

ORDINANCE 2024-001

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; ADOPTING AMENDMENTS TO THE DEVELOPMENT CODE; BY REFERENCE, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY. NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

WHEREAS, the City of Sierra Vista is proposing Development Code text amendments to the following: Article 151.02 (Definitions), Article 151.04 (Supplementary District Regulations, Article 151.06 (Special Regulations for Particular Uses), Article 151.15 (Landscaping, Walls, Screening and Buffering), and Article 151.22 (District Regulations); and

WHEREAS, the City Manager, the Assistant City Manager, and Director of Community Development recommend that the amendments to the Development Code, be adopted; and;

WHEREAS, as required by City Code, the Planning & Zoning Commission held a public hearing on the amendments after proper notice had been given; and;

WHEREAS, the amendments have gone through the 30-day public comment period and no comments have been received.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1

That Resolution 2023-099 is hereby reaffirmed, and that the Development Code text amendments are hereby adopted by reference.

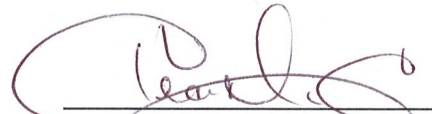
SECTION 2

All other ordinances and parts of ordinances in conflict with the provisions of this provision are hereby repealed.

SECTION 3

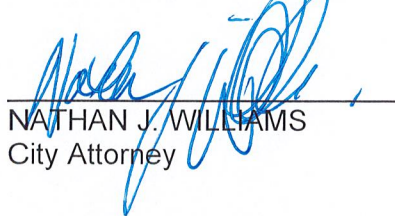
Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provision, and to this end, the provisions of this Ordinance are declared to be severable.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 8TH DAY OF FEBRUARY 2024.



CLEA MCGAA, II
Mayor

APPROVED AS TO FORM:



NATHAN J. WILLIAMS
City Attorney

ATTEST:



JILL ADAMS
City Clerk

PREPARED BY:

Matt McLachlan, AICP
Director

EXHIBIT "A"
FROM RESOLUTION 2023-099

The following definitions under Section 151.02.004 of the Code are hereby amended to read as follows:

Outdoor Storage

The storing or displaying in any open area of any goods, equipment, material or vehicles.

Warehouse, Storage and Distribution

An establishment used for the storage, distribution, or transfer of goods and materials which is not a mini-warehouse.

Article 151.04, Supplementary District Regulations is hereby amended as follows:

Section 151.04.007 Mechanical Equipment

No mechanical equipment, including but not limited to, heating, air conditioning, refrigeration equipment, generators, propane tanks, and transformers shall be located in a front yard. Ground-mounted mechanical equipment may be located within a secondary front yard if opaque screening is provided around all sides of the equipment. Screening may include opaque fence panels, landscaping or other camouflaging technique to screen the mechanical equipment from public view. All screening shall be a minimum of one foot higher than the height of the mechanical equipment being screened. For the purposes of this section, the front yard of a corner lot shall be the side of the property from which the property is addressed. The other side facing a street shall be considered a secondary front yard. Ground mounted mechanical equipment not on single-family residential property shall be screened from public rights-of-way, pedestrian areas, and any adjacent residential property using landscaping or other acceptable material.

Article 151.06, Special Regulations for Particular Uses is amended to provide as follows:

Section 151.06.013 Outdoor Storage

- A. No outdoor storage, sales, service, or display of merchandise, equipment or materials shall be permitted except as provided below:
1. Sales or display necessary to vehicle sales, service, or rental establishment.
 2. Sales, display and storage of plant material at a plant nursery or garden center.
 3. Sales, display and storage of construction material, sheds, and equipment at a home improvement retailer in designated areas first approved by the city.
 4. Sales, display and storage of goods, equipment or materials customarily associated with and integral to the principal use of the property as determined by the Community Development Director.
- B. Outdoor storage areas containing non-retail related items shall be completely enclosed and screened from view from the public street and any adjacent property zoned or used for residential purposes by one or more of the following:

1. An existing building, structure, or landscape feature.
2. A minimum six-foot high masonry wall; provided, however, chain link fencing with slats may be used for outdoor storage areas that are confined to an area of 500 square feet or less on the subject property.
3. Other screening to achieve the same effect as approved by the Community Development Director.

Article 151.15, Landscaping, Walls, Screening and Buffering is hereby amended as follows:

Section 151.15.005 Walls and Screening Devices

A. Standards of Design and Development

1. Permanent dumpsters shall be located inside enclosures that comply with the applicable City of Sierra Vista Standard Detail for dumpster size as published by the Public Works Department, Engineering Division.

2. A brick, slump block, or masonry wall with stucco or mortar wash finish, or compatible alternatives approved by the City, shall be constructed on a site used for multi-family, commercial, or industrial use along any lot lines in common with, or separated only by, an alley from:

a. A single-family residence, except a non-conforming single-family residence located in a commercial or industrial zoning district.

b. A single-family residential zoning district.

c. A multi-family residential development, except a non-conforming multi-family development, located in a commercial or industrial zoning district.

d. A multi-family residential zoning district.

e. Any building operated by federal, state, county or city government and not situated in either a commercial or industrial zoning district.

f. Any school building and playground, except those located in either a commercial or industrial zoning district.

Such walls shall be 6 feet in height, except that the first 25 feet in from the street and property lines will be stepped down to a maximum height of 3 feet.

3. Walls shall be required along the rear of reverse frontage lots with a height of 6 feet. Such walls shall be of slump block or masonry construction with stucco or mortar wash finish, or compatible alternatives approved by the City. Street trees and landscaping materials shall be required between the wall and curb.

4. Exterior boundaries of mobile home and trailer parks shall be provided with a masonry or wooden wall having a height of 6 feet and designed to create an attractive border.

5. Any permanent type improvements, with the exception of landscaping, within the public right-of-way, will require a right-of-way permit and City approval before installation. No walls of any type or height will be allowed in a public right-of-way, except retaining walls as determined necessary and approved by the City.

Article 151.22, District Regulations, is hereby amended as follows:

Section 151.22.006 Matrix of Use Permissions by Zoning District

ZONING DISTRICT													
USE CLASSIFICATIONS	UR, Urban Ranch	SFR, Single Family Residence	MFR, Multiple Family Residence	MHR, Manufactured Home Residential	RVP, Recreational Vehicle Park	NC, Neighborhood Convenience	LC, Limited Commercial	OP, Office Professional	GC, General Commercial	LI, Light Industrial	IP, Industrial Park/ LI, Light Industry	HI, Heavy Industrial	OS/PF, Open Space/ Public Facility
Outdoor Storage	NC	NC	NC	NC	NC	NC	NC	NC	<u>A/C</u>	A	A	P	NC
Warehouse, Storage and Distribution	NC	NC	NC	NC	NC	NC	NC	NC	<u>A/P</u> ⁶	P	P	P	NC
<p>(1) Limited to mixed-use buildings only.</p> <p>(2) Limited to component uses located entirely within a social and recreational center located no less than 100 feet from any property line of the park site in Manufactured Home Parks and RV Parks.</p> <p>(3) Limited to 3,000 square feet of gross floor area per use.</p> <p>(4) Limited to 1,000 square feet of gross floor area per use.</p> <p>(5) Conditional use permit is required when light industrial use fronts Fry Boulevard or when adjoining an existing residential use.</p> <p><u>(6) Limited to low and moderate-hazard storage uses as defined by the City's adopted building code that do not require more than occasional heavy trucking activity as determined by the City based on its evaluation of information or studies provided by the Applicant, provided, however, warehouse, storage and distribution uses are prohibited as a principal use on properties fronting Fry Boulevard.</u></p>													