

ORDINANCE 2023-003

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 MAYOR AND 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: Sections; Article 151.03, Administration and Enforcement; Article 151.06, Special Regulations, Article 151.18, Site Plan Review; 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 2023-008 is hereby reaffirmed, and that the Development Code text amendments are hereby adopted by reference.

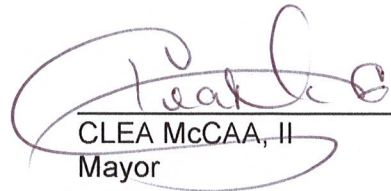
SECTION 2

All other ordinances and parts of ordinances in conflict with the provisions of this provision are hereby repealed.

SECTION 3

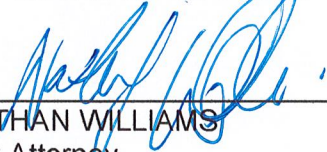
Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provision, and to this end, the provisions of this Ordinance are declared to be severable.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 6TH DAY OF APRIL 2023.



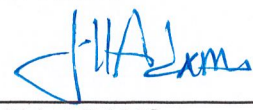
CLEA McCAA, II
Mayor

APPROVED AS TO FORM:



NATHAN WILLIAMS
City Attorney

ATTEST:



JILL ADAMS
City Clerk

PREPARED BY:

Jeff Pregler, AICP
Senior Planner

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
- 151.03.006 Occupancy Permits
- 151.03.007 Development Review Committee
- 151.03.008 Appeals of Dedications or Exactions
- 151.03.009 Appeals from the Hearing Officer
- 151.03.010 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, 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 approved site plan and uses authorized under the applicable zoning district.

D. Request for a Zoning Compliance Certificate-for Existing Premises with no Record of Prior Site Plan approval. A request for a Zoning Compliance Certificate on a property with no record of prior site plan approval by the City 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 electronically, drawn to a 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 a request for a Zoning Compliance Certificate, the City shall either issue the certificate or deny the request. When such 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.

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 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. 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.

C. 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.

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:

- 151.06.01 Purpose
- 151.06.02 Adult Uses
- 151.06.03 Alternative Energy Systems
- 151.06.04 Home Based Businesses
- 151.06.05 Marijuana Facilities
- 151.06.06 Medical Marijuana Cultivation or Infusion Facility
- 151.06.07 Temporary Uses
- 151.06.08 Communications Facilities
- 151.06.09 Mobile Food Vendors
- 151.06.10 Accessory Dwelling Units
- 151.06.11 Reasonable Modification
- 151.06.12 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

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	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:

151.18.01	Purpose
151.18.002	Exemptions
151.18.003	Presubmittal Meeting
151.18.004	Tiered Development Review Process
151.18.005	Level 1, Subthreshold Review
151.18.006	Level 2, Small Scale Review.
151.18.007	Level 3, Full Scale Review-
151.18.008	Significance of Approval
151.18.009	Completion of Project Documents
151.18.010	Fees

Section 151.18.001 Purpose

The purpose of this Article is to establish the levels of review and approval for 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 151.18.003 Exemptions

Developments meeting the following criteria shall be exempt from the requirements of this Article.

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.

('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 an application for Small Scale (Level 2) or Full Scale (Level 3) review and approval.
- B. 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 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 greater than the Level 2 thresholds.*

	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, +walkways, patios, decks and other surface level improvements)	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 the date of adoption. 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 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.

A. Application Requirements:

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 completed copy of the Administrative Site Plan application form.
2. A site drawing, scaled at an appropriate size, (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 luminare 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. Staff Review

1. The information required in subsection A of this section shall be submitted to 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. 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 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-Level 3, Full Scale Review Site Plan

A full interdepartmental review is necessary to determine compliance with this Code because of the scale and increased complexity of the project.

A. Application Requirements

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, (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. Development Review Committee Process

1. The information required in subsection A of this Section shall be submitted to the Community Development Department for distribution to all applicable City departments, 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 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.

('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-Significance of Approval

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 _

B. A 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 151.18.009 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 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 151.18.010 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	40	35	25	25	25	20
Rear	20	20	20	20	20	20
Interior Side	20	10	10	7	5	5
Street Side	20	20	15	15	10	10

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. Location Restrictions. No accessory building or structure shall be erected in any minimum required front yard or in front of any principal building.
3. 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, dedicated drainageway or wash, no setback shall be required for the accessory building or structure.
 - b. Except for those situations addressed in this section, 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 building code requirements as adopted under Section 150.01 of Chapter 150.

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*.

DEVELOPMENT CODE

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	
Front -	20
Side -	
Interior Side	5
Corner Side	10
Rear	15
Semi-Detached Single-Family, Attached Single-Family	
Front -	20*
Side	
Common interior building walls(s)	0
Outside building wall(s)	8
Rear -	15
Multiple Family	
_ Front	
3 or 4 units	20
5 or more units	
Inside Urban Infill Overlay District	20
Outside of Urban Infill Overlay District	40
Side	
3 or 4 units	
Interior Lot Line	5
Corner Side Yard	10
5 or more units	
Inside Urban Infill Overlay District	10
Outside of Urban Infill Overlay District	20
Rear	
3 or 4 units	15
5 or more units	

DEVELOPMENT CODE

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

DEVELOPMENT CODE

- 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. 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. 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;
 - • For a lot having its rear or side lot line contiguous with an alley line, dedicated drainageway or wash, no setback shall be required for the accessory building(s).
 - Except for those situations addressed in this section 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 additional building code requirements 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*.

DEVELOPMENT CODE

(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)

DEVELOPMENT CODE

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
- (e) Maximum Building Height -28 feet
- (f) 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.

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2. 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.
3. 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, dedicated drainageway, or wash, no setback shall be required for the accessory building(s).
 - (b) Except for those situations addressed in this section, 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 additional building code requirements as adopted under Section 151.01 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 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)