



CITY OF SIERRA VISTA
PLANNING AND ZONING COMMISSION
DECEMBER 13, 2022
CITY COUNCIL CHAMBERS
1011 N. CORONADO DRIVE

REGULAR MEETING.....5:00 PM

CALL TO ORDER

ROLL CALL

ACCEPTANCE OF AGENDA

ACCEPTANCE OF MINUTES

- 1. November 15, 2022

CHAIR COMMENTS

CALL TO THE PUBLIC

OLD BUSINESS

NEW BUSINESS

Public Hearing Item:

- 2. Resolution 1187
Development Code Amendments to the following:

Administration and Enforcement-

Article 151.03

Unattended Donation Boxes-

Section 151.02.004,

Section 151.06.012

Section 151.22.006

Site Plan Review Processes-

Article 151.18

Lot Coverage and Setbacks-

Section 151.22.009

Section 151.22.010

Section 151.22.011

FUTURE DISCUSSION ITEMS, COMMISSION REQUESTS, AND ANNOUNCEMENTS

INFORMATION

Update on Projects

CITY COUNCIL LIAISON COMMENTS

Update on City Council Items

ADJOURNMENT

SIERRA VISTA PLANNING AND ZONING COMMISSION

November 15, 2022
CITY COUNCIL CHAMBERS
Meeting Minutes

A work session of the Sierra Vista Planning and Zoning Commission was called to order at 5:00 p.m. in the City Council Chambers.

Members Present: Bradley Snyder, Chair
Daniel Coxworth, Vice-Chair
Leslie Thomas
Daman Malone

Members Absent: None

Staff Present: Matt McLachlan, Director, Department of Community Development
Jeff Pregler, Senior Planner

Council Present: Councilmember Umphrey
Councilmember Messmer

Others Present: None

ACCEPTANCE OF THE AGENDA:

Mr. Coxworth made the motion to accept the agenda. The motion was seconded by Mr. Malone.

VOTE: Approved by a vote of 3-0.

ACCEPTANCE OF THE MINUTES:

1. Mr. Coxworth made the motion to accept the June 28, 2022 minutes. Mr. Malone seconded the motion.

VOTE: Approved by a vote of 4-0. (Ms. Thomas arrived prior to the vote of the minutes)

CHAIR COMMENTS

Mr. Snyder had no comments.

CALL TO THE PUBLIC

No public - None.

OLD BUSINESS:

None.

NEW BUSINESS

2. Discussion Items Only

Proposed Development Code Amendments:

Staff Presentation by Jeff Pregler. He presented a power point presentation which included the following:

Unattended Donation Boxes, Section 151.02.004; Section 151.06.012; and Section 151.22.006

Mr. Pregler show's photos that depict unsightly conditions associated with donation boxes. He outlined the purposed rules in obtaining a permit and how they would need to be managed.

Mr. Snyder questioned if this was in line with what other jurisdictions in Arizona are doing. Mr. Pregler responded in the affirmative.

Discussion of the expense and logistics of cameras and/or lighting ensued.

Mr. Coxworth presented concern about the number of rules and requirements being presented for these donation boxes which may not solve the unsightly conditions problem.

Mr. Malone requested clarification on the proposal as a means to enforce the donation boxes. Mr. Pregler stated that creating standards does make enforcement easier. Mr. Malone also asked if the City would consider the idea of setting up an area to allow the donation boxes. Mr. Pregler stated that he would discuss with others in the City and provide comment at the next meeting.

Ms. Thomas stated that this won't stop illegal dumping, but this is a step in the right direction.

Site Plan Review Processes, Article 151.18

Mr. Pregler stated that the Development Code currently has two formal site plan review processes, the administrative site plan and the formal full site plan. Administrative is for minor projects, are an expedited review and handled administratively. The formal review goes through Development Review Committee and requires an extensive plan process. Even with these 2 processes there is still grey area and that is what this proposal is for. Three tiers – Level 1 Plot Plan at the Administrative level with the building review plan. Level 2 – similar to the current administrative site plan. Level 3 – similar to the current formal process. The tier proposal would allow previously approved site plans to be considered in plan submittals. Mr. Pregler gave an example of Culver's parking lot expansion that would fall under the Tier 2 because the site plan was previously reviewed and approved. He further explained that one of the amendments considers the total amount of allowable alterations of total gross floor area conducted/permitted on a particular property in accordance with subsections (b) and (c) of this section and will compute it on a cumulative basis for five (5) year periods of time. The initial five (5) year period shall start on February 1, 2023. At the end of each five (5) year period occurring thereafter, the cumulative total of allowable alterations that may be made to the gross square footage of buildings or structures located on a particular site shall reset to zero. The new cumulative total gross square footage at the end of a five (5) year period shall comprise the base gross square footage applicable to any site improvements conducted within the subsequent five (5) year period. For tier 1 the proposed increase to the impervious surface resulting from site improvements shall not exceed ten (10) percent unless a previously approved drainage master plan accommodates the increase. For tier 2 the proposed increase to the impervious surface resulting from site improvements above the Level 1 threshold shall not exceed 20 percent unless a previously approved drainage master plan accommodates the increase. For tier 3 the proposed increase to the impervious surface resulting from site improvements is greater than 20 percent unless a previously approved drainage master plan accommodates the increase.

Mr. Coxworth recommended simplification and pamphlets to assist the business owners in understanding how this process will work.

Lot Coverage and Reduced Setbacks, Section 151.22.009; 151.22.010; 151.22.011

Mr. Pregler said that the purpose of this amendment is to provide for additional latitude for structure placement and is an easier calculation. Currently, the district regulations establish a uniform maximum yard coverage, which calculates the percentage of rear yard that is occupied by accessory structures. However, based on an analysis from other jurisdictions, staff recommends the standard be changed from yard coverage to lot coverage. The amendment will provide additional latitude for the placement of structures and make the lot coverage area easier to calculate and enforce because the percentage is based on the entirety of the lot and not just the rear yard area. The maximum lot coverage areas recommended in the are the product of research from other communities and GIS analysis that includes principal structure lot coverage areas.

The second amendment would reduce setbacks in residential zoning districts to allow for more building flexibility. Per a recommendation by the P&Z Commission, a uniform rear yard building setback is being proposed. The interior side yard setbacks would be reduced to accommodate 3-car garages. Finally, there will be reduced setbacks for apartments within the Urban Infill Incentive Overlay District.

FUTURE DISCUSSION ITEMS, COMMISSION REQUESTS, AND ANNOUNCEMENTS

None

INFORMATION

Mr. Pregler and Mr. McLachlan provided an update on the following projects:

Taco Bell has had their DRC meeting on November 4th and was approved. This will be a drive-thru or pick-up only restaurant.

Circle K will be located at the corner of Moonglow and SR 90. Staff has completed their first review and is awaiting the developer's resubmittal and response comments.

Dollar General proposed to be located at the corner of Avenida Del Sol and SR 90. The City has had preliminary discussions, but no formal site plan submittal.

Tropical Smoothie to be located just north of the Culver's property on SR 92. Staff has completed their first review and is awaiting the developer's resubmittal and response comments.

Freddy Frozen Custard to be located on one of the vacant pads in front of Walmart. DRC approved the project. Developer is still looking for a general contractor. Estimated opening 2023.

Annexation of 66 acres of property to include a Circle K, U-Haul, Auto Zone and Veritas School.

Dunkin Donuts to be located at Walmart. All inspections are completed. However, the owner is waiting for additional kitchen equipment to be delivered.

Sierra Vista Surgical Center to be located at the corner of Coronado Drive and Wilcox Drive. This development is currently under construction.

SEABHS will have a ribbon cutting ceremony November 16th.

Schneider Electric Project. The City issued the building permit for the project. Demolition has started along with the installation of the field lighting. The running track will be installed and upgraded with this project. There will be a pedestrian connection from the track to the multi-use path on Martin Luther King Jr.

Boulevard. In addition to this project, there are solar projects, and the Cove will be upgraded. All projects are expected to be completed by the end of 2023.

CITY COUNCIL LIASION COMMENTS

Council member Umphrey provided an update on the following items:

The Upper San Pedro Partnership and the Cochise County Recharge Network are moving forward with implementing the Bella Vista wash project

The City Council is considering a restructure of the City Commissions. The City Council will once again be involved with the Commissions.

ADJOURNMENT

The meeting was adjourned at approximately 6:00 pm.

STAFF MEMORANDUM

TO:	Planning and Zoning Commission
FROM:	Jeff Pregler, AICP, Senior Planner
THRU:	Matt McLachlan, AICP, Community Development Director
MEETING DATE:	December 13, 2022
SUBJECT:	Development Code Amendments Administration and Enforcement- Article 151.03 Unattended Donation Boxes- Section 151.02.004, Section 151.06.012 Section 151.22.006 Site Plan Review Processes- Article 151.18 Lot Coverage and Setbacks- Section 151.22.009 Section 151.22.010 Section 151.22.011
REQUESTED ACTION:	I move that Resolution 1187, providing for text amendments to the Development Code, as shown in Exhibit A, be recommended for approval to the Mayor and City Council.

BACKGROUND:

The Community Development Department regularly reviews current code provisions and procedures to identify ways in which the staff and the City can improve efficiencies, clarify requirements and help residents and business owners move through the system more easily. This practice is consistent with previous City Council Strategic Plan initiatives which have mandated the reduction of obsolete or unnecessary code provisions in expectation of making city government accountable, collaborative and efficient. The proposed text amendments will be providing flexibility and clarifying existing code language which is consistent with the City Council initiatives.

Administration and Enforcement-Article 151.03

This section of the Code provides standards for processing Building Permits, Zoning Compliance Forms, Certificates of Occupancy and Occupancy Permits. Much of this language has not been amended since the late 1970's. Therefore, an update to the current language which reflects the current day-to-day review and approval practices is needed. The first amendment in this Section establishes two separate Zoning Compliance Certificate issuance processes, *Zoning Compliance Certificate for Existing Premises Established Pursuant to an Approved Site Plan* and *Zoning Compliance Certificates for Existing Premises with no Record of Prior Site Plan Approval*. The City will issue a Zoning Compliance Certificate after ensuring conformity with either an existing site plan or compliance with current Building and Development Code requirements.

The next amendment relates to Building Permits. Most of the language in this Section has been stricken and recommended for removal because it either does not follow current review practice or is obsolete or duplicative.

The final amendment clarifies the issuance of Certificates of Occupancy and Occupancy Permits. The existing language requires the issuance of an Occupancy Permit prior to the use or occupancy of a new building or change of use of an existing building. However, the amendment, which reflects current practice, will now require the issuance of a Certificate of Occupancy, not an Occupancy Permit, to allow building occupancy. The Occupancy Permit, will now be issued for existing buildings which are legally occupied but do not have a Certificate of Occupancy after a finding that the building is considered safe and suitable for the authorized use.

Unattended Donation Boxes

The amendment would create a new Section in the Development Code that regulates Unattended Donation Boxes. According to the proposed definition, Unattended Donation Boxes are any unattended receptacles or containers located outside an enclosed building and designed, intended, or used for collection and temporary storage of donated items and materials. The amendments would not apply to donation boxes that are utilized as part of the normal operations of a business. The purpose for the amendment is to minimize the unsightly conditions associated with the Unattended Donation Boxes.

The City originally considered a complete prohibition of Unattended Donation Boxes. However, based on a U.S. Supreme Court decision, it has been determined that speech regarding charitable

giving and solicitation is a protected First Amendment activity (*Schaumburg v. Citizens for Better Environment*), 1980. The Sixth Circuit specifically addressed the prohibition of donation boxes in *Planet Aid v City of St. Johns*, 2015, and concluded that donation boxes were a form of charitable solicitation which also had constitutional protections. Regarding the ability of local jurisdictions to legislate specific regulations for donation boxes, the Ninth Circuit supported a City of Oakland, California ordinance which enacted appropriate time, place, and manner restrictions (*Recycle for Change v. City of Oakland*). Based on the information from recent case law and other local jurisdictions, staff is recommending proposed development standards to address the negative effects of Unattended Donation Boxes rather than a use prohibition. The City attorney has reviewed the amendments and found them legally acceptable.

In addition to the development standards, one of the proposed amendments is the requirement of a separate Container Permit that can be issued or revoked if there are at least three violations to the code regulations. The Unattended Donation Boxes would be allowed as accessory uses in all commercial and industrial zoning districts.

Site Plan Review Processes

The next amendments relate to site plan review processes. The Development Code includes review processes for both administrative site plans and site plans. As currently written, administrative site plans are approved by staff while site plans are approved by the Development Review Committee. Back in 2018, the City Council approved code amendments to this Section to clarify which developments were eligible for the administrative site plan or site plan process. Since adoption of the amendments, staff has noticed that there is still some ambiguity in the language. The latest proposal would clearly identify the appropriate review process for each new project. The proposed amendment creates a tiered review process with three different levels of review. The Level 1 process (Subthreshold Review) is an expedited review for minor changes to the site that have minimal impact on public facilities and adjacent properties. The Level 2 process (Small Scale Review) is intended to provide an expedited process for evaluating relatively minor changes proposed on previously developed properties that do not warrant a full-scale interdepartmental review based on anticipated minimal degree of impact to public facilities and adjacent properties. The Level 3 process (Full Scale Review) is a full interdepartmental review because of the scale and increased complexity of the project. The Public Works Department provided their input which is reflected within the site improvement (impervious surfaces) thresholds.

The final amendment relates to the calculation of future building alterations. Each review level has maximum thresholds to delineate the scope of the projects. Following the review and approval of the project, the developer can pursue additional alterations to the gross floor of the building provided the alterations do not exceed these thresholds. Staff is recommending that the cumulative total alterations after five years comprise the new base gross square footage of the building. As a result, the maximum thresholds will be based on the new square footage and any new alterations will be reset to zero.

Lot Coverage and Reduced Setbacks

These amendments will be included in the dimensional standards section of the Single Family Residence (SFR), Multi-Family Residence (MFR), and Manufactured Home Residence (MHR) district regulations. The first amendment relates to Lot Coverage area. Currently, the district regulations establish a uniform maximum yard coverage, which calculates the percentage of rear yard that is occupied by accessory structures. Rear yard area is defined as, “the open space extending the full width of the lot between the rear lot line and rear setback line.” This is essentially the rear building setback area. Most jurisdictions calculate “lot coverage” rather than “yard coverage” which considers the total lot area and the dimensions of all structures. To be consistent with other municipalities, staff recommends that the measurement be changed to “lot coverage”. The amendment will provide additional latitude for the placement of structures and make the lot coverage area easier to calculate and enforce. The maximum lot coverage areas recommended in the are the product of research from other communities and GIS analysis that includes principal structure lot coverage areas.

A second amendment proposed in this section is a reduction of residential setbacks. The amendments incorporate elements of neighborhood design that will provide greater flexibility and creativity in the layout of residential development. while creating a more diverse and visually aesthetic streetscape. One of the proposed reductions is to rear yard setbacks. The Planning & Zoning Commission at their work session on June 28, recommended both a reduced and uniform rear yard setback for single family homes. The proposal, therefore, is to reduce the rear yard setback in the SFR zoning districts to 20 feet. Another proposed setback reduction is from the interior side setback. Local homebuilders have requested that there be a reduction in the side yard setbacks to accommodate the housing trend of constructing three-car garages. As a result, staff is proposing a reduction to the side yard setbacks. Castle & Cooke has stated that they have

no issues or concerns regarding the amendments. R.L. Workman Homes provided a letter, Attachment A, indicating their full support of the amendments.

The intent of the Urban Infill Incentive District is to incentivize investment and encourage development that utilizes urban design patterns and principals. One of the elements of urban design is the siting of buildings that harmonize visually with surrounding development and create a built environment that is safe and aesthetically pleasing. As such, staff is proposing building setback reductions for apartments within the Urban Infill Incentive District. The reductions would allow for design flexibility, pedestrian oriented development, and create a more diverse and visually aesthetic streetscape.

ATTACHMENT A

**Jeff Pregler, Senior Planner
City of Sierra Vista
2900 Martin Luther King, Jr. Parkway
Sierra Vista, AZ 85635**

RE: Proposed Set Backs

Dear Jeff:

R. L. Workman Homes, LLC, fully supports the proposed changes to the set backs within the City of Sierra Vista.

These changes will enable more flexibility with the homes to be built on the various lot sizes (i.e., larger homes, potential for three-car garage), and the ability for more front elevation of the home.

Could not agree more and welcome the help in the marketplace. These changes would reflect the market more than existing set backs.

Sincerely,

Robert L. Workman, Manager

RESOLUTION 1187

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; BY RECOMMENDING APPROVAL OF AMENDMENTS TO CHAPTER 151 OF THE CITY CODE OF ORDINANCES, THE DEVELOPMENT CODE, AS SHOWN ON EXHIBIT A; AND DIRECTING THE EXECUTIVE SECRETARY TO TRANSMIT THE PLANNING AND ZONING COMMISSION'S RECOMMENDATION AND COMMENTS TO THE CITY COUNCIL.

WHEREAS, the provisions of A.R.S. 9-462.04 and Chapter 151, Development Code, of the City Code of Ordinances, allow text amendments to be granted by the City; and

WHEREAS, in accordance with the provisions of Article 151.31 of the Development Code and established policy, the City of Sierra Vista, has proposed amendments to the following: Administration and Enforcement Article 151.03; Unattended Donation Boxes, Section 151.02.004, Section 151.06.012, Section 151.22.006; Site Plan Review Processes, Article 151.18; Lot Coverage and Setbacks, Section 151.22.009, Section 151.22.010, Section 151.22.011.

WHEREAS, Article 151.31 of the Development Code requires that the Planning and Zoning Commission review all applications for text amendments, and to forward recommendation on the application to the City Council; and

WHEREAS, as required by Article 151.31 of the Development Code, the Planning & Zoning Commission held a public hearing on the application, after proper notice had been given; and

WHEREAS, the Planning and Zoning Commission considered all the facts of the application and the comments of the citizens at a public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1

The Planning and Zoning Commission reaffirms settled policy for recommending Development Code text amendments to City Council.

SECTION 2

That text amendments to Chapter 151 of the City Code of Ordinances, the Development Code, as shown on Exhibit "A" are hereby recommended to the Mayor and City Council.

SECTION 3

That the Executive Secretary be, and hereby is, directed to transmit the Planning and Zoning Commission's recommendation and comments to the City Council.

RECOMMENDED FOR APPROVAL BY THE CHAIRPERSON AND MEMBERS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SIERRA VISTA, ARIZONA THIS 13TH DAY OF DECEMBER 2022.

BRAD SNYDER
Chairperson

APPROVED AS TO FORM:

ATTEST:

NATHAN WILLIAMS
City Attorney

JILL ADAMS
City Clerk

PREPARED BY:
Jeff Pregler, AICP

EXHIBIT A

DEVELOPMENT CODE
AMENDMENTS

ADMINISTRATION AND
ENFORCEMENT

ARTICLE 151.03 ADMINISTRATION AND ENFORCEMENT

Sections:

- 151.03.001 Administrative Officials
- 151.03.002 Limitations on the Administrative Officials
- 151.03.003 Zoning Compliance Certificate Required
- 151.03.004 Building Permits
- 151.03.005 [Certificate of Occupancy](#)
- 151.03.0056 [Occupancy Permits](#)
- 151.03.0067 [Development Review Committee](#)
- 151.03.0078 [Appeals of Dedications or Exactions](#)
- 151.03.0089 [Appeals from the Hearing Officer](#)
- 151.03.00910 [Fees](#)

Section 151.03.001 Administrative Officials

The provisions of this Code shall be administered and enforced by the Director of Community Development, the City Engineer, and the Director of Public Works, or their designees, and such other officers or employees of the City as the Council or City Manager may approve or direct.

Section 151.03.002 Limitations on the Administrative Officials

Under no circumstances shall any Administrative Official:

1. Grant exceptions to the actual meaning of any clause, order, or regulation contained in this Code.
2. Make changes in or vary the terms of this Code.
3. Refuse to issue a Zoning Compliance Certificate, Building Permit, or Occupancy Permit when the applicant has complied with all provisions of this and other applicable ordinances or codes, despite any violations of contracts, covenants or private agreements which may result therefrom.

Section 151.03.003 Zoning Compliance Certificate Required

A. Zoning Compliance Certificate Required. No land or building shall be occupied or used and no building shall be constructed, reconstructed, altered, repaired, used, or changed in use, except as provided herein, until the City issues a Zoning Compliance Certificate. The City shall not issue a building permit for excavation for a foundation, nor construction of any sort, before a Zoning Compliance Certificate is issued. The issuance of an approved site plan constitutes zoning compliance for the structure and uses described and stated on the plan.

B. Exceptions. A Zoning Compliance Certificate shall not be required for the following:

1. The renewal of a business license by the original holder of the license for the same use at the same location.

2. The issuance of a new business license for a use permitted within a commercial building or shopping center developed and constructed in conformance with a site plan approved by the City.

3. Residential uses consisting of four or fewer units on a lot in a platted subdivision.

C. Request for Zoning Compliance Certificate for Existing Premises Established Pursuant to an Approved Site Plan. Upon written request from the owner or tenant, the City shall issue a Zoning Compliance Certificate for any building or premises ~~existing at the time of enactment of this Code~~, certifying after inspection the extent and kind of use of the building or premises and whether such use of the buildings or premises conforms to the ~~provisions of this Code~~ approved site plan and uses authorized under the applicable zoning district.

D. ~~Applications for Request for a Zoning Compliance Certificate~~ for Existing Premises with no Record of Prior Site Plan approval. ~~All applications~~ A request for a Zoning Compliance Certificate ~~on a property with no record of prior site plan approval by the City shall be filed on standard forms provided for that purpose and~~ shall be accompanied by such information as the City may require to ensure conformity of the proposed building, structure, or use with the provisions of this Code. If the City determines that a plan is required, such plan shall be provided ~~in duplicate electronically~~, drawn to a ~~readable~~ 1:20 or 1:30 scale, showing the following:

1. Dimensions, area, and shape of the property to be built upon and the boundaries of all lots or parcels under separate ownership contained therein;

2. Dimensions, size, height, and use of any buildings or structures already existing on the property and their exact location thereon;

3. Width and alignment of all streets, alleys, and easements for public access in or abutting the property;

4. Size and height of all proposed buildings and structures to be erected or altered and their exact position on the property;

5. Proposed uses of buildings, structures, and land, including the number of families or dwelling units, if any, the building is designed to accommodate. If the applicant is not owner of the property, written permission from the owner must be supplied.

E. Issuance of Zoning Compliance Certificate. Within 10 calendar days after the filing of ~~an application a request~~ for a Zoning Compliance Certificate, ~~according to the provisions of this Code~~, the City shall either issue ~~the certificate~~ or deny the ~~certificate request~~. When such ~~certificate request~~ is denied, the City shall state in writing to the applicant the reasons for the denial and also retain a file copy of the action. ~~One copy of the application and plans shall be returned to the applicant marked applicant marked either "APPROVED" or "DISAPPROVED" by the City and attested by signature. The second copy of the application and plans, similarly marked and signed, shall be retained in the City's files.~~

F. Revocation of Zoning Compliance Certificate. The City may revoke a Zoning Compliance Certificate for any use if the use is found:

1. to generate excessive noise, or
2. generate excessive traffic, or
3. create a nuisance in the area immediately surrounding the use, or
4. create a situation which endangers public health or safety.

Revocation is appealable to the Hearing Officer as provided in Article 151.30 of this Code.

Section 151.03.004 Building Permits

A. Improvements and Repairs to Property. All owners of property falling within the purview of this Code are required to obtain a building permit from the City prior to commencing any improvement upon, or repair to, to the property unless ~~specifically excluded below~~ the work is exempt from a building permit under the building codes adopted under Section 150.01 of Chapter 150. Any person renting, leasing, or holding an option on property within City will be required to submit the owner's approval for any improvements upon, or repairs to, such property when applying for a building permit. Applications for building permits shall be made on the forms provided by the City.

~~B. Building Permits Not Required. Building permits are not required where the total material cost of the improvement or repair of an existing conforming structure does not exceed \$600.00 and such improvement or repair does not involve any installation, movement, extension, or curtailment of any electric, plumbing, or gas work and does not violate other provisions of this Code.~~

~~C.~~ **CB.** Permit Required for Repair of Non-Conforming Use. In no case will any improvements be placed upon property that is in violation of any section of this Code nor will any repairs be made to property held to be in non-conformance with this Code unless a building permit is obtained from the City.

~~D. Permit Required for Temporary Contractor's Construction Yard. A temporary contractor's construction yard in the immediate vicinity of the construction will be permitted, provided that it is enclosed on all sides by a fence or wall not less than 6 feet in height above grade. The yard and fence must be removed following the completion of the contractor's construction of the subdivision in which it is located. The permit is revocable if the yard or fence is maintained in an unsanitary, unsightly, or dangerous manner.~~

EC. Fees. Before any certificate or permit will be issued, all applicable fees must be paid to the City. All fees are established by separate City resolutions that will be periodically re-evaluated by the Council.

Section 151.03.005 Certificate of Occupancy

- A. A building or structure shall not be used or occupied until the Building Official has issued a Certificate of Occupancy after a building passes final inspection pursuant to the requirements of the building codes adopted under Section 150.01 of Chapter 150, provided, however, the Building Official may issue a temporary Certificate of Occupancy before the completion of the entire work covered by the permit if such portion or portions can be occupied safely. A temporary Certificate of Occupancy shall indicate the time period during which the temporary Certificate of Occupancy is valid.
- B. The Certificate of Occupancy is regarded as a permanent record for retention purposes and will stay with the property indefinitely, even if there is a change in ownership or tenant change.
- C. A new Certificate of Occupancy is required for a change to the existing approved use or occupancy classification of a building or structure or portion thereof.

Section 151.03.006 Occupancy Permits for Buildings with no Certificate of Occupancy on File in the City's Permanent Records.

~~It shall be unlawful to use or occupy, or permit the use or occupancy of, any building or structure, or any change or extension of a use of land when the City has not issued an occupancy permit.~~

~~A.—Issuance of Occupancy Permits. Within 10 days after having received notice that the building, structure or premises, or part thereof, has been completed and is ready for use or occupancy, the City shall make a final inspection to determine whether construction has been completed in conformity with the provisions of this Code. If the City finds construction in conformity, the occupancy permit may be issued.~~

~~B.—Temporary Occupancy Permits. The City may issue a Temporary Occupancy Permit for a part of a building, structure, or use prior to completion of the entire building, structure or use, provided that such part has been completed in conformity with all provisions of this Code and is considered safe and suitable for use or occupancy. A Temporary Occupancy Permit shall remain in force until the entire building, structure, or use and off-site improvements have been completed and inspected and an occupancy permit has been issued.~~

The Building Official may issue an Occupancy Permit for a building or structure or portion thereof that has been legally occupied without a Certificate of Occupancy upon finding the subject property is considered to be safe and suitable for the authorized use and occupancy of the building.

DEVELOPMENT CODE
AMENDMENTS

UNATTENDED DONATION
BOXES

ARTICLE 151.02
DEFINITIONS

Section 151.02.004

Definitions

Unattended Donation Containers-any unattended receptacle or container located outside an enclosed building and designed, intended, or used for collection and temporary storage of donated items and materials.

ARTICLE 1511.06
SPECIAL REGULATIONS FOR PARTICULAR USES

Sections:

- 151.06.001 Purpose
- 151.06.002 Adult Uses
- 151.06.003 Alternative Energy Systems
- 151.06.004 Home Based Businesses
- 151.06.005 Marijuana Facilities
- 151.06.006 Medical Marijuana Cultivation or Infusion Facility
- 151.06.007 Temporary Uses
- 151.06.008 Communications Facilities
- 151.06.009 Mobile Food Vendors
- 151.06.010 Accessory Dwelling Units
- 151.06.011 Reasonable Modification
- 151.06.012 [Unattended Donation Containers](#)

Section 151.06.012

Unattended Donation Containers

- A. Unattended Donation Containers are subject to the issuance of a business license and approval of a Donation Container Permit and upon receipt of notarized written authorization by the property owner or authorized agent. An authorized agent must provide written evidence that they have the authority to approve and locate a drop-off container on the lot or parcel.
- B. Unattended Donation Containers are subject to the following conditions:
 1. Shall be located on a paved surface.
 2. Shall not be located within setbacks, required landscape areas, or within required parking spaces, as required in Article 151.09.
 3. Shall not obstruct pedestrian or vehicular circulation, or be located within the public right-of-way, drive aisles, fire lanes, loading zones, or any other location that may cause hazardous conditions, or constitute a threat to the public health, safety, and welfare.
 4. There shall be no more than one (1) per lot and not more than two per shopping center or industrial park. The containers shall not be clustered together in any one direction.
 5. Shall include functioning video cameras on the containers or located within a lighted area.
 6. Shall have a firmly closing and locking lid, shall be clearly marked to identify the specific items and materials to be collected for donation. The name and telephone number of the entity obtaining the Donation Container Permit shall be affixed to the container in a conspicuous and legible manner.
 7. All donated items must be collected and stored in the containers and all contents cleared no less than once a week. Any items or materials left outside of the container or any debris and litter around the container shall be removed within 24 hours of discovery or notification, whichever comes first.
 8. If a container is damaged or vandalized, it must be repaired or removed within 5 business days of discovery or notification, whichever comes first.
- C. Submittal Requirements
 1. The applicant shall submit a completed Donation Container Permit along with the following information:
 - a. Plot plan showing property dimensions, existing buildings, and site or building lighting;
 - b. Cutsheets or a detail of the donation containers to include the type of locking mechanism and security cameras;
 - c. The location and number of donation containers on the site.

D. Responsibility and Enforcement

1. Containers not in compliance with this Section and receiving at least three valid complaints, shall be subject to revocation of the Business License, the Donation Container Permit, and removal of the container from the property.
2. Any containers (including its contents) which are determined to be unauthorized, unpermitted, or is otherwise in violation of this Section, shall be deemed a public nuisance as defined in Chapter 150 of the Sierra Vista City Code and may be removed pursuant to those provisions.
3. The property owner or authorized agent may rescind their authorization for the Unattended Donation Container at any time. Following such action, the Donation Container Permit may be revoked. Nothing in this Section prohibits the property owners from removing an Unattended Donation Container regardless of whether the Container is permitted or not permitted. A property owner retains the right to remove and dispose of unwanted containers at any time.

DEVELOPMENT CODE

ARTICLE 151.22 DISTRICT REGULATIONS

Section 151.22.006

Matrix of Use Permissions by Zoning District

- A. Use Permissions by Zoning District. No building, structure or land shall be used, nor shall any use be established unless it complies with the requirements of this Code.
1. *Principal Uses (P)* are those principal uses that are allowable on a property within each zoning district as provided in this Section.
 2. *Accessory Uses (A)* are those uses which are customarily subordinate to, integrated with, and clearly incidental to a principal use on the same property as provided under this Section. The Matrix of Use Permissions identifies certain accessory uses that are allowable within certain zoning districts. Accessory uses not specifically listed, but are otherwise deemed to be compatible with the principal use of the property by the Community Development Director may be authorized in connection with a building permit.
 3. *Conditional Uses (C)* are uses that may be appropriate in the zoning district and require individual review as to their particular characteristics, impacts, and location to determine if they require special conditions to their establishment in order to protect the health, safety and general welfare of the community in accordance with Article 151.26 of this Code.
 4. *Non-Conforming Uses (NC)* are uses of land or of a structure which do not meet the use regulations of this Code but which lawfully existed at the time of adoption of this Code as specified under Article 151.24 of this Code.
- (Ord. 2016-002, passed 2-25-16 Am. Ord. 2018-002, passed 2-8-18)

DEVELOPMENT CODE

USE CLASSIFICATIONS	ZONING DISTRICT												
	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, Open Space
AGRICULTURAL													
Agricultural Animals	A	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC
Aviaries	A	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC
Farming	A	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC
Kennel	P	NC	NC	NC	NC	NC	NC	NC	P	P	NC	NC	NC
Riding Academy	P	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC
Riding Stables	P	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC
RESIDENTIAL													
Accessory Dwelling Unit	C	C	C	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC
Accessory Use, Residential (e.g. swimming pool, garage, garden house, storage shed)	A	A	A	A	A	NC	NC	NC	NC	NC	NC	NC	NC
Adult Care Home (6 or less adults)	P	P	P	NC	NC	C	C	C	C	NC	NC	NC	NC
Adult Care Home (7 to 15 adults)	C	C	C	NC	NC	C	P	P	P	NC	NC	NC	NC
Bed and Breakfast	P	C	C	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC
Campground, Developed	NC	NC	NC	NC	C	NC	NC	NC	NC	NC	NC	NC	P**
Campground, Primitive	NC	NC	NC	NC	NC	NC	NC	NC	NC*	NC	NC	NC	P**
Congregate Care Facility	C	NC	P	NC	NC	C	P	P	P	NC	NC	NC	NC
Day Care Home	P	P	P	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC
Dormitory	NC	NC	P	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC
Dwelling, Multi-Family	NC	NC	P	NC	NC	NC	NC	NC	P	NC	NC	NC	NC
Dwelling, Single-Family Attached (Townhome)	NC	P	P	NC	NC	NC	NC	NC	P	NC	NC	NC	NC
Dwelling, Single-Family Detached	P	P	P	P	A	NC	NC	NC	NC	NC	NC	NC	NC
Dwelling, Single-Family Semi-Detached	NC	P	P	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC
Dwelling, Two-Family or Duplex	NC	NC	P	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC
Emergency Shelters	NC	C	NC	NC	NC	NC	NC	NC	C	NC	NC	NC	NC
Hotel/Motel	NC	NC	NC	NC	NC	NC	P	P	P	NC	NC	NC	NC
Nursing Home (6 or less persons)	P	P	P	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC
Nursing Home (7 or more persons)	C	C	C	NC	NC	C	P	P	P	NC	NC	NC	NC
Recreational Vehicle	NC	NC	NC	NC/P***	P	NC	NC	NC	NC	NC	NC	NC	NC
Residential Treatment Facilities & Recovery Homes (6 or less persons)	P	P	P	NC	NC	C	C	C	C	NC	NC	NC	NC
Residential Treatment Facilities & Recovery Homes (7 or more persons)	C	C	C	NC	NC	C	P	P	P	NC	NC	NC	NC

*Except that primitive camping may be allowed on Arizona Trust Land with a Recreation Permit from the Arizona State Land Department provided the campsite is setback at least 100 feet from a property used for residential purposes and at least 50 feet from the drainageway.

**Pursuant to Sec. 94.05 of the Code of Ordinances.

***Up to 30 percent of the total spaces in manufactured home parks are permitted to have recreational vehicles.

DEVELOPMENT CODE

USE CLASSIFICATIONS	ZONING DISTRICT												
	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 Industry	IP, Industrial Park	HI, Heavy Industrial	OS, Open Space
MIXED-USE													
Home Based Business	A	A	A	A	NC	NC	NC	NC	NC	NC	NC	NC	NC
Mixed-Use Building	NC	NC	C	NC	NC	P	P	P	P	NC	NC	NC	NC
COMMERCIAL													
Adult Uses	NC	NC	NC	NC	NC	NC	NC	NC	P	NC	NC	NC	NC
Artist Studio	NC	NC	P ⁽¹⁾	NC	NC	P	P	P	P	P	P	NC	NC
Automobile Service Station	NC	NC	NC	NC	NC	NC	P	NC	P	NC	NC	NC	NC
Bar/Lounge	NC	NC	P ⁽¹⁾	NC	NC	P ⁽³⁾	P	NC	P	NC	NC	NC	NC
Brewpub	NC	NC	NC	NC	NC	NC	P	NC	P	NC	NC	NC	NC
Car Wash	NC	NC	NC	NC	NC	NC	P	NC	P	NC	NC	NC	NC
Commercial Parking Lot	NC	NC	NC	NC	NC	NC	NC	NC	P	C	C	NC	NC
Commercial Recreation, Indoor	NC	NC	NC	NC	NC	NC	P	NC	P	P	NC	NC	NC
Commercial Recreation, Outdoor	NC	NC	NC	NC	NC	NC	NC	NC	P	NC	NC	NC	NC
Conference Center	NC	NC	NC	NC	NC	NC	NC	NC	P	NC	NC	NC	NC
Day Care Center	C	C	C	NC ⁽²⁾	A ⁽²⁾	P	P	P	P	NC	NC	NC	NC
Eating Establishment	A	NC	P ⁽¹⁾	NC	NC	P ⁽³⁾	P	NC	P	NC	NC	NC	NC
Medical Marijuana Dispensary	NC	NC	NC	NC	NC	NC	NC	NC	P	NC	NC	NC	NC
Mini-warehouse	NC	NC	NC	NC	NC	NC	C	NC	P	P	C	NC	NC
Mobile Food Vendor	NC	NC	NC	NC	NC	P	P	P	P	P	P	NC	P
Motion Picture Theater/Cinema	NC	NC	NC	NC	NC	NC	NC	NC	P	NC	NC	NC	NC
Pet Shop	NC	NC	NC	NC	NC	NC	P	NC	P	NC	NC	NC	NC
Plant Nursery	NC	NC	NC	NC	NC	NC	NC	NC	P	NC	NC	NC	NC
Retail Food Establishment	NC	NC	P ⁽¹⁾	NC	NC	P ⁽³⁾	P	NC	P	NC	NC	NC	NC
Retail Sales	NC	NC	P ⁽¹⁾	NC ⁽²⁾	A ⁽²⁾	P ⁽³⁾	P	P ⁽⁴⁾	P	A	A	NC	NC
Vehicle Rental Establishment	NC	NC	NC	NC	NC	NC	NC	NC	P	NC	NC	NC	NC
Vehicle Repair, Major	NC	NC	NC	NC	NC	NC	NC	NC	P	P	NC	NC	NC
Vehicle Repair, Minor	NC	NC	NC	NC	NC	NC	P	NC	P	P	NC	NC	NC
Vehicle Sales Establishment	NC	NC	NC	NC	NC	NC	NC	NC	P	NC	NC	NC	NC

⁽¹⁾ Limited to mixed-use buildings only.

⁽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.

⁽³⁾ Limited to 3,000 square feet of gross floor area per use.

⁽⁴⁾ Limited to 1,000 square feet of gross floor area per use.

DEVELOPMENT CODE

USE CLASSIFICATIONS	ZONING DISTRICT												
	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	HI, Heavy Industrial	OS, Open Space
BUSINESS AND PROFESSIONAL SERVICES													
Animal Hospital	C	NC	NC	NC	NC	NC	P	P	P	C	NC	NC	NC
Business and Professional Office	NC	NC	C ⁽¹⁾	NC ⁽²⁾	A ⁽²⁾	NC	P	P	P	P	P	NC	NC
Business Service Establishment	NC	NC	NC	NC	NC	P ⁽⁴⁾	P	P	P	P	P	NC	NC
Financial Institution	NC	NC	NC	NC	NC	P ⁽⁴⁾	P	P	P	NC	NC	NC	NC
Health and Fitness Studio	NC	NC	NC	NC	NC	NC	P	P	P	P	P	NC	NC
Health Care Institution	NC	NC	NC	NC	NC	NC	P ⁽³⁾	P	P	C	P	NC	NC
Hospital	NC	NC	NC	NC	NC	NC	P ⁽³⁾	NC	P	P	NC	NC	NC
Personal Service Establishment	NC	NC	P ⁽¹⁾	NC	NC	P ⁽⁴⁾	P	P	P	NC	NC	NC	NC
Pet Grooming Service	NC	NC	NC	NC	NC	P ⁽⁴⁾	P	P	P	NC	NC	NC	NC
Research and Development	NC	NC	NC	NC	NC	NC	P	P	P	P	P	NC	NC
INDUSTRIAL													
Construction Material Establishment	NC	NC	NC	NC	NC	NC	NC	NC	P	P	P	P	NC
Construction Service Establishment	NC	NC	NC	NC	NC	NC	NC	NC	P	P	P	P	NC
Crematorium	NC	NC	NC	NC	NC	NC	NC	NC	NC	P	NC	P	NC
Distribution Center	NC	NC	NC	NC	NC	NC	NC	NC	NC	P	P	P	NC
Impound Yards	NC	NC	NC	NC	NC	NC	NC	NC	P	P	NC	P	NC
Industrial Workshops and Services	NC	NC	NC	NC	NC	NC	NC	NC	P	P	P	P	NC
Junk Yard	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	P	NC
Landscape Service Establishments	NC	NC	NC	NC	NC	NC	NC	NC	P	P	P	P	NC
Manufacturing - Heavy	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	P	NC
Manufacturing - Light	NC	NC	NC	NC	NC	NC	NC	NC	P/C ⁽⁵⁾	P	P	P	NC
Medical Marijuana Cultivation/Infusion Facility	NC	NC	NC	NC	NC	NC	NC	NC	NC	P	P	P	NC
Microbrewery/Micro-Distillery	NC	NC	NC	NC	NC	NC	NC	NC	P	P	P	NC	NC
Mineral Extraction	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	C	NC
Motor Freight Terminal	NC	NC	NC	NC	NC	NC	NC	NC	NC	P	C	P	NC
Motor Pool Facility	NC	NC	NC	NC	NC	NC	NC	NC	NC	P	C	P	NC
Outdoor Storage	NC	NC	NC	NC	NC	NC	NC	NC	C	A	A	P	NC
Warehouse	NC	NC	NC	NC	NC	NC	NC	NC	A	P	P	P	NC
Wholesale Trade	NC	NC	NC	NC	NC	NC	NC	NC	P	P	P	P	NC

⁽¹⁾ Limited to mixed-use buildings only.

⁽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.

⁽³⁾ Limited to 3,000 square feet of gross floor area per use.

⁽⁴⁾ Limited to 1,000 square feet of gross floor area per use.

⁽⁵⁾ Conditional use permit is required when light industrial use fronts Fry Boulevard or when adjoining an existing residential use.

DEVELOPMENT CODE

USE CLASSIFICATIONS	ZONING DISTRICT												
	UR, Urban Ranch	SFR, Single Family Residence	MFR, Multiple Family Residence	MHR, Manufactured Home Residence	RVP, Recreational Vehicle Park	NC, Neighborhood Convenience	LC, Limited Commercial	OP, Office Professional	GC, General Commercial	LI, Light Industrial	IP, Industrial Park	HI, Heavy Industrial	OS, Open Space
PUBLIC/SEMI-PUBLIC													
Accessory Telecommunications Antenna/Ancillary Structure	A ⁽⁷⁾	A ⁽⁷⁾	A ⁽⁷⁾	A ⁽⁷⁾	A ⁽⁷⁾	A	A	A	A	A	A	A	A
Airport	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	P
Alternative Energy Systems	P	A	A	A	A	A	A	A	P	P	P	P	P
Cemeteries	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	P
Columbarium	C	C	C	C	C	C	C	C	C	C	C	C	C
Community gardens	P	P	P	P	P	P	P	P	P	P	P	NC	P
Community Service Uses	NC	NC	NC	NC	NC	P	P	P	P	P	P	NC	P
Funeral Home/Mortuary	NC	NC	NC	NC	NC	P	P	P	P	NC	NC	NC	NC
Golf Courses, Public or Private	P	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	P
Heavy Utility Service	NC	NC	NC	NC	NC	NC	NC	NC	C	P	P	P	C
Light Utility Service	C	C	C	C	C	P	P	P	P	P	P	P	P
Museums, Cultural Centers & Similar Uses	P	P	P	P	P	P	P	P	P	NC	NC	NC	P
Parks and Recreation Facilities	A	A	A	A	A	A	A	A	A	NC	NC	NC	P
Place of Worship	C	C	C	C	C	C	C	C	C	C	C	NC	C
Private clubs	C	C	C	NC	NC	P	P	P	P	C	C	NC	NC
Public education facilities & charter schools	P	P	P	P	P	P	P	P	P	P	P	P	P
School of general education, private	C	NC	NC	NC	NC	C	C	C	C	NC	NC	NC	NC
School of special education, private	C	NC	NC	NC	NC	P	P	P	P	NC	NC	NC	NC
Social service agency/non-profit	C	C	C	NC	NC	P	P	P	P	C	C	NC	P
Telecommunications Tower													
When Located on Non-Residentially Used Property													
60 feet in height or less and not located within 150 feet of a property zoned or used for residential purposes	A	A	A	A	A	A	A	A	P	P	P	P	P ⁽⁶⁾
60 feet in height or more and/or located within 150 feet of a property zoned or used for residential purposes	C	C	C	C	C	C	C	C	C	C	C	C	C ⁽⁶⁾
When Located on Residentially Used Property	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC
Unattended Donation Centers	NC	NC	NC	NC	NC	A	A	A	A	A	A	A	NC

⁽⁶⁾Stand alone telecommunications towers on City-owned property with an active recreational use are not permitted.

⁽⁷⁾Not permitted when attached to any single story building or residential building containing fewer than five dwelling units.

DEVELOPMENT CODE
AMENDMENTS

SITE PLAN REVIEW
PROCESSES

ARTICLE 151.18 SITE PLAN

Sections:

151.18.001	Purpose
151.18.002	Site Plan Required
151.18.002 3	Exemptions
151.18.003 4	Presubmittal Meeting
151.18.004	Tiered Development Review Process
151.18.005	Level 1, Subthreshold Review
151.18.006 5	Level 2, Small Scale Review Administrative Site Plan Review Process
151.18.007 6	Level 3, Full Scale Review Site Plan Process
151.18.008 7	Significance of Approval
151.18.009 8	Completion of Project Documents
151.18.010 9	Fees

Section 151.18.001 Purpose

The purpose of this Article is to ~~establish~~ ~~address~~ the ~~submittal~~ levels of review and approval ~~process~~ for ~~commercial, industrial, and multi-family residential developments.~~ site improvements or alterations to non-residential and multi-family property types for purposes of determining compliance with this Code.

(Ord. 2008-010, passed 5-8-08)

~~Section 151.18.002 Site Plan Required~~

~~Site plans or administrative site plans are required, except when exempted per Section 151.18.003, for any building construction, use, or new parking lots. All site plan forms and checklists can be found on the City website or in the Department of Community Development.~~

(’76 Code, Art. 12-1) (Ord. 743, passed 4-10-86; Am. Ord. 2003-008, passed 4-24-03; Am. Ord. 2008-010, passed 5-8-08; Am. Ord. 2018-002, passed 2-8-18)

Section 151.18.003 Exemptions

Developments meeting the following criteria shall be exempt from the requirements of ~~this Article.~~ ~~to submit a site plan.~~

- A. Single-family residences and accessory buildings constructed in an approved subdivision in a Single-Family Residence (SFR) or Multi-Family Residence, (MFR) district.
- B. Manufactured home residences and accessory buildings placed on lots in established manufactured home parks or approved subdivisions in a Manufactured Home Residence (MHR) and Recreational Vehicle Park (RV) districts.
- C. Multi-family residences consisting of four or fewer units per lot.

~~D. When determined by the City, modifications to an existing structure.~~

(’76 Code, Art. 12-1) (Ord. 743, passed 4-10-86; Am. Ord. 2003-008, passed 4-24-03; Am. Ord. 2008-010, passed 5-8-08; Am. Ord. 2018-002, passed 2-8-18)

Section 151.18.004 Presubmittal Meeting

- A. A presubmittal meeting is required prior to submitting ~~the formal site plan~~ an application for Small Scale (Level 2) or Full Scale (Level 3) review and approval.
- B. ~~A presubmittal application is required to request the presubmittal meeting.~~ A presubmittal meeting shall be requested in writing. Such request shall include the location of the property, a general description of the uses(s) being contemplated, and conceptual material to illustrate the desired layout and other relevant information to describe the proposal.
- C. ~~The City will provide the applicant with general written information regarding the proposed development at or after the meeting.~~ The City will provide general guidance on the regulatory aspects of the proposal based on the nature of the request. This may include available utilities, permitted land uses, height and bulk limitations, roadway classifications, and other site related conditions.

(Ord. 2008-010, passed 5-8-08)

Section 151.18.004 Tiered Development Review Process

The tiered development review process is designed to calibrate the levels of review and approval to be proportionate to the nature and scope of the development and degree of impact on the community. Permit applications for new construction shall be reviewed in accordance with the levels of review as set forth in this section.

Levels of Review			
	Level 1 Subthreshold Review Plot Plan – Administrative	Level 2 Small Scale Review Site Plan – Administrative	Level 3 Full Scale Review Site Plan - Development Review Committee
New Principal Buildings	Not Applicable	New principal buildings or expansions which conform to a previously approved site plan.	New principal buildings not associated with a previously approved site plan.
Existing Buildings	Alterations of buildings or structures which result in a cumulative addition of 2,500 square feet or less and which comply with all applicable requirements, including,	Alterations of buildings or structures which result in a cumulative addition of between 2,501 and 5,000 square feet.*	Alterations of buildings or structures which result in a cumulative addition of more than 5,000 square feet.*

	but not limited to, setback, parking, and Building Code standards.*		
Accessory Buildings and Structures	Gross floor area is 2,500 square feet or less	Gross floor area is between 2,501 and 5,000 square feet.	Gross floor area is more than 5,000 square feet
Site improvements (including, but not limited to, parking lots, lighting, walkways, patios, and decks)	The proposed increase to the impervious surface resulting from site improvements shall not exceed ten (10) percent or 1,000sf whichever is less, unless a previously approved drainage master plan accommodates the increase.**	The proposed increase to the impervious surface resulting from site improvements above the Level 1 threshold shall not exceed 10 percent or 5,000sf, unless a previously approved drainage master plan accommodates the increase.**	The proposed increase to the impervious surface resulting from site improvements is greater than 10 percent unless a previously approved drainage master plan accommodates the increase.
Other improvements	Determined by the Community Development Director to meet the intent of Level 1 Review.	Determined by the Community Development Director to meet the intent of Level 2 Review.	Determined by the Community Development Director to meet the intent of Level 3 Review.

*The total amount of allowable alterations of total gross floor area conducted/permitted on a particular property in accordance with subsections (b) and (c) of this section will be computed on a cumulative bases for five (5) year periods of time. The initial five (5) year period shall start on February 1, 2023. At the end of each five (5) year period occurring thereafter, the cumulative total of allowable alterations that may be made to the gross square footage of buildings or structures located on a particular site shall reset to zero. The new cumulative total gross square footage at the end of a five (5) year period shall comprise the base gross square footage applicable to any site improvements conducted within the subsequent five (5) year period.

**The City Engineer may modify the impervious surface thresholds for Levels 1 and 2 applications upon a finding that the City’s stormwater drainage requirements will be substantially maintained or met upon improvements being completed.

Section 151.18.005, Level 1, Subthreshold Review

The intent of the Level 1, Subthreshold Review is to provide an expedited review for minor changes to a site that are predetermined to have a de minimis impact on required public facilities and adjacent properties. An application that qualifies for Level 1 review under Section 151.18.005 of this Code shall be processed in accordance with the requirements of this section.

Submission Requirements

As part of the building permit submittal, a scaled plot plan showing the location and extent of the proposed changes. The plot plan is not required to be prepared or signed and sealed

by a design professional but must provide the following information in a clearly legible form:

Property lines.

Minimum required and proposed setbacks.

Applicable zoning designation for the site and adjacent properties.

Dimensions of proposed buildings or structures.

Existing and any proposed access points.

Minimum required and any proposed additional on-site parking.

Other information deemed necessary by the City to determine compliance.

A letter or other written document, signed by the property owner or the owner's legal agent or representative, describing the proposed changes.

Staff Review

The information required in subsection A of this section shall be submitted to the Community Development Department with the building permit application. The impacts of the proposed development shall be administratively reviewed for compliance with this Code concurrent with the building permit plans. Any site related review comments will be provided with building plan review comments until such comments are resolved.

The Community Development Director or his or her designee shall review the application for compliance with this Code, the General Plan, and all other applicable building codes and shall approve, approve with stipulations, or deny the application. The City's decision shall be issued in writing to the Applicant.

Section 151.18.006~~5~~ ~~Administrative Site Plan Review Process~~ Level 2, Small Scale Review, Administrative Site Plan

The intent of the Level 2, Small Scale Review, is to provide an expedited process for evaluating relatively minor changes proposed on previously developed properties that do not warrant a full-scale interdepartmental review based on anticipated minimal degree of impact to public facilities and adjacent properties. ~~The Administrative Site Plan review process provides for administrative review and approval of developments. To determine if a project meets the requirements of the administrative site plan review process that meet the following criteria:~~

~~A.—Construction of a building addition that does not to exceed 2,500 square feet and limited to a one time increase.~~

~~B.—The construction of new accessory buildings.~~

~~C. Construction of new impervious surface does not exceed 10 percent of existing impervious surface or 5,000 square feet, whichever is less, and limited to a one-time increase.~~

~~D. When the existing site meets the minimum parking requirements as stated in Development Code Article 151.09, Off-Street Parking & Loading.~~

A. ~~Submittal Process~~ Application Requirements:

~~The Administrative Site Plan submittals~~ An application that qualifies for Level 2 review under Section 151.18.005 of this Code shall consist of the following information, as applicable:

1. A ~~The~~ completed copy of the Administrative Site Plan application form.
2. A site drawing, scaled at an appropriate size, (~~generally~~, 20 or 30 scale is appropriate), providing the following information:
 - a. All property lines.
 - b. Building setbacks as required by Development Code Article 151.22, Establishment of Zoning Districts.
 - c. Current zoning of the site and all adjacent zoning.
 - d. Dimensions of all buildings.
 - e. Parking and circulation as required by Development Code Article 151.09, Off- Street Parking and Loading.
 - f. Buffering and landscaping as required by Development Code Article 151.15, Landscaping, Walls, Screening and Buffering, or as determined by the City.
 - g. Utility tie-ins including existing utilities adjacent to the site.
 - h. Americans with Disabilities Act accessibility as required by ADAAG.
 - i. Locations of all existing and proposed access points as required by Development Code Article 151.17, Access Standards.
 - j. Site visibility as required by Development Code Section 151.04.009, Clear Vision Area, if applicable.
 - k. Locations, dimensions, and descriptions of all existing or proposed easements.
 - l. Drainage patterns on the site indicated with flow arrows.
 - m. Location of all adjacent right-of-ways and existing public improvements.
 - n. Public improvements, if any proposed.
 - o. Any other information the City may deem necessary.
3. Clearly readable catalog cutsheets and a luminaire schedule for any new proposed exterior lighting, as required by Development Code Article 151.11 Outdoor Lighting.
4. Proof of Ownership and/or Proof of Agency as required by this Article.
5. Any other information the City may deem necessary.

B. ~~Application Process~~ Staff Review

1. The ~~application and supplemental~~ information required in subsection A of this section shall be submitted to ~~the City for distribution to all applicable City departments and utility companies for their reviews.~~ the Community Development Department.

2. After the appropriate staff and any affected outside utility companies completes their review, comments will be sent to the applicant. The applicant will then be required to revise and resubmit the plans to address the comments.

3. ~~City staff grants the final approval. Conditions may be applied.~~ The Community Development Director or his or her designee shall review the application for compliance with this Code, the General Plan, and all other applicable building codes and shall approve, approved with stipulations, or deny the application. The City's decision shall be issued in writing to the Applicant.

4. After final approval, the applicant shall ~~submit two plan sets of documents for stamped approval and an electronic copy of the stamped approved plans.~~ provide an electronic copy of the approved site plan. The City will stamp the plan approved or approved with conditions and return the plans to the applicant.

(Ord. 2003-008, passed 4-24-03; Am. Ord. 2008-010, passed 5-8-08; Am. Ord. 2018-002, passed 2-8-18)

Section 151.18.007 ~~6~~ Level 3, Full Scale Review Site Plan ~~Process~~

~~Developments or uses proposed on vacant or unimproved sites or developments on sites where proposed improvements would not be classified as a modified site plan, as determined by the City, are required to submit a site plans. Site plans must meet the minimum site criteria, as applicable, identified in Section 151.18.0086.A and B. The number of copies of the site plan documents submitted shall be indicated on the application form.~~ A full interdepartmental review is necessary to determine compliance with this Code because of the scale and increased complexity of the project.

A. ~~Submittal Process~~ Application Requirements

~~Site plan submittals~~ An application that qualifies for a Level 3 review under Section 151.18.005 of this Code shall consist of the following information, as applicable:

1. A site plan application form.
2. A site drawing, scaled at an appropriate size, (~~generally~~, 20 or 30 scale is appropriate) providing the following information (multiple sheets may be required to provide information):
 - a. A vicinity map showing lot location and major cross streets.
 - b. A legend.
 - c. A north arrow.
 - d. Current zoning of the site and all adjacent zoning.
 - e. Grading on the site, as required by Development Code Section 151.04.013, Grading Requirements, that includes:
 - (1) Topography.
 - (2) Contour lines for existing and proposed elevations at 1-foot intervals.
 - (3) Drainage and proposed drainage flows (indicated with flow arrows).
 - (4) Finished floor elevations.

- (5) All slopes identified using percentages.
- (6) All depressed and mounded areas identified with general contour lines and/or proposed elevations.
- (7) Any areas to be used for stormwater detention.
 - f. A legal description of the site.
 - g. All property lines.
 - h. Building setbacks as required by Development Code Article 151.22, Establishment of Zoning Districts.
 - i. Buffering and screening as required by Development Code Article 151.15, Landscaping, Walls, Screening, and Buffering.
 - j. The location of all existing and proposed structures, including distances from all structures to all lot lines.
 - k. Dimensions of all buildings.
 - l. Percentage breakdown of the site covered by structures, concrete, asphalt, and landscaping/pervious surfaces.
 - m. Right-of-ways dimensions of all abutting streets, whether public or private, and access to the site.
 - n. Parking and circulation as required by Development Code Article 151.09, Off- Street Parking and Loading.
 - o. Americans with Disabilities Act accessibility as required by ADAAG.
 - p. Locations of all existing and proposed access points as required by Development Code Article 151.17, Access Standards.
 - q. Locations, dimensions, and descriptions of all existing or proposed easements.
 - r. Location of the pedestrian route as required by Development Code Article 151.09, Off-Street Parking and Loading.
 - s. Outdoor recreation and amenity areas.
 - t. Service areas such as mail, delivery, and loading zones.
 - u. Trash disposal method and location. Include the dumpster enclosure detail if appropriate. Show trash compactor(s) if proposed.
 - v. Utility tie-ins including existing utilities adjacent to the site.
 - w. The location of the nearest existing and future fire hydrant(s).
 - x. Street or alley right-of-ways to be dedicated and/or improved pursuant to the requirements of Development Code Section 151.08.002.I, Dedication and Improvement.
 - y. Sidewalks, building entrances, open spaces, and plazas.
 - z. Site Visibility as required by Development Code Section 151.04.009, Clear-Vision Area, if applicable.
 - aa. Landscaping and irrigation design as required by Development Code Article 151.15, Landscaping, Walls, Screening, and Buffering and Article 151.16, Water Conservation.
 - bb. Traffic Control Devices as required by Development Code Article 151.08, Public Facilities Standards.
 - cc. Oil and grease separator locations as required by Development Code Article 151.09, Off-Street Parking and Loading.

dd. Bike racks as required by Development Code Article 151.09, Off-Street Parking and Loading.

ee. Proposed free-standing sign locations as required by Development Code Article 151.10, Sign Regulations.

ff. Street light locations as required by Development Code Section 151.08.010, Streetlight Design and Construction.

gg. Any other information the City may deem necessary.

3. Building Elevations Drawings. Provide color elevations of all principal and accessory buildings. The drawings need to reflect the standards described in the Architectural and Design Guidelines and include indications as to how rooftop mechanical equipment is screened.

4. Clearly readable catalog cutsheets and a luminaire schedule for any proposed exterior lighting as required by Development Code Article 151.11, Outdoor Light Control.

5. A Geotechnical Report is required, when determined by the City, for all new buildings. The Developer can submit a Geotechnical Report for the entire site with appropriate information for each building pad or submit a report for each individual development on the site. An Arizona registered civil engineer is required to prepare the Report. The report shall meet the requirements of Development Code Section 151.04.013, Grading Requirements.

6. A Site Hydrology Report. A site hydrology report shall be prepared by an Arizona registered civil engineer. The Site Hydrology Report should conform to the requirements criteria in Development Code Section 151.08.008, Surface Drainage and Storm Sewer Systems. The City will review the report for accuracy.

7. A Traffic Impact Report. The City may request that the Developer and/or other responsible parties submit a transportation impact report as per Development Code Section 151.19.003, Subdivision Procedures and Requirements, Preliminary Plat Stage.

8. Community Development and Engineering Site Plan Checklists.

9. Proof of Ownership and/or Proof of Agency.

a. A title report issued not more than 30 days prior to the date of the Site Plan submittal.

(1) If the land is owned by a corporation, a corporate resolution is required designating the individual to act as the agent. The Corporate Resolution must be certified with the Corporate seal.

(2) If the land is owned by a partnership, a written document, signed by all partners, designating the individual to act as the agent is required.

(3) If the land is owned by an individual, a written document, signed by the owner designating the individual to act as the agent is required.

10. Development Phasing. For any development proposed to be constructed in phases, the Developer must first submit a master plan for the entire site for approval by the Committee and then submit a site plan for the individual pads.

11. Any other information that the City may deem necessary.

B. ~~Application Process~~ Development Review Committee Process

1. The ~~application and supplemental~~ information required in subsection A of this Section shall be submitted to the ~~City~~ Community Development Department for distribution to all applicable City departments, ~~and~~ utility companies, ~~and~~ Fort Huachuca for their reviews. The Developer is encouraged to contact applicable utility companies either prior or during the review process.

2. After staff completes the review, comments will be sent to the applicant. The applicant will be required to revise and resubmit the plans.

3. All final site plans are presented to the Development Review Committee for final approval, approval with stipulations, or denial. The Committee shall determine approval based on ~~consideration of all applicable code requirements-~~ the applicant's consistency with this Code, the General Plan, and all other applicable building codes. Any aggrieved person can appeal the Committee's decision per Development Code Section 151.03.006, Administration and Enforcement.

4. After final approval, the applicant shall provide an electronic copy of the approved plans. The City will stamp the plans approved or approved with stipulations, or denied and return the plans to the applicant. ~~submit two plan sets of documents for stamped approval and an electronic copy of the stamped approved plans.~~

(76 Code, Art. 12-1) (Ord. 743, passed 4-10-86; Am. Ord. 764, passed 1-8-87; Am. Ord. 804, passed 3-24-88; Am. Ord. 834, passed 3-9-89; Am. Ord. 875, passed 1-10-91; Am. Ord. 947, passed 3-10-94; Am. Ord. 966, passed 2-23-95; Am. Ord. 1043, passed 9-11-97; Am. Ord. 2003-008, passed 4-24-03; Am. Ord. 2008-010, passed 5-8-08; Am. Ord. 2018-002, passed 2-8-18)

Section 151.18.008~~7~~ Significance of Approval

~~The approved site plan is~~ Applications approved under this Article are valid for two years from the date of approval unless an alternative phasing plan with alternate commencement and completion dates has been approved by the Development Review Committee or an extension of time pursuant to subsection A below has been granted.

A. One (1) extension for up to one (1) additional year may be granted by the original approving authority for good cause. The review of extension requests shall include an evaluation of the effect of new or current regulations on the project. Requests for an extension shall be submitted a minimum of thirty (30) days prior to the expiration date in writing. ~~A project that has not started construction and has not been issued a building permit two years after final approval, shall be required to revise the site plan to meet any new Development Code requirements.~~

B. A ~~site plan~~ project that has started construction, and is making substantial progress, as determined by the City, within the two-year validity period, shall be considered vested and not required to meet new Development Code requirements.

(76 Code, Art. 12-1) (Ord. 743, passed 4-10-86; Am. Ord. 2003-008, passed 4-24-03; Am. Ord. 2008-010, passed 5-8-08; Am. Ord. 2018-002, passed 2-8-18)

Section 151.18.00~~89~~ Completion of Project Documents

- A. As-built drawings will be required for storm detention basin input and output structures as determined by the City.
- B. Site work that is not completed to the City's satisfaction, will require, prior to the issuance of a final certificate of occupancy, a security ~~either a cashier's check or bond~~ totaling 110 percent of the estimated cost to complete the improvement. An estimate of the remaining work shall be provided to and approved by the City.
- C. Upon completion of the improvement, the City shall return the security to the Developer.

(Ord. 2008-010, passed 5-8-08; Am. Ord. 2018-002, passed 2-8-18)

Section 151.18.09~~10~~ Fees

Development review fees for site plans and administrative site plans shall be determined according to a schedule established by Resolution of the Council and posted in the Office of the City Clerk.

(Ord. 743, passed 4-10-86; Am. Ord. 1043, passed 9-11-97; Am. Ord. 2008-010, passed 5-8-08; Am. Ord. 2018-002, passed 2-8-18)

DEVELOPMENT CODE
AMENDMENTS

LOT COVERAGE AND
SETBACKS

Section 151.22.009 SFR - Single Family Residence

- A. Purpose. This district is comprised of single-family residential areas and certain open land areas. Regulations are designed to stabilize and protect the single-family character of the district, to promote and encourage creation of a desirable environment for family life, and to prohibit all incompatible activities. The principal use is, therefore, restricted to single-family detached dwellings on individual lots. Certain essential and complementary uses are also permitted under conditions and standards which ensure protection of the character of the district.
- B. Approvals Required. No structure or building shall be built or remodeled upon land in a Single Family Residence (SFR) district until all required subdivision or site plan approvals have been obtained.
- C. Location. The following criteria shall be considered in establishing and maintaining a SFR district:
1. Correspond to appropriate designation in the General Plan.
 2. Corresponds to an existing district or development in an area annexed into the City.
- D. Divisions of SFR District. The SFR district shall be further divided into the following density districts, as hereinafter described and regulated and to be so designated on the Official Zoning Map: SFR36; SFR 18; SFR12; SFR10; SFR8; SFR6.
- E. Permitted Uses
1. Principal and accessory uses in this district shall be allowed as provided under Section [151.22.006](#), Matrix of Use Permissions by Zoning District.

F. Property Development Standards-Principal Structures

DISTRICT						
<u>Requirement</u>	<u>SFR-36</u>	<u>SFR-18</u>	<u>SFR-12</u>	<u>SFR-10</u>	<u>SFR-8</u>	<u>SFR-6</u>
Minimum Site Area in square feet	36,000	18,000	12,000	10,000	8,000	6,000
Maximum Building Height in feet	28	28	28	28	28	28
Maximum Lot Coverage Area (Percent)	30	40	40	50	60	60
Minimum Required Yards (in feet)						
Front Setback in feet	40	35	25	25	25	20
Rear Setback* in feet	20 30	20 30	20 25	20 25	20 25	20
Interior Side Setback* in feet	20	10 15	10 15	7 10	5 7	5
Street Side Setback in feet	20	20	15	15	10	10

~~Except non-residential uses, see K below.~~

G. Corner Lot, Corner Lot Abutting Key Lot. On any corner lot that abuts a key lot or is separated by an alley, any structure, other than a fence, exceeding 3 feet in height shall be setback from the side lot line not less than the minimum front setback required for the key lot. See Section [151.04.010](#) for fence regulations.

H. On cul-de-sac and eyebrow lots that are concave, the minimum front yard depth may be measured from a straight line drawn between the front lot corners. In no case, however, shall the minimum required front yard be reduced in excess of 50 percent by this alternative measurement.

I. Non-Residential Accessory Buildings or Structures. A non-residential building or structure may be erected on a parcel if it meets the following requirements:

1. Maximum Height. 15 feet above finished grade.

~~2. Maximum Yard Coverage. 35 percent of required rear yard.~~

~~23. Location Restrictions. No accessory building or structure shall be erected in any minimum required front yard or in front of any principal building.~~

34. Setback Requirements. If, in the required rear or side yard, accessory buildings or structures shall be setback from the side and rear lot line a distance not less than 3 feet, except:

a. For a lot having its rear or side lot line contiguous with an alley line, street, dedicated drainageway or wash, no rear setback shall be required for the accessory building or structure.

~~b. No livestock stable, corral, barn, shed, or shelter shall be erected or maintained closer than 75 feet to any property line.~~

~~b.e.~~ Except for those situations addressed in this section paragraph 3 or in subparagraphs a and b above, accessory buildings or structures may be erected within 3 feet of the side and

rear lot lines where the wall(s) closest to or on the property line have a fire resistive rating of one hour, or greater. Such buildings or structures may be subject to additional restricted by the building code requirements as adopted under Section 150.01 of Chapter 150. of the most recently approved International Residential Code.

- J. Off-Street Parking and Loading. In accordance with the provisions of [Article 151.09](#).
- K. Sign Regulations. In accordance with the provisions of [Article 151.10](#).
- L. Landscaping, Screening and Buffering. In accordance with the provisions of [Article 151.15](#).
- M. Access. In accordance with the provisions of [Article 151.17](#).

(Ord. 743, passed 4-10-86; Am. Ord. 764, passed 1-8-87; Am. Ord. 789, passed 9-24-87; Am. Ord. 804, passed 3-24-88; Am. Ord. 834, passed 3-9-89; Am. Ord. 875, passed 1-10-91; Am. Ord. 934, passed 10-28-93; Am. Ord. 982, passed 5-25-95; Am. Ord. 2003-014, passed 8-14-03; Am. Ord. 2004-002, passed 2-26-04; Am. Ord. 2016-002, passed 2-25-16)

DEVELOPMENT CODE

Section 151.22.010

MFR - Multi-Family Residence

- A. Purpose. This district is comprised of high density residential areas representing a compatible mixture of single-family, two-family and multi-family dwellings. Regulations are designed to stabilize and protect the character of the district, to promote and encourage creation of a favorable environment for family life, and to prohibit all incompatible activities. To this end, principal uses are limited to single-family dwellings, multi-family dwellings, and apartments, which conform to the residential character of the district. Certain essential and complementary uses are also permitted under conditions and standards, which ensure protection of the character of the district.
- B. Approvals Required. No structure or building shall be built or remodeled upon land in a MFR district until all necessary site plan and/or subdivision plat approvals have been obtained.
- C. Location. The following criteria shall be considered in establishing and maintaining a MFR district:
1. Corresponds to appropriate designation in the General Plan.
 2. Corresponds to an existing district or development in an area annexed into the City.
- D. Permitted Uses
1. Principal and accessory uses in this district shall be allowed as provided under Section 151.22.006, Matrix of Use Permissions by Zoning District.
- E. Property Development Standards.
- All development in this district shall comply with the minimum area and dimensional standards as set forth in this Section except as may be permitted under Article 151.24, Non-Conforming Uses. Special Requirement: Any multiple family project which exceeds 25 dwelling units per acre must be processed as a planned area development under the provisions of *Article 151.23*.

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AREA AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA (SQ FT/UNIT)	
Detached single-family	4,500
Two-family	1,740
Semi-detached single-family	2,400
Attached single-family	2,400
Multiple family	1,740
Mixed Use Building	N/A
MAXIMUM LOT COVERAGE AREA (IN PERCENT)	
One to four residential dwellings on the same lot	80
More than four residential dwellings on the same lot	N/A
MINIMUM REQUIRED YARDS (IN FEET)	
Detached Single-Family and Two-Family	
Minimum f Front	20
Minimums Side	
Interior Side Lot Line	5
Corner Side Yard	10
Minimum r Rear	15
Semi-Detached Single-Family, Attached Single-Family	
Minimum f Front	20*
Minimum s Side	
Common interior building walls(s)	0
Outside building wall(s)	8
Minimum r Rear	15
Multiple Family	
Minimum f Front	
3 or 4 units	20
5 or more units	40
Inside Urban Infill Overlay District	20
Outside of Urban Infill Overlay District	40
Minimum s Side	
3 or 4 units	
Interior Lot Line	5
Corner Side Yard	10
5 or more units	20
Inside Urban Infill Overlay District	10
Outside of Urban Infill Overlay District	20
Minimum r Rear	
3 or 4 units	15
5 or more units	15

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Inside Urban Infill Overlay District	10
Outside of urban Infill Overlay District	15
Mixed Use Building	
Minimum Front	
Local Street	10
Collector or Arterial Street	20
Minimum Side	10
Minimum Rear	20

MINIMUM STREET FRONTAGE OF LOT (IN FEET)	
Multi-Family or Mixed Use Building	100
MINIMUM BUILDING SEPARATION (IN FEET)	
Multi-Family or Mixed Use Building	20
One or Two Stories	20
Three Stories	30
MAXIMUM NUMBER OF DWELLING UNITS/ BUILDING	
Multi-Family or Mixed Use Building	48
MAXIMUM BUILDING HEIGHT (IN FEET)	
Single and Two Family Dwellings	28
Multi-Family or Mixed Use Building	
One or Two Stories	30
Three Stories	40

* May be reduced to 10 feet for buildings with rear loading garages with alley access.

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- F. Non-Residential Accessory Buildings. A non-residential structure may be erected on a parcel if it meets the following requirements:
1. Maximum Height: 15 feet above finished grade.
 - ~~2. Maximum Yard Coverage: 35 percent of the required rear and side yards.~~
 - ~~2.3. Location Restrictions~~: No accessory building shall be erected in any minimum required front yard, or in front of any principal building. Detached garages and carports may be located in front of a principal building provided they meet the minimum front and side yard setbacks.
 - ~~3.4. Setback Requirements~~: If, in the required rear or side yard, accessory buildings shall be set back from the side and the rear lot lines a distance not less than 3 feet, except;
 - a.—For a lot having its rear or side lot line contiguous with an alley line, street, dedicated drainageway or wash, no rear setback shall be required for the accessory building(s).
 - b. Except for those situations addressed in this section paragraph 3 or in subparagraph a, accessory buildings may be erected within three feet of the side and rear lot lines where the wall(s) closest to or on the property line have a fire resistance rating of one hour. Such buildings may be subject to restricted by additional the building code requirements of the IBC, Section 504(b) as adopted under Section 150.01 of Chapter 150.
- G. Corner Lot, Corner Lot Abutting Key Lot. On a corner lot that abuts a key lot or is separated by an alley, any structure, other than a fence, exceeding 3 feet in height shall be setback from the side lot line not less than the minimum front yard setback required for the key lot. A 6-foot fence or wall for a corner lot may be constructed 5 feet from the property line.
- H. Cul-de-Sac and Eyebrow Lots. On cul-de-sac and eyebrow lots that are concave, the minimum front yard depth may be measured from a straight line drawn between the front lot corners. In no case, however, shall the minimum required front yard be reduced in excess of 50 percent by this alternative measurement.
- I. Off-Street Parking and Loading. In accordance with the provisions of Article 151.09.
- J. Sign Regulations. In accordance with the provisions of Article 151.10.
- K. Landscaping, Screening and Buffering. In accordance with the provisions of Article 151.15.
- L. Access. In accordance with the provisions of Article 151.17.

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(Ord. 743, passed 4-10-86; Am. Ord. 764, passed 1-8-87; Am. Ord. 789, passed 9-24-87; Am. Ord. 834, passed 3-9-89; Am. Ord. 854, passed 1-25-90; Am. Ord. 875, passed 1-10-91; Am. Ord. 934, passed 10-28-93; Am. Ord. 2003-001, passed 1-9-03; Am. Ord. 2003-014, passed 8-14-03; 2004-002, passed 2-26-04; Am. Ord. 2005-011, passed 6-23-05; Am. Ord. 2011-012, passed 9-22-11; Am. Ord. 2016-002, passed 2-25-16)

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Section 151.22.011

MHR - Manufactured Home Residence

- A. Purpose: The MHR district allows single-family dwelling units, whether manufactured homes or site built homes. The MHR district allows both subdivision and park designations. The regulations encourage the provision of open space and density comparable to multiple-family residential (MFR) zoning districts. Further, the regulations are designed to stabilize and protect the residential character of the district, to promote and encourage the family environment, and prohibit all incompatible activities.
- B. Approvals Required: No structure or use shall be built or remodeled in a MHR district until all necessary site plans and/or subdivision plat approvals have been obtained.
- C. Location: The following criteria shall be considered in establishing and maintaining a Manufactured Home Residence zoning district:
1. Corresponds to appropriate designation in the General Plan, or,
 2. Corresponds to an existing district or development in an area annexed into the City.
- D. Permitted Uses:
1. Principal and accessory uses in this district shall be allowed as provided under Section 151.22.006, Matrix of Use Permissions by Zoning District.
- E. Property Development Standards
1. **Manufactured Home Subdivision**
 - (a) Minimum Area: 4,500 square feet per lot.
 - (b) Maximum Density: One dwelling unit per lot.
 - (c) Maximum Lot Coverage Area: 80 percent.
 - (d) Required Yards:
 - (1) Minimum front yard - 15 feet.
 - (2) Minimum rear yard - 15 feet
 - (3) Minimum side yard - 5 feet

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(4) Minimum street side yard -10 feet

(ed) Maximum Building Height -28 feet

(fe) Skirting: All manufactured homes shall install skirting in accordance with the Arizona Department of Housing, Manufactured Home Division, and the most recently adopted building codes. Skirting shall be maintained to its original installed condition.

2. **Manufactured Home Park**

(a) Minimum Area: Two Acres

(b) Maximum Site Density: Ten dwellings per acre.

(c) Number: No more than one manufactured home or recreational vehicle shall be placed on each space.

(d) Maximum Building Height: 28 feet

(e) Required Yards:

(1) Minimum front yard - 10 feet from the space line.

(2) Minimum rear yard - Ten feet from space line.

(3) Minimum side yard - Five feet from space line

(f) Minimum Private Street Standards: See Section 151.08.004.

(g) Skirting: All manufactured homes shall install skirting in accordance with the Arizona Department of Housing, Manufactured Home Division, and the most recently adopted building codes. Skirting shall be maintained to its original installed condition.

(h) Identification: Each space shall be identified with a permanent and clearly marked identifying marker indicating the space number.

F. Non-Residential Accessory Buildings

1. Maximum Height: 15 feet above finished grade.

~~2. Maximum Yard Coverage: 35 percent of rear yard.~~

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23. Location Restrictions: No accessory building shall be erected in any minimum required front or side yard, or in front of any principal building. Detached garages and carports may be located in front of a principal building provided they meet the minimum front and side yard setbacks.
34. Setback Requirements: Accessory buildings shall be setback from the side lot line and the rear lot line a distance not less than 3 feet, except:
- (a) For a lot having its rear or side lot line contiguous with an alley line, street, dedicated drainageway, or wash, no rear setback shall be required for the accessory building(s).
 - (b) Except for those situations addressed in this section paragraph 3 or in subparagraph a, accessory buildings may be erected within three feet of the side and rear lot lines where the wall(s) closest to or on the property line have a fire resistance rating of one hour. Such buildings may be subject to restricted by additional the building code requirements as adopted under Section 151.01 of Chapter 150. ~~of the IBC, Section 504(b).~~
- G. Corner Lot, Corner Lot Abutting Key Lot. On a corner lot that abuts a key lot or is separated by an alley, any structure, other than a fence, exceeding 3 feet in height shall be setback from the side lot line not less than the minimum front yard setback required for the key lot. A 6-foot fence or wall for a corner lot may be constructed 5 feet from the property line.
- H. Cul-de-sac and Eyebrow Lots. On cul-de-sac and eyebrow lots that are concave, the minimum front yard depth may be measured from a straight line drawn between the front lot corners. In no case, however, shall the minimum required front yard be reduced in excess of 50 percent by this alternative measure.
- I. Off-Street Parking and Loading: In accordance with the provisions of *Article 151.09*.
- J. Sign Regulations: In accordance with the provisions of *Article 151.10*.
- K. Landscaping, Screening and Buffering: In accordance with the provisions of *Article 151.15*.
- L. Access: In accordance with the provisions of *Article 151.17*.
(Ord. 743, passed 4-10-86; Am. Ord. 764, passed 1-8-87; Am. Ord. 789, passed 9-24-87; Am. Ord. 804, passed 3-24-88; Am. Ord. 834, passed 3-9-89; Am. Ord. 896, 1-23-92; Am. Ord. 934, passed 10-28-93; Am. Ord. 2007-006, passed 4-26-07; Am. Ord. 2018-002, passed 2-8-18)