff Response:

None.

MOTION – Z-TA-8-23-Y:

Mr. Holton motioned to recommend denial of Z-TA-8-23-Y. **Mr. Virgil** seconded the motion.

VOTE – Z-TA-8-23-Y:

3-2; motion to recommend denial of Z-TA-8-23-Y passes with Committee members Holton, Virgil, and Lawrence in favor and Committee members Scharboneau and Sommacampagna opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 11, 2023
Location	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.
VPC Recommendation	Denial
VPC Vote	11-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. Mr. Rogers described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

QUESTIONS FROM THE COMMITTEE

Committee Member Coleman asked how the new multifamily and affordable housing parking requirements are more simple than the previous requirements. **Mr. Rogers** stated that while the proposed parking requirements are more nuanced and individualized for different uses and locations throughout the City, the new language is a simple ratio rather than a formula with multiple variables. Committee Member Coleman asked if a five-bedroom unit would have the same parking requirement as a unit with less bedrooms. Mr. Rogers confirmed that the new parking calculation is based on the number of units not the number of bedrooms within units.

Chair Daniels stated that a 300-unit multifamily example had been provided during the info only item during the June meeting and asked if that slide was in the presentation. **Mr. Rogers** stated that the slide deck had been updated to use 100-unit multifamily examples.

Committee Member Viera stated that she is concerned about how the proposal will impact the underserved population, stated she would like to pause this discussion until a mobility plan is presented, and stated that the parking reductions assumes that public transportation is working for everyone.

Committee Member Shepard stated that people can't live in Phoenix without a car, stated that the proposal will cause problems, and stated that the proposal will benefit developers not the general public.

Chair Daniels stated that she had spoken to five developers who stated that they are not asking for a parking requirement reduction and that they provide more parking than required on multifamily developments because limited parking can cause safety and economic issues. Chair Daniels explained that she used to be a regional manager for apartment complexes and explained she had asked for the 300-unit multifamily example because apartments have 300-units on average. Chair Daniels stated that the federal standard occupancy is two people per bedroom and explained that a 300-unit apartment complex with a mix of studios, one-bedroom, two-bedroom, and three-bedroom units typically has 1,200 occupants. Chair Daniels explained that if half of the 1,200 occupants drive the proposal would not provide one parking space for everyone that drives. Chair Daniels stated that if the 300-unit apartment complex located at 19th Avenue and Southern had been built under the proposed parking reduction, the residents of the adjacent subdivision that had opposed the development would now have residents of the multifamily development parking within their subdivision due to a lack of available parking in the multifamily development. Chair Daniels stated she charged \$25 a month for covered parking when she managed apartments in 1998 and explained that with the decrease in required parking she expects parking to run \$100-\$150 a month due to the small quantity of parking spaces. Chair Daniels explained that, per the Arizona Landlord Tenant Act, property management companies are required to provide safety for the residents and stated the parking reduction will cause dangerous situations for women who must park outside of their apartment community and walk from their cars to their apartments during the night. Chair Daniels stated that the proposal is social and economic racism because it affects the underserved and stated that the Arizona House bill that had included parking reductions for multifamily had failed. Chair Daniels stated that she supports parking reductions for commercial uses, but reducing multifamily parking requirements destroys people's safety and forces people pay extra to park within their apartment communities.

Committee Member Shepard asked where people with electric cars will park.

Committee Member Coleman stated that parking reductions within the downtown area already exist and stated he does not know how the parking reduction will work in places other than downtown. **Chair Daniels** stated that the South Central TOD Community Plan identifies areas where the Walkable Urban Code is supported in South Mountain. **Committee Member Viera** stated that a mobility plan is still needed.

Chair Daniels stated that parking has already been lost due to the light rail and bike lanes and now the parking reduction will eliminate even more of the already limited parking. Chair Daniels refuted a letter that stated an uncovered parking space costs a developer \$10,000 and a covered parking space \$35,000 to \$55,000 and explained the actual cost is \$2,000 to \$2,500 for an uncovered parking space and \$10,000 for a

covered parking space. Chair Daniels explained that apartments will charge what they can, stated that rents do not go down, and explained apartment rates are based on rates in the surrounding area.

Committee Member Alvarez stated that the parking reductions should not be citywide, but rather only areas near transit. **Chair Daniels** added she spent three hours a day on the bus and had to walk home in the dark when she took transit for three weeks due to issues with her vehicle. Committee Member Alvarez added that a 10 minute drive can be a 60 minute transit ride.

Committee Member Viera stated that this proposal is creating more disparity and mentioned that she and Committee Member Hare needed to leave earlier but this issue is too important to leave without a vote. **Chair Daniels** reminded members of the committee that meetings are until nine o'clock. **Committee Member Hare** stated she cannot keep paying a babysitter so she can attend a volunteer job. Chair Daniels reiterated that if quorum is lost a vote cannot be taken.

Committee Member Fatima Muhammad Roque stated that the parking reduction will increase danger for people who will have to walk, especially people of color.

PUBLIC COMMENT

Cory Kincaid stated that one own experience should not be projected on others and explained that 40% of Maricopa County residents do not have a car. Mr. Kincaid stated that he had met with five builders over the last month and when the land cost is incorporated into the calculation, structured parking costs more than \$50,000 per stall. Mr. Kincaid explained that one studio apartment is equivalent in cost to five structured parking spaces and stated that the question is not how much rents will go down, but rather how much will rents go up. Mr. Kincaid reiterated that the proposal is for parking minimums not maximum and stated that developers will build what they need as a development with no parking cannot get financed. Mr. Kincaid added that a lot of jobs allow individuals to work remotely.

Committee Member Greathouse asked what the demographic are considered residents in regard to the 40% figure of those who do not own a car. **Mr. Kincaid** stated that the 40% was for the entirety of Maricopa County.

Committee Member Shepard stated that everyone subsidizes the light rail and the bus system whether people use it or not.

Chair Daniels stated that while some people are working remotely, not everyone has the luxury to work remotely, and the underserved population will be negatively impacted by the text amendment. Chair Daniels agreed that parking garage spaces are more expensive and stated that the committee has been pushing to get a text amendment to allow the Walkable Urban Code, which includes existing parking reductions, to be

utilized in the South Central TOD Community Plan area, so she is surprised the citywide parking reduction text amendment has been brought to the committee first.

Mr. Valencia explained that the text amendment to the Baseline Area Overlay District to allow for the Walkable Urban Code to be utilized will be maximized by the parking reduction text amendment and stated it is unfortunate the parking reduction came first, but he believed the parking reduction text amendment was also initiated first.

Chair Daniels stated she would like to have the Walkable Urban Code allowed in the South Central TOD area and in the meantime commercial parking should be reduced. Chair Daniels added that she thought this proposal would cause a fair housing discrimination lawsuit to be brought against the City.

Committee Member Jackson asked if the purpose of the parking reduction was to allow more units to be built. **Ms. Gomes** summarized the proposal, stated that affordable developments will not be able to get funding unless the project is near transit and in close to employment, spoke about the Infill Development District's transit availability, and spoke about the transit investment in locations where the Walkable Urban Code is allowed. Ms. Gomes reiterated that the proposal is for parking minimums, not maximum and explained that the organizations that provide funding will require different parking ratios depending on who is being served. Ms. Gomes explained that the parking reductions are based on ITE (Institute of Traffic Engineers) data, summarized how data is collected, and explained that the proposed citywide parking ratio requires more parking spaces than the ITE data would suggest **Chair Daniels** stated that in her time working with apartment complexes she has never seen a multifamily parking lot not full in the evening. Ms. Gomes reiterated that the ITE data are nighttime counts.

Committee Member Coleman asked if many variances had been requested to reduce parking requirements. **Ms. Gomes** stated that variances can be pursued to reduce parking requirements, but that adds time and costs more money.

Chair Daniels stated that a slum lord will build the minimum amount of parking to take advantage of the underserved communities and stated that people do not have the time use light rail as much as people expected.

Committee Member Greathouse stated that Mr. Kincaid made a great point that the parking reduction is for the minimum number of required parking spaces, not the maximum and stated that providing less parking will save a lot of money. **Chair Daniels** stated that the money saved will not translate into greater affordability of units.

Committee Member Viera stated that this is a food desert and walking a mile in 117-degree weather to get groceries will not be sustainable.

Chair Daniels reiterated that Arizona Senate Bill 1117, which included ADUs and a parking reduction, had failed.

Committee Member Jackson asked why the parking reduction is proposed. **Ms. Gomes** stated that the parking reduction drives down the cost to provide housing.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

MOTION

Committee Member Shepard made a motion to recommend denial of Z-TA-8-23-Y. **Committee Member Viera** seconded the motion.

VOTE

11-0, motion to recommend denial of Z-TA-8-23-Y passed with Committee Members Alvarez, Coleman, F. Daniels, Hare, Jackson, Roque, Shepard, Smith, Viera, Greathouse, and T. Daniels in favor and Committee Members and opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary

Z- TA-8-23-Y

Date of VPC Meeting	July 12, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Denial
VPC Vote	7-2-1

VPC DISCUSSION:

Two members of the public registered to speak on this item.

Committee member Sandra Cole left the meeting during this item, bringing quorum to 10 members.

Staff Presentation:

Matteo Moric, staff, presented the proposed text amendment. Mr. Moric showed a comparison of current and proposed requirements as part of the text amendment for Citywide multifamily, affordable housing, Infill Development District, and Walkable Urban Code projects. Mr. Moric stated in the WU Code areas there would be required passenger loading zones for rideshare, personal deliveries, etc.

Questions from Committee:

Sandra Oviedo asked about commercial parking. **Sarah Stockham**, staff, replied that the only proposed changes were for multifamily projects.

Sandra Oviedo asked about the ADU's. **Ms. Stockham** mentioned the parking requirement reductions only applied to multifamily residential.

Melissa Acevedo asked why the text amendment was being proposed. **Ms. Stockham** said this was part of the City Council directive to find ways to address the housing shortages.

Public Comments:

Larry Whitesell with the Neighborhood Coalition of Greater Phoenix spoke on their position for the text amendment and identified items they found as problems with the amendment. Mr. Whitesell said Phoenix is unique and is very spread out and a plan to reduce parking for a city which does not have reliable public transportation will have problems. Mr. Whitesell had suggestions for improvements to the proposed text amendment. Mr. Whitesell expressed that it should not be based on the price of the units but only should be based on proximity to public transportation. Mr. Whitesell also believed the size of the unit should not be based on the parking calculations. Mr. Whitesell felt that 1.5 parking spaces is the standard calculation for a one or two bedroom and felt the infill development district should not be given a parking reduction but a density bonus. Mr. Whitesell stated the Walkable Urban Code parking requirement should never be zero and there always should be some parking. Mr. Whitesell said this does not accommodate ADA and people living in the Walkable Urban Code areas who have guests. Mr. Whitesell asked the committee to deny the text amendment entirely or amend per the recommendations he provided.

Jackie Rich said she agreed with Mr. Whitesell and gave an example of how long it would take to get to the community center by bicycle or bus versus by car.

Staff Response:

Sarah Stockham, staff, stated this is a reduction in the minimum requirements but would not mean a developer cannot provide more parking. Ms. Stockham added that affordable housing is based on HUD and to qualify applicants would need to be verified by the Housing Department.

Motion:

Chris Demarest made a motion to recommend denial of Z-TA-8-23-Y. **Ken Dubose** seconded the motion.

Vote:

7-2-1, Motion to recommend denial of Z-TA-8-23-Y passed, with Committee Members Acevedo, Battle, Demarest, DuBose, Fostino, Valenzuela, Chair Derie in favor; Committee Members Barba and Norgaard opposed, and Committee Member Oviedo abstained.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 13, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Denial
VPC Vote	5-4

One member of the public registered to speak on this item, and one member of the public registered to speak on this item, in opposition.

VPC DISCUSSION:

STAFF PRESENTATION

Matteo Moric, staff, presented the proposed text amendment. Mr. Moric shared a comparison for current requirements and the proposed changes for citywide multifamily, affordable multifamily housing, Infill Development District, and Walkable Urban Code projects. Mr. Moric stated in the WU Code areas there would be required passenger loading zones for rideshare, personal deliveries, etc.

QUESTIONS FROM THE COMMITTEE

Trilese DiLeo asked what “affordable” units meant in the proposal.

Matteo Moric said the Housing Department would verify if a project was providing affordable units.

Al Field wanted to know if the information applied to only affordable housing units.

Matteo Moric said it would be for multifamily housing citywide.

Trilese DiLeo said there would be a reduction of parking in the affordable units.

Matteo Moric said the WU code properties were mostly along light rail and transit corridors.

Ricardo Romero said always what comes up the zoning projects is traffic or parking concerns. Mr. Romero said it's a changing world we live in.

Matteo Moric said the City looked at the requirements per the Institute of Traffic Engineers (ITE) and the city would require more parking than what that prescribes.

James Sutphen explained the City of Phoenix was over 500 square miles and wondered about areas like Metro Center and its impacts.

Gregory Freeman provided clarification that the text amendment would not allow development to lower their parking below the minimum requirement and developers could provide more, as there would be no caps.

Matteo Moric confirmed this was correct.

Trilese DiLeo said the developer would not be providing less than their required parking but would still look at market conditions to potentially provide more than what is required.

Al Field said this was another effort to create a 15 minute city. Mr. Field expressed that developers reduce the size of the parking and the number of parking spaces and felt this was an instance of the government's desire to move you into public transit.

Ozzie Virgil agreed with Al Field and was concerned the size of parking cannot even open the door of a vehicle. Mr. Virgil noted there was a parking problem at 35th Avenue and Union Hills where residents have a second vehicle and only one designated for it. Mr. Virgil indicated there were problems with on street parking. Mr. Virgil also expressed concerns that developers do what will make more money and would build more units with less parking. Mr. Virgil felt it was okay for downtown where there is more public transit. Mr. Virgil felt once you let this reduction happen you will not get it back.

Trilese DiLeo said she used to be the President of the HOA for the complex Ozzie Virgil was speaking of. Ms. DiLeo said it has ample parking but did not have driveways on the houses that were built. Ms. DiLeo added one thing developers want is to put more units on the property and this would be a more creative method to cut cost. Ms. DiLeo added that when you create a supply and demand problem you would have communities like LA and New York. If not like those communities she felt we would need to do something different.

PUBLIC COMMENTS

Sandy Grunow said she was co-chair of a neighborhood association. Ms. Grunow referenced a 2nd part of concerns for this text amendment. Ms. Grunow mentioned one size fits all is not appropriate for a city of 517 square miles and felt it should not be based on rental rates. Ms. Grunow noted that it might be appropriate for Downtown Code, Walkable Urban Code or transit-oriented districts but not city wide. Ms. Grunow

identified a concern with visibility triangles and expressed that base parking requirements should not be reduced lower than 1.5 spaces per unit. And Ms. Grunow stated she wanted infill development be given 10% density bonus vs. a parking reduction.

Jackie Rich stated some parts of the city are harder to get to than others and by driving it took 30 minutes to get to the meeting and that included a coffee stop. Ms. Rich added it would take two hours and it would have required being outside for at least one hour. Ms. Rich said the proposed text amendment assumes people can park on the street and that will not cause any problems. Ms. Rich added that the text amendment assumes fewer people need handicap parking and it would similarly reduce the number of handicap spaces, and it assumes lower income people need fewer cars than medium or higher end.

Sarah Stockham said the visibility triangles were regulated by the City Code and that would not be changed.

MOTION:

Trilese DiLeo motioned to recommend approval of Z-TA-8-23-Y per staff recommendation. **Gregory Freeman** seconded the motion.

VOTE:

4 – 5, motion to recommend approval of Z-TA-8-23-Y failed with Committee Members DiLeo, Freeman, Hoffman, and Kenney in favor. Field, Herber, Romero, Sutphen and Virgil opposed.

Al Field tagged onto what Jackie Rich said about waiting out in the heat. Mr. Field added the police department is overwhelmed by policing the bus stops. Mr. Field felt with the text amendment the city was trying to force people to eliminate cars and force public transportation on them was not a good idea.

Ricardo Romero believed the city is not prepared for this change in the transportation system.

Trilese DiLeo said there are people who do not have vehicles, and have an option to buy a vehicle and this option will provide greater flexibility to a developer. Ms. DiLeo said its more needed in an affordable housing unit versus a luxury apartment. Ms. DiLeo felt this would take people off the streets and have a snow ball effect and this is a small piece of it. Ms. DiLeo added that most zoning cases come with concerns of traffic and she said she did not understand why people were concerned with less cars.

Susan Herber spoke against the motion. Ms. Herber felt this was idealistic and not practical except for the affordable housing aspect.

Ozzie Virgil felt the reduction in parking would work in some areas and not others, there's no real fix-all and believed will realistically people would have to drive out here. Mr. Virgil could not believe it took like three hours to get to the airport on public transit from his area.

Gregory Freeman noted the parking reduction would not work for all. Mr. Freeman said there is a development in Tempe called the Cul-de-Sac which does not have parking and includes not only younger but older residents without cars. Mr. Freeman said he wanted the city to have the option.

Trilese DiLeo said it would be important to vote on a denial in order to get a recommendation.

MOTION

Ozzie Virgil motioned to recommend denial of Z-TA-8-23-Y. **James Sutphen** seconded the motion.

VOTE

5-4, motion to recommend denial of Z-TA-8-23-Y passes with Committee Members Field, Herber, Romero, Sutphen, and Virgil in favor. Committee Members DiLeo, Freeman, Hoffman, and Kenney opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 13, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.
VPC Recommendation	Denial
VPC Vote	6-0

VPC DISCUSSION:

Two members of the public registered to speak on this item, in opposition.

Staff Presentation:

Christopher DePerro, staff, shared the parking reductions proposed, noting that the parking ratios were taken from the Institute of Transportation Engineers (ITE) Manual, which contains about three decades worth of actual parking counts for multifamily across North America. Mr. DePerro displayed an example of market-rate and affordable multifamily development City-wide of a 100-unit complex, having only 1- or 2-bedroom units, and shared what the difference in the parking requirement would be, noting that the requirement is a minimum and not a maximum. Mr. DePerro mentioned that many multifamily projects find out they are a few parking spaces short after going through Site Planning and accounting for open space, retention, and other required items that take up space on a site, and it would have been easier to get through the process if the parking requirement was a little bit less. Mr. DePerro added that affordable housing has either State or federal money and must qualify through all sorts of programs, commitments, covenants and other items. Mr. DePerro stated that there is a lot of vetting that goes on for affordable housing developments in order for them to qualify as an affordable housing development, such as proximity to light rail, and the parking reduction would be handled as the affordable housing program prescribes. Mr. DePerro then discussed passenger loading zones, a new requirement proposed only for sites zoned WU Code. Mr. DePerro concluded with the timeline for the text amendment.

Questions from Committee:

None.

Public Comments:

Jack Leonard, member with the Neighborhood Coalition of Greater Phoenix (NCGP), architect, and former member of the Camelback East Village Planning Committee (VPC) and Encanto VPC, stated that he does not think this text amendment was

thought out well enough. Mr. Leonard stated that he believes the existing parking requirements are realistic. Mr. Leonard stated that the proposed parking reductions are a drastic change. Mr. Leonard noted that there is about a half a mile between his home and the nearest bus stop near 16th Street and Northern Avenue, and his office is at 16th Street and Thomas Road, but it is too hot during the summer to make that half mile trip to the bus stop. Mr. Leonard stated that Phoenix is car-dependent and that there are certain areas in the City where parking can be reduced, but not the majority of the City. Mr. Leonard added that there are too many holes in the text amendment and would leave neighbors of multifamily developments suffering because of all the vehicles that will be parked in their neighborhood. Mr. Leonard stated that this text amendment should not be getting rushed through and it should be looked at more thoroughly.

Neal Haddad, member with NCGP, concurred that this text amendment is a drastic change. Mr. Haddad stated that six VPCs that have met so far have all denied this text amendment and they would ask the North Gateway VPC to do the same. Mr. Haddad concurred that this text amendment has not been thought out, and that parking reductions would be appropriate in the downtown area and urban core and corridor areas, but not City-wide. Mr. Haddad added that he does not believe it would be unfair for the City to reach out to certain neighborhood organizations, noting that people likely do not believe it is unfair that the members of the North Gateway VPC were appointed to the Committee. Mr. Haddad stated that people are appointed to many committees throughout the City, and that they are appointed because of their knowledge and because the elected officials know the committee members and know their community. Mr. Haddad added that citizens could have been appointed to a stakeholder group for this text amendment, noting that it was mentioned before that the City Council did reach out to certain stakeholders for their opinions and input. Mr. Haddad asked that the Committee deny this text amendment.

Staff Response to Public Comment:

None.

Discussion:

Chair Julie Read stated that the North Gateway VPC primarily deals with multifamily development, and that she is not supportive of this text amendment. Chair Read stated that if minimum parking spaces are reduced for multifamily, it would be detrimental to their area, because they do not have any mass transit and are not getting any mass transit anytime soon. Chair Read recommended that this text amendment be denied.

Jeff Johnson stated that he looked at the top zip codes for Phoenix that have the most cars and found that they are in the North Gateway Village. Mr. Johnson stated that Phoenix is tied for fourth for the top cities with the most cars. Mr. Johnson mentioned that a possible solution would be for developers to construct parking garages so there is less parking spread out over an area. Mr. Johnson stated that he is against this proposal.

Shannon Simon stated that she was curious why the text amendment was not written more like the WU Code to reflect the areas where it would be more appropriate to have

parking reductions. Ms. Simon stated that people need to have a car in the North Gateway Village and that she cannot support this text amendment.

Mr. DePerro stated that the direction came from the City Council to look at a nominal reduction City-wide and to tier the rest down based on areas they are located in.

MOTION – Z-TA-8-23-Y:

Vice Chair Michelle Ricart motioned to recommend denial of Z-TA-8-23-Y. **Mr. Johnson** seconded the motion.

VOTE – Z-TA-8-23-Y:

6-0; motion to recommend denial of Z-TA-8-23-Y passes with Committee members French, Johnson, Krieger, Simon, Ricart and Read in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
REVISED

Date of VPC Meeting	July 18, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.
VPC Recommendation	Denial
VPC Vote	8-1

VPC DISCUSSION:

Four members of the public registered to speak on this item.

Staff Presentation:

Nayeli Sanchez Luna, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. Ms. Gomes described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

Questions from the Committee:

None.

Public Comment:

Dan Kocke stated that Arizona State University had conducted a study that concluded that 10 percent of the entire city is utilized by parking. Mr. Kocke noted that asphalt has contributed to the urban heat island effect within the city. Mr. Kocke noted that the excessive parking requirements lead to higher construction costs for all development. Mr. Kocke added that the current parking requirements impact the developer, renters, and the city. Mr. Kocke stated that the hundred of miles of road construction led to higher costs to individuals and parking does not contribute to property taxes. Mr. Kocke noted that renters are not represented in the committee and the parking reduction would be one piece of the large issue regarding infrastructure and housing affordability. Mr. Kocke

stated that parking minimums were introduced in the development 70 years ago and added that the city has drastically changed since then. Mr. Kocke concluded his comment by supporting the text amendment.

Jack Leonard stated that Phoenix is a vehicle driven society. Mr. Leonard noted that bus ridership has declined and that the hot weather does not help promote public transportation. Mr. Leonard added that flip developers do not care about affordability and will reduce their parking. Mr. Leonard noted that the current parking requirements are not complicated, and the different categories allow for reasonable parking. Mr. Leonard stated that the reduction in parking and an increase in density would not help alleviate sprawling. Mr. Leonard added that people renting in affordable housing developments still need parking. Mr. Leonard voiced his disagreement for the text amendment.

Neal Haddad voiced his agreement with Jack Leonard. Mr. Haddad added that Phoenix does not have the public transit capacity to support the reduction. Mr. Haddad noted that public transportation times are not efficient. Mr. Haddad stated that the reduction of parking would help increase housing affordability.

Leezah Sun noted that there have been some city and state initiatives to increase public infrastructure. Ms. Sun noted that in a high-density area, a reduction of parking could be beneficial. **Mr. Kocke** noted that affordable housing needs to have high tax credits and that is achieved by being adjacent to public transit. Mr. Kocke noted that car maintenance can negatively affect renters. Mr. Kocke added that the reduction of parking can lead to more amenities being accessible.

Committee Discussion:

Chair Lisa Perez noted that there is only one affordable housing project in the Estrella Village. Chair Perez noted that there are no restaurants, amenities, bus shelters, or other forms of public transit in Estrella. Chair Perez stated that the blanket text amendment does not apply to all villages. Chair Perez added that a lot of items have not been considered to support the text amendment.

Parris Wallace stated that affordable housing developments should not be treated differently when compared to market rate developments. Ms. Wallace voiced her support for the text amendment. Ms. Wallace noted that a reduction in parking could lead to more open space and amenities. Ms. Wallace added that she supports more amenities and affordable rental rates in exchange for less parking.

Renee Dominguez stated that multiple children require more vehicles. Ms. Dominguez noted that some families do not let children walk in Estrella. **Ms. Wallace** added that her children walk in the neighborhood and if a family has one vehicle, then everyone would walk. **Ms. Dominguez** noted that the village doesn't have the amenities.

Dan Rush voiced his opposition to the text amendment. Mr. Rush stated that it was counterintuitive to suggest more housing in exchange for parking when most developments do not have enough parking.

Jennifer Ayala noted that she has lived in an affordable housing development and employment opportunities were not in close proximity to the development. Ms. Ayala

added that limiting parking would not help neighborhoods. Ms. Ayala stated that affordable housing developments did not have enough parking.

Ms. Wallace stated that the text amendment would not eliminate parking. Ms. Wallace added that the text amendment would make a difference for the future.

Kristine Morris stated that she was opposed to the text amendment. Ms. Morris added that it places environmental and social issues on the less fortunate.

Motion:

Dan Rush made a motion to recommend denial of Z-TA-8-23-Y. **Bill Barquin** seconded the motion.

Vote:

8-1, Motion to recommend denial of Z-TA-8-23-Y passed with Committee Members Ayala, Barquin, Dominguez, Morris, Rush, Sanou, Serrette, and Perez in favor and Committee Members Wallace in opposition.

Staff Comments Regarding VPC Recommendation:

None.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 19, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Approval per the staff recommendation with direction
VPC Vote	12-1-1

VPC DISCUSSION:

Four members of the public submitted speaker cards with all wishing to speak. Two indicated they are in favor, one opposed, and one in favor and opposition.

STAFF PRESENTATION

Mr. Klimek, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. He described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code. He presented the staff recommendation to approve the proposed text amendment.

QUESTIONS FROM COMMITTEE

Committee Member Larson asked for clarification regarding the guest and resident parking calculation. **Mr. Klimek** tried to clarify.

Committee Member Veidmark expressed concern over the prospect of an apartment complex with no parking.

Committee Member Matthews asked staff to confirm that a housing development without parking would be permitted today if an applicant sought a planned unit development. **Mr. Klimek** confirmed.

Committee Member O'Connor asked how the mixed-use reduction in the WU Code would be applied if this text amendment were approved. **Mr. Klimek** responded that the text amendment applies only to multifamily uses and that, in a mixed-use

development with commercial and multifamily, a blend of commercial and multifamily parking standards would be used to calculate the requirement. He added that he is not certain how the by-right reduction in WU Code mixed-use projects would interplay with this proposed amendment.

Committee Member Gore asked how parking deters investment in affordable housing and how the change would support housing construction. **Mr. Klimek** responded that parking is expensive to construct and occupies much of the total site area which thereby reduces the number of units that can be constructed on the site. By reducing costs and increasing available land area, more units may become viable.

PUBLIC COMMENTS

Ms. Sandy Grunow expressed concern that this reduction is inappropriate city-wide because there is limited public transit, that the proposed text amendment may impact visibility triangles at intersections which is a safety issue, and that it is unfair to base parking requirements on resident incomes. She added that developers will not provide more parking than required by code.

Ms. Jackie Rich expressed that parking reductions happen all the time and this text amendment is therefore not necessary, that there is not adequate transit, and that many individuals who reside in apartments will not give up their cars. She added that on street parking therefore infringes upon a pedestrian's ability to safely walk in an area without sidewalks and the proposed reduction for affordable housing feel punitive. She acknowledged that some reduction may be appropriate but stated that the requirement should never be allowed to "go to zero." She added that she would like more neighborhood engagement for text amendments and that the proposed text amendment would allow for developments to provide no ADA parking.

Ms. Nicole Rodriguez expressed support for the amendment, noted that it doesn't go far enough, and explained that both parking requirements and auto-oriented development patterns are costly to renters and builders. The parking requirements make housing less affordable and the also contribute to the urban heat island effect. She concluded by stating that the requirements were arbitrary when originally developed.

Mr. Dan Klocke introduced himself as an affordable housing developer and expressed his support for the amendment. He cited an ASU study which found that approximately 50 square miles of the city is paved which contributes to the urban heat island effect. Regarding the impact on affordability, he shared a hypothetical example to demonstrate how requiring additional parking beyond that which will be used adds cost to the developer and consumes land area which, together, can make an affordable housing project infeasible. He explained that many affordable housing projects are operating on negative profit margins and therefore require multiple financial sources to make the project work financially. He added that the additional land area required to

provide parking adds to the overall infrastructure cost and long-term maintenance burden which is the responsibility of the City of Phoenix. He concluded by stating that the VPC just voted 14-0 to allow Accessory Dwelling Units without any additional parking.

STAFF RESPONSE

Mr. Klimek thanked the audience for their comments. The proposed amendment includes minimums, rather than maximum, parking requirements which allows a developer to provide more parking than required if they desire; he added that he has seen developers provide more parking than the minimum for projects where they believe it will improve the marketability of their products. The proposed amendment is based on empirical data that is used broadly throughout the field of land use and transportation planning.

There is no way for staff to significantly reduce parking requirements administratively. Only two procedural pathways exist to reduce parking: 1) to propose a planned unit development with custom development standards and commit to the full 6 – 9 month rezoning process; and 2) to request a variance from the zoning ordinance through a public hearing process but he cautioned that this process requires that a Zoning Adjustment Hearing Officer determines there is a hardship related to the physical characteristics of the lot, and he noted this is uncommon for parking requests.

Regarding ADA parking requirements, he added that this proposed text amendment does not override ADA which is a federal law and that ADA compliant parking spaces will continue to be required.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE.

Committee Member Matthews clarified that ADA requires a portion of all facilities provided to be accessible so a development that provides no parking would not be required to provide accessible spaces; however, if some parking is provided then a share of that would need to comply with ADA. **Mr. Klimek** agreed and apologized for the mistake.

Committee Member Matthews stated that he is in support of the request and that these are parking minimums, not maximums, so developers are free to provide more parking than required. He stated that most developers will not build projects with zero parking and that the possibility is being overblown. This will allow a greater variety of housing options such as more affordable units or car-free options that are currently restricted by existing parking requirements.

Committee Member Gore stated that 9 percent of the population being car-free is insignificant and should not drive the proposed text amendment which allows developments without any parking. He added that it would be helpful if the city could

forecast the impact of this amendment.

Committee Member O'Connor stated that he is not supportive of the request because Phoenix is not a walkable city and there are other programs, such as GPLETS, to support affordable housing construction.

Committee Member Perez stated that she is torn but expressed concern that reducing parking requirements would only have a limited impact on the housing crisis. She added that a different housing requirement for low-income populations feels punitive.

Committee Member Krentz stated that this text amendment would provide the opportunity to develop housing with fewer costs and design constraints mandated by the city. He added that the development community will respond to actual forecasted parking demands because it only makes business sense to develop something that will be marketable. At present, staff does not have flexibility to allow for innovation by the free market.

Committee Member O'Hara stated that he left the Information Only presentation in June as a "no" but reconsidered the proposal through the lens of Member Krentz and he indicated that he is now closer to a "yes." He stated that the market will respond to demand based on the context of a site.

Committee Member Matthews stated that 10 percent of households not having access to a car is not insignificant and that providing 10 percent of all developments as an affordable would far exceed the present construction pattern. The margins for affordable development are slim and often negative so any reduced cost or increased yield will have a direct and positive impact on affordable housing production. He stated that he lives in Moon Valley and frequently uses transit to get downtown and back; he cautioned his colleagues from assuming everyone is the same as them in their transportation preferences and socioeconomic needs. **Committee Member Gore** agreed that 9% is not trivial but stated that the city should also be building transportation infrastructure such as transit and bike lanes.

Committee Member Veidmark asked why staff is proposing that no parking be provided for affordable housing. **Mr. Klimek** responded that it is in response to many conversations with affordable housing developers regarding the narrow margins and empirical data showing that affordable housing generates a lower demand for parking than other types of housing. He added that the proposed amendment is intended to provide flexibility by removing a mandate but noted that these are minimum requirements rather than maximums.

Committee Member Sommacampagna stated that the presentation did not touch on rideshare which is increasingly augmenting public transportation and reducing the need for private automobiles. As an infill developer focused on missing middle housing, he

noted that parking is a costly burden and that GPLETs are not viable due to their complexity and cost. He expressed support for the proposal to promote more small-scale housing production which benefits most from parking reductions.

Committee Member Alauria noted the amendment makes sense but expressed concern that the proposal is not based on Phoenix data.

Committee Member Gore stated that just because there are not many pedestrian / transit commuters in Moon Valley it does not mean that they have the right amount of surface parking. He asked Member Krentz if there is a significant likelihood of 300-unit complexes providing zero parking and, conversely if it is more likely that small project would provide no parking if allowed. **Committee Member Krentz** agreed.

Chair Jaramillo shared that zero parking is being treated like the gold standard of what developers will ultimately provide but noted that this will be a minority of total projects. Affordable housing requires subsidies, and most will still provide some parking in response to the forecasted needs of the tenants. In 2022, only 16 LIHTC were issued in Arizona which is too little to meet demand; by reducing cost and space burdens, more affordable housing projects will become viable. He concluded by stating that this is not the solution to the housing crisis but is a part of a solution.

MOTION:

Committee Member O'Hara moved to approve the request per the staff recommendation. **Committee Member Matthews** seconded the motion.

FRIENDLY AMENDMENT:

Committee Member Perez proposed a friendly amendment to "direct staff and the city council to explore additional methods to help with the production of affordable housing.

Committee Member O'Hara and Committee Member Matthews both agreed to the friendly amendment. The motion was revised to include the friendly amendment.

DISCUSSION:

Committee Member Alauria stated that people will continue to use cars but that she wants to remove excessive parking.

Committee Member Matthews stated that this is a simple risk versus reward scenario and that the risk that both overblown and acceptable. The risk is that the city will see a problematic number of zero parking affordable housing complexes is unlikely but would mean that an abundance of much needed affordable housing projects are being constructed.

Committee Member O'Hara and **Committee Member Perez** thanked Member Krentz for the developer's perspective.

VOTE: 12-1-1, motion to approve Z-TA-8-23-Y per the staff recommendation with the direction provided by Committee Member O'Hara, passes with Committee Members, Gore, Krentz, Larson, Matthews, McBride, Molfetta, O'Hara, Perez, Sommacampagna, Veidmark, Whitney, and Chair Jaramillo in favor; O'Connor in opposition; and Alauria in abstention.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.



Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 24, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Denial
VPC Vote	6-2

VPC DISCUSSION:

5 members of the public registered to speak on this item, in support.

2 members of the public registered to speak on this item, in opposition.

Staff Presentation:

Matteo Moric, staff, presented the proposed text amendment. Mr. Moric shared a comparison for current requirements and the proposed changes for citywide multifamily, affordable multifamily housing, Infill Development District, and Walkable Urban Code projects. Mr. Moric stated in the WU Code areas there would be required passenger loading zones for rideshare, personal deliveries, etc.

Questions from Committee:

Vice Chair Fisher asked what data were being used to determine that people living in low income housing do not have cars. **Mr. Moric** said that there was no cap on parking but there was a minimum requirement, and developers could provide at least the minimum but more if they felt the market demand required it.

Toni Broberg asked why the city was doing this by reducing the number of parking spaces.

Vice Chair Fisher felt this text amendment was more about density than cost savings, and that we'd be building more rooftops. Mr. Fisher felt we are not building enough than is necessary. **Mr. Moric** said the Zoning Ordinance would still require development standards for items such as density, lot coverage, setbacks, etc.

Mr. Clifford Mager shared he had no confidence that developers would exceed minimum requirements if they could monetize more units.

Chair Gasparro said there is a desire to have sufficient parking as a developer.

Mike Maloney noted there were rules in place which were developed over time. Mr. Maloney asked where these new numbers are coming from. **Mr. Moric** said it was determined from the ITE manual and developments in Phoenix.

Ms. Broberg asked if staff researched other cities that have implemented parking reductions.

Elena Pritchette shared her experience that more and more cities in her travels are using alternative parking solutions such as automated garages.

Vice Chair Fisher referenced Proposition 400, stating he did not believe legislature would increase public transit to compensate for the reduction in the parking requirement.

Mr. Mager asked about if the new rules would apply to the development that was already permitted.

Mr. Fisher asked on clarity if the reduction would be citywide. **Mr. Moric** said the 1.25 spaces per unit would apply to citywide. Mr. Fisher said many places in the city were not designed for street overflow in parking.

Public Comments:

Mr. Dan Klocke said he had been working in affordable housing for many years, and 45% of Phoenixians are renters. Mr. Klocke noted that 8.4% or 47,000 households of Phoenix do not have cars, about 35% own one car, and almost half have one car or less. Mr. Klocke shared that the average one bedroom rental in Phoenix is \$1300, and this would chip away at some of the issues we face with affordability. Mr. Klocke shared that 10% of the city is paved, and shared an example of an affordable housing project, and with this proposal, would save almost \$500,000 in costs, which would also help develop smaller pieces of land for affordable housing.

Mr. Larry Whitesell stated he would like the committee to reject the proposal, but if they felt inclined to recommend approval the parking rate should be increased to 1.5 spaces and should be based on affordability.

Mr. Neal Haddad said he was with the Neighborhood Coalition of Greater Phoenix and stated there are two types of developers: those who buy, build and hold and those who flip properties. Mr. Haddad added that Phoenix is 517 square miles and is unique, so parking standards for other cities should not apply to Phoenix.

Mr. Ryan Boyd from the Urban Phoenix Project shared that this text amendment comes down to cost, there are those who do not have a choice on using a car or not, and that this would provide flexibility for new housing developments.

Ms. Nicole Rodriguez said she was in support of the text amendment, she came to Phoenix 20 years ago without a car and shared her experience with having limited vehicles for her family and using public transportation.

Ms. Abbey Tomich said she is unable to afford a vehicle and rides her bike instead during which time she sees all the extra parking spaces in apartments.

Mr. Derek Tomich said he rides his bike everywhere and he sees parking lots that are always empty which he felt was a waste of space and the parking surface increases the urban heating effect, and there is no thing such as free parking. Mr. Tomich added this would not add to cars on the street or increase street parking and there would almost never be zero parking even if the requirement was zero parking.

Mr. Mager requested for clarification if the excess parking he observed was for commercial or residential development. **Mr. Tomich** stated his observations were regarding residential.

Vice Chair Fisher asked Mr. Tomich if he could, would he buy a car. **Mr. Tomich** stated ideally he would not buy a car and felt if more people used public transit, the public transit system would get improved.

Staff Response:

None.

Discussion:

Vice Chair Fisher asked Dan Klocke if we have an affordable housing problem in Phoenix because we have too many cars or because affordable housing does not stay affordable. **Mr. Klocke** said we have massive affordable housing problem and we make decisions based on our smaller communities, and said this would chip away at the problem.

Vice Chair Fisher said he was having a hard time accepting that the affordable housing issue is a parking problem.

Ms. Broberg stated her concern the reduction of parking would add to the congestion on the streets which she further clarified as parking on the streets.

Ms. Broberg asked Chair Gasparro if the developer would reinvest any cost savings from not providing additional parking spaces. **Chair Gasparro** replied that with a reduction in parking requirements a smaller site could be developed, and this not only benefits the developer but also the City.

Mr. Mager asked if \$5000 in cost savings from a parking reduction moved the needle. **Chair Gasparro** replied yes, those saving impact a project.

Suzanne Sharer said there already is a shortage on parking and developers would be the only ones benefiting and it is a backhanded way to force people to give up their cars. Ms. Sharer said to pay for extra parking in their complexes would be a burden on families.

Vice Chair Fisher felt it was a coupon for the developer, it is an incentive for more developer profit, and he could be supportive of this for affordable housing projects.

Ms. Broberg said it is going to incentivize people to live in different places based on what they value if they want additional parking and asked if this was part of the grand scheme of Housing Phoenix Plan.

Chair Gasparro mentioned this is just part of the solution for a bigger plan.

Mr. Mager felt there was a lack of empirical data.

Motion:

Vice Chair Darin Fisher motioned to recommend denial of Z-TA-8-23-Y. **Suzanne Sharer** seconded the motion.

Vote:

6-2, Motion to recommend denial of Z-TA-8-23-Y passed, with Committee Members Mager, Maloney, Meier, Pritchette, Sharer, Fisher in favor; and Broberg and Gasparro in opposition.

Motion No. 2 (Advisory)

Vice Chair Fisher made a second motion to provide direction to the Planning Commission and City Council that while he rejects the proposal as a whole, there are elements of the proposal he supports.

Vice Chair Fisher motioned to recommend approval of Z-TA-8-23-Y with modifications to remove the parking reduction for market-rate multifamily residential citywide, and approve the reduction for affordable housing projects, and sites within the Infill Development District and the Walkable Urban Code. **Toni Broberg** seconded the motion.

Vote No. 2 (Advisory)

6-2, advisory motion to recommend approval of Z-TA-8-23-y with modifications passes with committee members Broberg, Maloney, Meier, Sharer, Fisher and Gasparro in support; and Mager and Pritchette opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comments.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 25, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	9-6

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Eight members of the public register to speak on this item.

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. He described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

QUESTIONS FROM THE COMMITTEE

Committee Member Shultz discussed the urbanization of Phoenix and stated that the text amendment makes sense in areas that have urbanized.

Committee Member Williams clarified that the reduction is for parking minimums not maximums and provides more flexibility. **Mr. Rogers** confirmed that the proposal is to reduce parking minimums not maximums and discussed how lenders require a minimum number of parking spaces for different types of developments.

Committee Member Harris asked how the required number of ADA parking spaces is affected by the parking reduction. **Mr. Rogers** stated that the number of required ADA parking spaces is based on the number of regular spaces provided.

Committee Camp stated that the reduction will help with the urban heat island effect, help promote walkability, and help with transit-oriented development.

Committee Member Malkoon asked if a minimum number of ADA parking spaces will be provided if there is no regular parking provided. **Ms. Stockham** stated that if no parking is provided ADA spaces will not be required, but most projects will not provide no parking.

Committee Member DeGraffenreid stated concerns about the low-income parking reduction being discriminatory.

Committee Member Smith stated that a car is needed for low-income individuals' economic mobility, stated it is unlikely that low-income people will use food delivery services, and stated that the proposal does not consider the people.

Committee Member Solorio explained that the text amendment allows flexibility to projects that serve specialty populations, discussed how lower parking minimums had enabled developments to be built in other jurisdictions, and explained the text amendment would eliminate the need for low-income developments to pursue parking variances.

Committee Member Adams stated that City is removing a restrictive number, spoke about dealing with ratios on her own professional projects, and stated that the parking reduction would allow the number of parking spaces to be determined on a case-by-case basis.

Committee Member Mulgado stated multifamily parking lots are full and most households living in multifamily developments have multiple cars.

Committee Member Fitzgerald discussed walking in extreme heat, discussed a low-income development that got variances for reduced parking and now rents parking at a nearby church, and stated that developers won't pay for parking if they do not have too.

Committee Member Malkoon stated that the proposal will be good for developer profits, spoke about his son who does not drive, spoke about his experience riding the light rail where he spoke to a woman who had a 2.5 hour commute to and from work, and asked where visitors will park.

Committee Member Solorio stated that banks will not loan money to projects that do not provide any parking.

Committee Member Harris asked for clarification about where parking requirements are proposed to be reduced to 0 parking spaces per unit. **Committee Member Solorio** stated that parking requirements are proposed to be 0 parking spaces per unit in the WU Code and for affordable housing. **Mr. Rogers** clarified that affordable unit parking requirements are proposed to be reduced 50% citywide.

Committee Member Malkoon stated concerns about those struggling being taken advantage of. **Committee Member Solorio** that 25% of parking spaces are always open on projects he has worked on.

Committee Member DeGraffenreid stated that there are likely too many parking spaces, but the minimum should not be zero. Committee Member DeGraffenreid stated that he does not trust banks and builders to build parking, stated that cars can be necessary to commute to well-paying jobs, and stated it is not that hard for developments that serve special communities to get a variance.

Committee Member Keyser discussed other cities that have been successful with parking reductions, spoke about rising rents, spoke about the need for personal vehicles for those that are disabled, and spoke about the need for a parking study.

Committee Member Malkoon asked why luxury developments are not built for affordable units, stated more money for affordable units is needed, and stated there needs to be more public-government partnerships.

Committee Member Solorio stated that low-income developments have a fixed budget and revenue, explained that less parking means more amenities, and spoke about a failed variance.

PUBLIC COMMENTS

Sterling Sourk stated that potential residents will not move into a complex if there is no parking and clarified the difference between parking minimums and maximums.

Abby Tomich explained that she rides her bike everyday because she cannot afford a vehicle, explained that her mother rides the light rail to work everyday, stated that excess parking is being valued over more affordable housing, and stated the text amendment does not go far enough.

Derek Tomich explained that he rides his bike everywhere, explained that everywhere he goes he see empty parking lots that contribute to the urban heat island effect, stated 10% of Phoenix is parking lots, explained that parking is subsidized by the prices of goods and services, and reiterated that zero spaces required wont equate to zero spaces provided.

Nicole Rodriguez stated she is in support of the text amendment, discussed parking and heat, stated that the text amendment is the first step towards parking requirements that will match demand, stated the text amendment will facilitate infill developments, explained that parking can cost between \$35,000 to \$80,000 per stall, and explained the origins of parking requirements. Ms. Rodriguez explained that she came to Phoenix without a vehicle and her family now has one vehicle due to the medical costs from taking care of others.

Wes Ballu stated that there is too much parking in Phoenix, stated that the proposal will allow for flexibility, and stated this is the first step to making the City more walkable.

Dan Clocky stated that affordable housing is tax credit housing, stated that 87 parking spaces costs well over half a million, and stated that budgets are capped so more parking means less units.

Jackie Rich recounted a story told at the Estrella VPC were an individual who was utilizing affordable housing was grateful parking was provided at her apartment complex, explained reducing parking will not reduce the number of cars people own, and added that the future of light rail depends on state legislature.

Neil Haddad stated that questionable people that buy, build, and flip developments are why parking minimums are a thing, stated that Phoenix does not compare to other cities, discussed the urban heat island effect and buildings, stated Phoenix is a car city, explained that the state will not allow sales tax to be used for transit, and stated he would like to see the studies the parking reductions are based on.

Chair Bryck confirmed that he had received the NCGP letter on July 14.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DUSCUSSION, AND VOTE

MOTION

Committee Member Camp motioned to recommend approval of Z-TA-8-23-Y, per staff recommendation. **Committee Member Shultz** seconded the motion.

VOTE

9-6, motion to recommend approval of Z-TA-8-23-Y, per staff recommendation passes with Committee Members Adams, Camp, Ender, Harris, Sanchez, Shultz, Solorio, Williams, and Bryck in favor and Committee Members DeGraffenreid, Fitzgerald, Keyser, Malkoon, Mulgado, and Smith opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION

None.

ATTACHMENT F

Phoenix, Arizona

June 1, 2023

The meeting of the Phoenix Planning Commission was called to order by Acting Chairman Emilio Gaynor at 6:06 p.m. in the Council Chambers, 200 West Jefferson Street, Phoenix, Arizona. Commissioners present participated in the meeting both in-person and virtually from a remote location.

Present: Commissioner Emilio Gaynor, (Acting Chairman)
Commissioner Ryan A. Boyd, (Acting Vice-Chairman)
Commissioner Marcia Busching (Virtual)
Commissioner Pete Gorraiz
Commissioner Gabriel Jaramillo (Virtual)
Commissioner Lachele Mangum
Commissioner Lisa Perez
Commissioner Shannon Simon

Absent: Commissioner Nico Howard, Chairman

Also

Present: Ms. Racelle Escolar, Planner Principal
Ms. Tricia Gomes, Deputy Director, PDD
Mr. Greg Harmon, Planner I
Ms. Vikki Cipolla-Murillo, Secretary III/Council Reporter

At the request of Acting Chairman Emilio Gaynor, Ms. Racelle Escolar, Staff Liaison, read the hybrid meeting introduction. She welcomed everyone to the Planning Commission Hearing and stated that all attendees who were participating virtually and requested to speak would remain muted until called on to speak. Speakers experiencing audio issues were asked to switch their audio connection to have WebEx call them. She stated that all individuals speaking virtually at the meeting tonight had contacted staff within the required timeframe prior to the start of the meeting. Those who did not contact staff, wishing to speak, were asked to contact her after the meeting to discuss the next steps and future opportunities to speak regarding any items on the agenda. She provided her contact information, via phone at 602-534-2864 and email at racelle.escolar@phoenix.gov, which was also listed on the bottom of the public meeting notice for the meeting. She asked those attending the meeting from the Council Chambers to complete a speaker card and provide it to one of the staff members.

Acting Chairman Gaynor asked Acting Vice-Chair Boyd to read the opening remarks.

Acting Chairman Gaynor asked the audience to follow the General Rules of Order for the meeting:

16. **INFORMATION ONLY: Z-TA-8-23-Y:** Presentation and discussion regarding a request to amend Chapters 2, 6, 7, and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

Ms. Racelle Escolar stated that Item No. 16 is an information presentation regarding Z-TA-8-23-Y, a request to amend Chapters 2, 6, 7, and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

Ms. Tricia Gomes, the Deputy Director, presented this item.

Ms. Gomes stated that **Z-TA-8-23-Y** encompasses parking reductions for affordable and multifamily housing, including parking reductions for multifamily developments (City-wide), reductions for affordable housing (City-wide), reductions for Infill Development District (IDD), and reductions for Walkable Urban (WU) Code.

Ms. Gomes stated that currently multifamily parking requirements (City-wide) are based on the number of bedrooms. The current requirement is 1.3 spaces per efficiency unit and 1.5 spaces per 1- or 2-bedroom unit; and 2 spaces per 3- or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms. When the required parking is reserved for residents, additional unreserved parking is required as follows: 0.3 spaces for each efficiency unit and 0.5 spaces per each 1- or 2-bedroom unit; and 1.0 space per each 3- or more bedroom unit. It is somewhat long and complex. Staff is trying to reduce City-wide multifamily parking down to 1.25 spaces per dwelling unit, regardless of number of bedrooms. Of those spaces, a minimum 30% must remain “unreserved”, and would not be assigned to any one unit. Anyone could park there, whether they are a guest or another person living in the development. She provided an example for a 300-unit multifamily development, having only 1- or 2-bedroom units:

- Current Requirements: 450 total spaces @ 1.5 per dwelling units, 150 unreserved (part of total) @ 0.5 per dwelling unit.
- Proposed Requirements: 375 total spaces @ 1.25 per dwelling unit 113 unreserved (part of total) @ 30% of required.

Ms. Gomes stated that currently there is no differentiation for affordable multifamily housing (City-wide). It would be the same parking counts that were just discussed, per the number of bedrooms in that unit, proposing the same 1.25 calculation. Plus, for affordable housing, there is a 50% reduction, in addition. She provided an example for a 300-unit multifamily development, having only 1- or 2-bedroom units, all qualifying as “affordable housing”:

- Current Requirements: (same as City-wide) 450 total spaces @ 1.5 per dwelling unit and 150 unreserved (part of total @ 0.5 dwelling units.
- Proposed Requirements: (50% reduction) 188 total spaces @ 1.25 per dwelling unit x 50% and 57 unreserved (part of total) @ 30% of required.

Ms. Gomes stated, within the Infill Development District (IDD), currently you can only get a parking reduction for multifamily if you are counting on-street parking. That is for the distance of your project adjacent to the right-of-way. If there is 100 feet of frontage on your property, divide that by 22 feet due to parallel parking, and that is how many spaces you can count and how many can be reduced for on-street parking.

For the proposed requirement within the Infill Development District, there is a 50% reduction off that 1.25 parking calculation. This area typically falls along or near the transit areas, as well. She provided an example for a 300-unit multifamily development, having only 1- or 2-bedroom units. It is the same as the affordable housing.

- Proposed Requirements: 188 spaces, @ 1.25 per dwelling unit x 50%

Ms. Gomes stated, for the Walkable Urban Code, the current requirement in the Zoning Ordinance is 0.5 for market-rate housing per dwelling unit. You get an additional 25% reduction when you are within a quarter of a mile (1,320 feet) of the light-rail station, or you get 10% if you are greater than a quarter of a mile (1,320 feet) from the light-rail station.

The current multifamily parking requirement is with the 25 and 10 %. Staff is proposing a 0.5 spaces per dwelling unit parking requirement for those located within the Walkable Urban Code. Of those spaces, a minimum 30% must remain “unreserved”, and not assigned to a particular unit or the leasing office. She provided an example for a 300-unit multifamily development, having only 1- or 2-bedroom units.

- Current Requirements: 338 total spaces @ the 1.5 % for a 1- to 2-bedroom vs. proposed text amendment
- Proposed Requirements: 150 total spaces @ 0.5 per dwelling unit
45 unreserved (part of total) @ 30% of required

Ms. Gomes stated that for affordable housing, Walkable Urban Code does have provisions for affordable in the different transects. They are proposing ‘no parking required within those transects’, for affordable housing within the Walkable Urban Code. T3 is the only exception because it is very similar to a single-family development. Multifamily is not allowed in that transect. She provided an example for a 300-unit multifamily development, having only 1- or 2-bedroom units, all affordable. There are no parking requirements.

- Current Requirements: (T5 transect example) 150 total spaces @ 0.5 per dwelling units and 0 unreserved (part of total) @ none required
- Proposed Requirements: (T5 transect example) 0 total spaces @ none required and 0 unreserved (part of total) @ none required

Ms. Gomes stated, in response to that and understanding that passenger loading zone requirements have been proposed in the Walkable Urban Code, people are going to be coming to their homes and developments in a variety of different ways, whether it is light-rail, ride-share, taxis, etc. The City wants to provide and ensure that there is an area for that drop-off and pick-up for pedestrians happening on the site.

Ms. Gomes stated that passenger loading zones are a new requirement for sites zoned WU Code only. They provide designated area(s) for ride-share, pick-up/drop-off, and personal delivery services (package delivery; meal delivery). Loading zones are encouraged to locate on site but may be located on the street when approved by the Street Transportation Department. This is difficult because there must be room in the right-of-way, depending on the type of street. They are looking for it to be provided onsite. Accessibility requirements apply per Federal ADA regulations. The proposal is one passenger loading zone per 50 dwelling units; so, depending on the number of units, there will be a larger space for a larger passenger loading zone. Ms. Gomes displayed an example of what that would look like. The minimum requirement is 23 feet for a parallel parking space to be able to pull in and backing out of the space. Lastly, she provided upcoming meeting dates:

- Planning Commission (information): June 2023
- Villages (information): June 2023
- Villages (action): July 2023
- Planning Commission (action): August 2023
- City Council Hearing: September 2023

Acting Chairman Gaynor asked if there were questions.

Commissioner Busching stated that there is a new movement going on to reduce parking spaces. She asked where the numbers came from and if there were comparisons done with other cities. She also asked if other cities have experiences with these numbers. She wanted some background and history behind the thinking of the numbers.

Ms. Gomes responded that staff derived at the 1.25 number in working with the Traffic Department and looking at ITE data on suburban and urban developments for a multifamily.

Commissioner Busching stated that she does not know what ITE is, and she does not know where all the other parking reductions are, other than the 1.25.

Ms. Gomes responded that staff derived the 1.25 number from the initial review with Traffic Department staff while looking at their manual for typical demands for parking, for these types of developments. Staff's focus was to reduce the parking to one space per unit. The 0.25 is for visitors and leasing. That is how they derived the 1.25. They looked at demand and what they were trying to achieve, regarding the number of parking spaces per unit.

Ms. Gomes stated that the 50% reduction within their Infill Development District today is an allowance that the developer can do. It is a 50% reduction, but it is only counting those spaces on-street. The Street Transportation Department is hearing a lot of push-back from communities to have on-street parking, which is resulting in no longer providing the space for bike lanes or creating conflicts for bike lanes. They looked at that. It is really to achieve two goals within the City: 1) to provide the bike lanes, and 2) to offset the parking reduction onsite for properties. By taking away or modifying those parking reductions for on-street, to allow for those bike lanes, it is providing that parking reduction onsite. That is where the 50% comes from.

Ms. Gomes stated that for affordable to zero, Walkable Urban Code, already had a significant parking reduction. They were directed by City Council to look at eliminating those parking requirements for affordable, because staff is trying to focus on the items that are creating additional costs and challenges for affordable developments.

Commissioner Busching thanked Ms. Gomes and said the information was very helpful.

Acting Vice-Chairman Boyd stated that he was quite excited to hear this. ITE stands for Institute of Transportation Engineers. He said it is not just the hippie bike people, these are the full-on professional, do-all-the-fun traffic, people. He wanted to add two important points of context. Firstly, these are the minimums. Developers can and likely will still go above those minimums, as we see in almost every project. This is just them not being penalized from a legal perspective, if you wanted to try to do something like a cul-de-sac in Tempe, zero parking for the units there. There are a few shared parking spots on their development. It would not be possible in Phoenix without some creative zoning. Secondly, there are, in fact, neighbors to the north. Prescott has one of these. Work-force housing has a different parking ratio that is lower than their normal parking ratio. Flagstaff has an incentive program for their affordable housing that includes the reduction of parking. These are not new concepts. They are in Arizona and have been in play before. He was excited to hear how this is going to go through. It will be interesting to see how this debate proceeds.

Commissioner Perez asked if this goes through the process and gets approved in September, if there would be a mad rush of all the cases that have been approved, asking for variances to reduce their parking. Right now, they would all be stipulated to certain parking spaces. She asked how that would work.

Ms. Gomes responded, if there are current stipulation requirements, whether it is in a rezoning case or other like that, they would still have to adhere to those requirements. If they got parking variances, there is a potential that the parking variance is mute, because the Ordinance could require less. Those were the two scenarios she could think of, now.

Commissioner Perez stated that they had required in the staff narrative that if it is reduced, it would just automatically get reduced with it. She asked if she was understanding correctly. She gave the example of building a multifamily with 200 required parking spaces. Under the new requirements, it would be less, theoretically. She asked if she would be stuck with the 200, or if it would be automatically less, or if she would have to get a variance to make it less.

Ms. Gomes respond that if this text amendment were to pass in September and go to Council in October, it would be effective. So, anyone developing, could utilize those requirements.

Acting Chairman Gaynor reminded the commissioners that this presentation was only informational at this time. There were no further questions.

No action was necessary.

ATTACHMENT G

REPORT OF PLANNING COMMISSION ACTION August 3, 2023

ITEM NO: 17	
	DISTRICT NO.: Citywide
SUBJECT:	
Application #:	Z-TA-8-23-Y (Parking Reductions for Affordable Housing)
Proposal:	Amend Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, and revise parking space, unreserved; amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing); amend Chapter 7, Sections 702.C (Parking Requirements) and Section 702.E (Modifications to Parking Requirements); and amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multifamily, single-family attached, and affordable housing, and add requirements for passenger loading zones of the Phoenix Zoning Ordinance to modify parking standards for affordable housing developments.
Applicant:	City of Phoenix, Planning Commission
Representative:	City of Phoenix, Planning and Development Department

ACTIONS:

Staff Recommendation: Approval, as shown in the recommended text in Attachment A of the Staff Report.

Village Planning Committee (VPC) Recommendation:

Ahwatukee Foothills 6/26/2023 Information only. Canceled (no quorum).

Ahwatukee Foothills 7/24/2023 Denial. Vote: 6-2.

Alhambra 6/27/2023 Information only.

Alhambra 7/25/2023 Approval, per the staff recommendation. Vote: 9-6.

Camelback East 6/6/2023 Information only.

Camelback East 7/11/2023 Approval, per the staff recommendation. Vote: 14-1.

Central City 6/12/2023 Information only.

Central City 7/10/2023 Approval, per the staff recommendation. Vote: 10-4.

Deer Valley 6/8/2023 Information only. No quorum.

Deer Valley 7/13/2023 Denial. Vote: 5-4.

Desert View 6/6/2023 Information only.

Desert View 7/11/2023 Denial. Vote: 9-0.

Encanto 6/5/2023 Information only. No quorum.

Encanto 7/10/2023 Approval, per the staff recommendation. Vote: 12-1.

Estrella 6/20/2023 Information only.

Estrella 7/18/2023 Denial. Vote: 8-1.

Laveen 6/12/2023 Information only.

Laveen 7/10/2023 Denial. Vote: 8-0.

Maryvale 6/14/2023 Information only. No quorum.

Maryvale 7/12/2023 Denial. Vote: 7-2-1.

North Gateway 6/8/2023 Information only.

North Gateway 7/13/2023 Denial. Vote: 6-0.

North Mountain 6/21/2023 Information only.

North Mountain 7/19/2023 Approval, per the staff recommendation with direction.

Vote: 12-1-1.

Paradise Valley 6/5/2023 Information only.

Paradise Valley 7/10/2023 No quorum.

Paradise Valley 8/7/2023 Approval, per the staff recommendation with modifications.

Vote: 14-0.

Rio Vista 6/13/2023 Information only.

Rio Vista 7/11/2023 Denial. Vote: 3-2.

South Mountain 6/13/2023 Information only.

South Mountain 7/11/2023 Denial. Vote: 11-0.

Planning Commission Recommendation: Approval, per the staff recommendation with modifications.

Motion Discussion:

Commissioner Boyd made a MOTION to approve Z-TA-8-23-Y, per the staff recommendation, with modifications to adjust the citywide components to apply to Alhambra, North Mountain, Encanto, Central City, and Camelback East villages, and with the adjustment of the WU Code amount up to 0.65 (spaces per dwelling unit).

There was no second on the motion, therefore the motion failed.

There was discussion about the motion and potentially other motions.

Commissioner Busching made a MOTION that the item be sent back to staff for further work with the notion that it would be brought back before the Planning Commission.

There was some discussion about what direction to provide, however there was no second on the motion.

Commissioner Busching made a MOTION to approve Z-TA-8-23-Y, per the staff recommendation, with modifications regarding the following sections as listed in the Staff Report:

- Section 1 (City wide multifamily parking requirements): Change from 1.25 spaces per dwelling unit to 1.50 spaces per dwelling unit.
- Section 2 (City wide affordable housing parking reduction): Delete proposed changes.
- Section 3 (Infill Development District parking reduction): Approve as proposed.
- Section 4 (Walkable Urban Code parking requirements): Change from 0.50 spaces per dwelling unit to 0.65 spaces per dwelling unit.
- Section 5 (Walkable Urban Code affordable housing parking requirements): Delete proposed changes.
- Section 6 (Passenger loading zones within Walkable Urban Code): Approve as proposed.

Commissioner Simon stated that she supported the motion except for the change to Section No. 1.

Commissioner Perez agreed.

Commissioner Simon offered a FRIENDLY AMENDMENT to eliminate changes to Section No. 1.

Mr. Christopher DePerro (staff) asked for clarification from Commissioner Simon. He asked if she was proposing to leave the existing Citywide requirement as is.

Commissioner Simon responded, yes.

Commissioner Busching stated that although she was reluctant to agree, because she supports staffs' desire to simplify this city wide parking requirements in order to move this forward, she would accept Commissioner Simon's amendment.

Commissioner Gaynor SECONDED the amended motion.

There was discussion and clarifications made about the motion on the floor.

Commissioner Jaramillo explained that he did not agree with removing any flexibility for affordable housing.

Motion details: Commissioner Busching made a MOTION to approve Z-TA-8-23-Y, per the staff recommendation, with modifications regarding the following sections as listed in the Staff Report:

- Section 1 (City wide multifamily parking requirements): Delete proposed changes.
- Section 2 (City wide affordable housing parking reduction): Delete proposed changes.
- Section 3 (Infill Development District parking reduction): Approve as proposed.
- Section 4 (Walkable Urban Code parking requirements): Change from 0.50 spaces per dwelling unit to 0.65 spaces per dwelling unit.
- Section 5 (Walkable Urban Code affordable housing parking requirements): Delete proposed changes.
- Section 6 (Passenger loading zones within Walkable Urban Code): Approve as proposed.

Maker: Busching
Second: Vice Chairman Gaynor
Vote: 6-2 (Boyd and Jaramillo)
Absent: Mangum
Opposition Present: Yes

Proposed Language (Planning Commission recommendation is highlighted for clarity):

Amend Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, and revise parking space, unreserved, as follows:

AFFORDABLE HOUSING: RESIDENTIAL OR MIXED-USE DEVELOPMENT PROVIDING HUD OR OTHER ASSISTED LOW- TO MODERATE-INCOME HOUSING, AS VERIFIED BY THE PHOENIX HOUSING DEPARTMENT; TYPICALLY INCLUDES DWELLING UNIT(S) COMMITTED FOR A MINIMUM TERM THROUGH COVENANTS OR RESTRICTIONS TO HOUSEHOLDS WITH INCOMES AT 80 PERCENT OR LESS OF THE AREA MEDIAN INCOME, AS DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE CITY.

Parking Space, Unreserved: An unassigned parking space that is available to both residents, EMPLOYEES, and visitors TO THE PROPERTY. UNRESERVED PARKING SPACES WHICH COUNT TOWARD ANY REQUIRED PARKING MINIMUMS SHALL NOT BE USED FOR OFF-SITE OR COMMERCIAL PARKING USES.

FOR RESIDENTIAL DEVELOPMENTS, UNRESERVED SPACES MAY BE LOCATED BEHIND A VEHICULAR GATE IF A CALL BOX IS PROVIDED TO ALLOW VISITOR ENTRY BY RESIDENTS OF THE PROPERTY.

FOR NON-RESIDENTIAL DEVELOPMENTS, UNRESERVED SPACES MAY NOT BE LOCATED BEHIND A VEHICULAR GATE UNLESS THE GATE IS OPEN (OR WILL OPEN AUTOMATICALLY UPON APPROACH) DURING ALL STANDARD BUSINESS HOURS.

PASSENGER LOADING SPACE: A DESIGNATED SPACE FOR THE SHORT-TERM USE BY ONE VEHICLE TO STAND DURING PASSENGER PICK UP OR DROP OFF OF VISITORS, RESIDENTS, OR OCCUPANTS OF THE BUILDING OR USE; OR DURING DELIVERY OF GOODS TO INDIVIDUAL OCCUPANTS. A PASSENGER LOADING SPACE MAY NOT INCLUDE ANY DELIVERY OF GOODS OR SERVICE AREAS FOR COMMERCIAL USES, NOR ANY USE NOT CONSIDERED SHORT-TERM.

PASSENGER LOADING ZONE: AN AREA ADJACENT TO A PRIMARY ENTRY COMPRISED OF AT LEAST ONE PASSENGER LOADING SPACE, CONSTRUCTED IN TANDEM (WITH NO BARRIERS IN BETWEEN) FOR USE AS ONE CONTIGUOUS LOADING ZONE.

Amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing) to read as follows:

- J. **Density Bonus INCENTIVES For Low or Moderate Income AFFORDABLE Housing.** In order to overcome a demonstrated deficiency in the supply of housing for persons of low and moderate income, density bonus-incentives are established to foster the provision of such housing. ~~The bonuses in this paragraph shall apply to the maximum density for any district and may be in addition to bonuses earned by the provision of additional open space.~~

1. **Applicability.** All development LOCATED WITHIN A ZONING DISTRICT SUBJECT TO THE PROVISIONS OF SECTION 608 providing HUD or other assisted mixed income rental housing as approved by the Phoenix Housing and Urban Redevelopment Department AFFORDABLE HOUSING AS DEFINED IN SECTION 202.
2. **Density bonus.**
 - a. One additional conventional unit SHALL BE allowed for every two low/moderate income AFFORDABLE HOUSING units, provided that the overall project density does not exceed ten percent beyond that which would otherwise be allowed.
 - b. ~~The A DENSITY bonuses in this paragraph AWARDED PER THIS SECTION shall apply to the maximum density for any district and may be in addition to A DENSITY bonuses earned by the provision of additional open space PER THE PROVISIONS OF SECTION 608.1.2.~~

3. PARKING REDUCTION.

A. FOR EACH AFFORDABLE HOUSING UNIT, THE REQUIRED PARKING CALCULATION MAY BE REDUCED BY 50%.

B. A PARKING REDUCTION AWARDED PER THIS SECTION SHALL APPLY ONLY WHEN NO OTHER TYPE OF PARKING REDUCTION AUTHORIZED ELSEWHERE IN THE ZONING ORDINANCE HAS BEEN GRANTED.

- 3-4. **Other requirements.** The total number of units within a project shall be as approved by the Department of Housing. and Urban Development. Further, the location of any such units shall be consistent with the goals of the City of Phoenix Housing Assistance Allocation Plan.

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

- C. **Parking Requirements.** Off-street automobile parking space or area shall be provided according to the following table, except for large scale retail commercial uses (see Section 702.D). The parking ratios in the table identify the minimum level of parking required to serve that use and receive site plan approval.

Type of Land Use	Parking Requirements

Dwelling Unit, Multi-Family	<p>Total required parking</p> <p>1.3 spaces per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit and 2 spaces per 3 or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms</p> <p>When the required parking is reserved for residents, additional unreserved parking is required as follows: 0.3 spaces for each efficiency unit and 0.5 spaces per each 1 or 2 bedroom unit and 1.0 space per each 3 or more bedroom unit.</p> <p>Exception for unreserved parking: where minimum 18-foot driveways are provided for individual units, .25 space per each unit.</p> <p>Unreserved parking shall be distributed throughout the site.</p> <p>Note: Any unreserved parking spaces required by this section may be counted toward the total required parking count.</p> <p>1.25 SPACES PER DWELLING UNIT</p> <p>A MINIMUM OF 30% OF THE REQUIRED PARKING SPACES MUST REMAIN UNRESERVED.</p>

Type of Land Use	Parking Requirements
Dwelling Unit, Single-Family Attached	<p>1.3 spaces per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit and 2 spaces per 3 or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms</p> <p>PER SECTION 608.F.6, IF DEVELOPING UNDER THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION PER SECTIONS 614-618.</p> <p>2 SPACES PER UNIT IF NOT DEVELOPING UNDER THE SFI OPTION. THE REQUIRED SPACES FOR EACH DWELLING UNIT MUST BE PROVIDED ON THE SAME LOT. AN ADDITIONAL 0.25 UNRESERVED SPACE PER DWELLING UNIT MUST PER PROVIDED ELSEWHERE WITHIN THE DEVELOPMENT FOR VISITOR PARKING.</p>

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

E. Modifications to Parking Requirements.

3. **Reductions.** Parking reductions are specified within the specific zoning districts. The listed zoning districts offer parking reductions:
 - a. ~~Downtown Core District: No parking required. (Section 643)~~
DOWNTOWN CODE: PER SUSTAINABILITY BONUS AWARDS. (CHAPTER 12)
 - b. ~~Warehouse District: No parking required. (Section 645)~~ WALKABLE URBAN (WU) CODE. (CHAPTER 13)

F. INCENTIVES FOR AFFORDABLE HOUSING (RESIDENTIAL DISTRICTS, SECTION 608.J)

9. **Reductions for Infill Development District.** THE INFILL DEVELOPMENT DISTRICT, AS SHOWN ON THE GENERAL PLAN, IS SUBJECT TO THE FOLLOWING PROVISIONS:

- a. ~~Within the infill development district, as shown on the general plan for Phoenix, a development's on-street parking adjacent to and along the same side of a public, local or collector street may be counted toward parking requirements.~~ PARKING REDUCTIONS.

(1) THESE REDUCTIONS DO NOT APPLY TO PROPERTIES ZONED DOWNTOWN CODE OR WALKABLE URBAN CODE.

(2) NON-RESIDENTIAL USES SUBJECT TO THE PARKING REQUIREMENTS OF SECTION 702.C WITH NO OTHER PARKING REDUCTIONS MAY REDUCE THE AMOUNT OF REQUIRED PARKING BY 20%.

(3) MULTI-FAMILY USES SUBJECT TO THE PARKING REQUIREMENTS OF SECTION 702.C WITH NO OTHER PARKING REDUCTIONS MAY REDUCE THE AMOUNT OF REQUIRED PARKING BY 50%.

- c. Use Permit Notice Procedure for ~~Infill~~-OFF-SITE Parking ~~Reductions~~. The following additional procedures shall be followed as part of the ~~infill parking reduction~~ use permit process (in addition to the procedures required by Section 307):

Amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multi-family, single-family attached, and affordable housing, and add requirements for passenger loading zones to read as follows:

Chapter 13 WALKABLE URBAN (WU) CODE

Section 1307. Parking AND LOADING standards.

B. Required Vehicular Parking.

1. Vehicular parking must be provided for each use in accordance with Table 1307.1 and as follows:

- a. Minimum required vehicular parking is the sum of parking required for each use within a lot.
- b. ~~Accessory dwellings in T3 and T4 require one parking space per unit.~~
- c. B. Vehicular parking may be limited to a maximum number of spaces by parking districts where established.
- d. C. Other uses not identified on Table 1307.1 shall follow Section 702 standards.

Table 1307.1 Minimum Required Vehicular Parking

USE	MEASURE	T3	T4	T5 1—5 Stories	T5 6—10 Stories	T6
Residential, Single-Family DETACHED	per unit	2.0		n/a	n/a	n/a
Residential: Single-Family Attached and Multifamily	(1) As per Section 702. Additional 25% reduction when the off-street parking area is located within 1,320 feet from a light rail station when measured in a direct line from the building, and 10% reduction of required parking if the development is greater than 1,320 feet from a light rail station. The minimum required on-site vehicular parking is exclusively for the patrons of the subject parcel.					
RESIDENTIAL, SINGLE-FAMILY ATTACHED	PER SECTION 608.F.6, IF DEVELOPING UNDER THE PROVISIONS OF 1303.A.1.A.; OTHERWISE PER SECTION 702.					
RESIDENTIAL, MULTI-FAMILY ⁽²⁾	PER UNIT	N/A	0.5-0.65 A MINIMUM OF 30% OF THE REQUIRED SPACES SHALL REMAIN UNRESERVED.			

Affordable Housing	per unit	0.85	0.75	0.5		0.5
AFFORDABLE HOUSING	PER UNIT	0.75	NONE REQUIRED			

USE	MEASURE	T3	T4	T5 1—5 Stories	T5 6—10 Stories	T6

- D. **Required SERVICE/GOODS Loading AREAS and Service Bays.** THE FOLLOWING REQUIREMENTS APPLY TO SHORT-TERM LOADING AND UNLOADING OF SERVICE VEHICLES WITH MATERIALS, GOODS OR EQUIPMENT. PASSENGER LOADING ZONES ARE ADDRESSED IN SECTION 1307.I.

1. On-site SERVICE/GOODS loading shall be required for all development as follows:

- E. **Off-Street Parking Location and Access.**

1. Parking must be set back from frontages according to Table 1303.2, except where parking is located underground. PASSENGER LOADING SPACES/ZONES ARE NOT SUBJECT TO THESE SETBACK REQUIREMENTS.

- I. **PASSENGER LOADING.** THE FOLLOWING REQUIREMENTS APPLY TO PASSENGER LOADING SPACES AND ZONES ONLY. SERVICE/GOODS LOADING AREAS ARE ADDRESSED IN SECTION 1307.D.

1. **REQUIRED NUMBER OF SPACES.** PASSENGER LOADING SPACES SHALL BE PROVIDED AS FOLLOWS:

TABLE. 1307.3 REQUIRED PASSENGER LOADING SPACES	
USE TYPE	PASSENGER LOADING SPACES REQUIRED ⁽²⁾
CULTURAL OR PUBLIC FACILITY	2
HOSPITAL	3
HOTEL OR MOTEL	3
MULTI-FAMILY RESIDENTIAL	1 PER 50 DWELLING UNITS ⁽¹⁾
PUBLIC ASSEMBLY	1 PER 50 REQUIRED PARKING SPACES ⁽¹⁾

ALL OTHER USES	1 PER 25,000 GROSS SF ⁽¹⁾
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- (1) OR PORTION THEREOF. NO SITE SHALL BE REQUIRED TO PROVIDE MORE THAN 10 PASSENGER LOADING SPACES.
- (2) FOR MIXED USES, THE MINIMUM NUMBER OF REQUIRED SPACES SHALL BE THE SUM OF THE SPACES REQUIRED FOR THE INDIVIDUAL USES, ALTHOUGH ROUNDING UP SHALL OCCUR AT THE FINAL STEP OF THE CALCULATIONS. FOR EXAMPLE, A DEVELOPMENT WITH 70,000 GROSS SF OF OFFICE SPACE, PLUS 125 MULTI-FAMILY DWELLING UNITS, IS REQUIRED 1.4 SPACES (70,000 SF / 50,000 SF/SPACE), PLUS 1.25 SPACES (125 DU / 100 DU/SPACE), WHICH TOTALS 2.65 REQUIRED, OR 3 PASSENGER LOADING SPACES.

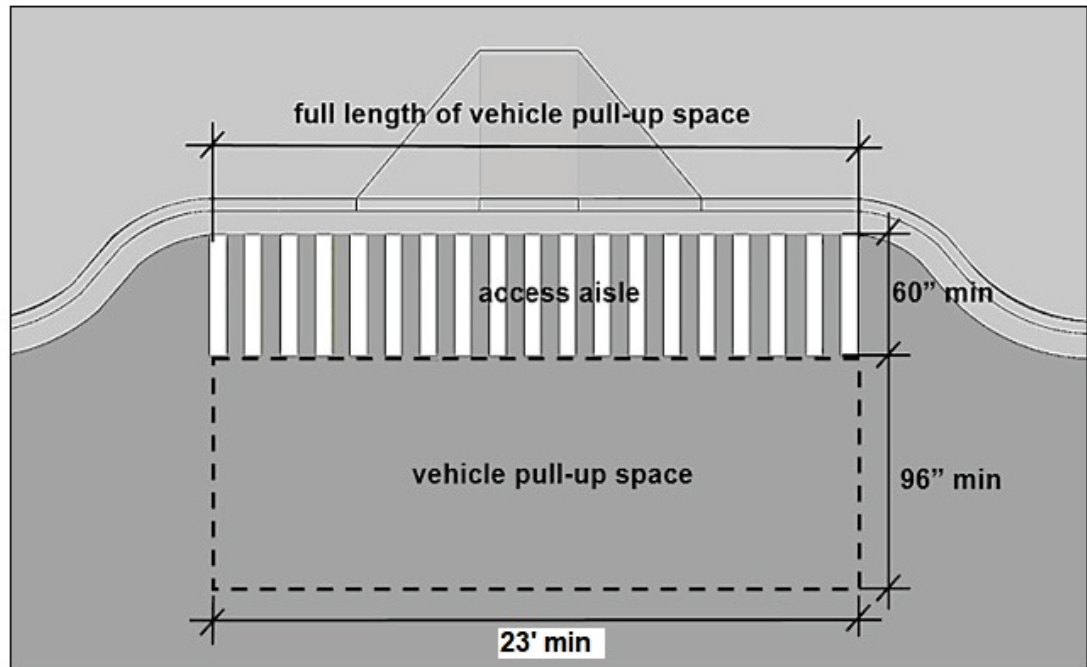
2. DEVELOPMENT STANDARDS FOR PASSENGER LOADING ZONES.

A. ACCESSIBLE PASSENGER LOADING SPACES.

- (1) AT LEAST ONE ACCESSIBLE PASSENGER LOADING SPACE SHALL BE PROVIDED FOR EVERY 100 LINEAR FEET OF CONTIGUOUS PASSENGER LOADING ZONE. HOWEVER, EACH PHYSICALLY SEPARATE PASSENGER LOADING ZONE MUST ALSO HAVE AT LEAST ONE ACCESSIBLE PASSENGER LOADING SPACE.
- (2) AN ACCESSIBLE PASSENGER LOADING SPACE SHALL BE A MINIMUM OF 96 INCHES WIDE AND A MINIMUM 23 FEET LONG.
- (3) THE PEDESTRIAN ACCESS AISLE SERVING THE ACCESSIBLE LOADING ZONE SPACE SHALL EXTEND THE LENGTH OF THE SPACE AND SHALL BE A MINIMUM 60 INCHES WIDE.
- (4) THE VEHICLE PULL-UP SPACE AND ACCESS AISLE MUST COMPLY WITH ADA REQUIREMENTS FOR GROUND AND FLOOR SURFACES AND CANNOT EXCEED A SLOPE OF 2%.
- (5) CURB RAMPS CANNOT OVERLAP ACCESS AISLES OR VEHICLE PULL-UP SPACES.
- (6) A VERTICAL CLEARANCE OF 14 FEET IS REQUIRED FOR EACH VEHICLE PULL-UP SPACE AND ACCESS AISLE, AND ALL ALONG ANY VEHICULAR ROUTE CONNECTING THEM TO A VEHICLE ENTRANCE AND EXIT, UNLESS OTHERWISE APPROVED FOR EMERGENCY/SERVICE VEHICLE ACCESS.

- (7) THE PEDESTRIAN ACCESS AISLES SHALL NOT ENCROACH INTO A TRAVEL LANE.

DETAIL 1307.1. ACCESSIBLE PASSENGER LOADING SPACE



B. GENERAL REQUIREMENTS FOR PASSENGER LOADING ZONES.

- (1) STANDARD PASSENGER LOADING SPACES, WHEN PROVIDED IN ADDITION TO THE MINIMUM REQUIRED ACCESSIBLE PASSENGER LOADING SPACE(S), SHALL BE CONSTRUCTED TO THE SAME STANDARDS AS AN ACCESSIBLE PASSENGER LOADING SPACE, BUT WITHOUT THE REQUIREMENT FOR AN ACCESS AISLE.
- (2) A CONTIGUOUS PASSENGER LOADING ZONE MAY BE PROVIDED, WHICH SHALL CONSIST OF TWO (2) OR MORE LOADING ZONE SPACES PROVIDED IN TANDEM WITH NO BARRIERS SEPARATING SAID SPACES, THUS ENABLING VEHICLES TO MOVE FORWARD THROUGH MULTIPLE PASSENGER LOADING ZONE SPACES.

- (3) PASSENGER LOADING ZONES SHALL BE PROVIDED WITHIN 50' OF THE MAIN ENTRANCE OF THE USE OR STRUCTURE THEY ARE INTENDED TO SERVE, AS APPROVED BY PLANNING AND DEVELOPMENT DEPARTMENT STAFF.
- (4) PASSENGER LOADING ZONES SHALL NOT ENCROACH WITHIN THE MINIMUM WIDTH OF ANY FIRE LANES OR DRIVE AISLES.
- (5) PARKING AND/OR STANDING SHALL BE LIMITED TO 30 MINUTES WITHIN A PASSENGER LOADING ZONE, AND SIGNS SHALL BE INSTALLED AND MAINTAINED STATING THIS RESTRICTION, AS APPROVED BY PDD AND STREET TRANSPORTATION.
- (6) A PASSENGER LOADING ZONE SHALL NOT BE LOCATED BEHIND ANY TYPE OF VEHICULAR GATE OR BARRIER, EXCEPT FOR NON-RESIDENTIAL USES, WHEN SUCH GATE OR BARRIER IS LEFT OPEN DURING ON-SITE BUSINESS HOURS.
- (7) ON-STREET PASSENGER LOADING ZONES LOCATED IN THE PUBLIC RIGHT-OF-WAY ADJACENT TO THE PROPERTY MAY ONLY BE PROVIDED WHEN COMPLIANCE WITH ALL OF THE FOLLOWING IS DEMONSTRATED:
 - (A) APPROVAL FOR THE DESIGN OF THE PASSENGER LOADING ZONE HAS BEEN OBTAINED FROM THE STREET TRANSPORTATION DEPARTMENT.
 - (B) AN ENCROACHMENT PERMIT HAS BEEN OBTAINED FROM THE STREET TRANSPORTATION DEPARTMENT FOR ANY STRUCTURES REQUIRED AS PART OF THE PASSENGER LOADING ZONE (SHADE CANOPIES, SCREEN WALLS, SIGNS, ETC.).
 - (C) THE PASSENGER LOADING ZONE DOES NOT REDUCE OR PRECLUDE ANY REQUIRED STREETScape OR FRONTAGE ELEMENTS, INCLUDING THE PROVISION OF REQUIRED STREET TREES AND SHADE.

- (D) THE PASSENGER LOADING ZONE DOES NOT INTERRUPT A DESIGNATED BICYCLE LANE.

C. PASSENGER LOADING AREA DESIGN GUIDELINES.

- (1) PASSENGER LOADING ZONES SHOULD BE LOCATED INTERNALLY TO THE BUILDING WHEN POSSIBLE.
- (2) PASSENGER LOADING ZONES SHOULD HAVE PRIMARY ACCESS FROM A STREET, RATHER THAN AN ALLEY.
- (3) PASSENGER LOADING ZONES SHOULD PROVIDE LANDSCAPED AND/OR STRUCTURAL SHADE FOR A MINIMUM OF 75% OF THE PASSENGER WAITING AREAS.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.

ATTACHMENT H

July 6, 2023

I am in full support of Z-TA-8-23-Y as it reflects the true parking need for multi-family housing versus the current zoning ordinance and supports City Council's desire to increase the amount of housing options and homes for our fellow Phoenixians. Too often we do not think of multifamily development as a place where we would live, but the reality is almost every one of us were renters at one point in our life. Furthermore, if we as a community want to provide places for our children to live that are more reasonably priced, we cannot continue to make it so costly and difficult to build apartments. These restrictions have led to the enormous rent increases we have experienced. As a parent with a daughter in an out of town masters program looking to possibly become a teacher, affordability of housing will guide her decision on whether to return to Phoenix or not. By reducing the required number of parking spaces, we will need smaller parcels of land to build the needed housing and reduce the overall cost of the project. Fewer parking spaces means less asphalt and heat island impact. More building and less parking increases property tax revenues to maintain our city. Smaller parking lots means shorter distances between places, reducing traffic and improving walkability.

I applaud the willingness to make these modifications and immediately look to the next step. All of the changes being suggested are critical. However, while it is wonderful to reduce parking requirements on multi-family land, the fact remains there is little to no land available which is actually zoned to build multi family housing and every re-zoning case typically takes 9 months, increases costs and ultimately sets us back from reaching our housing goals. This lack of opportunity drives correctly zoned land prices higher and higher off setting the great steps hopefully being taken at this meeting to build more housing. With that in mind I would implore this body in a future step to consider allowing commercially zoned land along arterials and collectors throughout our city, especially those with bus or light rail transit, to allow by right T:4:3 zoning and T:5:5 zoning in appropriate places, which will then actually give us land to build housing on.

Thank you for your consideration of this case and I hope for continued progress in the future.

Dan Klocke

Phoenixian

Carnation Neighborhood



July 19, 2023

City of Phoenix Mayor and Council
200 W. Washington Street, 11th Floor
Phoenix, AZ 85003

RE: Neighborhood Leaders Support Amendments to Reduce Parking Restrictions

Dear Mayor Kate Gallego and Phoenix City Council:

On behalf of myself and the Carnation Association of Neighbors, I am writing in support of proposed Zoning Ordinance Text Amendment Z-TA-8-23-Y and request that you vote yes to approve this amendment to reduce the mandatory minimum parking requirements for multifamily, single-family, and affordable housing. The Carnation Neighborhood is located in the Melrose area of Phoenix between the Light Rail and 7th Avenue on the east and west and between Indian School and the Grand Canal on the north and south. Our neighborhood is a diverse mix of single family and multifamily homes. Many people have moved to our neighborhood in recent years because it is adjacent to major public transit stops, including the Light Rail, and walking distance to the wonderful businesses in the Melrose District. Just in the past decade, I have seen many people eschewing car use in favor of walking, biking, taking public transit or rideshares. This phenomenon will continue, especially if our City builds the infrastructure to support it. I am writing in support of the proposed text amendment because it will continue to make our community more bikeable and walkable, it reflects the reality that our residents have more transit options and will help reduce the cost of building housing in this City.

The historical and empirical evidence has made it clear that minimum parking requirements, especially around public transit nodes, have led to empty, unused parking lots that make our City less walkable, bikeable, and livable. Residents in the Carnation Neighborhood and all around our City are looking for policies that will encourage walkability and make it safe and easy for all of our families to walk and bike in our neighborhoods. The proposed Text Amendment Z-TA-8-23-Y is a very reasonable step in the right direction, and I encourage you to vote yes on the proposed text amendment as proposed. Thank you for your work to make housing more affordable and this City more walkable and transit friendly.

Sincerely,



Ed Hermes
President, Carnation Neighborhood Association
Carnationassociationaz@gmail.com
<https://www.carnationassociationaz.com/>
480-452-2062

July 31, 2023

Phoenix City Council and
Phoenix Planning Commission

Re: Support of Text Amendment Z-TA-8-23-Y
Phoenix Scholar House, 2945 N. 18th Pl, Phoenix, AZ
Affordable Housing in Phoenix

To Whom it May Concern,

As developer of the Phoenix Scholar House, a proposed 56-unit mixed-income, multifamily community in Phoenix, we write in support of **Text Amendment Z-TA-8-23-Y** for right-sizing parking mandates.

The Phoenix Scholar House has been thoughtfully designed to include 56 rental units that will serve families making from 30% to 60% of the Area Median Income. While working closely with the City's Planning professionals, along with our local non-profit partner *Save the Family*, we will combine education and housing to lift families into self-sufficiency and permanently from public assistance.

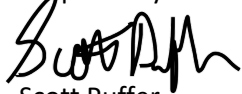
Because affordable housing has long been a stated as a priority of the City of Phoenix Concept Plan, we support this Text Amendment's objective to refresh the outdated zoning codes, which, in effect, will continually price community members out of their neighborhoods and their city.

- Right-sizing parking mandates have become popular across the country. The May-June YouGov poll of Arizona voters found that 60% of Maricopa County residents support reducing parking mandates, so long as at least one parking space is provided per home.

Please vote YES on Z-TA-8-23-Y to align mandatory parking rations with the needs and budgets of everyday, hardworking residents of Phoenix.

Should you have any questions, or need any additional information, please do not hesitate to call me at (513) 603-0074 or by email at scottp@brinshore.com.

Respectfully submitted,



Scott Puffer
Senior Vice President
Brinshore Development, L.L.C.



July 31, 2023

Planning Commission Chairs and Members
c/o City of Phoenix, Planning and Development Department
200 West Washington Street, 2nd Floor
Phoenix, Arizona 85003

Re: Support of Text Amendment Z-TA-8-23-Y
Phoenix Scholar House, 2945 N. 18th Pl, Phoenix, AZ
Affordable Housing in Phoenix

To Whom it May Concern,

As a co-developer of the Phoenix Scholar House, a proposed 56-unit mixed-income, multifamily community in Phoenix, we write in support of **Text Amendment Z-TA-8-23-Y** for right-sizing parking mandates.

The Phoenix Scholar House has been thoughtfully designed to include 56 rental units that will serve families making from 30% to 60% of the Area Median Income. While working closely with the City's Planning professionals, along with our development partner, Brinshore Development we will combine education and housing to lift families into self-sufficiency and permanently from public assistance.

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- Right-sizing parking mandates have become popular across the country. The May-June YouGov poll of Arizona voters found that 60% of Maricopa County residents support reducing parking mandates, so long as at least one parking space is provided per home.

Please vote YES on Z-TA-8-23-Y to align mandatory parking rations with the needs and budgets of everyday, hardworking residents of Phoenix.

Should you have any questions, or need any additional information, please do not hesitate to call me at (480) 898-0228 or via email at Robyn.Julien@savethefamily.org.

Respectfully,

A handwritten signature in blue ink, appearing to read "Robyn Julien".

Robyn Julien

Save the Family Foundation of Arizona

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Rachel Pearson, President
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Cindi Harper
Marvin Ruth
Mike Specht
Brett Young

Chief Executive Officer

Robyn Julien

Racelle Escolar

From: Krista Shepherd <Krista.Shepherd@multi.studio>
Sent: Tuesday, August 1, 2023 1:53 PM
To: PDD Planning Commission
Cc: Krista.Shepherd@multi.studio
Subject: August 3, 2023_Planning commission_SUPPORT FOR ITEMS 16 and 17

To whom it may concern:

I am writing to **support the following items** on the August 3, 2023 Planning Commission Agenda:

Item 16: Z-TA-5-23-Y (ADU's): This would positively allow for:

- incremental density/missing middle and affordable housing
- multi-generational housing
- property owner wealth building through rental opportunities
- aligns with the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Item 17: Z-TA-8-23-Y (Parking reductions): This would positively allow for:

- greater utilization of transit systems
- allows for greater density to be built on small infill lots
- promotes development of small lots that could not be developed due high parking requires that cannot reasonably fit on site
- supports development of affordable housing
- aligns with the Walkable Urban Code
- aligns with transit-oriented plans including the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Thank you.

Krista

Resident of District 6, Business location is District 7, Member of the 2025 Plan Phoenix Leadership Committee

Krista Shepherd AIA, LEED AP, NCARB
Principal

multistudio

o 602.650.7630 c 602.708.4588

Krista.Shepherd@multi.studio

w Multi.studio [multi.studio]

Racelle Escolar

From: Kelly Hatch <Kelly.Hatch@multi.studio>
Sent: Tuesday, August 1, 2023 2:05 PM
To: PDD Planning Commission
Subject: August 3, 2023_Planning commission_SUPPORT FOR ITEMS 16 and 17

To whom it may concern:

I am writing to **support the following items** on the August 3, 2023 Planning Commission Agenda:

Item 16: Z-TA-5-23-Y (ADU's): This would positively allow for:

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- aligns with the Walkable Urban Code
- aligns with transit-oriented plans including the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Kelly Hatch

Kelly Hatch NCIDQ
Senior Associate

multistudio

o 602.650.7635 c 425.218.5383

Kelly.Hatch@multi.studio

w Multi.studio [multi.studio]

Racelle Escolar

From: Mike Anglin <Mike.Anglin@multi.studio>
Sent: Tuesday, August 1, 2023 2:11 PM
To: PDD Planning Commission
Subject: Aug 3, 2023 - Planning Commission - SUPPORT FOR ITEMS 16 and 17
Importance: High

To whom it may concern:

I am writing to **support** the following items on the August 3, 2023 Planning Commission Agenda:

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- supporting development of affordable housing
- alignment with the Walkable Urban Code
- alignment with transit-oriented plans including the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Thank you.

Mike

Resident of District 5 and employee of business located in District 7

Mike Anglin RA, LEED AP
Senior Associate
he/him

multistudio

o 602.650.7614 c 520.664.4625

Mike.Anglin@multi.studio

w Multi.studio [multi.studio]

Racelle Escolar

From: Melissa Alexander <Melissa.Alexander@multi.studio>
Sent: Tuesday, August 1, 2023 2:29 PM
To: PDD Planning Commission
Subject: August 3, 2023_Planning commission_SUPPORT FOR ITEMS 16 and 17

To whom it may concern:

I am writing to **support the following items** on the August 3, 2023 Planning Commission Agenda:

Item 16: Z-TA-5-23-Y (ADU's): This would positively allow for:

- incremental density/missing middle and affordable housing
- multi-generational housing
- property owner wealth building through rental opportunities
- aligns with the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Item 17: Z-TA-8-23-Y (Parking reductions): This would positively allow for:

- greater utilization of transit systems
- allows for greater density to be built on small infill lots
- promotes development of small lots that could not be developed due high parking requires that cannot reasonably fit on site
- supports development of affordable housing
- aligns with the Walkable Urban Code
- aligns with transit-oriented plans including the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Thank you.

Melissa

Resident of District 6, Business location is District 7

Melissa Alexander NCIDQ, IIDA
Principal

multistudio

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facebook.com/aarparizona

AARP Arizona on City of Phoenix Text Amendments Z-TA-5-23-y and Z-TA-8-23-Y

AARP Arizona, on behalf of its almost 900,000 Arizona members is excited to support both text amendments as they will reduce and remove barriers to creating more housing that is affordable to all Phoenixians.

TA-5-23:

The City of Phoenix is in desperate need of more units that are affordable. As one of the largest cities in the nation, and growing, we must work to address these concerns. As our economy and population have grown, so too have the prices of rent. While we welcome the growth and prosperity to our city, we must ensure that city residents have access to stable housing. We've watched our population of unhoused grow dramatically over the last few years, especially amongst the 50+. In our heat, housing is a matter of life and death.

Accessible Dwelling Units (ADUs), also known as Casitas or Mother-in-Law Suites, are a great way to combat the over 150,000-unit shortage we have in the city. We also have evidence that these units, if allowed, will go to those most in need of them. A 2018 study in Vancouver found that 32% of the residents of ADUs had income that was less than 80% of the regional median income, and 16% had income that was less than half of the regional median income.

The average Social Security check in Arizona is roughly \$1,550 per month, whereas the average rent in Phoenix is closer to \$2,100 per month. People who moved to Arizona in years past are now being priced out leading to some of the difficulties we are currently seeing.

From another perspective, ADUs can also allow for older adults, who need care by family but can't afford living in a long-term care facility, to have a home to age in place. There are an estimated 800,000 unpaid family caregivers in Arizona and having more options to those needing care to be near those providing helps everyone.

TA-8-23:

Regarding the parking requirement changes, AARP policy actually recommends no on-site parking requirements. Parking requirements create additional barriers to ADU

creation because there is additional land needed and present additional costs. For instance, depending on the type of parking being built it can range between \$2,500 and \$15,000.

Interestingly, we do not require more parking for every additional bedroom created in a home, thus, AARP believes that ADUs should be treated similarly.

According to a recent AARP Arizona survey, 80% of respondents put increasing rent as one of the top concerns they had which could prevent them from aging in place. In the same survey, 90% of respondents said that Elected Leaders should make affordable housing a priority.

We are seeing everyone including stakeholders, elected officials, and residents all agree that housing is a major concern. These proposed changes would be a step in the right direction to allow Phoenix to grow without leaving people, especially older adults behind.

Sincerely,

Dana Marie Kennedy, MSW

State Director, AARP Arizona





August 2, 2023

Re: ADU and Parking Reform Items Before Your Commission

To Whom It May Concern:

As a Phoenix resident, father of two children, and someone who works in the development and construction industry, I urge the Phoenix Planning Commission to support text amendments Z-TA-5-23-Y (legalizing casitas) and Z-TA-8-23-Y (right-sizing parking mandates).

Our zoning code must keep pace with the needs of society. These needs are not static. Indeed, they are dynamic and always changing. If our zoning code is meant to serve our community and protect its best interests, then it too must remain dynamic and open to change. Because affordability metrics, long permitting times, and housing production numbers clearly indicate that the status quo is not keeping up. This reality demands action.

I am proud to see our city step up to the plate and show leadership by taking a serious look at zoning reform. Both text amendments before you are critical.

Backyard units give people options, especially for multi-generational families or those who need more space but cannot move due to an existing job or today's much higher interest rates. These same units were once legal in some of our most beloved historic neighborhoods—just take a look around Coronado, for example. It is time we re-legalize what was once a common sense way to gently grow and incrementally expand a family's use of their hard-won property.

PLEASE VOTE YES on Z-TA-5-23-Y to legalize casitas!

Relaxed parking minimums are equally valuable. There is a long and proven literature covering the many ways high parking ratios negatively impact our communities, but that's not even the most important point. Simply put, these requirements driven significant cost, and those costs transfer all the way down to the monthly rent paid by everyday people. Reducing parking ratios is not a giveaway to well capitalized developers. Instead, it is a leg up to our neighbors, many of whom rent either out of necessity or by choice. We need to do everything we can to encourage efficient use of infill land while reducing the cost to construct infill housing.

PLEASE VOTE YES on Z-TA-8-23-Y to align mandatory parking ratios with today's needs!

Thank you,
Lucas Lindsey



Racelle Escolar

From: Lorenzo Perez <lorenzo@venueprojects.com>
Sent: Wednesday, August 2, 2023 10:37 PM
To: Racelle Escolar
Cc: Joshua Bednarek
Subject: FW: Planning Commission - Discussion on Reduced Parking Minimums (Multifamily Development Projects)

Dear Planning Commission,

I'm submitting this email to acknowledge and support the efforts undertaken by the Planning and Development Department to proactively evaluate and propose reducing required Parking Minimums for Multifamily Residential Development projects in the City of Phoenix.

It's no secret that we as a nation are significantly underhoused, especially with affordable and attainable housing. Travel the state or country and witness the impact in large amounts of under and unsheltered individuals. Several factors contribute to this reality, some of which are dated development policies that don't keep up with the times, fail to consider different contexts in the built environment nor account for evolving market demand conditions. It's encouraging to see Phoenix take proactive measures to find solutions to help facilitate new approaches to encouraging the development of more diverse cost efficient housing. Time is money for developers and having policies in place that reduce or eliminate the need to pursue time and cost intensive parking reduction variances helps get projects to market faster at less cost. This is fundamental for establishing affordability as development costs ultimately get passed onto the user/consumer. City governments are in the unique position to lead efforts such as this to streamline and simplify the development process.

As a developer, owner and operator of mixed use projects, particularly infill and adaptive reuse projects, I'm proud to see the City of Phoenix leading this effort and taking proactive action to find workable solutions, soliciting input from people/firms that develop projects.

As a practitioner in this space, I offer the P&D department and Planning Commission a few points to consider as they reflect on and continue to work through this process

1. I encourage the commission to PRIORITIZE HOUSING PEOPLE OVER PARKING CARS. It is a community and economic development priority that effects every citizen's quality of life. If we don't have an adequate supply of diverse residential options to house all levels of the workforce, especially the most vulnerable in high value service roles such as firemen, police officers, nurses, office clerks, teachers, retailers, service workers, construction workers, tradesman, laborers, grocery store clerks, etc, what kind of city and local economy will we have?
2. Consider that not all households are the same. Small household formations of 1-2 people are one of the fastest and largest growing market sectors in the US that cover all ages of adults. Not all residents can afford cars or choose not to own one and instead take advantage of transit and rideshare. Developing policy that addresses the needs of a varied and diverse housing base is critical. This study and proposal is a significant step in that direction.
3. Having to dedicate less land for parking opens up more space to add diverse housing options and reduce housing development cost. Increased housing supply delivered faster, at less cost, translates to more available affordable housing options. Parking is expensive to construct, to maintain and significantly hinders the ability to develop urban / suburban sites.

4. Requiring less parking reduces the potential to have overparked and underutilized sites that often become attractive nuisances for illicit activity and become costly burdens to maintain and service during operation, negatively contributing to a property's appeal and ongoing affordability.
5. Offering parking reduction incentives to encourage affordable housing is a good idea to attract more affordable/attainable and attractive development.
6. Encouraging property owners to work together and develop shared parking strategies is something that should be examined. We've had success with our commercial infill projects working with neighbors to use adjacent or nearby underutilized parking assets to help provide overflow parking for our retail / dining projects. Office and retail properties are great complimentary evening parking solutions for residential.
7. Less surface parking is a sensitive development sustainability approach to reducing heat island effect from large exposed parking fields.
8. We are blessed in Phoenix to have large right of way streets. Consider leveraging this existing asset to provide additional on street parking as an option for multifamily development. Owners and developers would likely entertain paying a reasonable and proportionate fee to help contribute to the ongoing maintenance of the streets in exchange for this option in lieu of overinvesting into parking that may or may not get used. In many cases across the city, we have enough space to accommodate on street parking while maintaining adequate traffic flow. Many cities across the world utilize on-street parking as an asset to free up land for more housing. Phoenix could benefit from this paradigm shift to help generate revenue to assist with the maintenance of streets while simultaneously helping to incentivize more housing.

Thank you for the opportunity to voice some thoughts on this issue and for taking this important step to build a more livable city.

Respectfully,

Lorenzo Perez
602.689.0194 Cell
lorenzo@venueprojects.com





August 3, 2023

Sent via email

City of Phoenix Planning Commission
200 W Jefferson St
Phoenix AZ 85003

RE: August 3, 2023 Planning Commission Meeting Agenda Items 16 and 17 (ADUs and Parking Minimums)

Dear Phoenix Planning Commission:

On behalf of the Home Builders Association of Central Arizona (“HBACA”), we write in support of the proposed zoning ordinance text amendments related to Accessory Dwelling Units¹ (“ADUs”) and parking minimums² on the August 3 Planning Commission meeting under agenda items 16 and 17. The City of Phoenix and the State of Arizona are facing a housing supply and affordability crisis.³ The City itself has set a goal of creating or preserving 50,000 homes by 2030.⁴ **These two text amendments are a necessary first step in achieving that goal and we respectfully request you vote “yes” on both text amendments.**

Legalizing ADUs are an increasingly popular way to increase housing supply around the country. “Accessory Dwelling Units (ADUs) provide one option for increasing housing supply without noticeably changing neighborhood aesthetics, since ADUs are typically secondary units that discretely share a lot with a primary residence.”⁵ While ADUs are helpful in increasing housing supply it is important that these ordinances are drafted in a way that results in ADUs being constructed. “But getting the rules right is important: in many cases, cities adopt excessively strict rules surrounding ADUs, resulting in few units being built.”⁶

As these ordinances have been adopted and implemented around the country there are several key recommendations for making ADUs feasible to build⁷:

- No owner occupier requirement
- No parking requirement for the ADU
- Approve ADUs by-right/ministerially
- Allow attached and detached ADUs
- Allow reasonably sized ADUs

¹ Z-TA-5-23-Y

² Z-TA-8-23-Y

³ See e.g., *Why experts say Arizona housing crisis is a ‘growing cancer’* (available at <https://azbigmedia.com/real-estate/why-experts-say-arizona-housing-crisis-is-a-growing-cancer/>).

⁴ [Phoenix.gov/housing](https://phoenix.gov/housing)

⁵ Vanessa Brown Calder and Jordan Gygi, *The Promising Results of Accessory Dwelling Unit Reform*, Cato at Liberty Blog (June 28, 2023) (available at <https://www.cato.org/blog/results-accessory-dwelling-unit-reform-so-far>).

⁶ M. Nolan Gray, *Arbitrary Lines: How Zoning Broke the American City and How to Fix It*, 113 (Island Press 2022).

⁷ See *The Promising Results of Accessory Dwelling Unit Reform*.

It appears that the proposed text amendment covers most of these. We are concerned about an owner occupier requirement as this requirement tends to reduce the value add of an ADU to a property's appraisal and makes financing for ADU construction more difficult. We are also concerned that the City's lot coverage regulations will hinder the ability of some homeowners to add an ADU despite the increase in lot coverage proposed in the text amendment. The City's current setback requirements are sufficient to regulate the buildable area on a lot. Therefore, the city should remove any owner occupier requirement and the general lot coverage limitations.

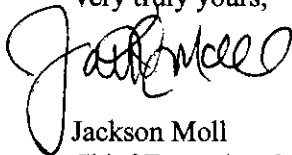
Although it is not within the purview of this text amendment, the HBACA is concerned about the implementation of this ordinance amendment. Our members are experiencing very long plan review, permitting, and approval times in the City. Our concern is that this problem is going to get worse with an influx of new applications to build ADUs. The City should consider how it is going to go about reviewing and approving these applications so as to not elongate an already cumbersome process.

The HBACA also supports the parking minimum reform text amendment. While this amendment will only affect a few of our members, these reforms will help reduce housing costs. Moreover, it is a recognition that the market is better at determining these needs than municipal planners.

As far as off-street parking goes, developers – not planners – have both the right incentives and local knowledge needed to determine how much off-street parking is necessary. After all, if a developer builds too much parking, they waste money, while if they build too little, they may have trouble selling or leasing out the space. Eliminating minimum parking requirements merely gives developers the flexibility needed to adjust the amount of parking to local conditions, perhaps building more in suburban areas and less in more urban areas.⁸

The HBACA and our members are very appreciative of the City's work on increasing the supply of housing. However, there is still much work that needs to be done. We are looking forward to working with the City on future reforms such as addressing the missing middle (duplexes, triplexes), reducing minimum lot sizes, and reforming design review regulations. In addition, we are looking forward to procedural reforms to expedite the plan review, permitting, and approval processes. After all the value of these text amendments is significantly diminished if our members cannot actually get these additional units constructed in a timely fashion.

Very truly yours,



Jackson Moll
Chief Executive Officer
Home Builders Association of Central Arizona
Registered Lobbyist with the City of Phoenix

Cc: Josh Bednarek, Director City of Phoenix Planning and Development

⁸ *Arbitrary Lines* at 114.

August 3rd, 2023

City of Phoenix Planning Commission,

As community organizations led by and serving Phoenix families and community leaders, we urge the Planning Commission at the City of Phoenix to support text amendments Z-TA-5-23-Y (legalizing casitas) and Z-TA-8-23-Y (right-sizing parking mandates). **These proposals will help make housing more affordable and attainable across our city, increase access to jobs and amenities, and save Phoenixians money when we desperately need it.**

Housing is a basic human need and we believe that any hard-working Phoenixian should be able to find safe, stable housing they can afford. We also recognize that our outdated zoning codes present a huge barrier to affordable and attainable housing. **Our city policymakers have an obligation to act, to ensure no hard-working Phoenixian is priced out of their community.**

The two proposals before the Planning Commission and City Council would provide modest, but important improvements to affordability and livability in Phoenix. They will create a pathway for our city to stay a place Phoenixians can afford to live, work, and raise families, while maintaining the visual character and livability of our neighborhoods.

Legalize casitas to expand affordable housing options

Vote YES on Z-TA-5-23-Y to legalize casitas, vital to any affordable housing strategy.

Casitas are among the most naturally affordable forms of housing.

- A new market-rate casita **rents for 75% less** than a new single-family home.¹
- Multiple studies have found the average casita is **affordable at between 60% and 80% of area median income.**

Casitas provide opportunity to people of all ages.

- Casitas **enable seniors to age in place** by providing ongoing rental income without needing to move off their property.²
- Casitas **enable multigenerational living on a single parcel**, particularly useful for families who want to live in multigenerational arrangements.³

Legalizing casitas is popular. A YouGov poll of Arizona voters in May-June of this year found that **73% of Maricopa County residents support allowing owners of single-family houses to build and rent out casitas on their property, vs. only 18% opposition.**⁴

¹ <https://www.sightline.org/2021/08/01/we-ran-the-rent-numbers-on-portlands-7-newly-legal-home-options/>

² <https://www.aarp.org/home-family/your-home/info-2020/accessory-dwelling-unit.html>

³ <https://accessorydwellings.org/2016/01/22/adu-multigenerational-families/>

⁴ https://drive.google.com/file/d/1BrOgBvXI9v1q7Z_fFm-tC7uE5fV9FuTF/view?usp=sharing

Right-size parking mandates to bring down housing costs

Vote YES on Z-TA-8-23-Y to align mandatory parking ratios with the needs and budgets of everyday, hardworking Phoenixians.

Study after study shows parking mandates make housing more expensive.

- Multiple independent, nonpartisan analyses of parking mandates found that on-site parking adds 15% - 17% to the cost of rent.^{5 6}
- Another study showed that during peak periods 37% of urban residential parking spaces are unoccupied.⁷

Relaxing parking mandates enables more homes to be built more quickly.

- Studies of cities that repealed parking mandates in the last ten years found that 60% to 70% of new homes built there would not have been legal under prior mandates.⁸

Right-sizing parking mandates are popular. The May-June YouGov poll of Arizona voters found that **60% of Maricopa County residents support reducing parking mandates, so long as at least one parking space is provided per home, vs. only 22% opposition.**

Phoenixians support bold action to build more affordable housing

With Phoenix facing a shortage of over 163,000 homes, the working residents of our city are done waiting for action.⁹ The May-June YouGov poll of Arizona voters found that **55% of Maricopa County residents believe “building more affordable housing” is important.**

The time to act is now. Phoenix’s working families need you to vote YES on text amendments Z-TA-5-23-Y and Z-TA-8-23-Y.

Signed,

Urban Phoenix Project
Arizona State Senator Anna Hernandez
Arizona State Representative Analise Ortiz
American Institute of Architects
AIA Phoenix Metro
A Permanent Voice Foundation

⁵ https://www.sightline.org/research_item/who-pays-for-parking/

⁶ <https://www.tandfonline.com/doi/full/10.1080/10511482.2016.1205647>

⁷ <https://www.seattletimes.com/seattle-news/data/seattles-car-population-has-finally-peaked/>

⁸ <https://www.sightline.org/2023/04/13/parking-reform-legalized-most-of-the-new-homes-in-buffalo-and-seattle/>

⁹ <https://www.phoenixnewtimes.com/news/phoenix-draft-homeless-plan-hopes-portal-advocates-community-gallego-11478370>

Carbon Vudu LLC
Carnation Association of Neighbors
CHISPA AZ
Fuerte AZ
Merge Architectural Group
Phoenix Spokes People
RAIL CDC
SoPho Convening
Trees Matter
Unemployed Workers United

Racelle Escolar

From: pearce@carbon-vudu.us
Sent: Thursday, August 3, 2023 8:07 AM
To: PDD Planning Commission
Subject: ADU Support and less parking

Yes I support the ADU program and less parking c.

Pearce | 602.430.3451 ©2023 OWNERSHIP OF SERVICE -- All reports, plans, specifications, computer documents, field data, notes and information prepared by **CARBON VUDU LLC** and their consultants shall remain the property thereto. **CARBON VUDU LLC** shall retain all common law, statutory and other reserved rights, including the copyright thereto.

Racelle Escolar

From: Dudzik Smith, Katherine <Katherine.DudzikSmith@hdrinc.com>
Sent: Thursday, August 3, 2023 8:58 AM
To: PDD Planning Commission
Subject: Support for Z-TA-5-23-Y and Z-TA-8-23-Y

Hello,

I am writing in support of the Zoning text amendments suggested by the City of Phoenix staff to allow ADUs and reduction of parking minimums. Both of these measures will help with the affordable housing crisis that the Phoenix metro area is experiencing and thus help the homelessness situation. Both of these measures help with creating a stronger community by allowing more diverse development. Please adopt these zoning text amendments.

Thank you,
Katherine

Katherine Dudzik Smith, AIA, NOMA, LEED AP, NCARB
Senior Design Architect

HDR
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D 602.474.7812 **M** 480.239.6291
Katherine.DudzikSmith@hdrinc.com

hdrinc.com/follow-us [hdrinc.com]

**COMMENTS BEFORE ALHAMBRA VILLAGE PLANNING COMMITTEE
ON CITY OF PHOENIX TEXT AMENDMENTS PERTAINING TO
REDUCTIONS IN PARKING, ACCESSORY DWELLING UNITS, AND
MOBILE HOME PARKS**

Please include these comments as provided in the minutes for the AVPC.

**(1) Process for Formulating, Reviewing, and Approving the proposed
Text Amendments**

The process for public involvement to comment on these proposed text amendments is unacceptable. There was an effort to include stakeholders in at least one of the amendments (for mobile homes – unknown for the others), but neighbors, neighborhood associations, mobile home residents and related organizations, and affordable housing advocates were not considered to be stakeholders - only those groups who would stand to benefit financially from any changes were included. As far as I can tell, none of these text amendments included any resident input whatsoever in their formulation – despite the fact that residents are the ones who would be most impacted by them.

There has been very little publicity about any of these proposed changes in order to garner public input – nothing on the City of Phoenix website, in the water bill, in Councilmembers' or Mayor's newsletters, nothing in the newspaper or any other publication. The only residents who will even know this is happening are those who monitor VPC agendas (you can probably count all of them on one hand) and those who somehow stumbled into this information because they knew someone who knew someone (which is how I found out). The VPC agendas don't provide any information about the proposed amendments or even much of a description. There are no links or details - so the only way to learn about the amendments is to attend the meeting and wait through a lot of the agenda, and then to attend another meeting when the VPC votes on it.

This "opportunity" for the public to comment may be called public review or public involvement, but it is neither. It is an obligatory gesture towards the persons who would be most impacted by these provisions, not a

meaningful conduit to achieve understanding and obtain thoughtful public comments.

(2) Accessory Dwelling Units:

I believe the intention of this text amendment is to increase the supply of attainable if not affordable housing in single family residential zones. It attempts to achieve this by allowing by right additional construction in single family zones for structures that have a separate entrance, are one-story and fit within the setbacks of the current zoning.

There are many reasons for a homeowner to want an accessory dwelling unit on their property as allowed by this proposed text amendment and the vast majority have nothing to do with creating affordable or attainable housing that would be rented to a stranger. From what I can tell in the text amendment, an accessory dwelling unit could be used as a home office; as a guest house for visitors, for one's family members (parents, in-laws, teens, siblings, grandparents, etc.), etc.; as a short-term rental; for storage; a gardening center; an art studio; an exercise studio; for parties; among others.

It takes a special type of person to be willing to let a stranger live long-term practically on top of them and to be their landlord. I hypothesize that most homeowners aren't that type of person, either because they value their privacy or because they don't want to be a landlord.

However, investors are those types of people. They want to be landlords, they aren't concerned about privacy lost, security issues, noise, traffic, a proliferation of cars on the street, etc. For them it is a business model in which they are remote from the impacts of their revenue generator.

Allowing accessory dwelling units by right will be a shot in the arm for investors who would be allowed to knock down a house and build two houses on the same lot, one a little smaller, and rent them both. Essentially the result would be duplexes that aren't necessarily physically connected. If not duplexes, then flag lots.

Accessory dwelling units also would be appealing to investors who would buy up homes, build an accessory dwelling unit and use both as short-term

rentals. It sounds ideal as a party house set up – great for investors and problematic for neighbors.

This Amendment also (as far as I can tell) doesn't address the potential impact on historic districts. Would a historic home with a modern accessory dwelling unit lose its historic status? Would there be provisions to protect against that?

Finally, ADUs are not a direct solution for the current housing shortage. There is no guarantee that an ADU would be used as long-term housing; if it is, there is no guarantee that it would be affordably priced. Many studio and one-bedroom apartments are expensive—size alone is not an indicator of rent that would be charged.

At a minimum, (1) short term rentals should be regulated so they don't cause problems for the neighbors and this text amendment should not be passed without those regulations in place; (2) historic neighborhoods should be protected from degradation from ADUs; (3) there should be some provisions to deter investors from buying up homes and converting them to rentals (which drives up the cost of all housing); (4) the proposed text amendment needs to be evaluated in terms of its likely impact on the housing supply. If it won't make a meaningful contribution to the housing supply, then it should be reconsidered in that light.

(3) Reduction in Required Parking:

The proposed reduction in affordable and multi-family parking (1.25 parking spaces per unit) would mean fewer parking places per unit are provided than is currently required for any apartment units of any size, including studios (which are 1.3 parking spaces/unit). It is unclear why this is being considered. Is it because existing parking lots and garages for apartments are largely empty? Are there statistics showing that the number of vehicles per apartment unit is declining and that is the justification? It would be useful to see and analyze these statistics.

This proposed reduction would apply to luxury apartments as well as more affordable apartments-- everywhere, not simply near light rail. Does this mean that affluent people have gotten rid of their vehicles to ride buses and

bicycles and walk to their destinations? Given the increasing amount of traffic in Phoenix, I would be surprised if that were the case.

The 1.25 parking spaces/unit is a maximum number of parking spaces under the proposed text amendments. In affordable housing located anywhere, for all multi-family units in infill areas and near light rail, those numbers decline by a minimum of 40% and a maximum of 100% for affordable housing in areas subject to the Walkable Urban Code.

These reductions in parking spaces either assume that everyone is taking alternative transit and walking or that there is sufficient street parking for the vehicles for which there is reduced or no on-site parking provided. These vehicles would be parking on the same residential streets that now also have extra vehicles on them from ADUs, for which no additional parking spaces have been required.

Essentially, this would create the same reality faced by people in major midwestern and eastern metropolises where parking spaces are in short supply. In those cities, finding a parking space is a daily grind, and people have to walk blocks from their vehicle to their home, carrying groceries, pets, children, packages, etc. Key differences between Phoenix and those cities are: (1) Phoenix is a city largely without sidewalks, so there would be more pedestrians walking in residential streets that are narrowed from cars parked on both sides of the street, while facing increased traffic from drivers looking for someplace to park; and (2) Phoenix typically has almost 100 days of triple digit temperatures. Unlike most midwestern and eastern cities, Phoenix does not have mass transit that makes it easy to get around the city and doesn't have the weather, traffic, or infrastructure that makes it safe to bicycle or even walk year around. If I didn't have a car to drive to this meeting from my house at about 3rd Street and Bethany Home Road, it would have taken me 52 minutes – including 24 minutes of walking and 28 minutes on the bus—assuming that the buses were on time. Driving, it took 10 minutes and I daresay I arrived smelling fresher.

Reducing parking for affordable housing to zero ignores the many persons in affordable housing who have disabilities and cannot walk very far. Parking blocks from their apartment is not an option for those with

health or mobility problems, nor is walking several blocks to get on a bus or rapid transit. They need onsite parking.

This proposed reduction of parking spaces would only work if coupled with a plan to help people to travel in Phoenix without cars. This text amendment alone does not achieve this. Otherwise, it appears the only ones who would benefit from this text amendment would be apartment developers and their shareholders who could increase the number their apartment units without having to pay for adequate parking. There is no provision to require them to pass their cost savings on to their tenants in reduced rents or to compensate the neighbors for the traffic and safety problems and inconvenience created by the additional vehicles parked on the street.

Additionally, this text amendment does not address providing charging stations for electric vehicles in multifamily housing. Surely this would be the time and place to address this.

(4) Mobile Homes: I am not clear whether the AVPC is addressing the mobile home text amendments as they aren't on this agenda. I would hope that there would be a presentation on this as the text amendments are complex. Or did I miss the presentation?

Thank you for this opportunity to share our neighborhood association's concerns.

Jackie Rich

President, Murphy Trail Estates Neighborhood Association

June 27, 2023

FROM : Robert Maynard

SUBJECT : Parking space

MESSAGE : I just read where the city council will vote to reduce parking spaces for apartments in various parts of the city. I am very much against this. Parking is an issue around this city all the time. Look around any school and the residential neighborhoods where the neighborhood, is inundated with students, and parents cars. Try finding a parking spot in uptown plaza on the weekends and holidays.
Overall it is a very bad idea. It would have been a good idea if done in the 60s or early 70s but not now.

Thank you for your public service on the council,
Robert Maynard
524 W. Why Worry Lane
Phoenix, 85021

Email : maynard198@cox.net

AREA : 602

PHONE : 9976640

ADDRESS : 524 W. Why Worry Lane

CITY : PHOENIX

STATE : AZ

ZIP : 85021

Submission ID: 53d14aade3b24416acf98b1c660f80cb

Form Submission On : 7/18/2023 12:24:07 PM

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1 August 2023

Chair and Commissioners
Planning Commission
c/o City of Phoenix, Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

RE: TA-5-23 (ADUs); TA-8-23 (Affordable and Multi-Family Housing parking reductions)

Mr. Chairman and Commissioners:

Attached with this letter is a correspondence the Neighborhood Coalition (NCGP) sent to all Village Planning Committees (VPCs) in July regarding the subject text amendments.

NCGP representatives presented on the subject at ten of the 15 VPCs.

Planning and Development submitted to you an addendum to the ADU text amendment. While we appreciate the effort to improve the TA, the changes have yet to be aired so we wish for a more fulsome public discussion before embracing the changes suggested.

We continue to stand by our recommendations—amending the ADU TA to improve the clarity of its impact on historic preservation districts, special planning districts and overlays, and HOAs and CC&Rs. We also think managing short term rentals (STRs) deserves a greater inspection.

We also believe that the proposed parking reductions to affordable and multifamily housing projects warrant substantial amendments to be considered viable on a citywide basis. Indeed, nine of the 15 VPCs voted to deny the reduced parking text amendment as presented to you.

Please consider the recommendations NCGP has offered you for both TAs.

Respectfully,

Neighborhood Coalition of Greater Phoenix members and friends

att.



11 July 2023

Chair and Committee Members
Desert View Village Planning Committee
c/o City of Phoenix, Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

RE: TA-5-23 (ADUs); TA-8-23 (Affordable and Multi-Family Housing parking reductions)

Chair and Committee members:

The Neighborhood Coalition of Greater Phoenix is registered with the Corporation Commission of the State of Arizona and has continuously been a member in good standing since 1984. Our members are from neighborhoods across the City of Phoenix.

Background

We understand that our nation is facing a housing shortage and that Arizona and Phoenix have not been spared from this shortage. NCGP members believe it falls upon all of us to help provide relief and a sustainable path forward.

In that spirit, members of the NCGP working group gathered to review and discuss the proposed subject text amendments the City has anticipated to address our housing shortage.

2023 Arizona Legislative Session

This year's session saw several housing bills make their way through the Legislature without success. Indeed, NCGP, its members and our partners across the Valley and the state were active in seeking 'no' votes from elected representatives. Ultimately, the bills were either voted down decisively, on a bipartisan basis, or they failed to make their way to the floor of either Chamber.¹

¹ Senate bill SB1117 was denied in the Senate on a bipartisan vote, failing 20 to 9 in March. The bill was then broken into 3 separate bills: HB1161, HB1163 and SB2536. On the final day of voting in June, SB2536 was defeated on a bipartisan basis, 19-10. HB1161 and HB1163 failed to get a vote on the House floor, ending the bill sponsor's push for so-called 'zoning reform.'

We provide this information to let VPC members know that all the text amendments coming through committees in the last several months--and now this month—can claim origins from the bills at the state legislature that we are intimately familiar with.

Z-TA-5-23 (Accessory Dwelling Units or ADUs)

Many of us think that ADUs can have a positive impact on the housing supply in our city. Yet, we believe that there are several elements of the proposed TA that require additional scrutiny. These are our comments and suggestions.

I. Historic Preservation and other Special Planning/Overlay Districts:

We have great concern that the TA as presented will create confusion and contention between this ordinance and the ordinances that govern properties of historic significance. Z-TA-5-23-Y must state that for historic properties, Chapter 8 of the Zoning Ordinance takes precedence over the design review standards for ADUs. Specifically, the proposed language states:

"(c) DWELLING UNITS ON LOTS ZONED OR DESIGNATED HP ARE EXEMPT FROM THE PROVISIONS OF SECTION 8.5, SO LONG AS THE PLANS ARE REVIEWED AND APPROVED THROUGH HISTORIC PRESERVATION PRIOR TO ISSUANCE OF ANY BUILDING PERMITS."

The phrase "so long as..." is imprecise and doesn't make it clear that ADUs in historic districts MUST be reviewed by the HP Office. The proposed language is subject to misinterpretation that a project may EITHER be approved by the HP Office OR incorporate the Design Guidelines of Section 8.5 of the TA.

To make it clear that ADUs in historic districts must have HP approval, we suggest the following language:

"Dwelling units within a historic district and/or with HP or HP-L zoning overlay are subject to review by the City of Phoenix Historic Preservation Office pursuant to Article 8 of the Zoning Ordinance. In the event the provisions of Section 8.5 herein, or other ordinance or regulations are inconsistent with Article 8 of the Zoning Ordinance (Historic Preservation), Article 8 shall have precedence."

We also believe the proposed TA Section 702.F.1(b) (Special Parking Standards), likewise does not make it clear that HP approval is REQUIRED for the addition of parking to the front of a historic property (widening of driveways and curb cuts, etc.), and the language should be strengthened. The proposed language states:

"Spaces in excess of those required for single family and duplex residential uses may be located in the required front yard. However, all parking and maneuvering areas within the required front yard shall not exceed forty-five percent (45%) 50% OF THE AREA OF THE REQUIRED FRONT YARD, EXCEPT THAT A DRIVEWAY SHALL NOT BE REQUIRED TO BE LESS THAN 18' IN WIDTH UNLESS OTHERWISE STIPULATED BY HISTORIC PRESERVATION."

We think stronger language is needed to ensure that Historic Preservation regulation takes precedence over the ADU ordinance by deleting, "Unless otherwise stipulated by Historic Preservation", and adding the following sentence:

"Any and all changes to driveways, parking and maneuvering areas within a historic district and/or with HP or HP-L zoning overlay are subject to review by the City of Phoenix Historic Preservation Office pursuant to Article 8 of the Zoning Ordinance. In the event the provisions of Section 702.F.1 herein, or other ordinance or regulations are inconsistent with Article 8 of the Zoning Ordinance (Historic Preservation), Article 8 shall have precedence."

Third, the proposed amendment Section 706.A.3.b (Accessory Dwelling Units (ADU)) is also worded in such a way that makes HP approval seem optional.

The proposed language states:

"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, OR AS MAY BE APPROVED BY HISTORIC PRESERVATION FOR HP ZONED OR DESIGNATED PROPERTIES. (P)"

Instead of using the imprecise phrase, "or as may be approved", the language should be strengthened as follows to make it clear HP approval is REQUIRED for historic properties:

Delete the phrase "or as may be approved by Historic Preservation..." and add the following sentence:

"A detached ADU within a historic district and/or with HP or HP-L zoning overlay is subject to review by the City of Phoenix Historic Preservation Office pursuant to Article 8 of the Zoning Ordinance. In the event the provisions of Chapter 7, Section 706.A.3.b herein, or other ordinance or regulations are inconsistent with Article 8 of the Zoning Ordinance (Historic Preservation), Article 8 shall take precedence."

II. Parking for ADUs

We agree that the amount of the front yard that can be allowed for parking needs to increase from 45% to 50% for parcels that are approved for an Additional Dwelling Unit. We also know, based on experience, that on-street parking will become more frequent.

To ensure that property owners in proximity to a property with an ADU is not inconvenienced or that use of their property is not diminished, on-street parking should be regulated. Please note that homes subject to Historic Preservation, Special Zoning and Overlay Districts are still subject to whatever specific regulation(s) applies to those properties per the first consideration in this position statement.

Combining on-site and on-street parking concerns, the regulation should read:

“A minimum of 1 parking space shall be available either on-site with adherence to Section 720.F.1 as amended to 50% of the front yard, or on-street parking that must only be in front of the subject property unless the property is a corner lot and side-street parking is possible.”

Consideration should also be given to adding language to ensure visibility triangles are maintained.

III. Short Term Rental

We appreciate the addition of the paragraph in the revised TA requiring a Restrictive Covenant but do not feel it is strong enough to meet the City’s goal of increasing affordable housing supply for permanent residents. As currently worded, the Restrictive Covenant will preclude investors who own residential property from applying for an ADU, but it does not prevent an owner-occupied property from renting an ADU on a short-term basis. The consequence will have a negative impact on affordable housing for first time renters (e.g., college-aged adults), and temporary workers (e.g., traveling nurses), among others.

The Restrictive Covenant paragraph should be revised to add the regulation that ADUs, if rented, must be for a term of no less than thirty (30) days. The current City of Flagstaff ordinance states:

(a)The property owner, which includes title holders and contract purchasers, shall occupy either the primary dwelling unit or the ADU as their principal residence, unless the primary dwelling unit and ADU are allowed to be separately leased or rented in accordance with subsection G of this Section.

(b)The primary dwelling unit or the ADU that is not occupied by the property owner that is rented or leased shall be for a period of no less than 30 days.

IV. Homeowners’ Associations/ CCRs

The proposed TA does not address coordination with Homeowners’ Associations or Covenants, Conditions and Restrictions. By law, these contracts must be honored in addition to municipal codes and ordinances. This TA should state that applicants for ADUs must comply with HOA and Covenants, Conditions and Restrictions in addition to the provisions of the ordinance.

Z- TA-8-23 (Affordable and Multi-Family Housing parking reductions)

We understand the desire to relieve what developers perceive as parking ‘constraints.’ We generally believe, however, that a ‘one size fits all’ approach to parking reductions does not reflect a thoughtful approach for a city of 517 square miles.

Any reduction in the current parking space calculations for multi-family housing, in any district and any price category, will put the burden of parking on public streets throughout the city. Therefore, any revisions to the current ordinance need careful consideration.

We believe this TA is being rushed through the approval process without such diligence. With the goal of working together to find suitable solutions, we make observations and propose revisions to the current ordinance as follows:

I. Parking space calculations for multi-family developments should only be based on proximity to currently available transportation options. They should never be based on the rental rates of the units (i.e., luxury, affordable, market rate, low-income/subsidized). It is discriminatory to believe that people who live in lower-priced housing do not have or do not want personal vehicles.

II. Because of the cost of apartment rentals, more units of every size are being shared by two or more people, oftentimes housemates rather than couples. Expecting that no occupant will have a car, even in TODs and WU code areas, is not based on empirical data.

III. Reducing the on-site parking requirements for multi-family housing might be appropriate for residents living in the Downtown Core, Transit Oriented and WU Code districts, yet it is not acceptable to residents living outside of those districts.

Phoenix is the second largest city by area in the United States. Because of the lack of convenient, reliable public transportation in every Phoenix Village outside of downtown and within walking distance of light rail, residents depend on personal vehicles to go to work, to the grocery, and to the entertainment venues clustered in downtown.

Those residents who do not live downtown will also need parking to continue enjoying all that downtown has to offer. If all the street parking is taken by downtown residents, commuting patrons will be deterred from attending events.

IV. Include a requirement that visibility triangles must be maintained.

A. Reducing on-site parking to encourage more density with potentially small front and side setbacks could lead to encroachment on the visibility triangle that is a necessity to ensure safety.

V. City-wide Multi-family Parking Requirement

A. The base parking space requirement should be 1.5 spaces per dwelling unit.

- i. This simplifies the calculation instead of calculation based on size of DU
- ii. Maintains the current requirement as the most frequently built size of unit (1-2 bdrm)
- iii. Averages the current requirements (1.25/efficiency; 1.5/1-2 bdrm; 2/3 bdrm)

iv. It should not be less than the current efficiency DU requirement

VI. Citywide Affordable housing Parking Reduction

- A. Delete this provision because it does not consider proximity to alternative to personal vehicle modes of transportation.

VII. Infill Development District Parking Reduction

- A. Delete the calculations entirely
- B. Use 10% bonus density incentive

VII. Walkable Urban (WU) Code affordable housing parking requirements

- A. Required parking should never be “zero”
- B. Parking for handicapped residents should always be required and maintained
- C. It should not be expected that residents living in affordable housing in the areas of the WU Code will not have personal vehicles
- D. It should not be expected that residents living in affordable housing in the areas of the WU Code will never have a guest with a personal vehicle

IX. Passenger Loading Zones within WU Code

- A. Also require parking of service vehicles (e.g., repair technicians) that require more time than the other stated examples
- B. Also require parking for renter move-in/move-out vehicles that require more time than the other stated examples

Process: Lack of neighborhood outreach

In a June 1, 2023, staff report to the City of Phoenix Planning Commission, PDD staff wrote:

Staff obtained input from various stakeholders and held four meetings to review and request additional input on the proposed text amendment. Stakeholders included individuals from the following organizations:

- *Manufactured Housing Communities of Arizona (MHCA)*
- *Manufactured Housing Industry of Arizona (MHIA)*
- *Arizona Department of Housing Board of Manufactured Housing Member*
- *Affordable Housing/Private Developers*
- *Arizona State University, Real Estate Development*

While we understand that staff feels the need to reach out to industry representatives to understand their position, so, too does staff need to reach out to citizens and neighborhoods to understand the issues of the vast swaths of residents who will be impacted by these proposed sweeping changes to our housing stock.

Does the City of Phoenix think that simply vetting these proposals—changes that can have a vast impact on the existing population—should only be presented to VPCs?

Clearly, some VPCs took issue with the speed and confusion of the proposals of the initial two text amendments when they were presented. It appears six of 15 VPCs did not meet quorum on the first go-around; yet another VPC did not meet quorum last night.

We ask: How can vast changes to the entire city be vetted by, perhaps, 150 people or less?

Next steps: Approve our recommended amendments

We have pored over these proposals to identify the gaps and looked ahead to stave off unintended consequences. We've shared those with you here. Simply approving what's been presented in your packet would be to ignore the serious concerns we've presented without rectifying those issues.

The Neighborhood Coalition looks to make these TAs the strongest and most applicable they can be. We would be disappointed if members simply approved the proposals "as is" because we don't want to see this opportunity squandered for the sake of speed, with all of us missing out on something that can truly help our city now and in the future.

Respectfully,

Neighborhood Coalition of Greater Phoenix (NCGP)

Neal Haddad, President, NCGP; Arcadia Osborn Neighborhood Association

B. Paul Barnes, Vice President, NCGP; AZ APA Distinguished Citizen Planner; former CEVPC chair

Mary Crozier, President, North Central Phoenix Homeowners Association

Sandy Grunow, Co-Chair, Mid-Century Modern Neighborhood Association

Dave Jackson, President, Rancho Ventura Neighborhood Association

Jack Leonard, architect, AIA, NCARB, LEED AP; 2015 General Plan update committee;

former Camelback East and Encanto Village Planning Committees

Michael Phillips, President, Arcadia Camelback Neighborhood Association

Jackie Rich, President, Murphy Trail Estates Neighborhood Association

Larry Whitesell, Co-Chair, The Peak Neighborhood Association

Racelle Escolar

From: jvrich@gmail.com
Sent: Tuesday, August 1, 2023 5:46 PM
To: PDD Planning Commission
Subject: Comments on Agenda Items 16 and 7 (Z-TA-5-23-Y and Z-TA-8-23-Y)

Dear Planning Commissioners,

I am writing this email to urge you to take your time in considering the proposed complex text amendments pertaining to Accessory Dwelling Units and Reduced Parking Requirements. Do not rush into a decision before you are comfortable that what you are acting on will not come back and bite you and the city of Phoenix at a later date.

These two text amendments will have a big impact on Phoenix and Phoenicians. They sprung from the Planning Department, were sent to the Village Planning Committees for their recommendations (all of whom are Council appointees), now you, also Council appointees, are considering them, and then finally, the Council will act on them. The public's opportunity to provide input was neither publicized or solicited. No neighborhood stakeholders were included in their development. While there were articles in the AZ Republic about the Accessory Dwelling Unit amendment as early as July 3, the first article on the parking reduction text amendment was on July 19, when all but 3 VPCs had already met and made recommendations. It is also worth mentioning that the agendas for the VPCs did not identify Z-TA-8-23-Y as reducing required parking although they identified the other amendment as allowing ADUs. Instead the agenda listed all the sections that needed to be changed so that someone looking at it would have no idea what that text amendment was actually about.

The only members of the public who have participated in the VPC meetings are people who serve on a different VPC, work for an industry that would benefit from these amendments, or neighbors and neighborhood groups who accidentally found out about the amendments. I have been to five VPC meetings, each of which lasted for as long as 3.5 hours, just to be able to speak for 2 minutes max on each text amendment. (Note, some VPCs allowed more time for members of the public to speak - just not the ones I attended.) At the meetings I attended, I was not allowed to ask questions. Following public comments, staff often offered a rebuttal to what members of the public said, and after that the public was ignored - no opportunity for any of us to answer questions that came up or to respond to incorrect information. It was frustrating.

I have other concerns about the VPC meetings. The packets that were sent to the VPC members online were well in excess of 200 pages. Some packets weren't sent out until after 3:30 pm the day of the meeting; some VPC members never received a packet; other VPC members received packets but didn't read them (perhaps because of lack of time or because of the length). There was a questionable email conversation about the text amendments that all VPC members were part of and which was potentially in violation of the Open Meeting Law that was referred to at a VPC meeting by several VPC members. Several of the VPCs did not have a quorum in June and so learned about the text amendments for the first time in July when they were expected to vote on them.

Some of the Planning Commission members are essentially in the same position as those VPC members who had the least amount of time to learn about the text amendments. They are hearing staff's presentation about these complex text amendments on the same night they are expected to vote on them. Your consideration of the text amendments will be late in the night after considering 13 other cases. How many hundreds of pages were in your packet? The text amendments alone are a lot of information to digest in an evening.

These text amendments are too important and consequential to be rushed through and there is no compelling reason to do so. I urge you to take your time and give these text amendments the time and attention that they deserve.

Thank you,

Jackie Rich
Murphy Trail Estates Neighborhood Association

Racelle Escolar

From: jvrich@gmail.com
Sent: Tuesday, August 1, 2023 5:55 PM
To: PDD Planning Commission
Subject: Comments on Agenda item 17: Z-TA-8-23-Y

Dear Planning Commissioners,
I am writing with regards to Z-TA-8-23-Y concerning reductions in parking requirements for multifamily housing.

First of all, I find it surprising that in Z-TA-5-23-Y, which would allow Accessory Dwelling Units, one covered parking space per dwelling unit is required, while for multi-family housing according to this text amendment, it is acceptable to have .5 parking spaces per unit or even zero.

The proposed reductions in required parking spaces may work in some parts of town where light rail is nearby, where stores and services are nearby, and in seasons when the temperatures are moderate. However, it is difficult to imagine that residents living in parts of the city like Laveen, Desert View, Estrella Mountain, Ahwahtukee, in neighborhoods that are miles from light rail or convenient, reliable bus service will benefit from the proposed reduced parking requirements. Taking away required parking will not reduce vehicle ownership. It will mean that apartment residents must park in the streets and walk to and from their cars. On street parking is less convenient, less safe, less secure than parking in an apartment complex.

It is also difficult to imagine that living within a quarter mile of the light rail would allow people who live in affordable housing to go entirely without cars and justify zero required parking. A quarter mile is a long way to walk in extreme heat even for young people in good health. It would be more arduous for everyone else, particularly people who are disabled with mobility problems. There is a reason that ADA parking spaces are the ones that are closest to entrances to stores and offices - persons with mobility issues can't move very far - certainly not a quarter of a mile to get on light rail.

In addition, there are very few grocery and other retail stores, doctors' offices, and other services that are located along the light rail. Relying on Light Rail also can limit where one can work, as some jobs require the mobile flexibility that, at this time, only a car can provide.

It has been argued by affordable housing providers that people living in affordable housing don't have cars and their parking lots are half empty. That isn't true, which you can check out by looking at street view on Google maps. It has been argued that developers will provide more parking than the requirement if that is in the best interest of their prospective tenants. My experience as a neighbor engaged in land use decisions for more than 20 years, is 9 out of 10 developers will meet the minimum requirements and not go beyond them in order to maximize their profits. Only the rare developer cares about creating a quality development that benefits the tenants and the neighborhood.

Thanks to the recently adopted Prop 400 that will be going on the ballot in November, there is no funding allocated to expanding the light rail system. So in our best case scenario and Proposition 400 is passed, the light rail will not, in the foreseeable future, serve the communities on the edge of Phoenix. If this is all the light rail there will be, do the proposed reductions in parking requirements in this text amendment still make sense?

Thank you,

Jackie Rich
Murphy Trail Estates Neighborhood Association



*****REQUEST TO CONTINUE (SEE ATTACHED MEMO)*** Public Hearing - Amend Phoenix City Code - Ordinance Adoption - Chapter 10, Article XVI - Short-Term Vacation Rental (Ordinance G-7156)**

Request to hold a public hearing on a proposed amendment to the City Code sections 10-193 through 10-197 and adding sections 10-198 through 206 to Chapter 10, Article XVI related to Short-Term Vacation Rentals to incorporate Arizona Revised Statute (A.R.S.) 9-500.39 requirements for obtaining a Short-Term Rental (STR) Permit.

Summary

In 2016, the Arizona Legislature removed the ability of local jurisdictions to regulate short-term rental units and required that the use be treated the same as any long-term residential use of a property. Due to significant negative impacts based upon the experience of residents living around these short-term rental uses, the Arizona Legislature enacted A.R.S. 9-500.39 authorizing municipalities to create provisions for registrations of short-term vacation rentals. The City of Phoenix adopted Short-Term Vacation Rental Ordinance (G-6653) to implement the requirement for STR owners, or designees, to register each STR rental property with the City of Phoenix, so that responsible party contact information was available if there were problems resulting from a particular short-term rental unit.

In 2022, the Arizona Legislature approved Senate Bill 1168 (SB1168) amending A.R.S. 9-500.39, which authorized cities and towns to create a very limited permit/license process to help gather better data regarding short-term rentals with minimal modifications to the ability to regulate these types of uses. The proposed amendment establishes a STR permit application process and owners/designees are required to comply with the new application process. Under the new enhanced penalty structure, any owner who operates a STR without a permit is subject to a civil sanction of up to \$1,000 per month. As part of SB1168, STR owners/designees must also meet specific operating requirements outlined in the proposed ordinance (**Attachment A**) prior to the issuance of a permit/license as a condition for operating a short-term rental property. SB1168 limits the permit fees that can be charged to cover staff administrative costs to review permits, administer the program and for enforcement. It also requires that the City approve or deny a permit (based on state established criteria) within seven (7) days or the permit is deemed approved.

Summary of Short-term Rental Requirements

Owner/Designees of short-term rentals must meet to the following requirements:

- Apply for a STR permit/license.
- Meet all permit/license operating requirements.
- Register for a Transaction Privilege License and register with Maricopa County Assessor's Office for taxing purposes.
- Provide the name, address, telephone number and email address of the owner, emergency contact and designee (if applicable).
- Provide notice to neighbors of intent to operate a STR.
- Maintain \$500,000 liability insurance.
- Conduct background checks on renters.
- Owner's/Operator's may appeal a denial, non-renewal or suspension of a permit/license.

City is subject to the following:

- Permit/license must be approved or denied within seven days.
- Charge a permit/license fee and renewal fee up to \$250.
- Impose civil penalties.
- May suspend a permit/license if an owner is found guilty of three minor violations or one significant violation within one year related to the operation of the STR.

Staff recommends approval of the proposed amendment to the City Code sections 10-193 through 10-197 and adding sections 10-198 through 206 to Chapter 10, Article XVI related to Short-Term Vacation Rentals to incorporate Arizona Revised Statute (A.R.S.) 9-500.39 requirements for obtaining a STR Permit.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Planning Subcommittee heard this item on June 21, 2023, and recommended approval by a vote of 4-0.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.




City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: August 24, 2023

From: Joshua Bednarek 
Planning and Development Director

Subject: CONTINUANCE OF ITEM 71 ON THE SEPTEMBER 6, 2023, FORMAL AGENDA – PUBLIC HEARING/FORMAL ACTION - AMEND PHOENIX CITY CODE - ORDINANCE ADOPTION - CHAPTER 10, ARTICLE XVI - SHORT-TERM VACATION RENTAL (ORDINANCE G-7156)

Item 71, Amend Phoenix City Code - Ordinance Adoption - Chapter 10, Article XVI - Short-Term Vacation Rental is a proposed amendment to the City Code sections 10-193 through 10-197 and adding sections 10-198 through 206 to Chapter 10, Article XVI related to Short-Term Vacation Rentals to incorporate Arizona Revised Statute (A.R.S.) 9-500.39 requirements for obtaining a Short-Term Rental (STR) Permit.

Staff requests the item be continued to the September 20, 2023, City Council Formal Meeting to allow additional time for interdepartmental coordination.

Approved:


Alan Stephenson, Deputy City Manager

ATTACHMENT A

Sec. 10-193. Definition

In this article, unless the context otherwise requires:

- A. DIRECTOR MEANS THE PLANNING AND DEVELOPMENT DIRECTOR OR HIS OR HER DESIGNEE.
- B. EVENT CENTER MEANS A RESIDENTIAL PROPERTY IN WHICH:
 - 1. A GUEST WHO DOES NOT INTEND TO STAY AT THE PROPERTY OVERNIGHT IS REQUIRED TO PAY RENT, ADMISSION, COVER CHARGE, DONATION, OR OTHER SIMILAR FEE TO ACCESS ANY PORTION OF THE RESIDENTIAL PROPERTY; OR
 - 2. THE SALE OF ALCOHOL OR OTHER PRODUCTS OR SERVICES OCCURS ON THE RESIDENTIAL PROPERTY; OR
 - 3. BEING USED AS ASSEMBLY, GENERAL, ASSEMBLY HALL, PUBLIC ASSEMBLY-ACTIVE RECREATIONAL, PUBLIC ASSEMBLY-ENTERTAINMENT, PUBLIC ASSEMBLY-GENERAL, PUBLIC ASSEMBLY-RESIDENTIAL, OR PUBLIC ASSEMBLY-SPECTATOR AS DEFINED IN SECTION 202 OF THE ZONING ORDINANCE.
- C. HEARING OFFICER MEANS THE SHORT-TERM RENTAL APPEAL HEARING OFFICER DESIGNATED BY THE DIRECTOR TO HEAR APPEALS OF DENIAL OR SUSPENSION OF A SHORT-TERM RENTAL APPLICATION OR PERMIT.
- D. *NEIGHBORING PROPERTY* MEANS A SINGLE-FAMILY RESIDENTIAL PROPERTY ADJACENT TO, DIRECTLY AND DIAGONALLY ACROSS THE STREET FROM THE SHORT-TERM RENTAL. FOR A MULTI-FAMILY RESIDENTIAL BUILDING, ALL RESIDENTIAL UNITS ON THE SAME FLOOR AS THE SHORT-TERM RENTAL.
- E. *NONRESIDENTIAL USE* MEANS USE THAT IS PROHIBITED IN A RESIDENTIALLY ZONED DISTRICT.
- F. *Online lodging marketplace* means “online lodging marketplace” as defined in A.R.S. § 42-5076.
- G. *Online lodging operator* means “online lodging operator” as defined in Section 42-5076, Arizona Revised Statutes.
- H. *OWNER MEANS ANY PERSON WHO, ALONE OR WITH OTHERS, HAS TITLE, LEASE, OR INTEREST IN A PROPERTY, DWELLING UNIT, OR PORTION THEREOF, WITH OR WITHOUT ACCOMPANYING ACTUAL POSSESSION THEREOF, AND INCLUDES ANY PERSON WHO AS AGENT, EXECUTOR, ADMINISTRATOR, TRUSTEE, OR GUARDIAN HAS CHARGE, CARE, OR CONTROL OF THE PROPERTY, DWELLING UNIT, OR PORTION THEREOF.*
- I. *Short-term rental* means ~~“vacation rental” as defined in Section 9-500.39, Arizona Revised Statutes.~~ ANY INDIVIDUALLY OR COLLECTIVELY OWNED SINGLE-FAMILY OR ONE-TO-FOUR-FAMILY HOUSE OR DWELLING UNIT, OR ANY UNIT OR GROUP OF UNITS IN A CONDOMINIUM OR COOPERATIVE, THAT IS ALSO A TRANSIENT PUBLIC LODGING ESTABLISHMENT OR OWNER-OCCUPIED RESIDENTIAL HOME OFFERED FOR TRANSIENT USE. “SHORT-TERM RENTAL” DOES NOT INCLUDE:

(I) PROPERTY THAT IS CLASSIFIED FOR PROPERTY TAXATION UNDER A.R.S. § 42-12001;
OR

(II) ANY UNIT THAT IS USED FOR ANY NONRESIDENTIAL USE, INCLUDING A SPECIAL EVENT THAT WOULD OTHERWISE REQUIRE A PERMIT, RETAIL, RESTAURANT, BANQUET SPACE, OR OTHER SIMILAR USE.

J. *SPECIAL EVENT* MEANS A RETAIL, RESTAURANT, BANQUET SPACE, OR USE THAT IS EITHER PROHIBITED IN A RESIDENTIAL ZONING DISTRICT OR A USE THAT REQUIRES A LICENSE OR PERMIT FROM THE STATE, THE COUNTY, OR THE CITY OF PHOENIX.

K. *Vacation rental* means short-term rental.

L. *SHORT-TERM RENTAL PERMIT* MEANS A PERMIT ISSUED TO A PROPERTY OWNER WHO INTENDS TO OFFER TO RENT THE PROPERTY AS A SHORT-TERM RENTAL.

M. *Verified violation* means a finally adjudicated finding of guilt or civil responsibility for violating any ~~State law or local ordinance~~ APPLICABLE LAW OR ORDINANCE relating to THE use of the property for short-term rental purposes.

Sec. 10-194. PLANNING AND DEVELOPMENT DIRECTOR – DUTIES

UNLESS OTHERWISE PROVIDED, IT SHALL BE THE DUTY AND RESPONSIBILITY OF THE DIRECTOR TO ADMINISTER THE SHORT-TERM RENTAL PERMITTING PROGRAM; AND PURSUANT TO THIS DUTY THE DIRECTOR SHALL:

1. ISSUE, RENEW, DENY, OR SUSPEND SHORT-TERM RENTAL PERMIT AS REQUIRED BY THIS ARTICLE.
2. DESIGNATE A HEARING OFFICER TO HEAR APPEALS OF THE DECISION TO DENY OR SUSPEND THE SHORT-TERM RENTAL PERMIT.
3. COORDINATE WITH OTHER DEPARTMENTS TO SUPPORT THE IMPLEMENTATION OF THIS CHAPTER.

Sec. 10-195. SHORT-TERM RENTAL; PERMITS FOR VACATIONS RENTALS REQUIRED

- A. IT IS UNLAWFUL FOR ANY OWNER TO RENT, OR OFFER TO RENT, A SHORT-TERM RENTAL WITHOUT FIRST OBTAINING AND MAINTAINING IN EFFECT A CURRENT, UNREVOKED, AND UNSUSPENDED SHORT-TERM RENTAL PERMIT.
- B. IT IS UNLAWFUL FOR ANY PERSON TO KNOWINGLY OCCUPY A SHORT-TERM RENTAL THAT DOES NOT HAVE A CURRENT AND UNSUSPENDED SHORT-TERM RENTAL PERMIT.

Sec. 10-196. NEW SHORT-TERM RENTAL PERMIT; PERMIT RENEWAL; FEES

- A. ANY PERSON DESIRING TO OBTAIN A SHORT-TERM RENTAL PERMIT SHALL SUBMIT AN APPLICATION TO THE PLANNING AND DEVELOPMENT DEPARTMENT ON THE FORM PROVIDED BY THE PLANNING AND DEVELOPMENT DEPARTMENT FOR THAT PURPOSE.
- B. THE APPLICATION SHALL BE ACCOMPANIED BY A NON-REFUNDABLE FEE OF \$250.

- C. A PERMIT ISSUED PURSUANT TO THIS ARTICLE SHALL EXPIRE ONE YEAR FROM THE DATE OF THE SHORT-TERM RENTAL PERMIT ISSUANCE.
- D. THE SHORT-TERM RENTAL OWNER/DESIGNEE MUST SUBMIT AN APPLICATION TO RENEW THE SHORT-TERM RENTAL PERMIT A MINIMUM OF 15 WORKING DAYS BEFORE THE PERMIT EXPIRES AND PAY THE PLANNING AND DEVELOPMENT DEPARTMENT A RENEWAL FEE NOT TO EXCEED \$250. IF A PERMIT RENEWAL APPLICATION IS SUBMITTED 15 WORKING DAYS AFTER THE EXPIRATION DATE, A NEW SHORT-TERM RENTAL PERMIT MUST BE FILED UNDER SECTION 10-197.

Sec. 10-197. SHORT-TERM RENTAL PERMIT APPLICATIONS; CONTENT

- A. EACH APPLICANT FOR A SHORT-TERM RENTAL PERMIT SHALL SUBMIT, AS APPLICABLE, THE FOLLOWING:
 - 1. THE PHYSICAL ADDRESS OF THE RESIDENTIAL PROPERTY PROPOSED TO BE USED AS A SHORT-TERM RENTAL.
 - 2. THE NAME, ADDRESS, TELEPHONE NUMBER, AND EMAIL ADDRESS OF THE OWNER FOR WHICH THE SHORT-TERM RENTAL REGISTRATION CERTIFICATE IS TO BE ISSUED.
 - 3. THE NAME, ADDRESS, TELEPHONE NUMBER, AND EMAIL ADDRESS OF THE OWNER'S DESIGNEE.
 - 4. THE NAME, ADDRESS, 24-HOUR TELEPHONE NUMBER, AND EMAIL ADDRESS OF THE INDIVIDUAL WHO WILL SERVE AS THE EMERGENCY POINT OF CONTACT.
 - 5. PROOF OF VALID TRANSACTION PRIVILEGE TAX LICENSE.
 - 6. EVIDENCE OF LIABILITY INSURANCE APPROPRIATE TO COVER THE SHORT-TERM RENTAL IN THE AGGREGATE OF AT LEAST \$500,000 OR EVIDENCE THAT EACH SHORT-TERM RENTAL TRANSACTION WILL BE PROVIDED THROUGH A PLATFORM THAT PROVIDES EQUAL OR GREATER PRIMARY LIABILITY INSURANCE COVERAGE FOR THE SHORT-TERM RENTAL.
 - 7. EVIDENCE OF THE SHORT-TERM RENTAL IS REGISTERED WITH MARICOPA COUNTY ASSESSOR'S OFFICE IN ACCORDANCE WITH A.R.S. § 33-1902.
 - 8. A SIGNED AGREEMENT TO COMPLY WITH ALL APPLICABLE LAWS, REGULATIONS, AND ORDINANCES.
 - 9. IF THE APPLICANT IS AN INDIVIDUAL, PROOF OF LAWFUL PRESENCE IN THE UNITED STATES.
 - 10. ANY OTHER INFORMATION AS THE PLANNING AND DEVELOPMENT DEPARTMENT MAY REQUIRE TO VERIFY INFORMATION PROVIDED BY THE APPLICANT.
- B. AN APPLICATION MUST BE FILED FOR EACH DWELLING UNIT WITHIN A PROPERTY WITH RESIDENTIAL USE.

- C. THE DIRECTOR MUST EITHER APPROVE OR DENY THE SHORT-TERM RENTAL APPLICATION OR RENEWAL WITHIN 7 DAYS OF RECEIVING THE APPLICATION. THE APPLICATION IS DEEMED DENIED IF THE APPLICATION IS NOT APPROVED WITHIN 7 DAYS AFTER THE PLANNING AND DEVELOPMENT DEPARTMENT RECEIVES THE APPLICATION.

Sec. 10-198. EMERGENCY CONTACT; RESPONSE TIME; UPDATE REQUIRED

- A. IF REQUIRED BY A POLICE OFFICER, FIREFIGHTER, OR CODE ENFORCEMENT OFFICER, THE PERSON LISTED AS THE EMERGENCY CONTACT MUST BE ON THE SHORT-TERM RENTAL PREMISES, OR BE AVAILABLE BY PHONE OR TEXT, WITHIN 30 MINUTES AFTER RECEIVING THE REQUEST. FAILURE OF THE PERSON LISTED AS THE EMERGENCY CONTACT TO BE ON THE SHORT-TERM RENTAL PREMISES, OR BE AVAILABLE ON THE PHONE OR BY TEXT, WITHIN 30 MINUTES AFTER RECEIVING THE REQUEST BY THE POLICE OFFICER, FIREFIGHTER, OR CODE ENFORCEMENT OFFICER, IS A VIOLATION OF THIS ARTICLE.
- B. IF THERE IS A CHANGE TO THE EMERGENCY CONTACT SHOWN ON THE PERMIT APPLICATION, THE OWNER OF A SHORT-TERM RENTAL MUST IMMEDIATELY UPDATE THE CONTACT INFORMATION TO THE PLANNING AND DEVELOPMENT DEPARTMENT.

Sec. 10-199. ADJACENT PROPERTIES NOTIFICATION REQUIRED

- A. THE OWNER OR OWNER'S DESIGNEE MUST SEND, BY CERTIFIED MAIL, A NOTICE OF INTENT TO OPERATE A SHORT-TERM RENTAL TO ALL NEIGHBORING PROPERTIES.
- B. THE NOTICE OF INTENT TO OPERATE A SHORT-TERM RENTAL MUST BE SUBSTANTIALLY SIMILAR TO THE FOLLOWING:

DEAR [NAME],

THIS LETTER IS TO INFORM YOU THE PROPERTY OWNER AT [ADDRESS] PLANS TO MAKE THE PROPERTY AVAILABLE FOR SHORT-TERM RENTAL USE. THE PERMIT NUMBER FOR THE SHORT-TERM RENTAL IS [XXXXXXXX]. THE 24-HOUR EMERGENCY POINT OF CONTACT FOR THIS PROPERTY IS [NAME]. HE/SHE CAN BE REACHED AT [PHONE NUMBER] AND [EMAIL] IF YOU HAVE ANY QUESTIONS OR CONCERNS, PLEASE CONTACT [NAME OF THE PROPERTY OWNER OR AGENT] AT [PHONE NUMBER/EMAIL]

[OWNER'S NAME]

- C. BEFORE OFFERING A SHORT-TERM RENTAL, THE OWNER OR OWNER'S DESIGNEE MUST SUBMIT TO THE PLANNING AND DEVELOPMENT DEPARTMENT AN ATTESTATION OF COMPLIANCE WITH THE NOTIFICATION REQUIREMENT AND THE FOLLOWING:
 - 1. MAILING RECEIPTS SHOWING THE REQUIRED NOTICES OF INTENT TO OPERATE A SHORT-TERM RENTAL WERE DELIVERED OR ATTEMPTS TO DELIVER WERE MADE.
 - 2. A COPY OF THE NOTICE OF INTENT TO OPERATE A SHORT-TERM RENTAL.
 - 3. THE NAME AND CONTACT INFORMATION OF THE PERSON ATTESTING TO COMPLIANCE WITH THE NOTIFICATION REQUIREMENT.

- D. THE OWNER OF THE SHORT-TERM RENTAL MUST PROVIDE TO THE PLANNING AND DEVELOPMENT DEPARTMENT A REVISED NOTICE OF INTENT TO OPERATE A SHORT-TERM RENTAL IF THERE IS A CHANGE TO THE OWNERSHIP OR EMERGENCY POINT OF CONTACT INFORMATION FOR THE SHORT-TERM RENTAL. THE REVISED NOTICE OF INTENT MUST BE SENT PURSUANT TO REQUIREMENTS IN SUBSECTIONS (A) AND (B) OF THIS SECTION.

Sec. 10-200. CRIMINAL BACKGROUND VERIFICATION

OFFERING A SHORT-TERM RENTAL, THE OWNER OR OWNER'S DESIGNEE MUST SUBMIT TO THE PLANNING AND DEVELOPMENT DEPARTMENT A VERIFICATION THAT BOTH THE OWNER AND OWNER'S DESIGNEE ARE NOT REGISTERED SEX OFFENDERS, HAVE NOT BEEN CONVICTED OF ANY FELONY ACT THAT RESULTED IN DEATH OR SERIOUS PHYSICAL INJURY, OR ANY FELONY USE OF A DEADLY WEAPON DURING THE 5 YEARS BEFORE THE PERMIT APPLICATION DATE.

Sec. 10-201. DISPLAY OF PERMIT AND PERMIT NUMBER

- A. THE OWNER OR OWNER'S DESIGNEE OF A SHORT-TERM RENTAL MUST DISPLAY THE LOCAL REGULATORY PERMIT NUMBER ON EACH ADVERTISEMENT FOR A SHORT-TERM RENTAL THAT THE OWNER OR OWNER'S DESIGNEE MAINTAINS.
- B. A COPY OF THE PERMIT MUST BE DISPLAYED WITHIN 10 FEET OF THE PRIMARY ENTRANCE INSIDE OF THE SHORT-TERM RENTAL.

Sec. 10-202. SUSPENSION OF PERMIT; GROUNDS; NOTIFICATION

- A. THE DIRECTOR MAY SUSPEND A PERMIT FOR UP TO 12 MONTHS FOR ANY OF THE FOLLOWING:
1. THREE VERIFIED VIOLATIONS WITHIN TWELVE MONTHS, EXCLUDING ANY VERIFIED VIOLATIONS BASED SOLELY ON AN AESTHETIC, SOLID WASTE DISPOSAL, OR VEHICLE PARKING VIOLATION THAT IS NOT A SERIOUS THREAT TO PUBLIC HEALTH AND SAFETY.
 2. ONE VERIFIED VIOLATION THAT RESULTS IN OR CONSTITUTES ANY OF THE FOLLOWING:
 - a. A FELONY OFFENSE COMMITTED AT OR IN THE VICINITY OF A SHORT-TERM RENTAL BY THE SHORT-TERM RENTAL OWNER OR OWNER'S DESIGNEE.
 - b. A SERIOUS PHYSICAL INJURY OR WRONGFUL DEATH AT OR RELATED TO A SHORT-TERM RENTAL RESULTING FROM THE KNOWING, INTENTIONAL, OR RECKLESS CONDUCT OF THE SHORT-TERM RENTAL OWNER OR OWNER'S DESIGNEE.
 - c. AN OWNER OR OWNER'S DESIGNEE KNOWINGLY OR INTENTIONALLY HOUSING A SEX OFFENDER, ALLOWING OFFENSES RELATED TO ADULT-ORIENTED BUSINESSES, SEXUAL OFFENSES OR PROSTITUTION, OR OPERATING OR MAINTAINING A SOBER LIVING HOME.
 - d. ANY ATTEMPTED OR COMPLETED FELONY ACT, ARISING FROM THE OCCUPANCY OR USE OF A SHORT-TERM RENTAL, THAT RESULTS IN A DEATH, OR ACTUAL OR ATTEMPTED SERIOUS PHYSICAL INJURY.
 - e. AN OWNER OR OWNER'S DESIGNEE KNOWINGLY OR INTENTIONALLY ALLOWS THE USE OF A SHORT-TERM RENTAL FOR A SPECIAL EVENT.

Sec. 10-203. APPEAL

- A. THE DIRECTOR MUST PERSONALLY SERVE OR MAIL BY CERTIFIED MAIL THE DECISION TO DENY OR SUSPEND A PERMIT OR PERMIT APPLICATION TO THE OWNER, OWNER'S DESIGNEE, IF ANY, AND EMERGENCY CONTACT PERSON AS SHOWN ON THE PERMIT APPLICATION.
- B. AN APPLICANT OR OWNER OF A PERMIT MAY APPEAL THE DENIAL OR SUSPENSION OF A PERMIT TO THE HEARING OFFICER WITHIN 15 DAYS OF RECEIVING THE DECISION TO DENY OR SUSPEND A PERMIT OR PERMIT APPLICATION.
- C. THE HEARING OFFICER WILL SCHEDULE A HEARING WITHIN 30 DAYS AFTER RECEIVING THE APPEAL FILED UNDER SUBSECTION B. THE HEARING OFFICER MAY REVIEW RELEVANT WRITTEN EVIDENCE AND TESTIMONY FROM THE APPELLANT, THE CITY, AND THE PUBLIC. THE HEARING OFFICER WILL RENDER A DECISION WITHIN 30 DAYS AFTER THE HEARING.
- D. THE HEARING OFFICER'S DECISION UNDER THIS SECTION IS FINAL. THE APPELLANT MAY AT ANY TIME WITHIN 30 DAYS AFTER THE HEARING OFFICER HAS RENDERED HIS OR HER DECISION, FILE A SPECIAL ACTION IN SUPERIOR COURT TO REVIEW THE HEARING OFFICER'S DECISION.
- E. AN APPEAL DOES NOT OPERATE AS A STAY OR SUSPENSION OF A PERMIT.

Sec. 10-204. SHORT-TERM RENTAL; PROHIBITED USES

- A. RENTING, OR OFFERING FOR RENT, A SHORT-TERM RENTAL FOR THE FOLLOWING USES IS PROHIBITED:
 - 1. A NON-RESIDENTIAL USE;
 - 2. HOLDING SPECIAL EVENT THAT REQUIRES A PERMIT OR LICENSE PURSUANT TO A CITY OR TOWN ORDINANCE OR STATE LAW OR RULE;
 - 3. OPERATING A RETAIL BUSINESS, RESTAURANT, BANQUET HALL, OR SIMILAR USE;
 - 4. HOUSING SEX OFFENDERS, OR ALLOWING SEX OFFENDERS TO OCCUPY THE SHORT-TERM RENTAL;
 - 5. OPERATING OR MAINTAINING A SOBER LIVING HOME;
 - 6. SELLING LIQUOR, ILLEGAL DRUGS, OR PORNOGRAPHY;
 - 7. OPERATING A NUDE OR TOPLESS DANCING;
 - 8. OBSCENITY;
 - 9. ADULT-ORIENTED BUSINESS;
 - 10. AN EVENT CENTER;
 - 11. IN AN ACCESSORY DWELLING UNIT; OR
 - 12. ANY OTHER USE PROHIBITED BY A.R.S. § 9-500.39
- B. RENTING OR OFFERING TO RENT A SHORT-TERM RENTAL WITHOUT A VALID SHORT-TERM RENTAL PERMIT AND A VALID TRANSACTION PRIVILEGE TAX LICENSE ISSUED BY THE STATE OF ARIZONA IS PROHIBITED.
- C. RENTING A SHORT-TERM RENTAL TO A SEX OFFENDER IS PROHIBITED.

- D. RENTING A SHORT-TERM RENTAL WITHOUT CONDUCTING A SEX OFFENDER BACKGROUND CHECK ON EACH GUEST IS PROHIBITED. THE OWNER MUST MAINTAIN THE EVIDENCE OF COMPLIANCE FOR THE PRECEDING 12 MONTHS AND MAKE IT AVAILABLE FOR INSPECTION BY A CODE ENFORCEMENT OFFICER.

Sec. 10-205. STANDARDS AND OPERATING REQUIREMENTS

- A. TO ENSURE THE HEALTH AND SAFETY OF THE SHORT-TERM RENTAL OCCUPANTS AND THE PUBLIC, THE SHORT-TERM RENTAL MUST HAVE THE FOLLOWING SAFETY EQUIPMENT:
 - 1. A WORKING SMOKE AND CARBON MONOXIDE DETECTION AND NOTIFICATION SYSTEM MUST BE MAINTAINED AS REQUIRED UNDER NFPA 72.
 - 2. A PORTABLE FIRE EXTINGUISHER IN THE KITCHEN AND ANY AREA WITH AN OPEN FIRE SOURCE SUCH AS A STOVE, FIREPLACE, OR GRILL.
- B. THE OWNER OF THE SHORT-TERM RENTAL MUST DISPLAY THE CURRENT NAME, PHONE NUMBER, AND EMAIL ADDRESS OF THE OWNER, OWNER'S DESIGNEE, AND EMERGENCY POINT OF CONTACT IN A CONSPICUOUS PLACE WITHIN 10 FEET OF THE PRIMARY ENTRANCE OF THE SHORT-TERM RENTAL.

Sec. 10-206. ENHANCED PENALTIES

- A. THE REMEDIES HEREIN ARE CUMULATIVE AND THE CITY MAY PROCEED UNDER ONE OR MORE SUCH REMEDIES.
- B. NOTWITHSTANDING ANY OTHER PROVISION OF THIS CODE, AND EXCEPT FOR VIOLATION IN SUBSECTION C., ANY SHORT-TERM RENTAL OWNER WHO CAUSES, PERMITS, FACILITATES, AIDS OR ABETS ANY VIOLATION OF A PROVISION OF THIS ARTICLE OR WHO FAILS TO PERFORM ANY ACT OR DUTY REQUIRED BY THIS ARTICLE IS SUBJECT TO A CIVIL SANCTION AS FOLLOWS:
 - 1. FOR THE FIRST VERIFIED VIOLATION WITHIN TWELVE MONTHS, ONE NIGHT'S RENT FOR THE SHORT-TERM RENTAL, UP TO \$500.
 - 2. FOR THE SECOND VERIFIED VIOLATION WITHIN TWELVE MONTHS, TWO NIGHTS' RENT FOR THE SHORT-TERM RENTAL, UP TO \$1,000.
 - 3. FOR THE THIRD AND ANY SUBSEQUENT VERIFIED VIOLATION WITHIN TWELVE MONTHS, THREE NIGHTS' RENT FOR THE SHORT-TERM RENTAL, UP TO \$3,500.
- C. IN ADDITION TO THE PENALTY IN SUBSECTION B., ANY OWNER WHO RENTS OR OFFERS TO RENT A SHORT-TERM RENTAL WITHOUT A PERMIT IS SUBJECT TO A CIVIL SANCTION OF \$1,000 PER MONTH.
- D. NOTWITHSTANDING SUBSECTION C. OF THIS SECTION, IF A PERSON OBTAINED A PERMIT WITHIN 30 DAYS AFTER RECEIVING THE COMPLAINT THAT NOTICES THE VIOLATION OF SUBSECTION C., THE COURT SHALL DISMISS THE COMPLAINT FOR VIOLATING SUBSECTION C. WITHOUT IMPOSING A CIVIL PENALTY.

- E. NOTWITHSTANDING ANY OTHER PROVISION OF THIS CODE, THE SHORT-TERM RENTAL OWNER, AGENT, OR RENTER WHO CAUSES, PERMITS, FACILITATES, AIDS, OR ABETS THE USE OF A SHORT-TERM RENTAL IN VIOLATION OF ANY PROVISION OF THIS CODE IS SUBJECT TO CIVIL SANCTION AS SET FORTH IN SUBSECTION B. OF THIS SECTION.
- F. ANY SHORT-TERM RENTAL OWNER, AGENT, OR RENTER WHO CAUSES, PERMITS, FACILITATES, AIDS, OR ABETS ANY VIOLATION OF ANY PROVISION OF THIS ARTICLE OR WHO FAILS TO PERFORM ANY ACT OR DUTY REQUIRED BY THIS ARTICLE IS GUILTY OF A CLASS 1 MISDEMEANOR.

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