

Planning and Zoning Commission Regular Meeting

November 15, 2023 | 5:30 p.m.
Chandler City Council Chambers
88 E. Chicago St., Chandler AZ



Commission Members

Chair Rick Heumann
Vice Chair Sherri Koshiol
Commissioner Erik Morgan
Commissioner Mike Quinn
Commissioner Jeff Velasquez
Commissioner Kyle Barichello
Commissioner Rene Lopez

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. § 38-431.02, notice is hereby given to the members of the Planning and Zoning Commission and to the general public that the Planning and Zoning Commission will hold a REGULAR MEETING open to the public on Wednesday, November 15, 2023, at 5:30 p.m., at City Council Chambers, 88 E. Chicago Street, Chandler, AZ. One or more members of the Commission may attend this meeting by telephone.

Persons with disabilities may request a reasonable modification or communication aids and services by contacting the City Clerk's office at 480-782-2181 (711 via AZRS). Please make requests in advance as it affords the City time to accommodate the request.

Agendas are available in the Office of the City Clerk, 175 S. Arizona Avenue.

Planning and Zoning Commission

Regular Meeting Agenda - November 15, 2023

Call to Order/Roll Call

Pledge of Allegiance

Scheduled/Unscheduled Public Appearances

Members of the audience may address any item not on the agenda. State Statute prohibits the Board or Commission from discussing an item that is not on the agenda, but the Board or Commission does listen to your concerns and has staff follow up on any questions you raise.

Consent Agenda

Items listed on the Consent Agenda may be enacted by one motion and one vote. If a discussion is required by members of the Board or Commission, the item will be removed from the Consent Agenda for discussion and determination will be made if the item will be considered separately.

1. **October 18, 2023, Planning and Zoning Commission Meeting Minutes**
Move Planning and Zoning Commission approve Planning and Zoning Commission meeting minutes of the Study Session of October 18, 2023, and Regular Meeting of October 18, 2023.
2. **Zoning and Sign Code Amendments, PLH23-0026 City Code Amendments related to Zoning, Property Maintenance, & Garbage, amending Chapters 35 Land Use and Zoning and Chapter 39 Sign Code**
 - A. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-200 Definitions of the Zoning Code relating to mid-rise development, bar, and other updates, as recommended by Planning staff.
 - B. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-305 Use Permit, relating to renewal enforcement, as recommended by Planning staff.
 - C. Move Planning and Zoning Commission recommend approval of proposed text amendments to articles IV. AG-1-Agricultural District, V. SF-33-Single Family District, VI. SF-18-Single Family District, VI.1. SF-10 Single Family District, VIII. MF-1-Medium Density Residential District, IX. MF-2-Multiple Family Residential District, and X. MF-3-High Density Residential District of Chapter 35 Land Use and Zoning, cleaning up language and permitting single family homes on parcels zoned multifamily residential that are less than 12,000 square feet, as recommended by Planning staff.
 - D. Move Planning and Zoning Commission recommend approval of proposed text amendments to sections 35-1203, 35-1503, 35-1703, and 35-1902.4, granting authority to the Planning Administrator to reduce front yard setbacks within the Infill Incentive

District, as recommended by Planning staff.

E. Move Planning and Zoning Commission recommend approval of proposed text amendments to sections 35-1802 General Requirements and 35-1804 Parking Schedule, relating to parking requirements, as recommended by Planning staff.

F. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-1902.8(c) Site Development Plan, allowing the Planning Administrator to administratively approve more than two free-standing pads, as recommended by Planning staff.

G. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-1902 Site Development Plan, relating to drive-through requirements, use of shipping containers, and screening of roof-mounted equipment, as recommended by Planning staff.

H. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-2100 Table of Permitted Uses for Nonresidential Districts, modifying the layout, adding new previously unlisted uses, clarifying ancillary use provisions, and other related changes, as recommended by Planning staff.

I. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-2202 Accessory Buildings and Guest Quarters, permitting accessory dwelling units within single-family lots, as recommended by Planning staff.

J. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-2204 General, relating to perimeter wall requirements, as recommended by Planning staff.

K. Move Planning and Zoning Commission recommend approval of proposed text amendments to sections 35-2202.1, 35-2205, and 35-2208, relating to open-air ramadas, swimming pool setbacks, and satellite dish antenna requirements, as recommended by Planning staff.

L. Move Planning and Zoning Commission recommend approval of adding section 35-2215 Home Occupation, as recommended by Planning staff.

M. Move Planning and Zoning Commission recommend approval of proposed text amendments to Chapter 39 Sign Code, relating to murals and temporary sign requirements, as recommended by Planning staff.

3. **Rezoning, PLH23-0029 Alma Office Building Rezoning, located at 877 N. Alma School Road, more generally located south of the southeast corner of Alma School and Ray Roads**

Move Planning and Zoning Commission recommend approval of Rezoning case PLH23-0029 Alma Office Building Rezoning, rezoning from Single-Family Residential (SF-8.5) to Planned Area Development (PAD) for administrative office and limited commercial uses, subject to the conditions as recommended by Planning staff.

4. **Entertainment Use Permit, PLH23-0045 Buon Padre Pizza, 1080 E Pecos Road, Suite #23, located at the northeast corner of Pecos and McQueen Roads**
Move Planning and Zoning Commission recommend approval of Entertainment Use Permit PLH23-0045 Buon Padre Pizza to allow televisions, speakers and live entertainment within an outdoor patio.
5. **Notice of Cancellation of December 6, 2023, Planning and Zoning Commission Hearing**
Move Planning and Zoning Commission cancel December 6, 2023, Planning and Zoning Commission Hearing.

Discussion

Briefing

Member Comments/Announcements

Calendar

6. The next Regular Meeting of the Planning and Zoning Commission will be held on Wednesday, December 20, 2023, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler Arizona.

Adjourn



**Planning & Zoning Commission
23-055**

Development Services Memo No. PZ

Date: November 15, 2023
To: Planning and Zoning Commission
Thru: Kevin Mayo, Planning Administrator
From: Julie San Miguel, Senior Administrative Assistant
Subject: October 18, 2023, Planning and Zoning Commission Meeting Minutes

Proposed Motion:

Move Planning and Zoning Commission approve Planning and Zoning Commission meeting minutes of the Study Session of October 18, 2023, and Regular Meeting of October 18, 2023.

Attachments

October 18, 2023 Study Session Minutes
October 18, 2023 Regular Meeting Minutes

Meeting Minutes

Planning and Zoning Commission

Study Session

October 18, 2023 | 5:15 p.m.
Chandler City Council Chambers
88 E. Chicago St., Chandler, AZ



Call to Order

The meeting was called to order by Chairman Heumann at 5:18 p.m.

Roll Call

Commission Attendance

Chairman Rick Heumann
Vice Chair Sherri Koshiol
Commissioner Michael Quinn
Commissioner Jeff Velasquez
Commissioner Rene Lopez

Staff Attendance

Kevin Mayo, Planning Administrator
David de la Torre, Planning Manager
Alisa Petterson, Senior Planner
Darsy Olmer, Associate Planner
Thomas Allen, Assistant City Attorney
Julie San Miguel, Clerk

Absent

Commissioner Erik Morgan
Commissioner Kyle Barichello

Scheduled/Unscheduled Public Appearances

Members of the audience may address any item not on the agenda. State Statute prohibits the Board or Commission from discussing an item that is not on the agenda, but the Board or Commission does listen to your concerns and has staff follow up on any questions you raise.

Consent Agenda and Discussion

1. September 20, 2023, Planning and Zoning Commission Study Session and Regular Meeting Minutes

Move Planning and Zoning Commission approve Planning and Zoning Commission meeting minutes of the Study Session of September 20, 2023, and Regular Meeting of September 20, 2023.

CHAIRMAN HEUMANN confirmed there were no questions or comments from the Commission Members regarding this item.

2. September 20, 2023, Planning and Zoning Commission Work Session Meeting Minutes

Move Planning and Zoning Commission approve Planning and Zoning Commission meeting minutes of the Work Session September 20, 2023.

CHAIRMAN HEUMANN confirmed there were no questions or comments from the Commission Members regarding this item.

3. PLH23-0035 GALVESTON COMMERCIAL

DARSY OMER, ASSOCIATE PLANNER presented details regarding the request to amend an existing Planned Area Development (PAD) zoning district by allowing Medical Office uses in addition to the uses currently allowed, which include Industrial, General Office and Warehouse. The site is an existing building located at 4100 W. Galveston Street.

CHAIRMAN HEUMANN recused himself on this matter due to a conflict.

COMMISSIONER LOPEZ sought clarity on medical uses and asked if this refers exclusively to a medical office with no overnight stays or does it include surgical procedures.

DAVID DE LA TORRE, PLANNING MANAGER clarified the term “medical use” in this context refers to facilities without overnight stays. It would encompass typical medical office activities, which could include clinics or outpatient surgeries, but it would not include inpatient services with overnight accommodations.

4. PLH23-0030 VEGA DUPLEX

ALISA PETTERSON, SENIOR PLANNER presented details regarding the request for Use Permit approval for a new two-family dwelling on a property currently zoned MF-2 multiple-family residential located at 200 S. Dakota Street, generally located ¼ mile south and west of Chandler Boulevard and Arizona Avenue.

COMMISSIONER VELASQUEZ mentioned he discussed the landscape plan with staff and asked if the “large box” and “small box” tree was referring to 36-inch boxes and 24-inch boxes.

ALISA PETTERSON, SENIOR PLANNER stated staff is allowing flexibility considering the proposed is for a use permit, with the condition that the final plan adheres to standards. She further stated, although staff did not provide specific restrictions, the proposed is recommended approval as submitted with “large boxes” for trees.

COMMISSIONER VELASQUEZ pointed out the strip between the sidewalk and the curb along

Dakota and Chicago, referred to as "dirt parking strip". He recommends it be covered with decomposed granite (DG) for dust control. He presented statements regarding the downtown area and explained that many streets, particularly in residential zones, seem designed for long-term projects or green infrastructure, like water harvesting and street tree systems. These could enhance the area's livability in the future, though it is beyond the scope of this submission.

ALISA PETTERSON, SENIOR PLANNER stated the Applicant has confirmed the intention to landscape those areas with DG and other plantings and staff will ensure this commitment is documented. As for the broader discussion, staff is preparing to update the area plan for this district, which presents an excellent opportunity to set standard landscaping themes for these areas. She presented an image of the subject site viewed from the corner, looking north along Dakota Street and pointed out inconsistent landscaping and street parking. She further explained looking south, there is some landscaping, but minimal consistency, so addressing this in our area plan update is certainly recommended.

CHAIRMAN HEUMANN reminded the City Code prohibits dirt front yards and recommended the use of DG, plants, grass, or similar coverings. He asked if Vice Chair Koshiol's question regarding height was answered.

DAVID DE LA TORRE, PLANNING MANAGER stated staff will ensure the exhibit is fixed before it proceeds to the council so that it accurately reflects the correct height. He further stated per the code, they could not exceed 45-feet.

CHAIRMAN HEUMANN confirmed there were no questions or comments from the Commission Members regarding this item.

5. PLH23-0043 PIZZA HUT

DARSY OMER, ASSOCIATE PLANNER, presented details regarding the request for use permit approval for a Series 7 Beer and Wine Bar License. The existing business is located at 1000 N. Arizona Avenue, at the northwest corner of Arizona Avenue and Ray Road.

COMMISSIONER LOPEZ asked if the Applicant currently has a Series 12 License.

DARSY OMER, ASSOCIATE PLANNER confirmed the Applicant currently has a Series 12 License.

COMMISSIONER LOPEZ asked by going to a Series 7 if they would be dropping spirit sales. He recalled reviewing these while he was on City Council and commented that it is not the council that decides, the approval is for recommendation.

KEVIN MAYO, PLANNING ADMINISTRATOR explained while City Council makes recommendations to the state regarding all licenses, the City Code still mandates use permits. He clarified that the code still requires a use permit for Series 7 or Series 6 License, which allows for a beer and wine

bar or a full bar. He stated Staff is looking to amending the code to remove the Series 7 beer and wine bar requirement. The intent behind regulating this through the use permit was more about the externalities associated with a full bar, rather than a place like Pizza Hut.

COMMISSIONER LOPEZ thanked the Planning Administrator for explaining.

CHAIRMAN HEUMANN asked if the Applicant was selling alcohol to go and mentioned that he did not believe that a Series 7 allows that.

DARSY OMER, ASSOCIATE PLANNER stated she will confirm this with the Applicant.

6. Notice of Cancellation of the November 1, 2023, Planning and Zoning Hearing


Move Planning and Zoning Commission cancel November 1, 2023, Planning and Zoning Commission Hearing.

Calendar

The next Study Session will be held before the Regular Meeting on Wednesday, November 15, 2023, in the Chandler City Council Chambers, 88 E. Chicago Street.

Adjourn

The meeting was adjourned at 5:30 p.m.



Kevin Mayo, Secretary

Rick Heumann, Chairman

Meeting Minutes

Planning and Zoning Commission

Regular Meeting

October 18, 2023 | 5:30 p.m.
Chandler City Council Chambers
88 E. Chicago St., Chandler, AZ



Call to Order

The meeting was called to order by Chairman Heumann at 5:38 p.m.

Roll Call

Commission Attendance

Chairman Rick Heumann
Vice Chair Sherri Koshiol
Commissioner Michael Quinn
Commissioner Jeff Velasquez
Commissioner Rene Lopez

Staff Attendance

Kevin Mayo, Planning Administrator
David de la Torre, Planning Manager
Alisa Petterson, Senior Planner
Darsy Olmer, Associate Planner
Thomas Allen, Assistant City Attorney
Julie San Miguel, Clerk

Absent

Commissioner Erik Morgan
Commissioner Kyle Barichello

Pledge of Allegiance

The Pledge of Allegiance was led by Vice Chair Sherri Koshiol.

Scheduled and Unscheduled Public Appearances

Members of the audience may address any item not on the agenda. State Statute prohibits the Board or Commission from discussing an item that is not on the agenda, but the Board or Commission does listen to your concerns and has staff follow up on any questions you raise.

Consent Agenda and Discussion

1. September 20, 2023, Planning and Zoning Commission Study Session and Regular Meeting Minutes

Move Planning and Zoning Commission approve Planning and Zoning Commission meeting minutes of the Study Session of September 20, 2023, and Regular Meeting of September 20, 2023.

2. September 20, 2023, Planning and Zoning Commission Work Session Meeting Minutes

Move Planning and Zoning Commission approve Planning and Zoning Commission meeting minutes of the Work Session September 20, 2023.

3. PLH23-0035 GALVESTON COMMERCIAL

Request to amend an existing Planned Area Development (PAD) zoning district by allowing Medical Office uses in addition to the uses currently allowed, which include Industrial, General Office and Warehouse. The site is an existing building located at 4100 W. Galveston Street.

Move Planning and Zoning Commission recommend approval of Rezoning PLH23-0035 Galveston Commercial, amending existing PAD to allow medical office uses, subject to the conditions as recommended by Planning staff.

Planning staff recommends Planning and Zoning Commission move to recommend approval of amending the PAD to allow for Medical Office uses, subject to the following conditions:

1. Development shall be in substantial conformance with exhibits and representations entitled "Chandler Corporate Center II" kept on file in the City of Chandler's Planning Division, in file No. PDP13-0017, modified by such conditions included at the time the exhibits were approved by the City Council and/or as thereafter amended, modified or supplemented by the City Council.
2. Uses permitted shall be limited to light industrial such as but not limited to general offices and research and development. Additionally, medical office uses shall be permitted provided they do not exceed 43,000 square feet.
3. All employees and clients shall park on-site.
4. The site shall be maintained in a clean and orderly manner.

4. PLH23-0030 VEGA DUPLEX

Request for Use Permit approval for a new two-family dwelling on a property currently zoned MF-2 multiple-family residential located at 200 S. Dakota Street, generally located ¼ mile south and west of Chandler Boulevard and Arizona Avenue.

Move Planning and Zoning Commission recommend approval of Use Permit PLH23-0030 Vega Duplex for a new two-family dwelling on a property currently zoned MF-2 multiple-family residential, subject to the conditions as recommended by Planning staff.

Planning staff recommends Planning and Zoning Commission move to recommend approval of the Use Permit, subject to the following conditions:

1. Substantial expansion or modification beyond the attached "Exhibit A" shall void the Use Permit and require new Use Permit application and approval.
2. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
3. The site shall be maintained in a clean and orderly manner.
4. The home builder/lot developer shall provide a written disclosure statement, for the signature of any potential buyer, acknowledging that the property is located adjacent to or nearby the "Entertainment District" which may contain land uses that create adverse noise and other externalities. The "Purchase Contracts" and the property deed shall include a disclosure statement outlining that the site is adjacent to the Entertainment District. The responsibility for notice rests with the home builder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
5. Developer shall complete construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements, and street lighting to achieve conformance with City Codes, standard details, and design manuals.
6. In addition to a duplex, a single-family residence is also permitted and shall be subject to development standards applicable to the MF-2 Multiple Family Residential District. Administrative Design Review approval shall be required prior to building permit issuance of any single-family home.

5. PLH23-0043 PIZZA HUT

Request for use permit approval for a Series 7 Beer and Wine Bar License. The existing business is located at 1000 N. Arizona Avenue, at the northwest corner of Arizona Avenue and Ray Road.

Move Planning and Zoning Commission recommend approval of Use Permit PLH23-0043 Pizza Hut for a Series 7 Beer and Wine Bar License subject to the conditions as recommended by Planning staff.

Planning staff recommends Planning and Zoning Commission move to recommend approval of

the Use Permit, subject to the following conditions:

1. Substantial expansion or modification beyond the approved exhibits (Exhibits and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The Use Permit is non-transferable to any other location or any new owner.
3. The site shall be maintained in a clean and orderly manner.
4. This Use Permit approval is solely for a Series 7 Beer and Wine Bar license.
5. The Use Permit shall remain in effect for two (2) years from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler
6. **Notice of Cancellation of the November 1, 2023, Planning and Zoning Hearing**
Move Planning and Zoning Commission cancel November 1, 2023, Planning and Zoning Commission Hearing.

Consent Agenda Motion and Vote

COMMISSIONER LOPEZ moved to approve the Consent Agenda of the October 18, 2023, Regular Planning and Zoning Commission Meeting; Seconded by VICE CHAIR KOSHIOL.

Motion carried unanimously; Chairman Heumann abstained from the vote as to Item No. 3 PLH23-0035 Galveston Commercial.

Member Comments/Announcements

KEVIN MAYO, PLANNING ADMINISTRATOR stated the November 1, 2023, Planning and Zoning Commission meeting is cancelled, and the next meeting will be held on November 15, 2023. On that date, there will be a small collection of code amendments that was previously discussed in the work session held last month. Staff is diligently working on public notification and stakeholder outreach and valuable feedback has been received and led to numerous adjustments in the proposed code. He explained staff expects to bring the revised code amendments before the Planning and Zoning Commission on November 15, 2023. Given the substantial volume of amendments and the insightful feedback from the commission at the work session, it is unlikely we'll be able to cover all the changes and input received, as well as the subsequent modifications staff is arranging an extended two-hour study session, possibly longer, to ensure we cover everything thoroughly.

CHAIRMAN HEUMANN mentioned that he discussed this with the Planning Manager and recommends there be time to address each amendment in detail and potentially vote on each amendment separately if necessary.

KEVIN MAYO, PLANNING ADMINISTRATOR explained staff aims to avoid a situation where one item could stall the entire set of amendments and is considering best to manage the process. Staff is working on a strategy that will allow the Commission to smoothly handle motions and if something is not ready, be able to set it aside without affecting the rest of the items.

CHAIRMAN HEUMANN stated that is a good plan and he is glad that staff will be providing the Commission with the packet earlier in the week, to give Commission Members more time to review.

Calendar

The next regular meeting will be held on Wednesday, November 15, 2023, in the Chandler City Council Chambers, 88 E. Chicago Street.

Adjourn

The meeting was adjourned at 5:42 p.m.



Kevin Mayo, Secretary

Rick Heumann, Chairman



Planning & Zoning Commission Development Services Memo No. 23-054

Date: November 15, 2023
To: Planning and Zoning Commission
Thru: Kevin Mayo, Planning Administrator
David de la Torre, Planning Manager
From: Lauren Schumann, Planning Senior Program Manager
Subject: PLH23-0026 City Code Amendments related to Zoning, Property Maintenance, & Garbage

Proposed Motion:

A. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-200 Definitions of the Zoning Code relating to mid-rise development, bar, and other updates, as recommended by Planning staff.

B. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-305 Use Permit, relating to renewal enforcement, as recommended by Planning staff.

C. Move Planning and Zoning Commission recommend approval of proposed text amendments to articles IV. AG-1-Agricultural District, V. SF-33-Single Family District, VI. SF-18-Single Family District, VI.1. SF-10 Single Family District, VIII. MF-1-Medium Density Residential District, IX. MF-2-Multiple Family Residential District, and X. MF-3-High Density Residential District of Chapter 35 Land Use and Zoning, cleaning up language and permitting single family homes on parcels zoned multifamily residential that are less than 12,000 square feet, as recommended by Planning staff.

D. Move Planning and Zoning Commission recommend approval of proposed text amendments to sections 35-1203, 35-1503, 35-1703, and 35-1902.4, granting authority to the Planning Administrator to reduce front yard setbacks within the Infill Incentive District, as recommended by Planning staff.

E. Move Planning and Zoning Commission recommend approval of proposed text amendments to sections 35-1802 General Requirements and 35-1804 Parking Schedule, relating to parking requirements, as recommended by Planning staff.

F. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-1902.8(c) Site Development Plan, allowing the Planning

Administrator to administratively approve more than two free-standing pads, as recommended by Planning staff.

G. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-1902 Site Development Plan, relating to drive-through requirements, use of shipping containers, and screening of roof-mounted equipment, as recommended by Planning staff.

H. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-2100 Table of Permitted Uses for Nonresidential Districts, modifying the layout, adding new previously unlisted uses, clarifying ancillary use provisions, and other related changes, as recommended by Planning staff.

I. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-2202 Accessory Buildings and Guest Quarters, permitting accessory dwelling units within single-family lots, as recommended by Planning staff.

J. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-2204 General, relating to perimeter wall requirements, as recommended by Planning staff.

K. Move Planning and Zoning Commission recommend approval of proposed text amendments to sections 35-2202.1, 35-2205, and 35-2208, relating to open-air ramadas, swimming pool setbacks, and satellite dish antenna requirements, as recommended by Planning staff.

L. Move Planning and Zoning Commission recommend approval of adding section 35-2215 Home Occupation, as recommended by Planning staff.

M. Move Planning and Zoning Commission recommend approval of proposed text amendments to Chapter 39 Sign Code, relating to murals and temporary sign requirements, as recommended by Planning staff.

Background/Discussion

- April 2023- City Council Work Session occurred to discuss potential code amendments referred as Cornucopia Code Amendments; City Council requested additional research
- August 2023- Proposed code amendments divided into two categories to align with City Council's adopted Strategic Framework; the Neighborhoods and Economic Vitality Council Subcommittees met to discuss potential zoning code amendments
- September 2023- Planning Commission Work Session occurred for feedback and guidance regarding potential zoning code amendments
- Revisions made to address concerns from both City Council and Planning and Zoning Commission

Proposed Zoning	Intent	Amendment Summary
-----------------	--------	-------------------

Code Amendment-Economic Vitality		
<p>Allow administrative review to modify building setbacks within properties located within Infill Incentive District when quality of design is warranted</p>	<p>Developers are walking away from potential projects that would've improved older areas of the City because they require PAD and/or PDP amendments. The 8-month (average) process can't be reduced without infringing on critical components such as staff review, neighborhood outreach or statutory notification periods for public hearings.</p> <p>In order to facilitate infill and redevelopment in older areas of Chandler, staff is proposing the ability to administratively review and approve waivers to building setbacks if the proposed design exceeds the intent of commercial design standards and the precedence for high quality design in lieu of the public hearing process for commercial and industrial properties.</p> <p>The amendment would encourage developers to provide higher quality designs in lieu of going through the 8-month public hearing process.</p> <p>Certain City Council members and Planning and Zoning Commissioners expressed concerns with waiving the public process, but were willing to look at criteria for allowing administrative approval.</p>	<p>In order to accommodate, encourage, and promote infill development or redevelopment for properties located within the Infill Incentive District (properties located north of the SanTan 202 Freeway), the Zoning Administrator may reduce front yard building setbacks prescribed herein after having made a finding that such deviation, on balance, will result in environmental and design quality superior to that otherwise attainable without such deviation.</p> <p>Criteria established to qualify for reduced setbacks identifying high quality of architectural design, buffers in place from residential, minimum landscaping, and safe traffic practices including sufficient parking. Maximum reduction for front yard setback identified as up to twenty (25) feet along arterial street and up to fifteen (15) feet along collector streets.</p> <p>See pages 14-18 of draft attached</p>
<p>Allow administrative ability to allow more than one free-standing pad per arterial street in lieu of</p>	<p>Staff has seen a heighten request for more free-standing pads within larger developments due to consumer trends and the market. In order to accommodate desired development within the city, administratively allow more than one free-standing pad per</p>	<p>In order to accommodate, encourage, and promote infill development or redevelopment, the Zoning Administrator may approve more than two free-standing pads per</p>

amending the Preliminary Development Plan	<p>arterial street if proposed design exceeds the intent of commercial design standards and the precedence for high quality design in lieu of the public hearing process. The intent of the following standard is to encourage creative and innovative design techniques, quality and merit administratively.</p> <p>Certain Council members and Commissioners expressed concerned with waiving the public process, but were willing to look at criteria for allowing administrative approval.</p>	<p>development after having made a finding that such deviation, on balance, will result in environmental quality superior to that otherwise attainable without such deviation.</p> <p>Criteria established requiring high quality of design, design of site, and ensuring all traffic circulations remains on-site.</p> <p>See pages 26-27 of draft attached</p>
Modify requirements for drive-through queuing lanes	<p>Double drive-thru lanes have become very common in recent years. The zoning code requires 150 feet of queuing from start of queuing lane to pick-up window and also provide a minimum of six (6) vehicles from order box to start of queuing lane for high turn-over users. Businesses propose to divide the required queuing length between two lanes. However, this could create traffic circulation issues when businesses close one of the lanes and causes queuing to spill onto adjacent parcels or streets.</p>	<p>The proposed amendment would require total queuing to occur within one lane and any additional lanes would be extra, but not be counted towards the requirement.</p> <p>The amendment would also replace six (6) vehicles with 120 feet to avoid unclear dimensions for developers.</p> <p>See page 27 of rough draft attached</p>
Establish minimum queuing length for secondary pick-up windows used for online orders	<p>Businesses providing pick-up windows for preorder or online orders only request a shorter queuing lane as orders are prepared prior to the customer arriving on-site and customers are given a time for pick-up. Currently, code does not differentiate between online orders or onsite orders and requires 150 feet for all queuing lanes.</p> <p>Planning and Zoning Commission recommended more queuing during the work session meeting, the request</p>	<p>The proposed amendment would require a minimum of sixty (60) feet of queuing from start of queuing lane to pick-up window for pick-up windows used for preorders. Menu boards would be prohibited.</p> <p>See pages 27 of rough draft attached</p>

	has been increased from forty feet to sixty feet.	
Use of Shipping Containers for non-residential and residential development	Staff has seen multiple request for shipping containers to be used for development. Current code prohibits the use of metal buildings if seen from arterial streets. The intent was to prohibit pre-manufactured metal buildings.	<p>The proposed amendment would permit shipping containers if designed creatively with additional material for both residential and non-residential development.</p> <p>See page 26 of draft attached</p>
Increase height that would require a Mid-Rise Overlay	A Mid-Rise Overlay (MRO) is required for buildings exceeding forty-five (45) feet in height and processed through a rezoning. MRO was intended to regulate buildings five-stories or taller. The issue is that 3 and 4-story buildings are frequently surpassing MRO heights because of increases in height between floors and of roof-mounted mechanical equipment. The intent is to allow 3 to 4-story buildings to increase height of parapets to completely screen all roof mounted equipment without having to obtain a MRO.	Increase requirement for Mid-Rise Development from forty-five (45) feet to fifty-five (55) feet to accommodate the screening of large roof-mounted equipment.
Reducing requirements to completely screen roof-mounted equipment	<p>The current code requires all roof-mounted equipment to be completely screened from all views. For new development the preference is to screen equipment by top of parapet. If a secondary screening method is used to screen equipment on an existing building, material and massing needs to be architecturally integrated with the building's design to avoid a box around a box.</p> <p>Developers have claimed Chandler is more restrictive than other cities. Upon further review, other cities require complete screening as viewed from across the street. The potential code amendment is to not lessen screening requirements but to allow for flexibly for</p>	<p>In order to accommodate, third generation users of aging industrial buildings within larger business parks not seen from arterial roads, the proposed amendment would allow the Zoning Administrator to waive roof-mounted screening.</p> <p>The proposed amendment also allows the Zoning Administrator to reduce or waive requirements to screen roof-mounted equipment on buildings fifty-five (55) feet or taller, if located as to not</p>

	<p>aging industrial business parks or situations where screening can be waived.</p> <p>City Council wanted to ensure screening occurred adjacent to residential.</p>	<p>be visible.</p> <p>As proposed, the code would continue to require all equipment to be screened if the development is adjacent to residential or visible from an arterial street. No changes to commercial development.</p> <p>See page 25 of draft attached</p>
Permit "For Lease" banners signs	<p>Per the Sign Code, temporary banners shall not be displayed for more than thirty (30) days within each six (6) month period. Property owners have asked to display "For Lease" or "Space Available" banners as long as the suite is unoccupied.</p> <p>Some Council members were not okay with unlimited amount of time, but were willing to establish a longer time for unoccupied spaces.</p>	<p>The proposed amendment allows 'space available' or 'for lease' banners for nonresidential uses to remain over unoccupied spaces for one (1) year. A permit is required and shall be renewed yearly to assist in maintenance of the temporary signs.</p> <p>See page 34 of draft attached</p>
Murals	<p>The Sign Code is currently silent regarding murals. The concern is deciphering murals as either art or signage. Murals with associated text can be considered signage.</p>	<p>The proposed amendment would clearly distinguish signage from murals by adding definition and clarifying that images depicting commercial message are signs. Murals consisting of no commercial message, would be allowed by right.</p> <p>Staff would provide a precursory review to ensure no commercial message were depicted within proposed murals.</p> <p>See page 33 of draft attached</p>

Medical parking	<p>Current code only classifies two types of medical regarding uses and parking; hospitals three (3) spaces per bed and medical, dental offices, clinic one (1) space per one hundred and fifty (150) square feet. The medical market has evolved to include several out patient services, which require different amounts of parking since they do not operate like a general doctor's office serving multiple patients within an hour.</p>	<p>The proposed amendment would categorize types of medical uses and associated parking requirements. For specialist medical users or out-patient surgery centers, a parking ratio of one (1) space per two-hundred (200) square feet is the recommended ratio by Urban Land Institute (ULI).</p> <p>See page 21 of draft attached</p>
Flex industrial parking	<p>Industrial development has grown exponentially in the past five years. Currently, the City has approximately 2.4 million square feet of flex industrial buildings under construction. The current parking ratio for industrial is either:</p> <p>Manufacturing at one (1) space per one-thousand (1,000) square feet; or</p> <p>Warehousing requiring one (1) space per five hundred (500) square feet for the first ten thousand (10,000) square feet plus one (1) space/five thousand (5,000) square feet for remaining warehouse. Both uses shall park office at a rate of one (1) per two-hundred and fifty (250) square feet.</p> <p>Recent flex industrial developments have been attracting users that require more parking due to their mix of office, manufacturing and other similar more intensive uses. As such, staff has been administratively requiring 2 spaces/1,000 sq. ft. on all flex industrial development for at least the last year.</p>	<p>The proposed amendment would codify the parking ratio that staff has been administratively requiring; a minimum parking ratio of two (2) parking spaces per one-thousand (1,000) square feet. The proposed ratio would accommodate various industrial users including research and development and all ancillary offices.</p> <p>See page 23 of draft attached</p>

Revise the Table of Permitted uses	<p>Three objectives proposed:</p> <ol style="list-style-type: none"> 1. Reorganize the table to group by common uses; currently the list is sorted in alphabetical order. There are numerous repeated uses. For example "hotels, motels, tourist homes" is listed later in the list as "motels, hotels, tourist homes" and "tourist homes, hotels and motels". Grouping by common land uses will eliminate repeated entries and make it easier to search for uses. 2. Update relevant uses to include but not limited to brewery, cloud kitchen, adult day care, and film studios 3. Identify ancillary uses and percentage permitted; Currently, staff has administratively been allowing ten (10) percent of building areas to be ancillary uses. This has been too restrictive for some employers that wish to move into an existing industrial zoning. For this reason, staff is proposing permitting up to 40% ancillary office within industrial properties. 	See attached draft Table of Permitted Uses
Enforcement of Use Permit renewal	The current code is silent regarding enforcement of Entertainment Use Permit or Use Permit renewal when time stipulation is due and an application for renewal has been submitted.	<p>The proposed amendment would clarify when an application is filed and under the review process, enforcement may be stayed.</p> <p>See pages 3-7 of draft attached</p>
Eliminating Use Permits for a Series 7 Beer and Wine Bar License	In 2018, Liquor Use Permits were eliminated and replaced with Entertainment Use Permits to regulate establishments that sold alcohol to the public and had entertainment activity. The exception was that bars would continue to require Use Permits even if they did not plan to have entertainment. The Arizona Department of Liquor issues two types of bar licenses; Series 6 Bar License	<p>The proposed amendment would eliminate the requirement for a Use Permit for an establishment operating under a Series 7 Beer and Wine Bar License.</p> <p>See page 1 of draft attached</p>

	and Series 7 Beer and Wine Bar License. Series 7 liquor license are utilized by establishments that do not create negative impacts to surrounding properties. Examples of such establishments include Game Show Battle Rooms and Pickleball Kingdom. Staff believes that the Use Permit requirement for bars was intended for Series 6 Bar licenses, which are the typical bar establishments that are more likely to impact surrounding properties.	
--	--	--

Proposed Zoning Code Amendment-Neighborhoods	Intent	Amendment Summary
Permit a single-family home within properties zoned multi-family	<p>Areas in and around the downtown were given multi-family zoning in 1960 to align with conditions at that time. Many single-family lots located in those areas had a second dwelling for servant quarters, therefore, determined it was multi-family.</p> <p>Due to the blanket multi-family zoning over those neighborhoods, today single-family homes cannot be built on vacant properties or rebuilt in case of a fire, without obtaining a Use Permit. While those areas are currently, single-family neighborhoods, all of those lots are legal non-conforming.</p>	In order to preserve the existing single-family neighborhoods in the downtown area, the proposed amendment would permit one single-family dwelling by right on multi-family zoned properties not exceeding 12,000 square feet.
Eliminate requirement for front yard driveways to connect within residential	The current code requires all parking areas on single-family lots to be connected to the required off-street parking spaces (i.e., garage or carport). Staff has seen this create a reoccurring issue for residents who want to add a driveway that leads to a gate on the property's side yard. Currently, code does not allow parking on the driveway, unless it is connected to the garage. This encourages residents to pave over most of their front yard	<p>The proposed amendment would eliminate requirements for on-site parking surfaces to be connected to the garage in order to reduce the amount of pavement used and provide more landscaping within residential front yards.</p> <p>See page 19 of draft attached</p>

	and creates less desirable curb appeal for neighborhoods.	
Permit Accessory Dwelling Units (ADU's) within single-family lots	<p>Under the 2020 approved zoning code amendments, guest quarters were permitted on single-family lots. Guest quarters did not permit built-in cooking facilities, (i.e. stove or oven). Residents overwhelmingly request to build ADU's with full kitchens to house an aging parent or adult children.</p> <p>Guest quarters will still be permitted as defined above.</p>	<p>Permit accessory dwelling units on single-family lots meeting requirements of the accessory building, which one (1) accessory building is permitted per lot, must meet property's building setbacks, maximum height fifteen (15) feet, and must be architecturally integrated with the main residence. The proposal requires one (1) additional uncovered off-street parking space not obstructing any required off-street parking for the main dwelling. In order to not change the character of the single-family neighborhood, ADU's shall not be used as a short term rental vacation property.</p> <p>See pages 28-29 of draft attached</p>
Home Occupations	Home occupations are currently permitted within residential properties if completely conducted within the dwelling unit, by a member of the family residing therein, and no customers or employees are allowed to come to the dwelling.	<p>The proposed amendment would permit additional uses such as but not limited to personal services, beauty services, photographer, consulting, or therapist allowing one employee or customer appointment at a time to visit during the hours of 8 am to 7 pm. The home occupation can occur within an accessory building or garage if the use does not replace required garage parking spaces. No home occupation shall be</p>

		<p>permitted that is noxious, offensive, or hazardous by reason of vehicular traffic, generation or emission of noise, vibration, smoke, dust, or other particulate matter, odorous matter, heat, humidity, glare, refuse, radiation, or other objectionable emissions.</p> <p>See pages 32-33 of draft attached</p>
Reduce setbacks for residential swimming pools	<p>Currently, the zoning code requires a setback of five feet. This setback was originally derived from the Building Code, which has since been amended. The pool setback is dictated by the building code.</p>	<p>Remove required building setback from Zoning Code as it's regulated by the Building Code.</p> <p>See page 30-31 of draft attached</p>
Increase size of residential open air ramadas	<p>An open air ramada is a structure open on the sides and supporting a roof used for the purpose of providing shade. Permitted open air ramadas cannot exceed 150 square feet, maximum height is ten (10) feet, and setback five (5) feet from property line. Currently, there is no limit to the amount of ramadas that can be placed in a rear yard, however, they must be separated by one (1) horizontal foot.</p> <p>A majority of pre-manufactured ramadas or shade structures exceed maximum square footage permitted per the current code.</p>	<p>Proposal to eliminate maximum square footage and limit total square footage of all ramadas to not exceed thirty (30) percent of the rear yard as measured from the back plane of the house; excluding accessory buildings which can occupy thirty (30) percent of the rear yard as well. Total lot coverage for the property shall be met. Maximum height and setbacks for ramadas will remain unchanged. Ramadas may have one solid wall not exceeding seven (7) feet in height used for the purpose of a media wall and shall exclude chimneys.</p> <p>Without the amendment a property owner can currently cover the entire</p>

		<p>backyard with ramadas only separating them by one foot and meeting the five (5) foot setback from property lines. The proposed amendment although removing maximum square footage establishes total area of a rear yard where ramadas can occur.</p> <p>See pages 30 of draft attached</p>
Require perimeter walls within new development adjacent to residential	The current code does not require minimum wall height or consider grade differences between adjacent developments. Potential grade differences could create privacy concerns.	<p>For new developments abutting residential areas, add a requirement to maintain or provide a minimum six (6) foot high perimeter wall, as measured from the highest grade within five (5) feet of the new wall.</p> <p>See page 30 of draft attached</p>
Prohibit double walls	The current code is silent but by policy when new development occurs adjacent to existing development staff avoids permitting double walls due to safety concerns. Developers insist on building a new wall adjacent to an existing perimeter wall to avoid having to work with adjacent property owners. Areas between the walls can range from centimeters to in some cases wide enough to access the area. Safety concerns include children or animals getting stuck between or one wall compromising the other wall.	<p>Prohibit double walls; the developer shall work with adjacent property owners to use or replace the existing wall.</p> <p>See pages 30 of draft attached</p>
Multi-family parking requirements	The current code requires covered and uncovered parking spaces per unit based on bedroom counts. The code is silent on requiring guest parking spaces. Through the public hearing process, developers can request to	The proposed amendment is to require 0.2 additional parking spaces per unit evenly distributed throughout the development for guest

	<p>deviate from the required parking spaces.</p> <p>Developments that requested a deviation to the parking requirements have since built and city staff now have observed a parking problem. Residents often park outside the development within neighboring streets as either parking is not available or the development charges residents an extra fee to park within the apartment complex.</p> <p>Certain City Council members and Planning and Zoning Commissioners had concerns with the proposed .25 spaces per unit and concerns the additional parking spaces would result in less landscaping or less units to be built.</p>	<p>parking. Staff researched other municipalities and found Chandler's parking requirements for multi-family is average, however, Chandler is one of the few cities that currently does not require additional spaces for guests.</p> <p>The proposed code amendment would also prohibit apartments from charging separate fees for parking spaces required by the code.</p> <p>See pages 19-20 of draft attached</p>
Guest parking spaces- Residential	<p>The current zoning code does not require designated guest parking spaces within residential development; this amendment is for all residential development excluding apartments.</p> <p>While not currently in code, staff is implementing a policy that requires developments to provide guest parking spaces evenly distributed throughout the development when on-street parking is not available. By codifying the policy, staff can continue to require adequate guest parking spaces within residential developments while at the same time provide more certainty to developers.</p>	<p>If on-street parking is not available, guest parking spaces evenly distributed throughout the development shall occur at the following rate:</p> <p>0.25 spaces per lot 0.5 spaces per lot without private driveways</p> <p>See pages 19-20 of draft attached</p>
Satellite dishes	<p>The zoning code restricts height, location, and size of satellite dishes within different zoning districts. The Federal Communications Commission (FCC) regulates and protects requirements for satellite dishes. During a City Council Subcommittee meeting, a Council</p>	<p>Staff proposes to amend the requirements for satellite dishes to protect visual impacts on neighboring properties while concurrently aligning with requirements of the FCC in lieu of removing</p>

	member raised concerns about completely eliminating satellites dish regulations.	completely. See pages 31-32 of draft attached
--	--	--

While the Planning and Zoning Commission's purview is limited to Chapters 35 (land use and zoning) and 39 (signs), staff is relaying the following information regarding a couple of proposed code amendments in other chapters. As part of this City Code Amendment, staff is also proposing changes to clarify code to align with current practice when a neighborhood votes to convert from alley to curbside collection for garbage within Chapter 44 and changes to Property Maintenance within Chapter 30.

Public Outreach

- Proposed Zoning Code Amendment were posted on City's website for public and stakeholders feedback
- This request was noticed in accordance with the requirements of the Chandler Zoning Code
- Staff met in-person with the Downtown Chandler Community Partnership (DCCP) and Multi-Housing Association representees; each subsequently provided comments via email (see attachment)
- The DCCP suggested possible future amendments and the only comment relating to the proposed code amendment was to allow for illuminated signage for businesses adjacent to residential within the downtown
- The Multi-housing Association is strongly opposed to parking requirements for multi-family; In response, staff reduced the proposed requirement to provide guest parking spaces from .25 to .20 spaces per unit
- All comments submitted through the city's website are attached as public comment

Attachments

Proposed Text Amendment

Proposed Table of Permitted Uses

Public Comments

The proposed amendment read as follows additions in ALL CAPS and deletion in text ~~striketrough~~.

ARTICLE II. - DEFINITIONS

35-200. - Definitions.

Accessory building: One (1) detached building which is subordinate and customarily incidental to and on the same lot with a main building, ACCESSORY BUILDINGS MAY includeing STRUCTURES SUCH AS BUT NOT LIMITED TO a private garage but not involving any activity used for commercial purposes, WORKSHOP, ACCESSORY DWELLING UNIT, OR GUEST QUARTER. Greenhouses and/or hydroponic houses for hobby purposes shall be excluded for this definition.

ACCESSORY DWELLING UNIT: A SECONDARY DWELLING UNIT SHARING THE LOT OF A LARGER, PRIMARY SINGLE-FAMILY HOME.

~~*Amusement arcade:* Any building or portion thereof having its primary use devoted to mechanical amusement devices and/or vending machines.~~

BAR: ANY ESTABLISHMENT OPERATING UNDER A SERIES 6 BAR LICENSE AND SELLING SPIRTUOUS BEVERAGE TO THE PUBLIC.

FILM PRODUCTION STUDIO: A BUILDING OR SPACE USED FOR THE PURPOSE OF MAKING FILM PRODUCTIONS. PORNOGRAPHIC FILM PRODUCTION DEPICTING SPECIFIED SEXUAL ACTIVITES SHALL BE PROHIBITED.

~~*Home occupation:* Any occupation or profession conducted entirely within a dwelling unit and carried on by a member of the family residing therein and which occupation or profession is clearly incidental and subordinate to the use of the dwelling unit for dwelling purposes and does not change the character thereof, and in connection with which there are no employees other than a member of the immediate family residing in the dwelling unit; provided that no mechanical equipment is used except such that is normally used for domestic, hobby or household purposes; and provided that no commodity is sold upon the premises and provided that no inventory of saleable commodities are kept or stored upon the premises.~~

~~"Home occupation" includes the use of a dwelling unit by a physician, surgeon, dentist, lawyer, clergyman or other professional person for consultation or emergency treatment, but not for the general practice of his/her profession. "Home occupation" does not include clinic, hospital, barbershop, beauty shop, animal hospital, advertising or public relations agency, interior decorator's office or workshop, real estate or insurance office, stockbroker's office or similar use.~~ A BUSINESS OR PROFESSION CONDUCTED IN A DWELLING UNIT OR ACCESSORY BUILDING WITHIN A RESIDENTIAL DISTRICT IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.

Mid-rise development: Any building(s) having a height greater than ~~forty-five (45)~~ FIFTY-FIVE (55) feet as measured from grade, exclusive of any penthouse built on the roof for the sole purpose of housing the mechanical equipment used in the building, and which does not have a height exception under [section 35-2202](#) of this Code.

35-305. Use permits.

(1) *General use permits:* Land uses permitted by use permit are identified under each zoning district established within this Code. Except as provided in subsections (2), (3), and (4) below, approval of use permits shall be subject to the following standards and procedures:

(a) *Application:* Application procedures for use permits shall be the same as applications for amendments to the Zoning Code as outlined in Article XXVI. The Planning and Zoning Commission shall make a recommendation to [the] City Council on applications after proper advertising of public notices and posting of property.

(b) *Review:* Review and approval of use permits shall include but not be limited to examination of the following factors, where applicable:

1. Consistency with general plan.
2. Ingress and egress to property and proposed structures, pedestrian and vehicular circulation with particular reference to fire protection.
3. Off-street parking and loading.
4. General compatibility of use with adjacent property and property in the district.
5. Impact on public services, including schools, recreation and utilities.
6. Screening and buffering of uses.
7. Signage.
8. Exterior lighting with reference to adjacent properties.
9. Stormwater retention and landscaping.
10. Site and building design for conformance with the general plan and policies and City standards.

(c) *Approval:* Use permits may be granted by the City Council upon a finding that the request:

1. Is in conformance with the general plan and its policies.
2. Will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general, and that the use will be in full conformity with the conditions, requirements or standards prescribed by this Code or higher as may be deemed necessary by City Council in any one (1) situation.

Minor changes to the approved plan may be approved by the Zoning Administrator. Any major deviations may be approved by the City Council.

(d) *Timing condition:* Use permits granted by the City Council shall be void if the use is not commenced or substantial construction has not taken place within one (1) year of such Council action or within a time period stipulated by the Council.

CONTINUATION OF THE USE PERMIT BEYOND THE EXPIRATION DATE SHALL REQUIRE RE-APPLICATION AND APPROVAL BY THE CITY COUNCIL.

ONCE AN APPLICATION IS SUBMITTED, THE ENFORCEMENT ON ANY VIOLATION FOR OPERATING WITHOUT A USE PERMIT IS STAYED UNTIL FINAL VOTE OF THE CITY COUNCIL.

(E) Revocation or suspension:

1. In addition to any other penalties or remedies provided by this Zoning Code, the Zoning Administrator may suspend or revoke a use permit upon a finding of:

A material change in the permitted use or the conditions prescribed upon issuance of the use permit has occurred without an amendment to the use permit having been obtained; or

Material noncompliance with the conditions prescribed upon issuance of the use permit or with the representations made by the permit holder in connection with the application for the use permit as to the nature of the conditional use to be conducted; or

Operation of the permitted use in such a manner as to cause a substantial detrimental impact on neighboring persons or property.

2. To suspend or revoke a use permit, the Zoning Administrator shall deliver or mail by certified mail to the address indicated on the use permit application and, if different from application address, the address of the property subject to the use permit, a written notice that the use permit is suspended or revoked and which states the grounds therefore.

Upon written request received by the Zoning Administrator within ten (10) days of the date of the notice by the permit holder, or any person whose use of the permitted property will be adversely affected by the suspension or revocation, the matter will be referred to the Board of Adjustment on an appeal pursuant to the appeal procedures provided under section 35-2503 of this Zoning Code. If an appeal is not received within ten (10) days of the date of the notice, the suspension or revocation shall take effect on the eleventh day after the date of the notice.

The decision of the Board of Adjustment may be appealed as provided in section 35-2503 of this Zoning Code.

3. A USE PERMIT MAY BE RENEWED BY FILING AN APPLICATION FOR RENEWAL AND UPON APPROVAL BY CITY COUNCIL. THE APPLICATION FOR RENEWAL SHALL BE FILED WITH THE ZONING ADMINISTRATOR NOT LESS THAN SIXTY (60) DAYS PRIOR TO EXPIRATION OF THE CURRENT PERMIT. ANY APPLICATION FOR RENEWAL SHALL BE CONSIDERED IN ACCORDANCE WITH THE SAME STANDARDS AND PROCEDURES AS AN ORIGINAL APPLICATION.

(2) *Adult use permits:* A use permit to operate a sexually oriented business shall be obtained pursuant to the provisions of this subsection. Approval of such an adult use permit shall be subject to the following standards and procedures:

...

(f) *Permit renewal:*

1. An adult use permit may be renewed by filing an application for renewal on a form provided by the Zoning Administrator. The application for renewal shall be received by the Zoning Administrator not less than seventy (70) days before the expiration of the permit. When the application for renewal is received less than seventy (70) days before the expiration date, the expiration of the permit shall not be delayed, postponed or otherwise affected.

2. An application for renewal shall be considered following the same procedures as an original application. The application for renewal may be denied for any reason that an original application may be denied or revoked.

3. ONCE AN APPLICATION FOR RENEWAL IS SUBMITTED, THE ENFORCEMENT ON ANY VIOLATION FOR OPERATING WITHOUT A USE PERMIT MAY BE STAYED UNTIL FINAL VOTE OF THE CITY COUNCIL.

...

(3) *Residential child care:* A use permit to operate residential child care, as defined in section 35-200 of this chapter, shall be required in any residential zoning designation, including Planned Area Development (PAD), in accordance with the provisions of this subsection. In Home Day Care, also as defined in Section 35-200 of this chapter, shall be exempt from these requirements. Approval of any use permit to operate residential child care shall be subject to the following standards and procedures:

...

(e) *Use permit effect.* Use permit approval for operating residential child care shall be valid for a period of one (1) year from the date of City Council approval, or for any longer period as may be specified by Council, but shall be deemed void if the use is not commenced by

the applicant within nine (9) months after the date of approval for a one (1) year period, or if not commenced within one (1) year after the date of approval for any period greater than one (1) year.

1. Use permit approval for operating residential child care shall be applicable only to the applicant and location identified on the application, and shall not be transferable to any other person or location.
2. A use permit to operate residential child care may be renewed by filing an application for renewal, and upon approval by City Council. The application for renewal shall be filed with the Zoning Administrator not less than sixty (60) days prior to expiration of the current permit. Any application for renewal shall be considered in accordance with the same standards and procedures as an original application.
3. ONCE AN APPLICATION IS SUBMITTED, THE ENFORCEMENT ON ANY VIOLATION FOR OPERATING WITHOUT A USE PERMIT MAY BE STAYED UNTIL FINAL VOTE OF THE CITY COUNCIL.

(4) *Entertainment use permits:* A use permit to provide entertainment activity, as defined in section 35-200 of this chapter, or outdoor seating with external speakers, shall be obtained pursuant to the provisions of this subsection. Approval of an entertainment use permit shall be subject to the following standards and procedures:

(a) *Applicability:*

1. Entertainment activity shall require a use permit, when all of the following criteria are met:
 - i. Entertainment activity, as defined in section 35-200, is provided, or outdoor seating with external speakers is provided; and
 - ii. Alcoholic beverages are sold or served AND CONSUMED ON-SITE; and
 - iii. If live entertainment is not provided outdoors, the property is located six hundred (600) feet or less from a residentially zoned property. Said distance shall be measured from the closest exterior wall or fence of any indoor or outdoor space occupied by the subject establishment to the closest property line of a residentially zoned property; and
 - iv. If live entertainment is provided outdoors, the property is located one thousand three hundred twenty (1,320) feet or less from a residentially zoned property. Said distance shall be measured from the closest exterior wall or fence of any indoor or outdoor space occupied by the subject establishment to the closest property line of a residentially zoned property.

2. A property with a current liquor use permit shall not be required to obtain an entertainment use permit, unless subject to a condition of approval related to a time limit. Liquor use permit conditions related to entertainment activity shall remain in effect.

...

(g) *Renewal*: An entertainment use permit approved with a time limit shall submit a new application for renewal of the entertainment use permit NOT LESS THAN SIXTY (60) DAYS prior to the expiration of the time limit. The application shall be considered, reviewed, approved or denied following the same procedures and criteria as the original application.

ONCE AN APPLICATION IS SUBMITTED, THE ENFORCEMENT ON ANY VIOLATION FOR OPERATING WITHOUT A USE PERMIT MAY BE STAYED UNTIL FINAL VOTE OF THE CITY COUNCIL.

(h) *Revocation or suspension*: The Zoning Administrator may suspend or revoke an entertainment use permit pursuant to the criteria and procedures specified in section 35-305.

(Ord. No. 956, § 1, 6-11-81; Ord. No. 2413; § 2, 11-18-93; Ord. No. 2645, §§ 3, 4, 6-13-96; Ord. No. 3063, § 3, 11-18-99; Ord. No. 3240, § 2, 6-14-01; Ord. No. 3421, § 2, 1-23-03; Ord. No. 4278, § 2, 2-24-11; Ord. No. 4513, § II, 11-8-13; Ord. No. 4567, § II, 10-20-14; Ord. No. 4764, § I, 8-10-17; Ord. No. 4846, § 2(Exh.), 12-10-18; Ord. No. 4931, § 2(Exh.), 8-13-20)

ARTICLE IV. AG-1—AGRICULTURAL DISTRICT

35-401. Uses permitted.

[The following are uses permitted in this district:]

- (1) Single-family dwellings.
- (2) Field crops such as cotton, grain, vegetables, fruit trees, flowers.
- (3) Raising and marketing of poultry, rabbits and other small domesticated animals provided they are contained within a fence or cage. No slaughtering of animals for commercial purposes.
- (4) Agrarian subdivisions, subject to:
 - (a) Livestock raising and grazing is permitted for a maximum of one (1) livestock animal per seven thousand (7,000) square feet of lot area.
 - (b) No more than one (1) hog, weighing more than fifty (50) pounds, may be kept per thirty-five thousand (35,000) square feet of lot area.
 - (c) All animals must be contained in a stock-tight fence and/or corral. Such fence or corral shall not be permitted closer than one hundred (100) feet to the front property line. For corner lots, no such fence or corral shall be located closer to the side right-of-way line than the principal building.
 - (d) Accessory buildings used specifically for animals and fowl, provided they are located within the area fenced for animals and maintain the same front yard requirements as provided for the principal building.
- (5) Farm roadside stand.
- (6) Riding stables (minimum area, ten (10) acres).
- (7) Home occupations, as defined in ACCORDANCE WITH Article # XXII, SECTION 2215 OF THIS CODE.
- (8) Fences, walls, landscape screens not exceeding seven (7) feet in height adjacent to rear and side property lines and not to exceed three (3) feet in height adjacent to front yard.
- (9) Swimming pools, private, in accordance with Article XXII, section ~~2204~~ [2205] of this Code.

(10) One (1) accessory building, ~~as defined~~ IN ACCORDANCE WITH Article 4-XXII, SECTION 2202 OF THIS CODE.

(11) Signs are permitted in accordance with the Chandler Sign Code [Chapter 39].

(12) Storage shed, ~~as defined~~ IN ACCORDANCE WITH Article 4-XXII, SECTION 2203 OF THIS CODE.

(Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

ARTICLE V. SF-33—SINGLE-FAMILY DISTRICT

35-501. Uses permitted.

[The following uses are permitted in this district:]

- (1) Single-family dwellings.
- (2) One (1) accessory building, ~~as defined~~ IN ACCORDANCE WITH Article 4-XXII, SECTION 2202 OF THIS CODE.
- (3) Home occupations, ~~as defined by~~ IN ACCORDANCE WITH Article 4-XXII, SECTION 2215 OF THIS CODE.
- (4) Storage shed, ~~as defined~~ IN ACCORDANCE WITH Article 4-XXII, SECTION 2203 OF THIS CODE.
- (5) Signs in accordance with the Chandler Sign Code [Chapter 39].
- (6) Fences, walls, landscape screens not exceeding seven (7) feet in height adjacent to rear and side property lines and not to exceed three (3) feet in height adjacent to front yard.
- (7) Swimming pools, private, in accordance with Article XXII, section 2204 [2205] of this Code.
- (8) Agrarian subdivisions, subject to:
 - (a) Livestock raising and grazing, excluding hogs, pigs, burros, donkeys or roosters, is permitted for a maximum of one (1) animal per ten thousand (10,000) square feet of lot area.
 - (b) Excluding household pets, the raising of poultry, rabbits and other small domesticated animals provided they are contained within a fence or cage.
 - (c) All animals must be contained in a stock-tight fence and/or corral. Such fence or corral shall not be permitted closer than one hundred (100) feet to the front property line. For corner lots, no such fence or corral shall be located closer to the side right-of-way line than the principal building.

- (d) Field crops, including vegetables and fruit trees.
- (e) Accessory buildings used specifically for animals and fowl authorized under paragraphs a. and b. above, provided they are located within the area fenced for animals and maintain the same front, side and rear yard requirements as provided for the principal building.

(Ord. No. 955, § 1, 5-28-81; Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

ARTICLE VI. SF-18—SINGLE-FAMILY DISTRICT

35-601. Uses permitted.

[The following uses are permitted in this district:]

- (1) Single-family dwellings.
- (2) One (1) accessory building, ~~as defined~~ IN ACCORDANCE WITH Article ~~II~~ XXII, SECTION 2202 OF THIS CODE.
- (3) Home occupations ~~as defined by~~ IN ACCORDANCE WITH Article ~~II~~ XXII, SECTION 2215 OF THIS CODE.
- (4) Storage shed, ~~as defined~~ IN ACCORDANCE WITH Article ~~II~~ XXII, SECTION 2203 OF THIS CODE.
- (5) Signs in accordance with Chandler Sign Code [Chapter 39].
- (6) Fences, walls and landscape screens not exceeding seven (7) feet in height adjacent or contiguous to rear and side yard lines and not to exceed three (3) feet in height adjacent or contiguous to the front yard lines.
- (7) Swimming pools, private, in accordance with Article XXII, section 2204 [2205] of this Code.

(Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

ARTICLE VI.1. SF-10—SINGLE-FAMILY DISTRICT

35-601.1. Uses permitted.

[The following uses are permitted in this district:]

- (1) Single-family dwellings.
- (2) One (1) accessory building, ~~as defined~~ IN ACCORDANCE WITH Article ~~II~~ XXII, SECTION 2202 OF THIS CODE.

(3) Home occupations as defined by IN ACCORDANCE WITH Article # XXII, SECTION 2215 OF THIS CODE.

(4) Storage shed, as defined IN ACCORDANCE WITH Article #XXII, SECTION 2203 OF THIS CODE.

(5) Signs in accordance with the Chandler Sign Code [Chapter 39].

(6) Fences, walls and landscape screens not exceeding seven (7) feet in height adjacent or contiguous to rear and side yard lines and not to exceed three (3) feet in height adjacent or contiguous to the front yard lines.

(7) Swimming pools, private, in accordance with Article XXII, section 2204 [2205] of this Code.

(Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

ARTICLE VIII. MF-1—MEDIUM-DENSITY RESIDENTIAL DISTRICT

35-801. Uses permitted.

ALL BUILDINGS ARE SUBJECT TO APPROVAL OF SITE DEVELOPMENT PLAN IN ACCORDANCE WITH ARTICLE XIX OF THIS CODE.

~~[The following uses are permitted in this district:]~~

(1) Two-family dwellings.

(2) Multi-family dwellings (subject to site development plan).

(3) Home occupations, as defined by IN ACCORDANCE WITH Article # XXII, SECTION 2215 OF THIS CODE.

(4) Signs in accordance with the Chandler Sign Code [Chapter 39].

(5) Storage shed, as defined IN ACCORDANCE WITH Article #XXII, SECTION 2203 OF THIS CODE.

(6) One (1) accessory building, as defined IN ACCORDANCE WITH Article #XXII, SECTION 2202 OF THIS CODE, EXCLUDING ACCESSORY DWELLING UNIT.

(7) Fences, walls and landscape screens not exceeding seven (7) feet in height adjacent or contiguous to side or rear yard lines and not [more than] three (3) feet in height adjacent or contiguous to front yard lines.

(8) Swimming pools, private, in accordance with Article XXII [section 2205] of this Code.

(9) SINGLE-FAMILY DWELLING ON EXISTING LOTS THAT ARE LESS THAN TWELVE THOUSAND (12,000) SQUARE FEET AS OF NOVEMBER 1, 2023. LOTS LESS THAN TWELVE THOUSAND (12,000) SQUARE FEET THAT WERE FIRST SUBDIVIDED ON OR AFTER NOVEMBER 1, 2023 ARE NOT ELIGIBLE FOR A SINGLE-FAMILY DWELLING UNLESS A USE PERMIT IS GRANTED PURSUANT TO THIS CHAPTER.

(Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

35-802. Uses permitted by use permit.

[The following uses are permitted in this district subject to use permit:]

(1) Single-family dwellings FOR EXISTING LOTS EXCEEDING TWELVE THOUSAND (12,000) SQUARE FEET AS OF NOVEMBER 1, 2023.

(2) Townhouses.

(3) Churches, schools, public buildings and facilities.

(4) Elderly care housing.

(5) Any other uses the City Council determines are compatible and in the best interests of the community.

(Ord. No. 1506, 8-11-85; Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

ARTICLE IX. MF-2—MULTIPLE-FAMILY RESIDENTIAL DISTRICT

35-901. Uses permitted.

All buildings are subject to approval of site development plan in accordance with Article XIX of this Code.

(1) Multiple-family dwellings.

(2) Home occupations, ~~as defined by~~ IN ACCORDANCE WITH Article # XXII, SECTION 2215 OF THIS CODE.

(3) Signs in accordance with the Chandler Sign Code [Chapter 39].

(4) Storage shed, ~~as defined~~ IN ACCORDANCE WITH Article #XXII, SECTION 2203 OF THIS CODE.

(5) Fences, walls and landscape screens not exceeding seven (7) feet in height adjacent or contiguous to side or rear yard lines and not exceeding three (3) feet in height adjacent or ~~contiguous to side or rear yard lines and not exceeding three (3) feet in height where adjacent or~~ contiguous to front yard lines.

(6) Swimming pools, private, in accordance with Article XXII [section 2205] of this Code.

(7) One (1) accessory building, ~~as defined~~ IN ACCORDANCE WITH Article #XXII, SECTION 2202 OF THIS CODE, EXCLUDING ACESSORY DWELLING UNIT.

(8) Churches, schools, public buildings and facilities.

(9) SINGLE-FAMILY DWELLING ON EXISTING LOTS THAT ARE LESS THAN TWELVE THOUSAND (12,000) SQUARE FEET AS OF NOVEMBER 1, 2023. LOTS LESS THAN TWELVE THOUSAND (12,000) SQUARE FEET THAT WERE FIRST SUBDIVIDED ON OR AFTER NOVEMBER 1, 2023 ARE NOT ELIGIBLE FOR A SINGLE-FAMILY DWELLING UNLESS A USE PERMIT IS GRANTED PURSUANT TO THIS CHAPTER.

(Ord. No. 3063, § 3, 11-18-99; Ord. No. 3320, § 1, 12-10-01; Ord. No. 4931, § 2(Exh.), 8-13-20)

35-902. Uses permitted by use permit.

[The following uses are permitted in this district subject to use permit:]

- (1) Single-family dwellings- EXISTING LOTS EXCEEDING TWELVE THOUSAND (12,000) SQUARE FEET AS OF NOVEMBER 1, 2023.
- (2) Two-family dwellings.
- (3) Townhouses.
- (4) Elevator multiple-family structures, including accessory business uses which are primarily for the convenience of the tenants.
- (5) Offices and office buildings.
- (6) Elderly care housing.
- (7) Any other uses the City Council determines are compatible and in the best interests of the community.

(Ord. No. 1506, 8-11-85; Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

ARTICLE X. MF-3—HIGH-DENSITY RESIDENTIAL DISTRICT

35-1000. Purpose.

This district is primarily intended to provide concentrations of population in and adjacent to the Central Business District and other areas of Chandler where needed and determined to be in the best interests of the community.

(Ord. No. 3063, § 3, 11-18-99)

35-1001. Uses permitted.

All buildings are subject to an approved site development plan in accordance with Article XIX of this Code.

- (1) Multiple-family buildings.
- (2) Elevator multiple-family buildings, including accessory business uses which are primarily for the convenience of the tenants.
- (3) Churches, schools, public buildings and facilities.

(4) Offices and office buildings.

(5) Home occupations, ~~as defined by~~ IN ACCORDANCE WITH Article # XXII, SECTION 2215 OF THIS CODE.

(6) Signs in accordance with the Chandler Sign Code [Chapter 39].

(7) Fences, walls and landscape screens not exceeding seven (7) feet in height when adjacent or contiguous to side or rear lot lines and not more than three (3) feet in height when adjacent or contiguous to front yard lines.

(8) Swimming pools, private, in accordance with Article XXII [section 2205] of this Code.

(9) ONE (1) Accessory building, ~~as defined~~ IN ACCORDANCE WITH Article #XXII, SECTION 2202 OF THIS CODE.

(10) STORAGE SHED IN ACCORDANCE WITH ARTICLE XXII, SECTION 2203 OF THIS CODE.

(11) SINGLE-FAMILY DWELLING ON EXISTING LOTS THAT ARE LESS THAN TWELVE THOUSAND (12,000) SQUARE FEET AS OF NOVEMBER 1, 2023. LOTS LESS THAN TWELVE THOUSAND (12,000) SQUARE FEET THAT WERE FIRST SUBDIVIDED ON OR AFTER NOVEMBER 1, 2023 ARE NOT ELIGIBLE FOR A SINGLE-FAMILY DWELLING UNLESS A USE PERMIT IS GRANTED PURSUANT TO THIS CHAPTER.

(Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

35-1002. Uses permitted by use permit.

[The following uses are permitted in this district subject to use permit:]

(1) Single-family dwellings- EXISTING LOTS EXCEEDING TWELVE THOUSAND (12,000) SQUARE FEET AS OF NOVEMBER 1, 2023.

(2) Two-family dwellings.

(3) Townhouses.

(4) Elderly care housing.

(5) Any other uses the City Council determines are compatible and in the best interests of the community.

ARTICLE XII. C-1—NEIGHBORHOOD COMMERCIAL DISTRICT

35-1200. - Purpose.

The uses permitted in this district are intended primarily to serve the needs of the surrounding residential neighborhood by providing goods and services that are day-to-day needs generally classed by merchants as "convenience goods and services." Businesses

which tend to be a nuisance to the immediately surrounding residential area are excluded even though the goods and services offered might be in the convenience classification.

(Ord. No. 3063, § 3, 11-18-99)

...

35-1203. Height and area regulations.

(1) *Height Regulations:* No building shall exceed thirty (30) feet in height or twenty (20) feet adjacent to residential uses. At the ~~thirty-foot~~ building setback line, a building may exceed such height provided that at no point it projects above a line sloping inward and upward at a forty-five-degree angle at the required height and setback line to a maximum height of forty-five (45) feet.

(2) *Front Yard:* Buildings shall be set back at least fifty (50) feet from the right-of-way line along arterial streets and at least thirty (30) feet from the right-of-way line along all other streets. In the proximity of street intersections, see section 1902(4).

IN ORDER TO ACCOMMODATE, ENCOURAGE, OR PROMOTE INFILL DEVELOPMENT OR REDEVELOPMENT ON PROPERTIES LOCATED WITHIN THE INFILL INCENTIVE DISTRICT, THE ZONING ADMINISTRATOR MAY REDUCE FRONT-YARD BUILDING SETBACKS BY UP TO 25 FEET FOR ARTERIAL STREETS AND UP TO 15 FEET FOR COLLECTOR STREETS AFTER HAVING MADE A FINDING IN WRITING THAT ALL OF THE FOLLOWING CRITERIA HAVE BEEN MET:

- A. SUCH DEVIATION, ON BALANCE, WILL RESULT IN A SUPERIOR ENVIRONMENTAL AND DESIGN QUALITY THROUGH ITEMS SUCH AS BUT NOT LIMITED TO:
 - i. INCREASED LEVELS OF ARCHITECTURAL QUALITY
 - ii. GREATER MATERIAL DIVERSITY
 - iii. ENHANCED USABLE SPACE AND/OR PEDESTRIAN CONNECTION
 - iv. ACTIVATION OF STREET FRONTAGE
 - v. HIGHER LEVEL OF LANDSCAPE DESIGN
 - vi. CREATIVE DESIGN SOLUTIONS FOR BACK-OF-HOUSE FUNCTIONS
- B. THE SITE IS DESIGNED TO ENSURE SAFE AND ADEQUATE ON-SITE TRAFFIC CIRCULATION AND PREVENT DRIVE-THROUGH QUEUING FROM BACKING ONTO MAIN DRIVEWAYS OR PUBLIC STREETS;
- C. SUFFICIENT PARKING IS PROVIDED ON-SITE;
- D. THE DEVELOPMENT WILL ENHANCE THE QUALITY OF A NEIGHBORHOOD BY DEVELOPING A VACANT LOT OR REDEVELOPING AN EXISTING DELAPIDATED COMMERCIAL BUILDING OR CENTER;
- E. THE DEVELOPMENT COMPLIES WITH REQUIRED SETBACKS AND LANDSCAPE BUFFERS FROM ADJACENT RESIDENTIAL PROPERTIES; AND

F. THE REDUCED SETBACK MAINTAINS THE GOALS OF PROVIDING LANDSCAPING ALONG STREETS AND STREET INTERSECTIONS AS IDENTIFIED IN SECTION 35-1903.1

(3) *Side Yard*: A minimum side yard of twelve (12) feet shall be required on one (1) side of any lot or parcel not having rear or alley access. On multi-building projects with on-site drives suitable for fire lanes, the required side yard setbacks may be waived upon approval of the site development plan by the Planning Director and the Fire Chief. In all instances, a minimum twenty-foot side yard setback shall be required for commercial development when abutting residentially zoned property.

(4) *Rear Yard*: None required where solid masonry building wall and/or six-foot masonry wall is constructed along rear property line and provided also no access or servicing is permitted to rear of property. Twenty-five-foot setback is required in all other instances.

(5) *Intensity of lot use*: No building(s) shall occupy more than fifty-five (55) percent of the lot area.

(Ord. No. 1518, § 1, 8-1-85; Ord. No. 1421, 1-10-85; Ord. No. 3063, § 3, 11-18-99)

...

ARTICLE XV. I-1—PLANNED INDUSTRIAL DISTRICT

35-1500. Purpose.

This district is intended to accommodate those light industrial uses which are not offensive to nearby agricultural, residential, commercial or other uses and for business uses which generally support and are integrated with these industrial uses. Residential uses shall not be permitted in this district.

(Ord. No. 3063, § 3, 11-18-99)

...

35-1503. Height and area regulations.

(1) *Height regulations*: No building shall exceed thirty (30) feet in height at a ~~thirty-foot~~ front building setback line, except a building may exceed such height provided that at no point it projects above a line sloping inward and upward at a forty-five-degree angle at the required height and setback line.

(2) *Front yard*: Buildings shall be set back at least fifty (50) feet from the right-of-way line along arterial streets and at least thirty (30) feet from the right-of-way line along all other streets. In the proximity of street intersections, see section 1902(4).

IN ORDER TO ACCOMMODATE, ENCOURAGE, OR PROMOTE INFILL DEVELOPMENT OR REDEVELOPMENT ON PROPERTIES LOCATED WITHIN THE INFILL INCENTIVE DISTRICT, THE ZONING ADMINISTRATOR MAY REDUCE FRONT-YARD BUILDING SETBACKS BY UP TO 25 FEET FOR ARTERIAL STREETS AND UP TO 15 FEET FOR COLLECTOR STREETS AFTER HAVING MADE A FINDING IN WRITING THAT ALL OF THE FOLLOWING CRITERIA HAVE BEEN MET:

- A. SUCH DEVIATION, ON BALANCE, WILL RESULT IN A SUPERIOR ENVIRONMENTAL AND DESIGN QUALITY THROUGH ITEMS SUCH AS BUT NOT LIMITED TO;
 - i. INCREASED LEVELS OF ARCHITECTURAL QUALITY
 - ii. GREATER MATERIAL DIVERSITY INCLUDING GENEROUS AMOUNTS OF GLAZING INCORPORATED
 - iii. HIGHER LEVEL OF LANDSCAPE DESIGN
 - iv. SCREENING OF REAR YARDS AND ALL DOCK DOORS
- B. THE SITE IS DESIGNED TO ENSURE SAFE AND ADEQUATE ON-SITE TRAFFIC CIRCULATION;
- C. SUFFICIENT PARKING IS PROVIDED ON-SITE;
- D. THE DEVELOPMENT WILL ENHANCE THE QUALITY OF THE AREA BY DEVELOPING A VACANT LOT, OR REDEVELOPING AN EXISTING INDUSTRIAL BUILDING OR CENTER;
- E. THE DEVELOPMENT COMPLIES WITH REQUIRED SETBACKS AND LANDSCAPE BUFFERS FROM ADJACENT RESIDENTIAL PROPERTIES; AND
- F. THE REDUCED SETBACK MAINTAINS THE GOALS OF PROVIDING LANDSCAPING ALONG STREETS AND STREET INTERSECTIONS AS IDENTIFIED IN SECTION 35-1903.1

(3) *Side yard*: A minimum side yard of twelve (12) feet shall be required on one (1) side of any lot or parcel not having rear or alley access. On multi-building projects with on-site drives suitable for fire lanes, the required side yard setbacks may be waived upon approval of the site development plan by the Planning Director and the Fire Chief. In all instances, a minimum fifty-foot side yard setback shall be required for industrial development when abutting residentially zoned property.

(4) *Rear yard*: Fifty (50) feet when abutting or adjacent to residential zoned property. No rear yard is required when a minimum six-foot solid masonry wall and/or building wall is constructed along the rear property line and provided also no access or servicing is permitted to the rear of the property. A rear yard of twenty-five (25) feet is required in all other instances.

(5) *Intensity of lot use*: No building(s) shall occupy more than fifty-five (55) percent of the lot area.

(Ord. No. 1518, § II, 8-1-85; Ord. No. 3063, § 3, 11-18-99)

...

ARTICLE XVII. PLANNED AREA DEVELOPMENTS

35-1700. Purpose.

The Planned Area Development (PAD) zoning designation is intended to accommodate, encourage and promote innovatively designed developments involving residential and nonresidential land uses, which together form an attractive and harmonious unit of the community. Such a planned development may be designed as a large-scale separate entity, able to function as an individual community, neighborhood, or mixed-use development; as a small-scale project which requires flexibility because of unique circumstances or design characteristics; or as a transitional area between dis-similar land uses (interface zone). Thus it can be used either as an overlay district to provide flexibility in an otherwise established land use district, or it can be used as an independent district.

DRAFT
PART VI. - PLANNING
Chapter 35 - LAND USE AND ZONING
ARTICLE XVIII. PARKING AND LOADING REGULATIONS

This zoning designation recognizes that adherence to a rigid set of space, bulk and use specifications contained elsewhere in this Code would preclude the application of the PAD concept. Therefore, where PAD zoning is deemed appropriate or necessary, traditional rigid zoning regulations are replaced by performance considerations to fulfill the objectives of the Chandler General Plan. The PAD zoning designation may be tailored to meet the specific development representations of an applicant, relative to permitted uses, design standards, and other details. Hence one PAD designation may vary considerably from another designation.

(Ord. No. 983, § 1, 7-9-81; Ord. No. 3063, § 3, 11-18-99; Ord. No. 3386, § 1, 9-12-02)

...

35-1703. Intensity of land use.

Densities and intensity permitted in the PAD zoning designation shall be determined by the quality of the PAD designation and shall be consistent with the Chandler General Plan.

IN ORDER TO ACCOMMODATE, ENCOURAGE, OR PROMOTE INFILL DEVELOPMENT OR REDEVELOPMENT ON PROPERTIES LOCATED WITHIN THE INFILL INCENTIVE DISTRICT, THE ZONING ADMINISTRATOR MAY REDUCE FRONT-YARD BUILDING SETBACKS BY UP TO 25 FEET FOR ARTERIAL STREETS AND UP TO 15 FEET FOR COLLECTOR STREETS AFTER HAVING MADE A FINDING IN WRITING THAT ALL OF THE FOLLOWING CRITERIA HAVE BEEN MET:

- A. SUCH DEVIATION, ON BALANCE, WILL RESULT IN A SUPERIOR ENVIRONMENTAL AND DESIGN QUALITY THROUGH ITEMS SUCH AS BUT NOT LIMITED TO;
 - i. INCREASED LEVELS OF ARCHITECTURAL QUALITY
 - ii. GREATER MATERIAL DIVERSITY
 - iii. ENHANCED USABLE SPACE AND/OR PEDESTRIAN CONNECTION
 - iv. ACTIVATION OF STREET FRONTAGE
 - v. HIGHER LEVEL OF LANDSCAPE DESIGN
 - vi. CREATIVE DESIGN SOLUTIONS FOR BACK-OF-HOUSE FUNCTIONS
- B. THE SITE IS DESIGNED TO ENSURE SAFE AND ADEQUATE ON-SITE TRAFFIC CIRCULATION;
- C. SUFFICIENT PARKING IS PROVIDED ON-SITE;
- D. THE DEVELOPMENT WILL ENHANCE THE QUALITY OF A NEIGHBORHOOD BY DEVELOPING A VACANT LOT, OR REDEVELOPING AN EXISTING DELAPIDATED BUILDING OR DEVELOPMENT;
- E. THE DEVELOPMENT COMPLIES WITH REQUIRED SETBACKS AND LANDSCAPE BUFFERS FROM ADJACENT RESIDENTIAL PROPERTIES; AND
- F. THE REDUCED SETBACK MAINTAINS THE GOALS OF PROVIDING LANDSCAPING ALONG STREETS AND STREET INTERSECTIONS AS IDENTIFIED IN SECTION 35-1903.1

(Ord. No. 3063, § 3, 11-18-99; Ord. No. 3386, § 1, 9-12-02)

ARTICLE XVIII. PARKING AND LOADING REGULATIONS¹

35-1802. - General requirements.

(4) All Required off-street parking spaces shall be connected with a public street by a paved driveway not less than twenty (20) feet in length within the property lines.

(5) All parking areas and driveways shall have a surface of masonry, concrete or asphalt except in an AG-1 District and SF-33 District, where a dust-free surface is permitted. Alternative permeable paving materials may be permitted in an AG-1 District, SF-33 District and any non-residential district subject to approval by the City Engineer.

Within any residential district, the parking of motor homes, travel trailers, and boats on trailers shall be permitted on an unimproved surface when located behind the required front yard setback and screened from the street by a solid six-foot wall or fence.

(10) Motor vehicles may be parked in the front yard only when on an improved driveway (as defined in (5) above) ~~leading to required off-street parking.~~

35-1804. Parking schedule.

The following schedule provides the minimum parking spaces required for individual stand-alone uses. Parking shared by multiple uses shall be subject to parking requirements for shopping centers where permitted by the underlying zoning and/or shared parking requirements pursuant to Section 35-1807(2) Shared Parking. All parking requirements are based on gross floor area unless otherwise stated.

(1) *Residential:*

Single-family	** 2 spaces/unit PLUS GUEST PARKING PER SECTION A BELOW
Two-family	** 2 spaces/unit PLUS GUEST PARKING PER SECTION A BELOW
Townhouse, patio home	** 2 spaces/unit PLUS GUEST PARKING PER SECTION A BELOW
Multi-family: Efficiency or studio One-bedroom Two-bedroom Each additional bedroom GUEST PARKING	*** 1 space/unit *** 1.5 spaces/unit *** 2 spaces/unit *** 0.25 spaces 0.2 SPACES PER UNIT
Mobile home subdivision or park	*** 2 spaces/home or trailer

**2 spaces per unit shall be covered

***1 space per unit shall be covered

(Note: The entire space nine (9) by nineteen (19) feet as defined in Section 35-1802(1) shall be covered.)

A. GUEST PARKING FOR NON-MULTIFAMILY RESIDENTIAL:

IF ON-STREET PARKING IS NOT PROVIDED, GUEST SPACES SHALL BE PROVIDED EVENLY DISTRIBUTED THROUGHOUT THE DEVELOPMENT AT THE FOLLOWING RATE:

0.5 PER UNIT FOR DEVELOPMENTS WITH NO DRIVEWAYS

0.25 PER UNIT FOR DEVELOPMENTS WITH DRIVEWAYS

B. RESIDENTIAL PARKING FEES:

PROPERTY OWNERS OR PROPERTY MANAGERS FOR ANY TYPE OF RESIDENTIAL DEVELOPMENT SHALL BE PROHIBITED FROM CHARGING SEPARATE FEES TO UTILIZE PARKING SPACES REQUIRED HEREIN.

(2) *Institutional:*

Elementary and junior high school	One (1) space/classroom Plus one (1) space for each two hundred (200) square feet of floor area in office use
High schools, colleges	One (1) space/two hundred (200) square feet gross floor space
Trade or business schools	One (1) space/two hundred (200) square feet
Library	One (1) space/two hundred fifty (250) square feet
Museum	One (1) space/two hundred fifty (250) square feet
Churches	One (1) space/four (4) seats
Hospitals	Three (3) space/bed
Convalescent homes	One (1) space/three (3) beds
Government offices	One (1) space/two hundred (200) square feet
Elderly care housing	0.75 spaces/unit Plus one (1) additional space per project employee/attendant

(3) *Commercial:*

Auditorium, theaters, stadium or similar place of assembly	One (1) space/two hundred (200) square feet or one (1) space/five (5) seats, whichever is greater
Private clubs, lodges (no overnight accommodations)	One (1) space/two hundred (200) square feet or one (1) space/five (5) seats, whichever is greater
Dance halls	One (1) space/two hundred (200) square feet
Health club or fitness club with multiple amenities (Gymnasium, fitness center and other recreational uses offering multiple	One (1) space/two hundred (200) square feet

amenities such as swimming pools, ball courts, and exercise equipment)	
Recreational community centers with multiple amenities (public or nonprofit facilities providing multiple amenities and recreational services such as swimming pools, ball courts, outdoor athletic fields, meeting rooms, classes, fitness center, day care, locker rooms, and lounge/snack area)	One (1) space/two hundred (200) square feet
Single use recreational facilities (athletic training, family recreational, or other recreational facilities specializing in a single use such as amusement centers, skating rinks, bounce gyms, party places, baseball/batting training facility, cheerleading training, dance studio, swimming, martial arts studio, yoga/pilates studio, personal training, fencing, laser tag, indoor paintball, boxing training) not hosting tournaments, exhibitions or other similar events	One (1) space/three hundred (300) square feet
Single use recreational facilities hosting tournaments, exhibitions or other similar regional events	To be determined by a parking demand study based on seating capacity prepared specifically for the subject use
Funeral homes	One (1) space/four (4) seats in main assembly area or one (1) space/three hundred (300) square feet, whichever is greater
Medical, dental offices, clinics	One (1) space/one hundred fifty (150) square feet
OUT-PATIENT SURGICAL CENTERS AND OTHER SIMILAR MEDICAL FACILITIES	ONE (1) SPACE/ TWO HUNDRED (200) SQUARE FEET
General offices, nonretail, excluding call centers	One (1) space/two hundred fifty (250) square feet
Call Center	One (1) space/one hundred fifty (150) square feet
Hotels, motels, boarding homes	One (1) spaces for each sleeping room Plus one (1) space/one hundred (100) square feet of meeting, banquet and restaurant space not solely intended for hotel guests and/or staff
Restaurants, cafes, bars, cocktail lounges	One (1) space/fifty (50) square feet of public serving area

	Plus one (1) space/two hundred (200) square feet of preparation area
Shopping centers (less than ten (10) gross acres in size)	Five and one-half (5.5) spaces/one thousand (1,000) square feet
Shopping centers (ten (10) gross acres or larger in size)	One (1) space/two hundred fifty (250) square feet
Retail sales	One (1) space/two hundred fifty (250) square feet
Childcare or Child daycare	One (1) space/three hundred (300) square feet
Bulky merchandise sales, nurseries, building materials, equipment rental	One (1) space/three hundred (300) square feet
Banks and personal service	One (1) space/one hundred fifty (150) square feet
Bowling alleys	Four (4) spaces/lane
Tennis, handball courts	Three (3) spaces/court
Golf course	One (1) space/two hundred (200) square feet in main building Plus four (4) spaces per green
Motor vehicle repair	Three and one-half (3.5) spaces/vehicle service bay
Motor vehicle sales and rental	One (1) space/two hundred fifty (250) square feet of interior display space and office Plus three and one-half (3.5) spaces/vehicle service bay
Motor vehicle wash	Two (2) spaces minimum Plus other uses (Retail sales, motor vehicle repair, restaurant, office)

(4) Industrial:

Manufacturing	One (1) space/one thousand (1,000) square feet gross floor area (Ord. No. 1506, 8-11-85) Plus one (1) space/two hundred fifty (250) square feet of office space
Warehousing	One (1) space/five hundred (500) square feet for the first ten thousand (10,000) square feet Plus one (1) space/five thousand (5,000) square feet for remaining warehouse Plus one (1) space/two hundred and fifty (250) square feet of office space

FLEX INDUSTRIAL	TWO (2) SPACES/ONE THOUSAND (1,000) SQUARE FEET OF FLEX INDUSTRIAL
-----------------	---

DRAFT

ARTICLE XIX. SITE DEVELOPMENT PLAN

35-1902. Site development plan design standards.

(1) *Purpose:* These standards shall function to guide development toward the highest attainable environmental quality at a time in which development and expansion are taking place at a rapid rate; as such development once established provides the living and working environment for hundreds of thousands of families over numerous decades and generations.

...

(4) *Site organization:*

(a) *Setbacks:*

1. For parking lots:

- a. In proximity to street intersections. See below 2.a.
- b. Along arterial streets, parking lots shall be set back at least twenty (20) feet from right-of-way lines.
- c. Along nonarterial streets, parking lots shall be set back at least twenty (20) feet from right-of-way lines.
- d. Along all other rights-of-way and property lines, unless said property lines are of a smaller parcel (pad) within a larger planned development, all parking spaces and access drives shall be set back at least ten (10) feet.

2. For structures or any physical improvement in proximity to street intersections:

- a. Intersections as described below are of value to the entire community. Land situated at the corner of such street intersections shall be landscaped, and remain open and free of buildings, parking areas, driveways, and walls in excess of two (2) feet six (6) inches in height. Ingress and egress drives perpendicular to the street are expected. The dimensions of these open areas shall satisfy at a minimum, the following standards:

Type of Intersections	Setback From Right-of-Way	Setback Shall Apply for a Distance From the Intersection for
Arterial street with arterial street	50 feet	250 feet along both streets
Arterial street with any other street	50 feet	100 feet along arterial street
	30 feet	100 feet along other street
Collector street with collector street	30 feet	60 feet along both streets

DRAFT
PART VI. - PLANNING
Chapter 35 - LAND USE AND ZONING
ARTICLE XXII. ADDITIONAL HEIGHT AND AREA REGULATIONS

b. No vehicle or other obstruction exceeding two (2) feet in height shall be parked at an intersection of two (2) right-of-way lines within triangular area formed by the right-of-way lines and the line connecting them between points located thirty (30) feet from the intersection of said lines.

IN ORDER TO ACCOMMODATE, ENCOURAGE, OR PROMOTE INFILL DEVELOPMENT OR REDEVELOPMENT FOR PROPERTIES LOCATED WITHIN THE INFILL INCENTIVE DISTRICT, THE ZONING ADMINISTRATOR MAY DEPART FROM LANDSCAPE SETBACKS PRESCRIBED HEREIN AFTER HAVING MADE A FINDING IN WRITING THAT SUCH DEVIATION, ON BALANCE, WILL RESULT IN ENVIRONMENTAL AND DESIGN QUALITY SUPERIOR TO THAT OTHERWISE ATTAINABLE WITHOUT SUCH DEVIATION.

(5) Building design:

(c) Mechanical equipment screening: All mechanical equipment and appurtenances shall be concealed and/or screened from view in their entirety as an integral part of the building in one (4) of the following manners, and subject to approval by the Zoning Administrator:

1. Parapets are acceptable for screening, provided the height shall be equal to, or higher than, the highest point on the mechanical equipment; or
2. Screening of mechanical equipment shall be constructed of similar materials and painted colors similar to the building, and so arranged that the screening is perceived to be an integral part of the building mass.

All mechanical equipment and appurtenances shall be indicated and shown on building sections and elevations indicating dimensions of equipment and screening.

THE ZONING ADMINISTRATOR MAY REDUCE OR WAIVE SCREENING REQUIREMENTS FOR ROOF-MOUNTED EQUIPMENT IF:

- i. THE BUILDING IS A MID-RISE DEVELOPMENT AND ROOF-MOUNTED EQUIPMENT WILL NOT BE VISIBLE FROM ANY ADJACENT PROPERTY AS SEEN FROM A POINT SIX (6) FEET ABOVE GROUND LEVEL AT THE PROPERTY LINE OR SIDEWALK ON THE OPPOSITE SIDE OF THE STREET; OR
- ii. THE BUILDING IS LOCATED WITHIN AN INDUSTRIAL CENTER OR BUSINESS PARK AND ROOF-MOUNTED EQUIPMENT WILL NOT BE VISIBLE FROM ANY ARTERIAL STREET OR RESIDENTIAL PROPERTY.

ALL MECHANICAL EQUIPMENT SHALL BE SCREENED FROM VIEW IN THEIR ENTIRETY AS AN INTEGRAL PART OF THE BUILDING AS REQUIRED IN SECTION 5.C WHEN THE SUBJECT BUILDING IS ABUTTING A RESIDENTIAL ZONED PROPERTY REGARDLESS OF LOCATION OR BUILDING HEIGHT.

(d) Metal buildings:

DRAFT
PART VI. - PLANNING
Chapter 35 - LAND USE AND ZONING
ARTICLE XXII. ADDITIONAL HEIGHT AND AREA REGULATIONS

1. Metal buildings will not be allowed on roads designated by the General Plan as arterial roads except that:

a. A portion of a building may be constructed using an exterior metal finish where said portion is DETERMINED TO ENHANCE THE DESIGN QUALITY OF THE BUILDING ARCHITECTURE AND IS NOT THE PRIMARY BUILDING MATERIAL ~~not visible from the arterial road upon which the building fronts.~~

B. SHIPPING CONTAINERS MAY BE USED AS A BUILDING MATERIAL IF THE BUILDING IS DESIGNED WITH ADDITIONAL MATERIALS AND FENESTRATION TO ENHANCE THE QUALITY OF THE ARCHITECTURE THAT TOGETHER PROVIDE A CREATIVE AND INNOVATIVE ARCHITECTURAL DESIGN. THE CHARACTER, SCALE, AND MASSING OF SAID DESIGN SHALL BE COMPATIBLE WITH THE BUILDINGS OF THE SURROUNDING AREA.

2. Metal buildings may be allowed within industrial parks and at other locations not visible from an arterial street upon the Planning and Zoning Commission finding that the facade of the building is architecturally treated so as to assure mitigation of the starkness of metal construction and environmental compatibility with the surroundings.

(8) *Additional requirements for shopping centers, office and commercial complexes:*

...

(c) *Independent building ~~PAD~~ Pad sites:* For the purpose of this section, commercial ~~PAD~~ pad sites are uses that stand apart from, and hence not perceivable as, part of the main building complex. ~~PAD~~ pad sites may be developed as single freestanding uses, such as a restaurant or bank, or a cluster of uses sharing common architectural detail and materials, open spaces, and shaded areas and pedestrian connections. The number of ~~PAD~~ pad sites permissible in a shopping center shall be limited to one (1) per arterial street frontage, with corner ~~PAD~~ pad sites to count as one (1) of the frontage allowances. Multi-user ~~PAD~~ pad sites are permitted only when the uses are integrated and clustered within a common open space with seating areas and pedestrian walks, share common architectural details and materials (i.e., color, texture) portrayed by the main complex, and not separated by vehicular movement. The number of uses on one (1) ~~PAD~~ pad site shall not exceed two (2) although the ~~Commission~~ may consider a larger number through the Planned Area Development (PAD) process when environmentally commensurate with the size and scale of the shopping center.

NOTWITHSTANDING THE FOREGOING, THE ZONING ADMINISTRATOR MAY APPROVE MORE THAN TWO FREE-STANDING PAD SITES PER DEVELOPMENT ADMINISTRATIVELY, UPON DETERMINING THAT ONE OR MORE OF THE FOLLOWING APPLY:

- A. THE PAD WILL ENHANCE THE QUALITY OF THE OVERALL DEVELOPMENT OR REVITALIZE AN EXISTING COMMERCIAL CENTER;
- B. AN ADDITIONAL PAD WILL MAKE USE OF AN AREA THAT IS CURRENTLY UNDERUTILIZED;

DRAFT
PART VI. - PLANNING
Chapter 35 - LAND USE AND ZONING
ARTICLE XXII. ADDITIONAL HEIGHT AND AREA REGULATIONS

- C. THERE IS SUFFICIENT AREA ON THE SITE TO ACCOMMODATE SAFE AND ADEQUATE ON-SITE TRAFFIC CIRCULATION AND THE SITE HAS BEEN DESIGNED TO PREVENT DRIVE-THROUGH QUEUING FROM BACKING ONTO MAIN DRIVEWAYS OR PUBLIC STREETS;
- D. THE PAD(S) AND THE OVERALL COMMERCIAL CENTER IN WHICH IT IS LOCATED COMPLY WITH ARTICLE XVIII PARKING AND LOADING REGULATIONS;
- E. THE ARCHITECTURAL DESIGN (I.E. BUILDING FORM AND MATERIALS) OF THE PAD IS COMPATIBLE WITH AND SUPERIOR TO EXISTING BUILDINGS IN THE SAME CENTER THROUGH THE FOLLOWING BUT NOT LIMITED TO;
 - i. INCREASED LEVELS OF ARCHITECTURAL QUALITY
 - ii. GREATER MATERIAL DIVERSITY
 - iii. ENHANCED USABLE SPACE AND/OR PEDESTRIAN CONNECTION
 - iv. ACTIVATION OF STREET FRONTAGE
 - v. HIGHER LEVELS OF LANDSCAPE DESIGN
 - vi. CREATIVE DESIGN SOLUTIONS FOR BACK-OF-HOUSE FUNCTIONS

1. *Circulation:* One (1) drive-up or drive through window per ~~PAD~~ pad site is permissible as long as the drive-up does not conflict with parking maneuvering areas, main-stream vehicular movement, or in itself create an unsafe traffic situation. Drive through lane entry and exit shall be separated from vehicular parking areas, through curbing, landscaping, etc. Textured paving treatments shall be provided at all crosswalks, driveway entrances, and on-site pedestrian crosswalks. All drive-up facilities, including drive-up lanes and queuing areas shall be adequately screened from street view by building orientation, or by a landscaped berm and retaining wall measuring four (4) feet from grade of the driving lane, and situated so as not to disrupt safe traffic flow. ALL Queuing lanes for fast food and similar high turnover uses shall be a minimum of fourteen (14) feet in width. ESTABLISHMENTS WITH MULTIPLE QUEUING LANES THAT OFFER ON-SITE ORDERING SHALL HAVE AT LEAST ONE (1) QUEUING LANE WITH A MINIMUM OF ~~and at least one~~ hundred AND fifty (150) feet in length MEASURED from THE drive-up window to THE start of THE lane. ~~with queuing~~ Queuing ON SAID LANE shall be provided to accommodate a minimum of ~~six (6) vehicles~~ ONE HUNDRED AND TWENTY (120) FEET from the start of THE lane to the menu board. ANY ADDITIONAL QUEUING LANES SHALL NOT BE COUNTED TOWARDS THE MINIMUM QUEUING REQUIREMENT PROVIDED HEREIN. QUEUING LANES DEDICATED SOLELY FOR PICKING UP PRE-ORDERED ITEMS AND WHICH DO NOT HAVE A MENU BOARD SHALL PROVIDE A MINIMUM OF SIXTY (60) FEET IN LENGTH MEASURED FROM THE PICK-UP WINDOW TO START OF THE LANE. This queuing length standard is not intended for such uses as drug stores, banks, dry cleaners, etc.

ARTICLE XXII. ADDITIONAL HEIGHT AND AREA REGULATIONS

35-2202. Accessory buildings and guest quarters.

- (1) Accessory buildings SUCH AS BUT NOT LIMITED TO ACCESSORY DWELLING UNITS, guest quarters, GARAGES, AND WORKSHOPS shall be located behind the front wall plane of the home and in the side yard or in the rear yard of the principal building and shall not occupy more than thirty (30) percent of the rear area.
- (2) Accessory buildings shall meet the minimum side and rear yard setbacks for the district in which it is located. Any accessory buildings within a Planned Area Development (PAD) zoning designation shall be subject to the applicable provisions of the adopted preliminary development plan.
- (3) Accessory buildings in single-family residential districts shall not exceed fifteen (15) feet in height.
- (4) No carport or garage entered from an alley shall be located closer than ten (10) feet to a rear lot line.
- (5) No accessory building shall be constructed prior to the construction of a principal building.
- (6) Guest quarters are permitted subject to the following:
 - (a) Guest quarters shall utilize the same utility services provided to the principal building (i.e. separate utility meters directly serving the guest quarters shall not be permitted).
 - (b) No ovens, ranges, or built-in cooking facilities shall be permitted.
- (7) A maximum of one accessory building (E.G., ACCESSORY DWELLING UNIT, ~~or one~~ guest quarters, GARAGE, WORKSHOP) is permitted on a lot.
- (8) The exterior design of ~~an~~ ANY accessory building, ~~or guest quarters~~ shall be commensurate with the exterior design of the principal building in materials, colors and architectural style.
- (9) ACCESSORY DWELLING UNITS ARE PERMITTED SUBJECT TO THE FOLLOWING:
 - (A) AN ACCESSORY DWELLING UNIT SHALL ONLY BE PERMITTED IN A RESIDENTIAL DISTRICT, THE PRINCIPAL USE OF WHICH IS A SINGLE-FAMILY RESIDENTIAL HOME.
 - (B) ACCESSORY DWELLING UNITS SHALL UTILIZE THE SAME UTILITY SERVICES PROVIDED TO THE PRINCIPAL BUILDING (I.E., SEPARATE UTILITY METERES DIRECTLY SERING THE ACCESSORY DWELLING UNIT SHALL NOT BE PERMITTTED).
 - (C) ONE (1) UNCOVERED OFF-STREET PARKING SPACE SHALL BE REQUIRED IN ADDITION TO THE COVERED PARKING SPACES REQUIRED FOR THE PRINCIPAL USE. SAID ADDITIONAL PARKING SPACE SHALL NOT OBSTRUCT ANY REQUIRED OFF-STREET PARKING (I.E., IT IS PROHIBITED TO UTILIZE THE DRIVEWAY LEADING TO THE REQUIRED OFF-STREET PARKING SPACES FOR THE PRINCIPAL USE AS PARKING FOR THE ACCESSORY DWELLING UNIT).

(D) NOTWITHSTANDING ANY OTHER PROVISION, USING THE ACCESSORY DWELLING UNIT FOR AN ACTIVITY REQUIRING A LICENSE UNDER CHAPTER 22 (SHORT TERM RENTALS) OF THE CITY CODE SHALL BE PROHIBITED.

(Ord. No. 1421, § V, 1-10-85; Ord. No. 1937, § 2, 3-10-88; Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

35-2202.1. Open-air ramadas.

(1) Open-air ramadas are permitted within the side yard or rear yard of the property.

(2) The maximum height shall not exceed ten (10) feet as measured to the top of roof or lattice.

~~(3) Ramadas shall not exceed one hundred fifty (150) square feet in area, as measured around the perimeter of the roof.~~

(4) More than one ramada is permitted ON ~~within~~ the property subject to the provisions of this section. THE TOTAL SQUARE FOOTAGE OF ALL RAMADAS SHALL NOT OCCUPY MORE THAN THIRTY (30) PERCENT OF THE REAR AREA and SHALL BE COUNTED TOWARD the zoning district's maximum lot coverage. ~~Each ramada shall be separated from another structure by no less than one (1) foot as measured from the edge of the roof or cover.~~

(5) Ramadas shall not be located closer than five (5) feet to the side and rear property lines as measured from the edge of the roof or cover. If an alley, or common open space public or private open space, other than a street, adjoins the rear yard along one (1) or more of the property lines, the five (5) foot setback from that property line to such ramada may be eliminated.

(6) RAMADAS SHALL BE OPEN ON ALL SIDES EXCEPT ONE, WHICH MAY HAVE A SOLID WALL UP TO A MAXIMUM OF SEVEN FEET IN HEIGHT, EXCLUDING CHIMNEYS.

(Ord. No. 4931, § 2(Exh.), 8-13-20)

35-2204. General.

(8) The following development standards for walls and fences within any residential or nonresidential zoning district shall not apply to any lot, parcel, subdivision or other development for which the construction of fencing has either begun or been completed prior to the effective date of these requirements:

(a) No fence or wall shall be constructed in the front yard of a lot in a residential district exceeding a height of three (3) feet, and such fence or wall located in the rear and/or side yard(s) shall not exceed a height of seven (7) feet; except open wire fence shall be permitted in front yards of schools, public and quasi-public buildings when needed for the safety or restraint of the occupants thereof.

1. No fence along the street side or alley frontage of any new residential lot, parcel or subdivision shall feature wood as its primary structural building element; except that total fencing shall be permitted for agrarian subdivisions and uses.

2. Fences along interior property lines or within yards not visible from any street or alley may feature total wood construction.

(b) No fence or wall shall be constructed within the front yard of any nonresidential lot, parcel or subdivision exceeding a height of three (3) feet; and such fence or wall located in the side or rear yard(s) shall not exceed a height of eight (8) feet, except that:

1. A wrought-iron fence or a combination three-foot masonry wall topped by wrought iron or other similar fencing, either of which not to exceed a height of six (6) feet to achieve security for those uses featuring display of merchandise or equipment, may be permitted along the street property line or within the front yard setback. Chain-link fencing for this purpose shall be prohibited.

2. Any wall or fence exceeding six (6) feet in height shall not feature fence block unless sufficiently reinforced to avoid toppling. The means of reinforcement shall be subject to approval by the City of Chandler Building Division.

Wood fencing within any nonresidential zoning district shall be prohibited except for fences constructed inside the property boundaries and not visible from any street, alley or adjoining property.

(C) NEW DEVELOPMENTS SHALL REQUIRE A MINIMUM SIX (6) FOOT TALL PERIMETER FENCE OR WALL WHEN ADJACENT TO RESIDENTIAL PROPERTIES. THE MINIMUM HEIGHT REQUIRED FOR THE FENCE OR WALL SHALL BE MEASURED FROM THE HIGHEST POINT OF GRADE WITHIN FIVE (5) FEET OF THE PROPOSED FENCE.

(D) DOUBLE FENCES OR WALLS SHALL BE PROHIBITED UNLESS WAIVED BY THE ZONING ADMINISTRATOR.

(Ord. No. 1421, § VI, 1-10-85; Ord. No. 1735, § 2, 1-22-87; Ord. No. 3063, § 3, 11-18-99; Ord. No. 4567, § V, 10-20-14)

35-2205. Swimming pools.

(1) Swimming pools shall not occupy any front yard ~~nor shall the interior edge of the pool decking be located closer than five (5) feet to any side or rear property line.~~

(2) All pools shall be enclosed by a masonry or concrete wall or decorative fencing (such as wrought iron) at least six (6) NOMINAL feet but not to exceed seven (7) feet in height. A horizontal combination of masonry and wrought iron may be permitted with a concrete curb of maximum four (4) inches height to prevent erosion. This curb shall be three (3) inches under the ground and one (1) inch above the grade, as shown in graphic A.

ALL EXTERIOR AND INTERIOR BARRIERS SHALL CONFORM WITH THE ADOPTED INTERNATIONAL SWIMMING POOL AND SPA CODE AS AMENDED BY THE CITY OF CHANDLER.

~~(3) Wall/fence heights shall be measured on the exterior side of the enclosure from the top of the foundation stem wall or at the lowest point of elevation within a line five (5) feet from the fence.~~

~~In varying grade situations, the average height of the majority of the fence shall be deemed the overall fence height but in no case less than six (6) feet nominal height.~~

~~Fences constructed and approved by the City prior to the adoption of this ordinance [September 30, 1986] shall be considered a nominal six-foot fence provided that the measured fence height is not less than five (5) feet six (6) inches and that such conditions are not dangerous to life safety.~~

~~Such fencing shall not be constructed in a manner as to provide hand or foot holds for climbing. Self-locking gates and/or entrances shall be used if openings are provided in pool walls or fences.~~

~~(4) All pedestrian gates shall be self-closing and self-latching and open outwards from the pool if no interior barrier is installed, under the provisions of section 7-6.1(c) of the City Code. Gate latches shall not be less than fifty-four (54) inches above finished grade, and shall not require a key to exit from inside the enclosure.~~

~~Gates for openings of four (4) feet or greater leaf width must be secured with a locking device and be kept locked.~~

(5) Wood fencing may be used only to replace an existing wood fence, in all other cases wood fencing is prohibited.

(6) The exterior fence enclosure for swimming pools, as required by this section, need not necessarily be located on the side or rear property lines. In the case where the interior barrier, as required under section 7-6.1(c) of the City Code, also serves as the exterior barrier, said barrier shall be six (6) feet in height, in addition to complying with all the applicable barrier standards as set forth in section 7-6.1(c). Said barrier shall also preclude exterior access.

(7) In the case where the rear yard of a single-family property abuts the edge of a lake within any one (1) of the several approved lake communities or subdivisions within the City of Chandler; and where no public access is permitted or allowed along the lakeshore; and where side yard fences extend to and beyond the water's edge a minimum of eighteen (18) inches; no rear yard fence will be required between the lakeshore and the swimming pool.

(8) In any zoning district, if the fence or gate material is of such construction or design that there are openings in the enclosure, such openings shall be of such size that a spherical object four (4) inches in diameter cannot pass through the openings, as shown in graphic A.

(Ord. No. 1421, § VII, 1-10-85; Ord. No. 1630, § 2, 6-12-86; Ord. No. 1713, § 1, 10-9-86; Ord. No. 2838, § 1, 5-28-98; Ord. No. 3063, § 3, 11-18-99)

Editor's note(s)—Graphic A, referenced above, is not set out herein, but is on file and available for inspection in the Office of the City Clerk and the Zoning Administrator.

35-2208. Satellite dish antennas.

(1) Single-family zoning districts:

(a) Ground-mounted dish antennas GREATER THAN ONE (1) METER IN DIAMETER shall be located within rear yards, with a minimum ten-foot setback from any rear property line.

(b) Roof-mounted dish antennas shall not exceed ~~four (4)~~ ONE (1) METER in diameter., ~~and shall not be visible from street view.~~

(c) The maximum height for any ground-mounted dish antennas shall be ten (10) feet as measured from ground level to its highest point.

(d) Any ground-mounted dish antennas shall be screened by a minimum six-foot-high solid wall, fence or dense vegetation.

(2) Multi-family and commercial zoning districts:

(a) Ground-mounted dish antennas GREATER THAN ONE (1) METER IN DIAMETER shall be located within the side or rear yard, and shall be enclosed with a six-foot-high solid wall or fence.

(b) Roof-mounted dish antennas shall not exceed ~~four (4) feet~~ ONE (1) METER in diameter and ~~shall not be visible from street view.~~

(c) Any dish antenna exceeding ten (10) feet in height, as measured from ground level to its highest point, shall be subject to approval of a use permit.

(3) Industrial zoning districts:

(a) All dish antennas GREATER THAN ONE (1) METER IN DIAMETER shall be SCREENED FROM STREET VIEW ~~located so as not to be visible from street view.~~

(b) Any dish antenna GREATER THAN ONE (1) METER AND NOT SCREENED OR exceeding twenty-five (25) feet in height, as measured from ground level to its highest point, shall be subject to approval of a use permit.

(Ord. No. 3063, § 3, 11-18-99; Ord. No. 1506, 7-11-85)

35-2215. HOME OCCUPATION.

HOME OCCUPATIONS ARE PERMITTED WITHIN A RESIDENCE PROVIDED THAT IN ADDITION TO ALL OF THE USE LIMITATIONS APPLICABLE IN THE ZONING DISTRICT IN WHICH THE RESIDENCE IS LOCATED, HOME OCCUPATIONS SHALL COMPLY WITH THE FOLLOWING:

- (1) PERMITTED USES SHALL BE THOSE THAT ARE CLEARLY INCIDENTAL TO AND SUBORDINATE TO THE USE OF THE PROPERTY FOR DWELLING PURPOSES AND DO NOT CHANGE THE RESIDENTIAL CHARACTER THEREOF. SUCH USES MAY INCLUDE BUT ARE NOT LIMITED TO; MUSICAL INSTRUMENT LESSONS, PHOTOGRAPHY, PERSONAL SERVICES, THERAPY, CONSULTING, LAW OFFICE, REAL ESTATE, INSURANCE, PROFESSIONAL OFFICE, PROFESSIONAL DESIGN SERVICES, AND SMALL SCALE E-COMMERCE. PROHIBITED USES INCLUDE MEDICAL, DENTAL, RESTAURANT, VETERINARY, KENNEL, DOG GROOMING, MOTOR VEHICLE SERVICES, AND OTHER USES THAT ARE MORE LIKELY TO ALTER THE RESIDENTIAL CHARACTER OF THE NEIGHBORHOOD OR NEGATIVELY IMPACT SURROUNDING RESIDENTIAL PROPERTIES PURSUANT TO SECTION 35-2215.6;
- (2) THE PRIMARY BUSINESS OPERATOR SHALL BE A MEMBER OF THE FAMILY RESIDING THEREIN;
- (3) BUSINESS ACTIVITIES SHALL BE CONDUCTED WITHIN THE PRINCIPAL DWELLING UNIT, A PERMITTED ACCESSORY STRUCTURE, OR GARAGE IF REQUIRED OFF-STREET PARKING IS

NOT DISPLACED;

- (4) EMPLOYEE AND CUSTOMER VISITS SHALL BE LIMITED TO THE HOURS OF 8AM TO 7PM. ONE EMPLOYEE AND ONE CUSTOMER APPOINTMENT, EACH CONSISTING OF NO MORE THAN ONE VEHICLE MAY OCCUR AT A TIME;
- (5) THERE SHALL BE NO SIGNS, NO EXTERIOR DISPLAY, NO EXTERIOR STORAGE OF MATERIALS, AND NO OTHER INDICATION OF THE HOME BUSINESS OR VARIATION FROM THE RESIDENTIAL CHARACTER OF THE PRINCIPAL DWELLING UNIT;
- (6) NO HOME OCCUPATION SHALL BE PERMITTED THAT IS NOXIOUS, OFFENSIVE, OR HAZARDOUS BY REASON OF VEHICULAR TRAFFIC, GENERATION OR EMISSION OF NOISE, VIBRATION, SMOKE, DUST, OR OTHER PARTICULATE MATTER, ODOROUS MATTER, HEAT, HUMIDITY, GLARE, REFUSE, RADIATION OR OTHER OBJECTIONABLE EMISSIONS;
- (7) ACTIVITY ASSOCIATED WITH THE HOME OCCUPATION SHALL NOT GENERATE VEHICULAR OR PEDESTRIAN TRAFFIC THAT ALTERS THE NEIGHBORHOOD CHARACTER.
- (8) EXTERNAL MODIFICATIONS TO THE RESIDENCE INTENDED SOLELY FOR THE HOME OCCUPATION, INCLUDING CONSTRUCTION FEATURES, EQUIPMENT, OR MACHINERY THAT ARE NOT CUSTOMARY IN RESIDENTIAL AREAS SHALL BE PROHIBITED.

CHAPTER 39 – SIGN CODE

39-3. Definitions.

MURAL: ANY GRAPHIC ARTWORK THAT IS PAINTED OR APPLIED DIRECTLY ON A WALL THAT DOES NOT DIRECTLY OR INDIRECTLY NAME, ADVERTISE, OR CALL ATTENTION TO A BUSINESS, ORGANIZATION, PRODUCT, SERVICE, OR COMMERCIAL ACTIVITY.

...

Sign: Any visual communication which is used to attract the attention of the public, when the display is visible beyond the boundaries of the property THAT DIRECTLY OR INDIRECTLY NAMES, ADVERTISES, OR CALLS ATTENTION TO A BUSINESS, ORGANIZATION, PRODUCT, SERVICE, OR COMMERCIAL ACTIVITY.

...

39-7.8 Location restrictions for all signs (permanent and temporary).

...

F. SIGNS ON PROPERTIES ABUTTING RESIDENTIAL. SIGNS LOCATED ON A PROPERTY THAT ABUTS A RESIDENTIALLY ZONED PROPERTY AND FACES SAID RESIDENTIAL SHALL BE NON-ILLUMINATED,

HALO-ILLUMINATED, OR SHALL UTILIZE OTHER LOW-INTENSITY LIGHTING METHODS SUBJECT TO APPROVAL BY THE ZONING ADMINISTRATOR.

39-10.3 Regulations for specific temporary sign types.

...

C. Banners.

...

4. Duration:

a) Each multiple family development, business or nonresidential use shall be allotted no more than thirty (30) cumulative days within each six (6) month period in a calendar year to display air-activated signs, banners, or feather signs. One (1) day shall be counted as being exhausted from the total allotment for each day that one or any combination of the aforementioned signs is displayed, except that the display of vertical banners located in permitted outside display areas and banners that are displayed during construction of a site or during a City funded or designated construction project that is located adjacent to the business or nonresidential use erecting said sign shall not be counted toward said allotment. NOTWITHSTANDING THE FOREGOING, AN UNOCCUPIED TENANT SPACE IN A NONRESIDENTIAL DEVELOPMENT MAY DISPLAY A BANNER ADVERTISING THE SPACE AS AVAILABLE TO LEASE UNTIL SAID TENANT SPACE IS OCCUPIED AND SHALL BE SUBJECT TO PERMIT APPLICATION AND RENEWAL EVERY TWELVE (12) MONTHS.

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Agriculture					
Community Garden	X	X	UP	UP	UP
Dairy products, processing, bottling and distribution, cream manufacturing, all on a wholesale basis			X	X	X
Farm equipment sale and rental, with inventory and repair			X	UP	UP
Farm machinery repair			X	UP	UP
Feed and grain sales and storage			X	X	X
Greenhouse and nursery, commercial	UP	X	X	X	X
Hatcheries					X
Nursery and greenhouse, commercial	UP	X	X	X	X
Aviation					
Airport			UP	UP	UP
Hanger, with taxiway access				X	X
Helipad - ancillary use	X	X	X	X	X
Heliport	UP	UP	UP	UP	UP
Quasi-Public / Institutional					
Cemeteries, mausoleums			UP	UP	UP
Charitable and philanthropic organizations	X	X	X	UP	UP
Churches and other places of worship Including Sunday School buildings, assembly halls, parish houses, rectories and other residences of clergy)	X	X	X	UP	UP
Clubs, membership (not operated for profit), excluding adult service business (Ord. No. 2413, § 4.B, 11-18-93)		X	X		
Penal and correctional institutions	UP	UP	UP	UP	UP
Community centers Defined as a building or group of buildings in which members of the community may gather for social, educational, recreational, and or cultural activities	X	X	X	UP	
Crematoriums					UP
Funeral homes, funeral parlors, mortuaries		X	X		
Libraries	X	X	X	UP	
Lodges, fraternal and social organizations, headquarters for scout and other youth organizations		X	X		
Lodges, fraternal and social organizations, headquarters for scout and other youth organizations (Entertainment activity pursuant to section 35-305(4))		UP	UP		

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Rescue service		X	X	X	X
Transient service facilities Defined as an establishment where the principal function involves providing on-site food, clothing, shelter, employment or other related services primarily intended for transient populations with limited ability for self-care, or those persons in need of counseling for employment, or those persons with personal or behavioral disabilities. The term shall include the principal assistance or service facility and all appurtenant or related establishments intended for use by the patrons of the principal facility. The term shall include homeless shelters, charity dining facilities, plasma centers, rescue missions, day labor hiring centers, and similar facilities, but shall not include State licensed care facilities such as homes for the developmentally disabled, child crisis, and domestic violence centers.	UP	UP	UP	UP	UP

Cultural & Entertainment

Artistic programs or events	UP	UP	UP	UP	UP
Assembly halls		X	X	UP	UP
Coliseums and stadiums Entertainment activity pursuant to section 35-305(4)		UP	UP	UP	UP
Museums, art galleries	X	X	X	UP	
Wedding reception and event facilities		X	X	UP	
Wedding reception and event facilities Entertainment activity pursuant to section 35-305(4)		UP	UP	UP	

Day Care Services

Adults with developmental disabilities, including life skills training, specialized teaching and support and/or therapy	X	X	X		
Adults with developmental disabilities, including life skills training, specialized teaching and support and/or therapy - with vocational training services	X	X	X	UP	
Animal day care indoors only, with or without overnight boarding	X	X	X		
Animal day care with outdoor play areas, with or without overnight boarding		UP	UP		
Childcare, child daycare	X	X	UP		
Kindergartens and day nurseries - meeting all requirements of appropriate State and local regulations and standards	X	X	UP		
Senior care, adult day care	X	X	X		

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2

Dwellings

Hotels, motels, tourist homes on-site manager's quarters		X	X	UP	UP
Self-storage on-site manager's quarters		UP	X	X	X

Eating, Drinking & Lounge Establishments

Bar, cocktail lounge Excluding adult service business (Ord. No. 2413, § 4.B, 11-18-93)	UP	UP	UP	UP	UP
Breweries, distilleries and wineries where the primary use is a restaurant. For breweries that primarily produce and distribute, see Industrial Services, Manufacturing & Production category.	X	X	X	UP	UP
Commercial, cloud, or ghost kitchen, food prep - with customer seating	X	X	X	UP	
Commercial, cloud, or ghost kitchen, food prep - no customer seating		X	X	X	
Entertainment activities, pursuant to section 35-305(4)	UP	UP	UP	UP	UP
Hookah lounge		X	X		
Restaurant or drive-through Food or drink sales for immediate consumption within principal building and all types of drive-in establishments serving food or drink outside of a building or catering to takeout trade, but not featuring adult service (Ord. No. 2413, § 4.D, 11-18-93))	X	X	X	UP	UP

Educational Facilities

Alternative schools and higher education (college, business college, beauty school)		X	X	UP	
Educational facilities and industrial research (technical)□		X	X	X	X
Elementary school (kindergarten through 8th grade)	X	X			
High school (9th through 12th grade)		X	X		
Music or dancing school	X	X	X		
Trade/vocational schools (industrial, HVAC, plumbing, motor vehicle)			X	X	UP
Tutoring services	X	X	X		

Industrial Services, Manufacturing & Production

* Ancillary uses are permitted provided they do not exceed 15% of the net floor area.

** Ancillary office space is permitted provided it does not exceed 40% of the net floor area, and all required parking is provided

Alcoholic beverage package store		X	X	UP	UP
Alcoholic production (brewery, distillery, winery) Ancillary tasting rooms are permitted provided they do not exceed 15% of the net floor area.			UP	X	X

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Bakery, wholesale Ancillary sales area is permitted provided it does not exceed 15% of the net floor area			UP	X	X
Bottling works for soft drinks			X	X	X
Brick, tile and terra cotta manufacturing					X
Building contractors, building maintenance services – fully enclosed in building(s) Including electrical, plumbing, and roofing contractors with all storage of goods, materials and equipment and all processing and manufacturing kept within a completely enclosed building or buildings.		X	X	X	X
Building contractors, building maintenance services – utilizing outside storage Including electrical, plumbing, and roofing contractors with all storage of goods, materials and equipment and all processing and manufacturing utilizing outside storage.			UP	X	X
Candy manufacture			X	X	X
Cleaning of building exteriors, disinfecting or exterminating establishments with all materials and equipment completely enclosed within the principal building and the entire establishment occupying no more than two thousand (2,000) square feet of net floor space		X	X	X	X
Clothing manufacturer	X	X	X		
Cold storage facility			X	X	X
Dry cleaning, laundering (industrial)			X	X	X
Dyeing plant			UP	UP	UP
Electrical and industrial equipment repair			X	X	X
Electrical equipment assembly			UP	X	X
Film production studio			UP	X	X
Food processing in wholesale quantities, except meat, fish, poultry, vinegar and yeast			X	X	X
Foundries (producing iron and steel products)					UP
Furniture manufacturing (cabinets and household furniture)				X	X

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Gasoline dispensing (other than service station) Fuel shall not be located closer than twenty (20) feet to a right-of-way line or ten (10) feet to a property line	UP	UP	UP	UP	UP
Gasoline, compressed gases, or chemical bulk terminal plants for wholesale storage Receiving, storage, handling and distribution areas shall not be located closer than one hundred (100) feet to the front property line and no closer than fifty (50) feet to side rear property lines. Storage areas for containerized liquids shall be covered and screened from public view. Setback areas may be used for parking retention, or nonhazardous uses as defined by the UBC consistent with the I-2 Zone setback regulations, but a minimum of one thousand (1,000) feet from any existing or planned residential area. (Ord. No. 1353, § II, 8-25-84)					UP
General contractor or workman with all storage of goods, materials and equipment and all processing and manufacturing kept within a completely enclosed building or buildings		X	X	X	X
Home improvement company, upholsterer, general contractor or workman, building materials company, sign-making company with all storage of goods, materials and equipment and all processing and manufacturing kept within a completely enclosed building or buildings and the entire establishment occupying no more than five thousand (5,000) square feet of net floor area		X	X	UP	UP
Ice manufacturer (excluding ice machines)			UP	X	X
Industrial Light operations or light mechanical, not offensive, obnoxious or detrimental to neighboring uses by reason of dust, smoke, vibration, noise, odor or effluents)			UP	X	X
Industrial equipment machinery repair and service			UP	X	X
Laboratories Serving professional requirements, dentist, medical, etc.		X	X	X	UP
Laundering plant, dry cleaning, diaper service (industrial)			X	X	X
Leather goods manufacturer			UP	X	X
Machine shops			UP	X	X
Machine tool manufacturing				UP	X

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Magazine or newspaper distribution, excluding adult bookstores		X	X	UP	UP
Manufacturing uses not otherwise named herein upon the approval of Zoning Administrator Provided that no use shall be permitted in this section which is likely to be dangerous, offensive or detrimental to the health, safety, welfare or general character of this zoning district or of the community by reason of the emission of dust, gas, smoke, noise, fumes, odors, vibration, glare or otherwise (Ord. No. 1506, 8-11-85))				UP	UP
Meat processing and packing				UP	UP
Mechanical (light) Light industrial operation, not offensive, obnoxious or detrimental to neighboring uses by reason of dust, smoke, vibrations, noise, odor or effluents)			UP	X	X
Medical supplies, manufacturing and distributing				X	X
Newspaper publishing			X	UP	UP
Optical and scientific instrument manufacturer		UP	X	X	X
Pharmaceutical manufacturer			UP	X	X
Plastics manufacturing				UP	X
Pottery and porcelain manufacturer				X	X
Pottery, porcelain and vitreous china manufacturing					X
Prefabricated homes, mobile homes, camper manufacture				UP	X
Research and development				X	X
Sheet metal products, tin smithing - no outside storage Light, such as ventilating ducts and eaves, with all storage of goods, materials and equipment and all processing and manufacturing kept within a completely enclosed building			X	X	X
Sheet metal products, tin smithing - with outside storage Light, such as ventilating ducts and eaves, with all storage of goods, materials and equipment and processing and manufacturing, utilizing outside storage)			UP	X	X
Showrooms, ancillary display and/or sales area is permitted provided it does not exceed 15% of the net floor area				X	X
Sign-making company With all storage of goods, materials and equipment and all processing and manufacturing kept within a completely enclosed building or buildings and the entire establishment occupying no more than four thousand (4,000) square feet of net floor area		X	X	UP	UP

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Sign manufacturer				X	X
Storage of commercial vehicles Where not an accessory use to another use which is permitted			UP	X	X
Storage (outside) of materials and equipment (ancillary use) Not allowed as a stand-alone use. Outside storage is only allowed as an accessory use to another use permitted in I-1 and I-2 districts, only when fully screened by a wall/gate on all sides				X	X
Storage (outside) of materials and equipment (stand-alone use)				UP	UP
Textile manufacturer				X	X
Tobacco products manufacture and storage				X	X
Trailers, modular buildings (for laboratory, educational, office or storage), when it is not the primary/only building and is located in an area that is completely screened from view	UP	UP	UP	UP	UP
Welding shops			UP	X	X
Marijuana Facilities (see footnote #3 and #4 at end of table)					
Medical marijuana - Cultivation site ³		X	X		
Medical marijuana - Facility ³				X	X
Medical marijuana - Infusion food establishment ³				X	X
Medical / Health Care					
Convalescence homes, nursing homes, homes for the aged and residential care homes		X	UP		
Hospitals (excluding animal hospitals)	X	X	X		
Medical office uses for out-patient care Includes such uses as health care clinics, urgent care, primary care provider offices, medical specialist offices, surgery centers, dental offices, optometrist offices, rehab services, occupational therapy, physical therapy, speech therapy, psychologist offices, psychiatrist offices, plastic surgery, and other similar uses. Medical office uses can offer ancillary inpatient services	X	X	X	UP	UP
Veterinarian hospital or clinic All equipment, storage of animals and services are wholly contained within the principal building		X	X		
Office and Financial					
Bank	X	X	X	UP	UP
Broker, investments, loans	X	X	X		

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Call center		X	X	UP	
Coworking office space		X	X	UP	
Credit bureaus		X	X		
Express office			X	X	X
Government buildings Used exclusively by the Federal, State, County or City Government purposes except for garages, repair or storage yards, warehouses and buildings used for industrial type operations, or for operations requiring heavy and frequent movement of trucks	X	X	X	X	X
Insurance company or agency	X	X	X		
Letters, duplicating and mailing		X	X	UP	UP
Office, PRIMARY USE Professional, business, administrative, executive and other offices having no storage of stock-in-trade (other than samples) or heavy equipment and no sale of commodities on the premises	X	X	X	UP	UP
Patrol system and burglar alarm watching service		X	X	X	X
Travel agencies	X	X	X	UP	
Play & Recreational					
Amusement park		UP	UP		
Aquariums		UP	X		
Billiard or pool hall		X	X		
Bowling alley		X	X		
Dance hall, club, excluding adult service business (Ord. No. 2413, 4.B, 11-18-93)		X	X		
Dance hall, club, excluding adult service business (Ord. No. 2413, 4.B, 11-18-93) Entertainment activity pursuant to section 35-305(4)		UP	UP		
Drive-in theater Excluding the showing of films involving specified sexual activities and specified anatomical areas, defined in section 200		X	X	UP	UP
Entertainment venues such as but not limited to bowling, laser tag, arcades, billiards, ziplines, virtual reality		X	X	UP	
Go-kart racing		X	X	UP	
Golf courses, miniature golf and driving ranges	X	X	X	UP	UP
Gymnasium, fitness center, personal training, martial arts studio, yoga/pilates studio	X	X	X		

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Playgrounds	UP	UP	UP	UP	UP
Recreational assembly uses offering one or more of the following: trampolines, wall climbing, ziplines, parkouring, skateboarding, ninja warrior courses, party places, baseball/batting training, cheerleading training, gymnastics training, dance studio training, swimming, sport courts, and other similar uses	X	X	X	UP	
Shooting range indoors only		X	X	UP	UP
Skating rink		X	X		
Theaters, cinema, excluding drive-in and adult video facilities (Ord. No. 2413, § 4.F, 11-18-93)		X	X		
Theaters, performing arts programs or events		X	X	UP	
Retail Sales & Service					
Animal rescue shelter (see kennel)					
Appliance repairer With all storage of goods, materials and equipment and all processing and manufacturing kept within a completely enclosed building or buildings and the entire establishment	UP	X	X	UP	UP
Automobile accessories (sales)		X	X	UP	
Automobile and truck sales With inventory, rental with inventory and repair when carried on entirely within the principal building and incidental to the principal use			X	UP	UP
Bakery (goods baked and sold on premises)	X	X	X	UP	
Barbershops	X	X	X	UP	
Beauty shops	X	X	X	UP	
Beauty and barbershop supplies	X	X	X	UP	
Bicycle sales, rental, service and storage	X	X	X		
Boat building, repair, service and storage			X	X	X
Boat sales With inventory, rental with inventory and repair when carried on entirely within the principal building and incidental to the principal use		X	X	UP	
Building materials companies With all storage of goods, materials and equipment and all processing and manufacturing kept within a completely enclosed building or buildings		X	X	UP	UP

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Building supplies and materials, glass sales, and installation - with outside storage yard for lumber, bricks, cement blocks or other materials			X	X	X
Building supplies and materials, glass sales, and installation - no outside storage of lumber, brick cement blocks or other materials (see footnote #2 at end of table)		X	X	X	X
Candy (manufactured and sold on the premises)	X	X	X		
Caterers		X	X	X	X
Cleaners, dryers, clothing storage establishments (all including pickup station) or self-service laundromat, all performing services entirely for retail trade on the premises	X	X	X	UP	
Clothing and apparel store (see footnote #2 at end of table)	X	X	X		
Compounding pharmacy	X	X	X	X	
Cosmetic services uses - med spas, day spas, botox, laser skin treatments, massage establishments, tanning services, tattoo services	X	X	X		
Cosmetic store, including sale of goods and services customarily incidental thereto	X	X	X		
Dental supplies, retail		X	X	UP	
Department store (see footnote #2 at end of table) Including sale of items shown elsewhere in this table if customarily sold in such a store.	X	X	X		
Diaper service			X	X	X
Donation center (clothing and household goods)		X	X		
Dressmaker	X	X	X	UP	
Drive-through, drive-up, and all fast-turnover establishments Defined as businesses that include in their design and function the use of drive-in windows, curb service, express lines and/or layout of retail stock and checkout facilities to facilitate the rapid delivery of goods and services to customers, such as but not limited to cleaners, banks, liquor stores, fast-food restaurants, service stations, convenience markets and similar uses (see footnote #1 at end of table)	X	X	X	UP	UP
Driving school		X	X		
Drugstore or cosmetic store Including sale of goods and services customarily incidental thereto	X	X	X		
Electric vehicle chargers	X	X	X	X	X
Electric vehicle charging lots	X	X	X	X	X

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Exterminating establishment, pest control With materials and equipment completely enclosed within the principal building and the entire establishment occupying no more than four thousand (4,000) square feet of net floor space)			X	X	X
Florist	X	X	X		
Food specialty store Including but not limited to the following lines: meat (excluding slaughtering and eviscerating), fish, eggs, poultry (excluding slaughtering), fruit, vegetables, candy, nuts, coffee, tea, confection, dairy products, health foods, retail bakery)	X	X	X	UP	
Furniture and appliance repairer		X	X	UP	UP
Garden shop	X	X	X		
Gift shop	X	X	X		
Grocery, delicatessen, supermarket or other store carrying a variety of food and related goods (see footnote #2 at end of table)	X	X	X	UP	UP
Handicrafts Manufacture and sale of, at retail or wholesale which are manufactured predominantly by hand and involve the application of artistic skills)			X	X	X
Hobby shop	X	X	X		
Home improvement retailer (see footnote #2 at end of table)	X	X	X		
Household appliance store (see footnote #2 at end of table)	X	X	X		
Interior decorator	X	X	X		
Jewelry store	X	X	X		
Kennel, commercial Or other establishment where the care, breeding or sale of animals is the principal purpose of the enterprise, with no animals to be located within five hundred (500) feet from any residentially zoned property or one hundred (100) feet from any property line)			UP		
Laundromat, self-service Performing services entirely for retail trade)	X	X	X	UP	
Liquor, wine, beer sales - retail (excluding bars and cocktail lounges)	X	X	X		
Laboratory supplies, RETAIL		X	X	UP	UP
Medical / laboratory supplies, retail		X	X	UP	
Mobile home sales and rental, not including occupancy on the site			X	UP	UP

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Monument sales establishment, headstones With incidental processing to order but excluding the shaping of stones and similar processes		X	X	UP	
Orthopedic braces, artificial limbs, etc., (sales)		X	X		
Outside displays Shall be limited to boats, trailers, trucks, and other vehicles, products and materials such as grills, storage sheds and plants not normally or in limited numbers found exhibited in stores within retail and wholesale establishments. Items such as food, furniture, tools, appliances, bag materials such as cement, fertilizer, etc., shall not be displayed outside. Outside displays shall not be located within fifteen (15) feet to any property line	X	X	X	X	X
Pawn shop		X	X		
Personal service establishments Providing but not limited to barber and beauty shops, shoe repair shop, travel agencies, photographers, reducing salons, tailors, dressmaker, massage, tattoo shops, beauty/day spa	X	X	X	UP	
Photographers	X	X	X	UP	
Prefabricated home sales			X	X	X
Printing, blueprinting, engraving Or other reproduction services with no limit as to floor area (Ord. No. 1506, 8-11-85)			X	X	X
Repair shop for repairs or adjustments to bicycles, small appliances, watches, locks, musical instruments, guns and similar items conducted wholly within a building with no outside storage of materials or equipment	X	X	X		
Restaurant supplies		X	X	UP	
Retail stores selling or renting goods predominantly at retail on the premises, including but not limited to the following: (see footnote #2 at end of table)					
1. Hardware, paint, wallpaper, fabrics, supplies, curtains, linens, knitting supplies, china, glass, pottery, firearms	X	X	X		
2. Furniture, floor covering, appliances		X	X		
3. Farm and garden supplies, including nursery stock, feed and grain	UP	X	X		
4. Antiques and secondhand goods, excluding materials held only for discard or repossessing		X	X		

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Shoe repair shop	X	X	X	UP	
Signs conforming to requirements of sign code [Ch. 39]	X	X	X	X	X
Specialty stores (see footnote #2 at end of table) Selling or renting goods predominantly at retail on the premises, including but not limited to the following lines: tobacco, newspapers, books, stationary, gifts, cards, novelties, jewelry, luggage, optical goods, sporting goods, bicycles, pets, hobby supplies, toys, coins, stamps, photo supplies, art supplies, works of art, music, musical instruments, sewing machines, radio and TV sales and service, but excluding adult bookstores (Ord. No. 2413, § 4.E, 11-18-93))	X	X	X		
Tailors	X	X	X	UP	
Uniforms sales or renting	X	X	X		
Upholsterer With all storage of goods, materials and equipment and all processing and manufacturing kept within a completely enclosed building or buildings and the entire establishment occupying no more than two thousand (2,000) square feet of net floor area		X	X	UP	UP
Temporary Uses					
Carnival, fair, rodeo, etc.		UP	UP	UP	UP
Farmer's Market		X	X		
Flea market / swap meet		X	X		
Tourism / Visitor Accommodations					
Conference / convention facilities		X	X		
Hotels, motels, tourist homes		X	X	UP	UP
Transportation					
Ambulance service		X	X	UP	
Bus passenger station (inter-City)			X	X	X
Parking lot On-site or off-site or parking structure for employees, customers or visitors for any business or industrial use or commercial or public parking lot or parking structure	X	X	X	X	X
Railroad passenger station			X	X	X
Taxi dispatching station		X	X	X	X

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Taxi terminal			X	X	X
Truck or rail freight yard or terminal				X	X

Utility

Radio and television stations and transmitting towers			UP	X	X
Radio and television stations excluding transmitting towers		X	X	X	X
Solar energy system (ancillary)	X	X	X	X	X
Solar energy system (utility scale)	UP	UP	UP	UP	UP
Utility company offices, including exchanges	X	X	X	X	UP
Utility (public) Distribution lines, transformer stations, transmission lines and towers, water tanks and towers, and telephone exchanges but not service or storage yards)	UP	UP	UP	UP	UP
Utility (public) storage yards			UP	X	X

Motor Vehicle Services

Fuel dispensing equipment Pumps shall not be located closer than twenty (20) feet to a right-of-way or ten (10) feet to a property line	UP	UP	UP	UP	UP
Gas station and/or service station (gasoline) complying with the following conditions: 1. Does not perform body work, painting or dismantling and/or salvage work 2. Does not store any vehicle for more than five (5) days 3. Provides amenities and safeguards of such dimensions that occupants in adjoining or adjacent structures are not unreasonably disturbed, either day or night, by the movement of vehicles and lighting facilities 4. Has at least one (1) street frontage having a minimum width of one hundred fifty (150) feet 5. No pump island or part of a canopy shall be located or extended within twenty (20) feet of a right-of-way, or ten (10) feet to a property line 6. Any service station which remains vacant for a period of ninety (90) consecutive days shall be considered "abandoned." In the event of abandonment, all tanks shall be removed or safeguarded in accordance with the Uniform Fire Code		UP	UP	UP	UP

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Gas station and/or service station (gasoline, self-service) complying with the following conditions:	UP	UP	UP	UP	UP
1. Limited to the dispensing of fuels, oil, antifreeze and other minor accessories					
2. Does not rent or sell motor vehicles, trailers or general replacement parts, nor do any type of vehicle repair or maintenance work				1	
3. Does not provide for the storage or parking of vehicles for a period in excess of twenty-four (24) hours				1	
4. Provides amenities and safeguards of such dimensions z that occupants in adjoining or adjacent structures are not unreasonably disturbed, either day or night, by the movement of vehicles and lighting facilities				1	
5. Has at least one (1) street frontage having a minimum width of one hundred fifty (150) feet				1	
6. No pump island or part of a canopy shall be located or extended within twenty (20) feet of a right-of-way line				1	
7. Any service station which remains vacant for a period of ninety (90) consecutive days shall be considered "abandoned." In the event of abandonment, all tanks shall be removed or safeguarded in accordance with the Uniform Fire Code				1	
Motor vehicle impound yard				UP	UP
Motor vehicle rentals		X	X		
Motor vehicle repairs, wholesale and retail Including full body paint spraying and body and fender work carried on within a structure with storage of wrecked vehicles or parts permitted only behind the principal building. Such storage of vehicles or their parts will be incidental to the principal business and will not constitute a junkyard as defined in section 200 of this Code (Ord. No. 1942, 3-10-88; Ord. No. 1995, § I, 7-25-88)			X	UP	UP
Motor vehicle repairs, wholesale and retail, including accessories, customization and detailing Excluding full body paint spraying and body and fender work except replacement, carried on completely within a structure and having no outside storage of vehicles or parts of vehicles except those to be serviced or repaired for retail customers. Such storage shall be clearly incidental to the principal business and time of such outside storage shall not exceed 1 week for each vehicle (Ord. No. 1942, 3-10-88; Ord. No. 1995, § I, 7-25-88)		X	X	UP	UP

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Motor vehicle wash May have incidental detailing, minor vehicle maintenance, and windshield repair within the primary building	UP	X	X	UP	UP
Motorcycle sales, rental and repair When repair is carried on within the principal building			X	UP	
Tire recapping and retreading (in accordance with Fire Code)			UP	X	X

Warehousing / Storage

Garage condominiums, luxury storage units		UP	X	X	X
Moving, storage or warehousing establishments			UP	X	X
Recreational vehicle storage (RV's, boats, etc.)			UP	X	X
Self-storage, mini-warehousing and moving establishment consisting of individual storage units which are independently accessed and locked and provided such units are used solely for dead storage purposes. The facility may contain as an accessory uses, storage for recreational vehicles and boats, and allow for on-site manager's quarters		UP	X	X	X
Warehousing, storage establishment			UP	X	X
Wholesaling or distribution Including the handling of stock and incidental retail			UP	X	X

Waste Related

Incinerators; landfill	UP	UP	UP	UP	UP
Junk yards - providing all conditions set forth below are met: 1. No material which fails to meet the conditions set forth in the definition of a junk yard in section 200 of this Code. 2. No material shall be placed in any junk yard in such a manner that it is capable of being transferred out of the junk yard by wind, water or other causes. 3. Any land or structure which has not been used as a junk yard and has been abandoned for a period of at least 3 months shall not be used as a junk yard except by use permit. 4. All paper, rags, cloth and other fibers and activities involving the same, other than loading or unloading, shall be fully within enclosed buildings. 5. In order to lessen the adverse effect on adjoining property, reduce wind-blown trash, prevent hazards to children and create a more healthful environment, suitable screening such as a masonry wall or solid fencing shall be required as a condition set in approving a junk yard by use permit.					UP

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Recycling collection facility and transfer only facility Conducted on a small scale for individual residents to deposit aluminum cans or similar, not including outdoor storage or large truck deliveries)				X	X
Recycling collection, transfer, and processing facility					UP

Footnotes:

- 1) Drive-in, drive-up, and all fast-turnover establishments may be located at the intersection of a major arterial road and any other road when it is an integral part of larger planned commercial project and providing the driveway is at least one hundred fifty (150) feet from the intersection when approaching the intersection and at least one hundred fifty (150) feet from the intersection when leaving the intersection.
- 2) Large single use retail, as defined in [section 35-200](#) of this Code, shall only be permitted at permitted locations specified, and when developed in accordance with [section 35-1902](#)(10) of this Code.
- 3) Medical marijuana facilities, medical marijuana cultivation sites and infusion food establishments shall be permitted in the specified districts only upon obtaining a zoning clearance or use permit, as required by [section 35-2100](#) Table of Permitted Uses for Nonresidential Uses, in accordance with [section 35-2213](#) of this Code.
- 4) A medical marijuana facility located in the I-1 District or the I-2 District must be incidental to a cultivation site and/or infusion food establishment and: (1) Shall be located within one thousand three hundred twenty (1,320) feet of an arterial roadway measured in a straight line from the closest exterior wall of the cultivation site and/or infusion food establishment to the centerline of the arterial roadway and within five hundred (500) feet of the C-2 or C-3 District, or pad district where C-2 or C-3 uses are allowed measured in a straight line from the nearest property line of the medical marijuana cultivation site and/or infusion food establishment to a zoning district boundary line; and (2) Shall have frontage and access from public right-of-way. A medical marijuana facility incidental to a medical marijuana cultivation site and/or infusion food establishment shall comply with Article XVIII of this Code.
- 5) A medical marijuana facility located in the I-1 District or the I-2 District shall not exceed two thousand five hundred (2,500) gross square feet or twenty-five percent (25%) of the gross building square-footage, whichever is less.

This requirement is not intended to preclude access to any subdivided lot of record, previously zoned for commercial use, but in all cases to require the maximum possible distance within the above limits for the location of access and egress driveways, consistent with the spirit of the ordinance.

The Council, by minute action, may further modify this requirement in cases of hardship. (Ord. No. 1506, 8-11-85; Ord. No. 2549, § 2, 5-25-95; Ord. No. 3063, § 3, 11-18-99; Ord. No. 3290, § 2, 8-9-01; Ord. No. 4278, § 3, 2-24-11; Ord. No. 4311, § 1, 6-23-11; Ord. No. 4764, § II, 8-10-17; Ord. No. 4846, § 2(Exh.), 12-10-18; Ord. No. 4931, § 2(Exh.), 8-13-20; Ord. No. 5044, § 2(Exh.), 2-9-23)

Lauren Schumann

From: Chandni Bhakta <Chandni@azcapitolconsulting.com>
Sent: Monday, November 6, 2023 5:14 PM
To: Lauren Schumann; Mark Fitzgerald
Cc: Kevin Mayo; David De La Torre; courtney-azcapitolconsulting.com
Subject: RE: City of Chandler proposed Zoning Code Amendments

Good afternoon,

Thank you for engaging AMA in your discussion of the upcoming code amendment as it relates to multifamily projects and parking. We applaud the staff's time, research, and resources it took to compile this proposal. We are in support of the increased height from 44 feet to 55 feet that would require a Mid-Rise overlay to areas of growth, reducing the requirements to completely screen roof mounted equipment, and open to adding a provision that multifamily will be allowed additional time during the initial lease up.

However, AMA strongly opposes the increase in (guest) parking requirements by 0.25 and preempting apartment communities from charging for any parking spaces that are required to be built per the zoning code. This intent would initially raise the cost for development of multihousing projects versus the number of units that could be built due to the parking restrictions. Currently we are seeing several cities actually work to reduce their parking requirements especially for affordable housing communities and housing near major transit or transportation corridors.

Below are some highlight points that AMA would like to bring to your attention:

- Implementing via the zoning code a limitation if parking fees or parking rent is a government overreach: Restricting apartment owners from charging for parking constitutes an unnecessary government intervention into private property rights and ongoing property operations. Property owners should have the autonomy to set their own pricing policies, especially when it comes to a valuable asset like parking.
- Financial burden on property owners : For rental housing owners and managers, the prohibition on charging for parking may translate into financial burdens. The costs of maintaining and operating parking facilities can be significant, and if owners are unable to recover these costs through parking fees, they may need to offset the expenses through other means such as higher rents across the board. Whereas charging parking rent or fees based on type of parking (covered, uncovered or in some cases individual enclosed garages) or the needed parking spots is a more equitable approach allowing the resident to determine the parking option that best first their needs and budget. While some families renting a three bedroom, they might need two or three parking spaces but another person renting a three bedroom and using the extra rooms as an office and guest space may only need one parking space.
- Unintended consequences: Implementing such policies may lead to unintended consequences, such as reduced investment in apartment communities, less upkeep of parking infrastructure, or a potential decline in the quality of housing services provided to tenants.
- Operational flexibility for property owners: Different apartment communities may have varying needs and circumstances. Allowing property owners to set parking policies, including whether to charge for parking, enables them to adapt to the unique requirements of their residents and the local context.

In summary, we hope that you will harmonize urban planning goals without infringing on property rights on-going property management. However, in the case of prohibiting fees or rents for parking no such balance exists, and property owners and some residents will be left disadvantaged. The city mandates additional parking, driving up costs, only to

then hinder landlords from charging for parking. If parking fee restrictions pass, it could lead to a potentially far-reaching and adverse consequences down the road.

Sincerely,

Chandni Bhakta
Capitol Consulting, LLC
P.O. Box 13116
Phoenix, AZ 85007-3116

Office: (602) 712-1121
Cell: (602) 909-4689

From: Lauren Schumann <Lauren.Schumann@chandleraz.gov>
Sent: Wednesday, November 1, 2023 12:16 PM
To: Chandni Bhakta <Chandni@azcapitolconsulting.com>; Mark Fitzgerald <Mark@azcapitolconsulting.com>
Cc: Kevin Mayo <Kevin.Mayo@chandleraz.gov>; David De La Torre <David.DeLaTorre@chandleraz.gov>
Subject: City of Chandler proposed Zoning Code Amendments

Good Afternoon Mark and Chandni,

Thank you for taking the time to meet with us last week as the City of Chandler finalizes the proposed code amendment. We wanted to reach out to see if you had any comments, questions, or concerns as we are in the process of preparing the memo for the Planning and Zoning Commission 11/15 meeting.

Lauren Schumann
Principal Planner, City of Chandler's Planning Division
215 E. Buffalo St.
Chandler, AZ 85225
(480) 782-3156

Lauren Schumann

From: Rebecca Hill <rebecca@downtownchandler.org>
Sent: Monday, November 6, 2023 4:00 PM
To: Lauren Schumann
Cc: Lauren Koll
Subject: Zoning Code Feedback

Hi Lauren,

On behalf of the Downtown Chandler Community Partnership, there are a few concerns we would like to discuss/see addressed.

1. Should we require an entertainment permit for business already in the entertainment district?
 - It has been suggested putting specifics (time and decibels) in the new Zoning Code Amendment
2. Is it reasonable to ask new renters (DC Heights) to sign a waiver acknowledging the entertainment district?
 - Include guidelines into Land Use and Zoning directed to multifamily establishments requiring renters to acknowledge Entertainment District and existing permit regulations.
 - Any amplified music or speakers on public areas within the Entertainment District must be permitted through the City. Including but not limited to; entertainers, speakers expressing opinions, pan handlers, non-profits seeking donations, etc.
3. Sign Code, Item F. Would the City reconsider this if there were certain hours of this sign being lit? This will have an impact for several current businesses, some that are already established and certainly any new business currently in the zoning process. (Potentially, Hidden House, Maple House, Food Court, Ghett Yo, the Perch, One Chandler)

Thank you for your time and consideration.

Rebecca

Rebecca Hill
Executive Director
100 W Boston St., #5
Chandler, AZ 85225
480-855-3539 Office
480-406-5898 Cell



CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Lauren Schumann

From: City of Chandler <webmaster@chandleraz.gov>
Sent: Thursday, October 19, 2023 12:52 PM
To: Lauren Schumann
Subject: Webform submission from: Code Amendments: Public Comment Form

Follow Up Flag: Follow up
Flag Status: Flagged

Submitted on Thu, 10/19/2023 - 12:51 PM

Submitted by: Anonymous

Submitted values are:

Name

Erich Wichterman

Address

970 E Desert Inn Dr
Chandler, Arizona. 85249

Email

erich.wichterman@gmail.com

Comments

Not in favor of permitting accessory dwelling units on single-family lots. For every family that wants to allow this for extended family there are 10 others that are seeking to generate a revenue stream. This amounts in practicality to change zoning from SFR to multi-family. Not in favor of Home occupations amendment. This amounts to a zoning amendment to support business - business should be conducted in a business zoned area. Such an amendment adds to traffic posing a danger to citizens and quite frankly degrades the neighborhood into mixed use.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Lauren Schumann

From: City of Chandler <webmaster@chandleraz.gov>
Sent: Sunday, October 22, 2023 4:33 PM
To: Lauren Schumann
Subject: Webform submission from: Code Amendments: Public Comment Form

Follow Up Flag: Follow up
Flag Status: Flagged

Submitted on Sun, 10/22/2023 - 04:33 PM

Submitted by: Anonymous

Submitted values are:

Name

Seth Borman

Address

1408 E Gail Dr.
Chandler, Arizona. 85225

Email

sethborman@yahoo.com

Comments

The city's focus on parking is unwarranted, there is no parking crisis and thus no need to drastically increase parking requirements. This is true especially of ADUs and home occupations. With ADUs, many of the units will be occupied by people that don't drive. If I build an ADU in my home it will be for an elderly relative that doesn't drive. With home occupations, most people don't use their garages for parking anyway, they park in the driveway. This is directly applicable to my family, as we are in the process of opening a small business that would have gone in our garage if that were allowed. Because it can't, we found a small office space in an adjacent city.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Lauren Schumann

From: City of Chandler <webmaster@chandleraz.gov>
Sent: Wednesday, October 25, 2023 4:50 AM
To: Lauren Schumann
Subject: Webform submission from: Code Amendments: Public Comment Form

Follow Up Flag: Follow up
Flag Status: Flagged

Submitted on Wed, 10/25/2023 - 04:50 AM

Submitted by: Anonymous

Submitted values are:

Name

Linda Miller

Address

930 W Oriole Way
Chandler, Arizona. 85286

Email

lindasmiller2@gmail.com

Comments

I think all of these are good ideas. Many would solve a lot of HOA versus resident disputes if carried to existing communities where applicable. thank you for asking fir community feedback.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Lauren Schumann

From: City of Chandler <webmaster@chandleraz.gov>
Sent: Monday, October 23, 2023 12:21 PM
To: Lauren Schumann
Subject: Webform submission from: Code Amendments: Public Comment Form

Follow Up Flag: Follow up
Flag Status: Flagged

Submitted on Mon, 10/23/2023 - 12:21 PM

Submitted by: Anonymous

Submitted values are:

Name

Margaret Pena

Address

2373 W. Flint St
Chandler, Arizona. 85224

Email

penafami@aol.com

Comments

Could you let me know which areas (neighborhoods) these changes would be impacting?

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Lauren Schumann

From: City of Chandler <webmaster@chandleraz.gov>
Sent: Wednesday, October 25, 2023 8:01 AM
To: Lauren Schumann
Subject: Webform submission from: Code Amendments: Public Comment Form

Follow Up Flag: Follow up
Flag Status: Flagged

Submitted on Wed, 10/25/2023 - 08:01 AM

Submitted by: Anonymous

Submitted values are:

Name

Suzanna Williams

Address

1760 E i digo dr
Chandler, Arizona. 85286

Email

suzibean@gmail.con

Comments

We are in favor of increasing the size of open air residential rmanadas

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Lauren Schumann

From: City of Chandler <webmaster@chandleraz.gov>
Sent: Friday, October 27, 2023 7:40 AM
To: Lauren Schumann
Subject: Webform submission from: Code Amendments: Public Comment Form

Follow Up Flag: Follow up
Flag Status: Flagged

Submitted on Fri, 10/27/2023 - 07:40 AM

Submitted by: Anonymous

Submitted values are:

Name
David Freet

Address
599 S Terrace Road
Chandler, Arizona. 85226

Email
fxstsaz99@cox.net

Comments
I am against all of these proposed changes to the current codes.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Lauren Schumann

From: City of Chandler <webmaster@chandleraz.gov>
Sent: Friday, October 27, 2023 9:37 PM
To: Lauren Schumann
Subject: Webform submission from: Code Amendments: Public Comment Form

Follow Up Flag: Follow up
Flag Status: Flagged

Submitted on Fri, 10/27/2023 - 09:36 PM

Submitted by: Anonymous

Submitted values are:

Name

Setliff Jo Setliff Jo

Address

5172 w Dublin lane
Chandler, Arizona. 85226

Email

josetliff@gmail.com

Comments

Like the addition of shipping containers and guest parking.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Priority: Five Day
Assigned To: Tawna Mower

Requester Name: Karin Taylor
Requester Phone # (928) 856-1151
Request Service Location :

Customer Comments: Hello, I am writing to share my opinion on city parking codes. I moved to Chandler a few years ago and I am happy to see that the city allows companies to request lower parking requirements after a study. I believe that this does not go far enough, as the mandate for a study to prove a lack of need places unnecessary spending requirements on potential entrepreneurs. A government-mandated spending requirement limits development by presuming that the government knows what businesses should be spending their money on better than business owners themselves. In addition to the increased land and construction spending requirements for potential small businesses, the requirement for large parking lots creates an ongoing financial burden by making the company hire additional night or weekend security staff to ensure the vacancy of the lot. Parking lots that are sized to account for large single-day events may be useful for the theater or a mall on Black Friday, but for most businesses they are a liability. People who simply want to run their business are now tasked with managing a massive tract of land that sits unused most days and attracts dangerous behavior such as doing donuts and loitering. The government is forcing companies to increase startup costs for the benefit of owning land that does nothing but attract foolish young men looking for a misdemeanor. Dealing with the behavior of these parking lot hooligans, noise complaints, and the resulting legal requirements is another burden that city parking requirements are hoisting on small business owners. The requirements themselves do not increase business traffic, and companies should be able to be responsible for the design and spending on their own property to the extent that it is safe. Laws are supposed to keep the citizens safe. The mild inconvenience of trying to find a parking spot in a crowded lot is not a safety issue, it is a free market issue. Businesses should be responsible for their own company, and if they lose business due to people being unable to find a place to park in a smaller lot that is a lesson they need to learn as an entrepreneur, not a danger that the government needs to protect them from. In fact, with the increased vagrancy and public disturbance that large parking lots encourage, the government has created a law that increases danger to the public while restricting commerce. I urge you to bring these requirements down as soon as you can so that we can see more innovative businesses and fewer viral videos of people crashing their car while doing donuts in a vacant lot. Sincerely, Karin Taylor

Created By: RESTAPILogOn on 9/6/2023 at 8:21:17 PM

To open this record in the web application click on the link below. If this does not work for you, you can copy the link and paste it into Internet Explorer

[Link to View](#)

This email came from an automated system. Do not reply to this email.



Planning & Zoning Commission Memorandum Development Services
Memo No. 23-058

Date: November 15, 2023
To: Planning and Zoning Commission
Thru: Kevin Mayo, Planning Administrator
David de la Torre, Planning Manager
From: Harley Mehlhorn, Planner
Subject: PLH23-0029 Alma Office Building Rezoning
Request: Rezone from Single-Family Residential (SF-8.5) to Planned Area Development (PAD) for administrative office and limited commercial uses.
Location: 877 N. Alma School Road, more generally located south of the southeast corner of Alma School and Ray Roads
Applicant: Ming Chen, Owner

Proposed Motion:

Move Planning and Zoning Commission recommend approval of Rezoning case PLH23-0029 Alma Office Building Rezoning, rezoning from Single-Family Residential (SF-8.5) to Planned Area Development (PAD) for administrative office and limited commercial uses, subject to the conditions as recommended by Planning staff.

Background Data:

- Subject site currently zoned SF-8.5
- Long history of Use Permits for administrative office on subject site
 - Original granted in 2005 for a one (1) year time condition
 - Subsequent Use Permits granted in 2007 for a three (3) year, 2010 for a five (5) year, and an indefinite conditional permit granted in 2017.
- This request is to permanently entitle administrative office and to add limited commercial uses that are compatible with surrounding neighborhoods.

Surrounding Land Use Data:

North	Single-Family Residential (SF-8.5)	South	Single-Family Residential (SF-8.5)
East	An alley then Single-Family Residential (SF-8.5)	West	Alma School Road then Commercial (C-2)

General Plan and Area Plan Designations

	Existing	Proposed
General Plan	Neighborhoods	No Change Proposed

Review and Recommendation

The subject site has a long history of Use Permits to allow for administrative office under the Residential Conversion Policy (RCP). The first such Use Permit was granted on a conditional one-year basis in 2005, with subsequent use permits following in 2007, 2010, and finally in 2017. For the most part, the Use Permits have been time extensions with the exception of the 2017 Use Permit which granted the allowance of up to four employees. This request is to permanently entitle administrative office and limited commercial uses through a rezoning. The proposed commercial uses shall be limited by stipulation to administrative office, professional services including legal office, accounting, and other like services, limited counseling services, and other like uses.

The property is currently and has historically been occupied by an architect and serves as the administrative office thereto. Over the years of occupancy, there has been work done that is not in conformance with code or the use permit approvals such as the addition of parking beyond the right of way line, an oversized shed, and non-conforming drive-aisle widths. As part of this application, all of these issues will be rectified as shown in the attached site plan. The proposed site is now to function as any commercial site in Chandler from a code perspective with the applicable site development standards. Through creative design, the applicant has been able to achieve 24' drive aisles and adequate parking per code standards with a round-about style circulation pattern towards the east end of the site. This PAD seeks relief from the parking setback and landscape buffer on the south due to the site constraints. Given that this is an infill piece that has been operating under the RCP for over a decade, staff finds these deviations reasonable given the site constraints and intent to keep the existing building footprint in-line with the residential character of the homes fronting on Alma School Road. No architectural modifications are proposed as a part of this request.

The site data is as follows:

Acreage	10,998 sq. ft. (.25 acres)	
Building Size	Gross 2,007 sq. ft. Net 1,742 sq. ft.	
Parking Required	7 (1/250)	
Parking Provided	7	

Staff finds this request reasonable considering the history of the site as a business with no complaints on record for traffic, noise, or otherwise any externalities. Given that the site is accessed exclusively off of Alma School Road, there is no impact on the circulation or traffic of the surrounding neighborhood. The proposed uses are limited to those that have been historically compatible for residential conversions. Further, the proposed site modifications substantially improve the parking, safety, and circulation of the site. Staff finds this request to be in conformance with the General Plan.

Public / Neighborhood Notification

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting sign was posted on the site and on social media via NextDoor.
- A neighborhood meeting was held on August 24th, 2023, at which no residents attended
- As of the writing of this memo, Planning staff is not aware of any opposition to this request.

Recommended Conditions of Approval:

Planning staff recommends Planning and Zoning Commission move to recommend approval of PLH23-0029 Alma Office Building Rezoning, rezoning from Single-Family Residential (SF-8.5) to Planned Area Development (PAD) for administrative office and limited commercial uses, subject to the following conditions:

1. Development and use of the overall site shall be in substantial conformance with the exhibit labeled "Site Plan" kept on file in the City of Chandler Planning Division, in File No. PLH23-0029, modified by such conditions included at the time the exhibit was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by Chandler City Council.

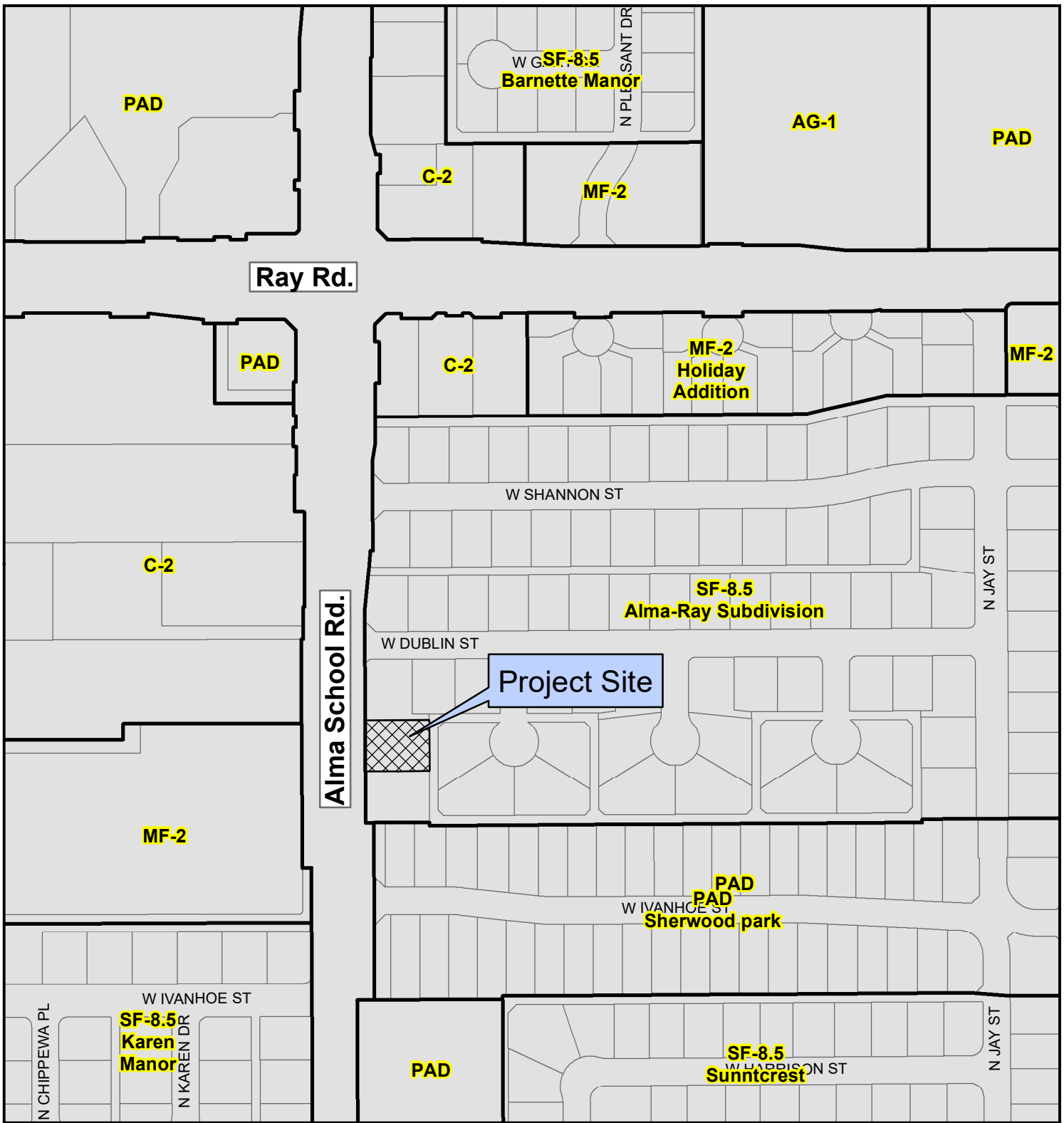
2. Commercial uses shall be limited to administrative office; professional services including legal office, accounting, and other like services; limited counseling services that have no more than one customer on-site at a time; and other like uses.
3. Except for limited counseling services that have no more than one customer on-site at a time, medical office is prohibited.
4. No business on-site shall operate beyond 6 p.m.
5. All employees and clients shall park on-site.
6. The site shall be maintained in a clean and orderly manner.
7. Any modifications to the existing building or any future development shall comply with SF-8.5 development standards and shall be subject to administrative approval by the Zoning Administrator prior to building permit issuance.
8. Signage shall be processed under separate permit and shall follow the guidelines for Neighborhood Commercial (C-1) as prescribed in Chapter 39 of Chandler City Code.

Attachments

Vicinity Maps

Narrative

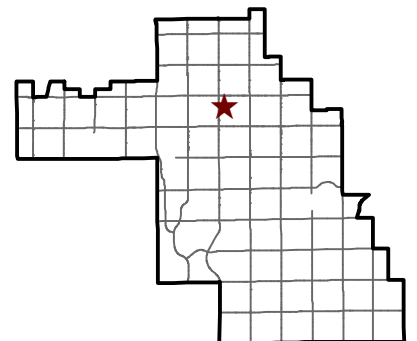
Site Plan

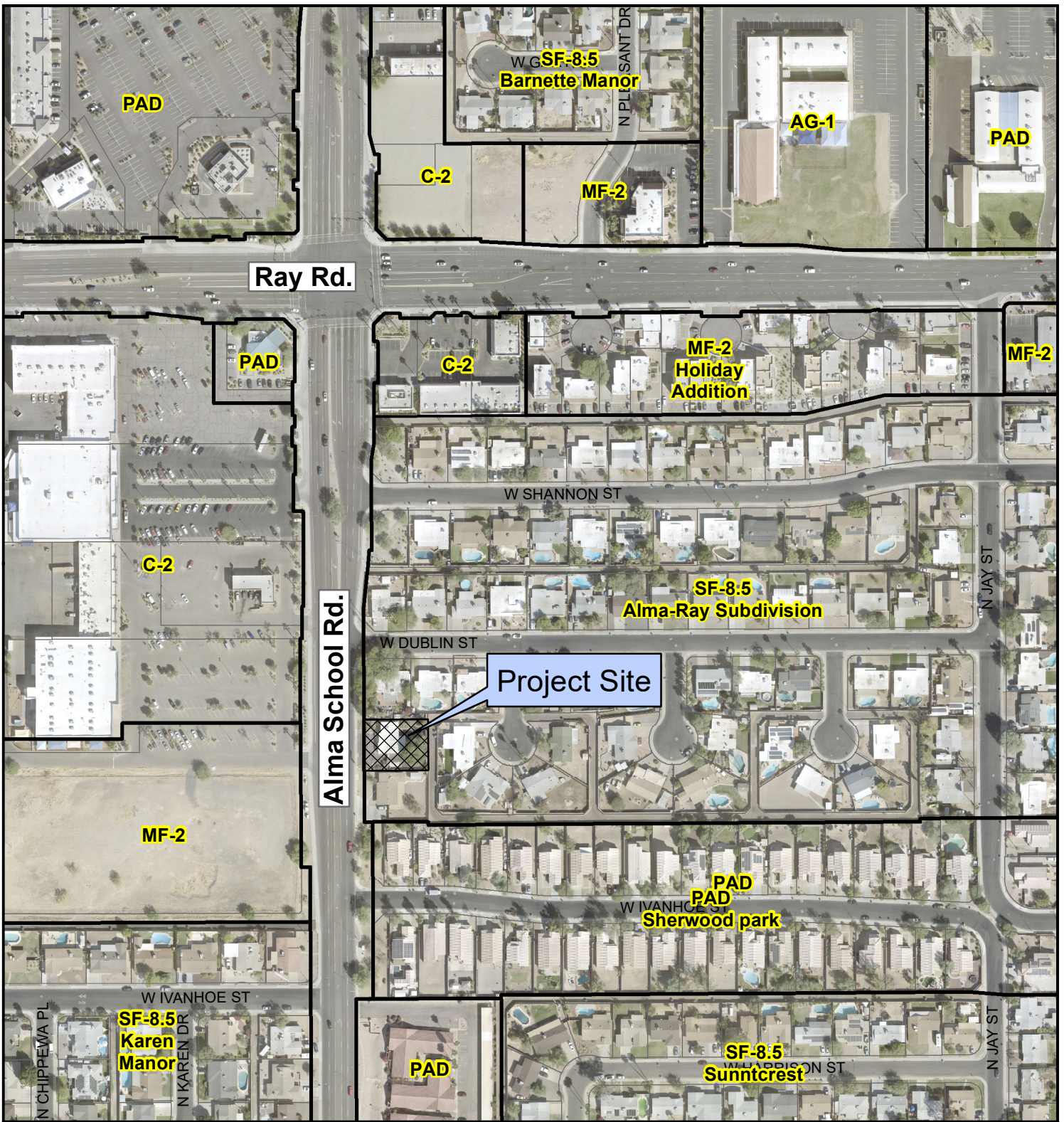


PLH23-0029 Alma Office Building



Proposed Project Details
 877 N. Alma School Rd.
 Rezoning from Single-Family Residential (SF-8.5)
 to PAD for administrative office and
 limited commercial uses





PLH23-0029 Alma Office Building



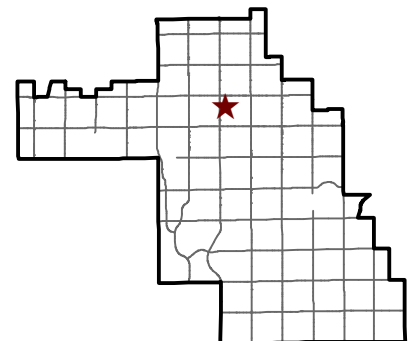
Proposed Project Details

877 N. Alma School Rd.

Rezoning from Single-Family Residential (SF-8.5)
to PAD for administrative office and
limited commercial uses



City of Chandler Planning Division
chandleraz.gov/planning
 For more information visit:
<https://gis.chandleraz.gov/planning>





PROJECT NARRATIVE

Rezoning PLH23-0029 Alma Office
Building Rezoning

Date: June 15, 2023 Revision

Project Name: Alma Office Building

Project Address: 877 N. Alma School Rd., Chandler, Arizona 85224

Zoning/APN: SF-8.5 / 302-49-202

Lot Size: 11,042 SF (0.25 AC)

Floor Area: 2,007 SF with 180 SF of Wood Shed

Property Description: The existing Residential Converted Office Building has frontage to Alma School Road, an arterial road in west; a 16' wide alley in the east as a buffer to the 51-year-old old subdivision; an old house on the north; and a City's owned rental house for longer than 20 years in the south.

Project Objectives: Apply for P.A.D. Zoning.

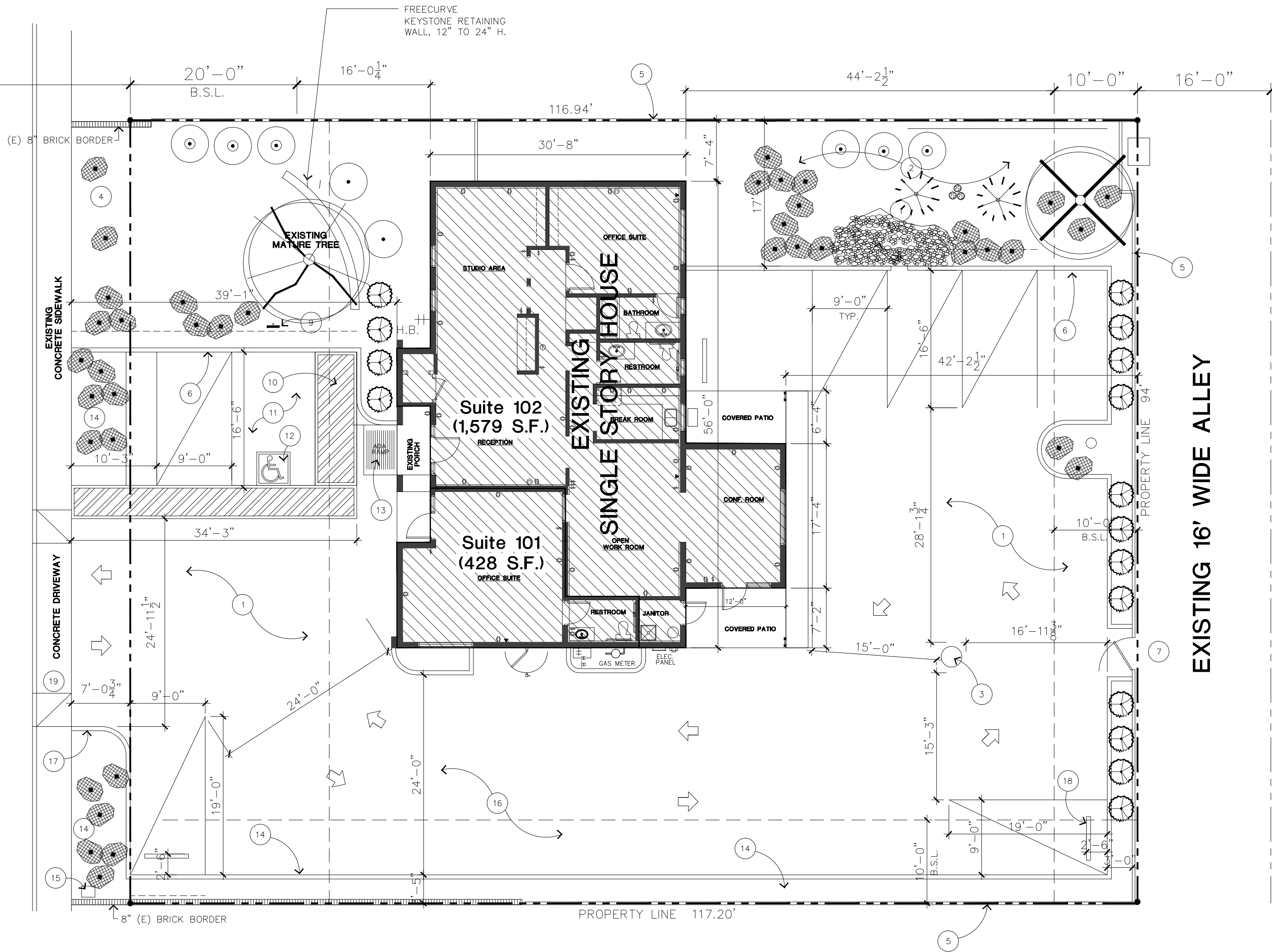
Proposed Permitted Usages: Admin. Offices, Legal Counseling, Accounting, Professional Offices, Limited Counseling Services, and like uses.

Project Data:

1. Period of Use Permits - 19 years, or since 2004
2. Maximum number of occupants: 20 (2,007 SF/ 100 SF = 20)
3. Number of Parking Spaces Required: 7 (1,742 SF/ 250 SF = 6.97)
4. Number of Parking Spaces Provided: 7 (1 Accessible+ 6 Standard)
5. Space Plan – See the attached plans.
 - a. Suite 101 – 428 SF
 - b. Suite 102 – 1,579 SF
6. Business Hours – 8am~5pm, Mon. to Fri., by appointments on weekends.
7. Certificate of Occupancy for Offices (Occupancy B) – in 2021

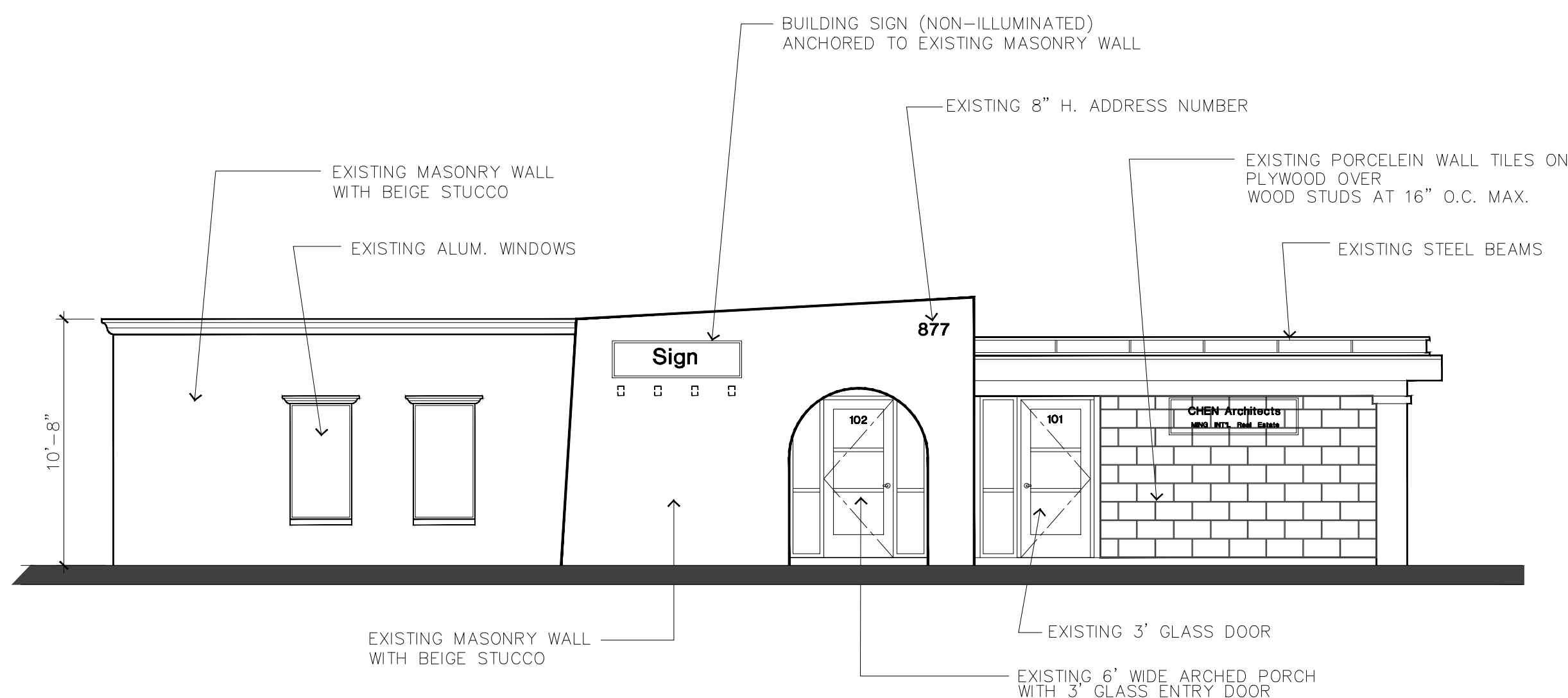
N. ALMA SCHOOL RD.

877 N. ALMA SCHOOL RD.



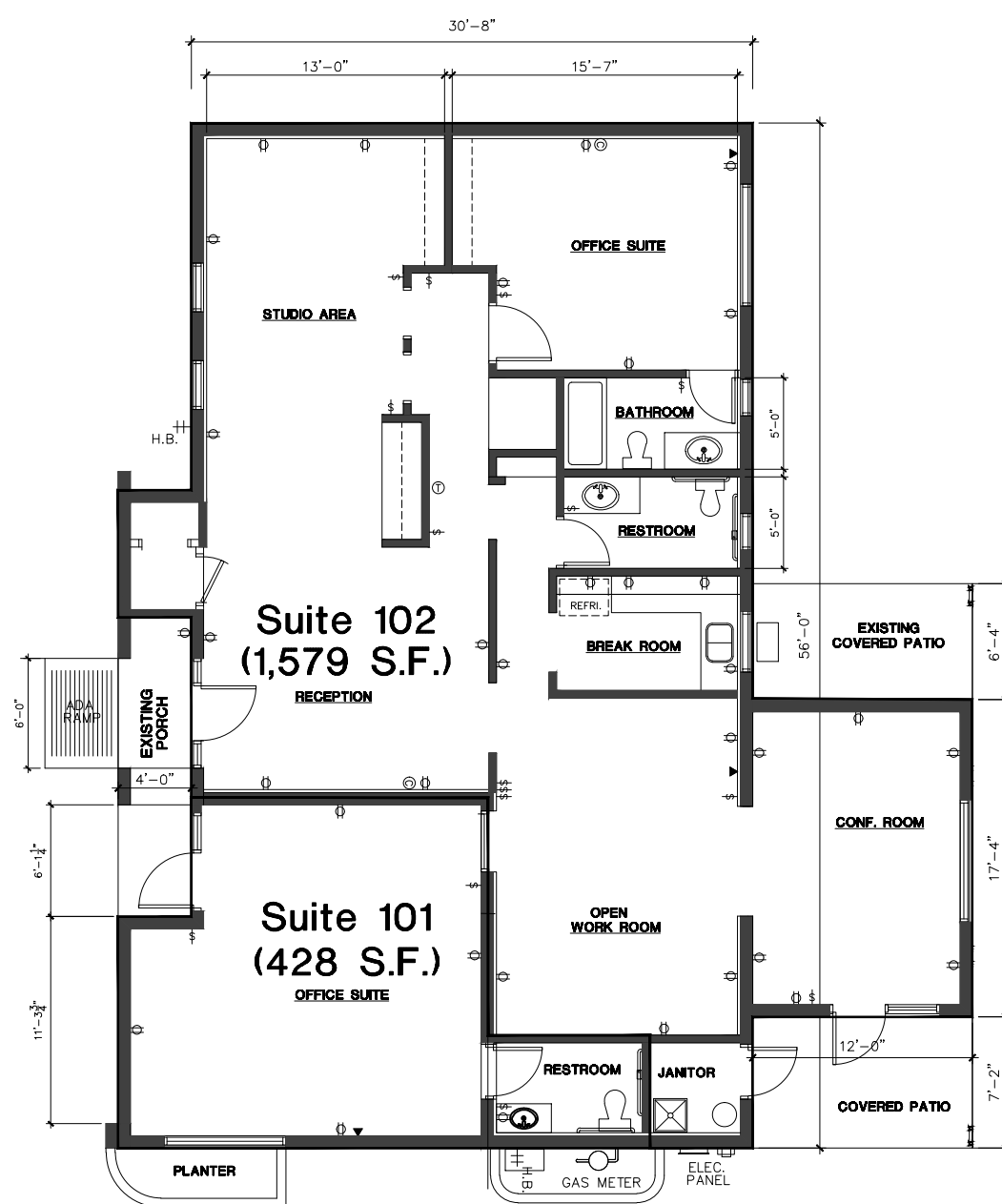
SITE PLAN

SCALE: 1"=10'-0"



EXISTING FRONT ELEVATION (WEST)

SCALE: 3/16"= 1'-0"



EXISTING FLOOR PLAN

SCALE: 1"=10'-0"

KEYNOTES

- EXISTING ASPHALT CONCRETE DRIVEWAY TO REMAIN.
- EXISTING DESERT PLANTING AREA WITH SPRINKLER DRIP SYSTEM.
- EXISTING MATURE TREES TO REMAIN.
- EXISTING DECOMPOSED GRANITE GRAVEL ON GROUND TO REMAIN.
- EXISTING MASONRY FENCE TO REMAIN.
- EXISTING 6" EXTRUDED CONCRETE CURB.
- EXISTING 4' WIDE WROUGH IRON FENCE.
- WHITE PARKING STRIPPING.
- EXISTING ACCESSIBLE SIGN WITH METAL POST.
- EXISTING 5' WIDE ACCESSIBLE ISLE WITH YELLOW STRIPES ON PAVING.
- EXISTING 10'X18' ACCESSIBLE PARKING SPACE.
- EXISTING 4'X4' HANDICAP SYMBOL PAINTED ON PAVING IN YELLOW COLOR.
- EXISTING 1:12 ACCESSIBLE CONC. RAMP WITH BLIND LINES.
- NEW DESERT PLANTING AREA WITH SPRINKLER DRIP/ TIMER SYSTEM.
- EXISTING WATER METER TO REMAIN.
- NEW ASPHALT CONCRETE DRIVEWAY.
- NEW 6" EXTRUDED CONCRETE CURB.
- NEW 6"X6' PRECAST CONCRETE BUMPER.
- CONCRETE DRIVEWAY AS PER MAG251 STANDARD.

PROJECT DATA

ZONING: SF-8.5 (EXISTING)
(CITY OF CHANDLER ZUP16-0014)
PAD (PROPOSED)
INCLUDING ADMIN. OFFICES & SERVICES,
BEAUTY SALONS, COUNSELING CLINICS, ETC.

PARCEL: 302-49-202

TYPE OF CONSTRUCTION: V-B

OCCUPANCY: B (APPROVED RESIDENTIAL CONVERSION OFFICES)

GROSS LOT AREA: 15,698 SQ. FT. (0.36 AC.)

NET LOT AREA: 10,998 SQ. FT. (0.25 AC.)

GROSS FLOOR AREA: 2,007 SQ. FT. (EXISTING)

USABLE FLOOR AREA: 1,742 SQ. FT. (EXISTING)

PARKING REQUIRED: 7 (1,742 S.F. / 250 SF = 6.97)

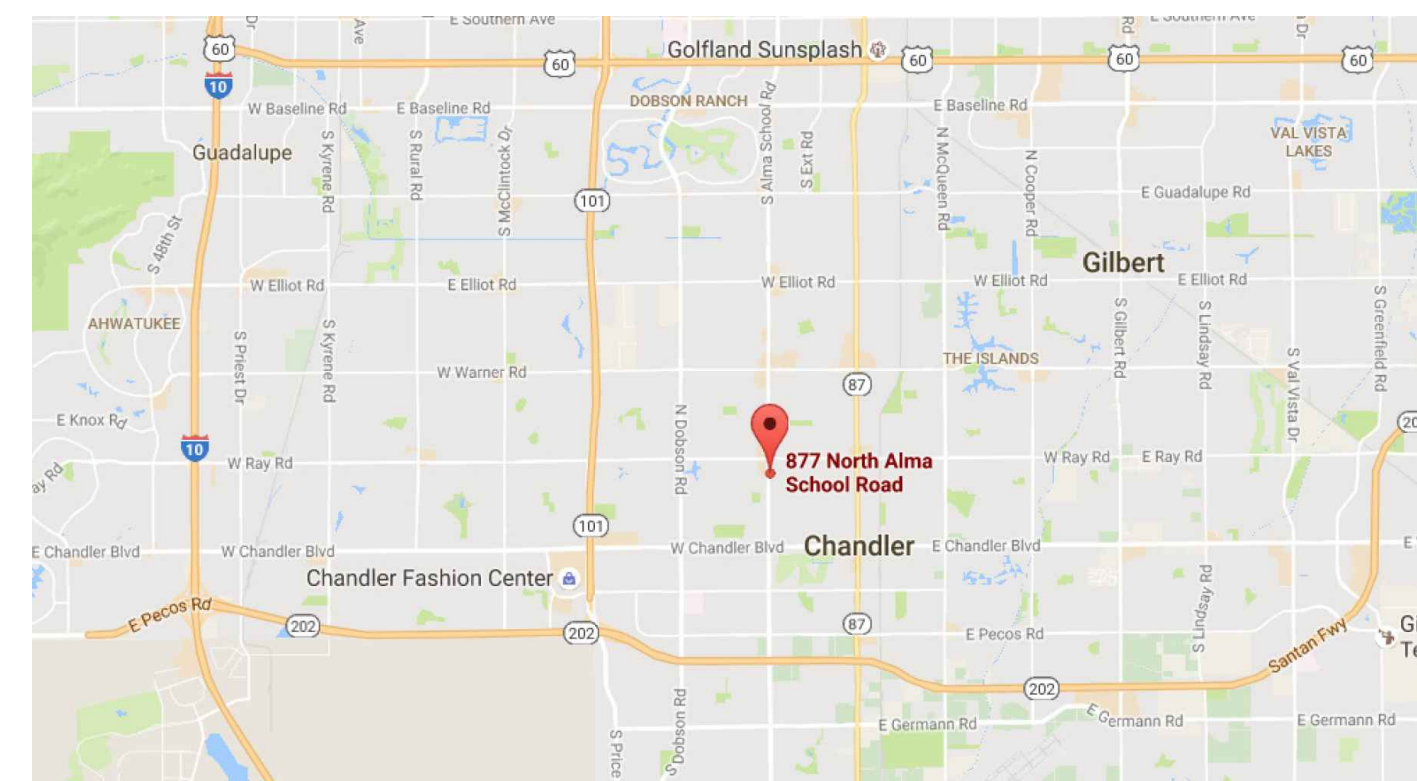
PARKING PROVIDED: 7 (1 ACCESS. + 6 STANDARD)
ACCESS. SPACE - 10'X19'
STANDARD SPACE - 9'X19'

CODES: 2021 I.B.C. WITH CHANDLER'S AMENDMENTS
2021 I.M.C. WITH CHANDLER'S AMENDMENTS
2021 I.P.C. WITH CHANDLER'S AMENDMENTS
2020 N.E.C.
2021 I.F.C., I.F.G.C.
2021 I.E.C.C.
2021 I.E.B.C.
2017 ICC A117.1 STANDARD FOR ACCESSIBLE

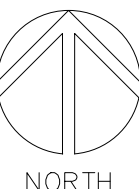
GENERAL NOTES

- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN FIELD. IF DIMENSIONAL ERROR OCCURS OR CONDITIONS NOT COVERED IN DRAWINGS IS ENCOUNTERED, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT OR OWNER BEFORE COMMENCING THAT PORTION OF THE WORK.
- THE OWNER TO SELECT FINAL FINISHES, COLORS AND SIZES OF INTERIOR BUILDING MATERIALS.
- ALL DIMENSIONS MEASUREMENTS ARE TO FACE OF GYPSUM BOARD, UNLESS OTHERWISE NOTED.

VICINITY MAP



N.T.S.



LEGENDS

- EXISTING WALL TO REMAIN.
- KEYNOTE NUMBER
- DETAIL NUMBER
SHEET NUMBER
- EXISTING TREE TO REMAIN
- SHRUB
- LANTANA MONTEVIDENSIS
PURPLE & GOLD (HALF & HALF)
1 GALLON
- NERIUM OLEANDER 'PETITE PINK'
PETITE OLEANDER
5 GALLON
- OCOTILLO 15 GAL.
- DIRECTION OF TRAFFIC

NOTE: GROUND TOPPING 2" DECOMPOSED GRANITE IN ALL LANDSCAPE AREAS

DRAWING INDEX

A-1 SITE PLAN/FLOOR PLANS, PROJECT DATA AND NOTES

CITY'S APPROVAL

CASE ZUP16-0014

RE-ZONING APPLICATION FOR:

CHEN ARCHITECTS OFFICES

PROFESSIONAL OFFICES

877 N. Alma School Rd.
Chandler, Arizona

Date: 7-13-2023

Job No: CA 23000
Project Mgr: MGC
Drawn By: CADD
Checked By: MGC

No.	Revision	Date



877 N. Alma School Rd.
Chandler, Arizona 85224-3662

(480)792-1200 TEL
(480)792-1288 FAX



A-1



Planning & Zoning Commission Memorandum Development Services Memo No. 23-057

Date: November 15, 2023
To: Planning and Zoning Commission
Thru: Kevin Mayo, Planning Administrator
 David de la Torre, Planning Manager
From: Alisa Petterson, Senior Planner
Subject: PLH23-0045 Buon Padre Pizza
Request: Entertainment Use Permit approval to allow televisions, speakers and live entertainment within an outdoor patio
Location: 1080 E Pecos Road, Suite #23, located at the northeast corner of Pecos and McQueen Roads
Applicant: Michael Schwan, BPP Holdings, LLC

Proposed Motion:

Move Planning and Zoning Commission recommend approval of Entertainment Use Permit PLH23-0045 Buon Padre Pizza to allow televisions, speakers and live entertainment within an outdoor patio.

Background Data:

- The subject property is zoned Planned Area Development (PAD) for commercial uses.
- The zoning code requires Entertainment Use Permit approval for external speakers and live entertainment conducted outdoors and within 1,320 feet or less from a residentially zoned property.
- The subject site is located approximately 86 feet from the nearest residential property.
- The establishment holds an approved Series 12 liquor license.
- The outdoor patio serving area was approved and expanded in 2019.

Surrounding Land Use Data:

North	PAD for single-family residential	South	Pecos Road, then PAD for single-family residential
-------	-----------------------------------	-------	--

East	PAD for single-family residential	West	McQueen Road, then PAD for commercial
------	-----------------------------------	------	---------------------------------------

Proposed Business Operations (for Use Permit) or Proposed Development (for PDP)

Days of Operation	Tuesday through Sunday
Hours of Operation	Monday – Closed Tuesday – Thursday 3pm – 8 pm Friday – Saturday 11am – 9pm Sunday 11am – 8pm
Live Entertainment Hours	Tuesday – Thursday 5pm – 8 pm Friday – Saturday 5pm – 9pm Sunday 5pm – 8pm
Outdoor Entertainment	Televisions, external speakers, and live entertainment
Square Footage	Tenant Suite 1,208 sq. ft.; Patio: 525 sq. ft.

Review and Recommendation:

This request is to allow televisions, external speakers, and live entertainment consisting of musical performances within an outdoor patio. Buon Padre Pizza has been operating at this location for over seven years, however the current owners purchased Buon Padre Pizza in 2023. In 2019, an expansion of the outdoor patio was requested and approved administratively. No previous Entertainment Use Permits have been processed for the site. After changing ownership, Buon Padre Pizza is now seeking the allowance of light outdoor entertainment to enhance their patrons' experience.

There currently exists one television on the patio from the previous owners and has been unused since the change of ownership. The proposed entertainment includes the usage of this TV, external speakers for quiet background music in the evenings, and occasional live entertainment that will consist of local acoustic performances, sometimes amplified with a unidirectional speaker. Standard business hours are: 3pm to 8pm Tuesday through Thursday, 11am to 9pm Friday and Saturday, and 11am to 8pm Sundays. The establishment is closed Mondays. Although the applicant and businessowners do not yet have a set schedule for the live performances, it is proposed that such live entertainment be held beginning at 5pm on any given business day until closing.

The applicant is willing to address any concerns of residents should they arise. At this time, planning staff has not received any opposition to this request; however, the applicant received one phone call from a resident with questions about the proposed entertainment hours. Upon communicating the establishment's updated operating hours, the resident offered their support for the request.

Staff is recommending approval subject to a one-year time stipulation, given the proximity to adjacent residential properties.

Public / Neighborhood Notification

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting sign was posted on the site and on social media via NextDoor.
- A neighborhood meeting was held on October 24th, 2023, with no residents in attendance.
- As of the writing of this memo, Planning staff is not aware of any opposition to this request.

Recommended Conditions of Approval

Planning staff recommends Planning and Zoning Commission move to recommend approval of the Entertainment Use Permit, subject to the following conditions:

1. Expansion or modification beyond the approved attachments (Exhibits and Narrative) shall void the Entertainment Use Permit and require a new Entertainment Use Permit application and approval.
2. The Entertainment Use Permit is non-transferrable to other locations.
3. The site shall be maintained in a clean and orderly manner.
4. No noise shall be emitted from external speakers or live entertainment in such a manner that exceeds the general level of noise by uses outside the premises of the business and disturbs adjacent businesses and residential areas.
5. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.
6. The establishment shall provide a contact phone number for a responsible person (i.e. owner or manager) to any interested neighbors and property owners to resolve noise complaints quickly and directly.
7. Live music on the patio may occur Tuesday, Wednesday, Thursday and Sunday no later than 8:00 pm; and Friday and Saturday, no later than 9:00 pm, and shall be limited to acoustic and non-amplified instruments.
8. The Entertainment Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Entertainment Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

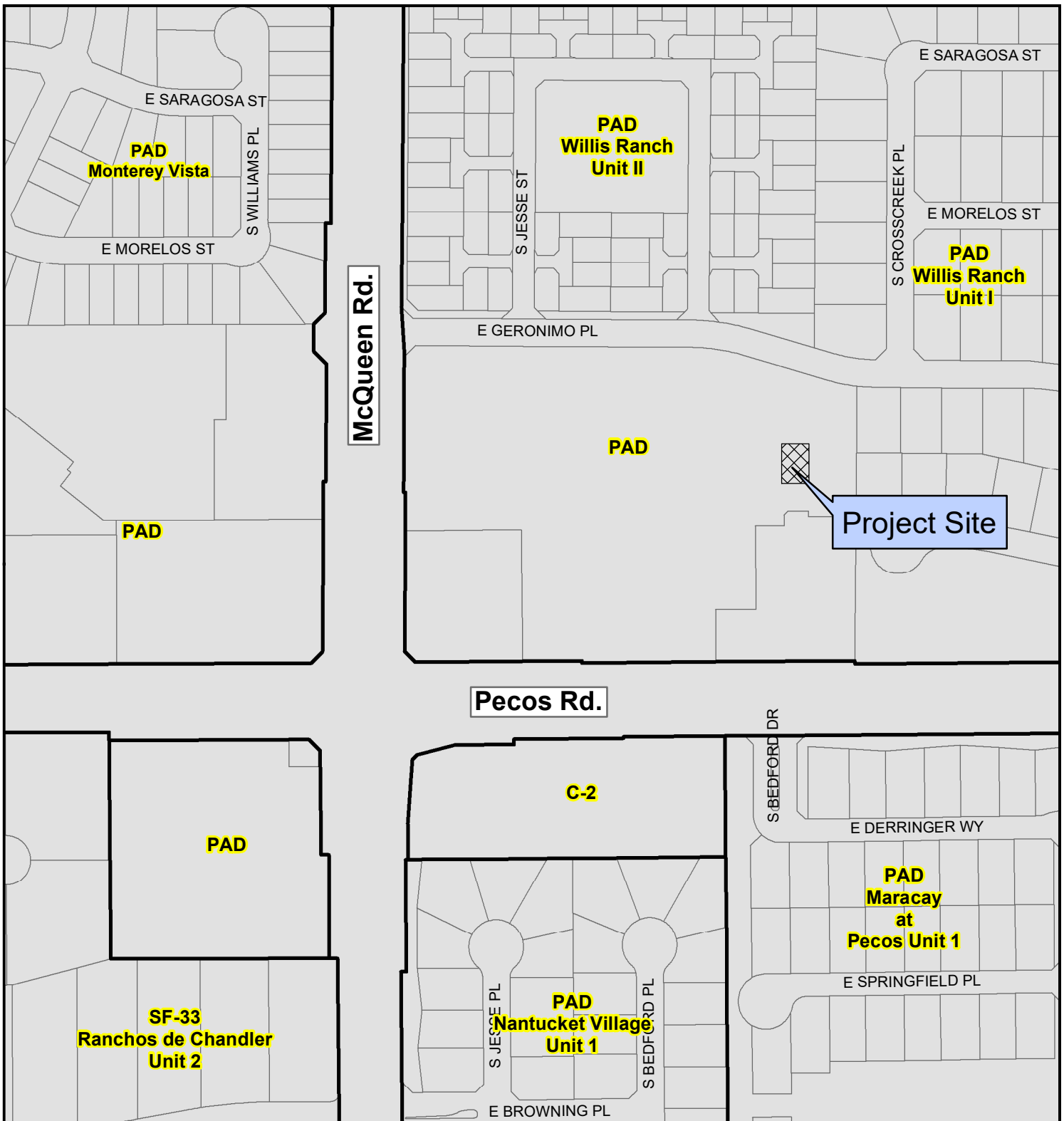
Attachments

Vicinity Maps

Narrative

Aerial Map

Floor Plan



PLH23-0045 Buon Padre Pizza



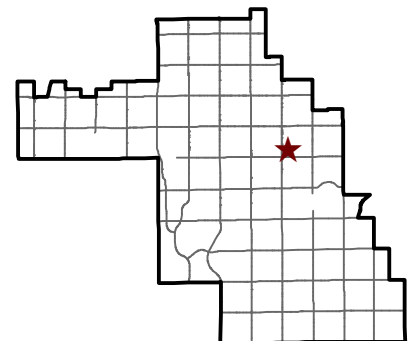
Proposed Project Details

1080 E. Pecos Rd. Suite# 23

Entertainment Use Permit (EUP) request to allow
televisions, external speakers, and live entertainment
within an outdoor patio



City of Chandler Planning Division
chandleraz.gov/planning
 For more information visit:
<https://gis.chandleraz.gov/planning>





PLH23-0045 Buon Padre Pizza

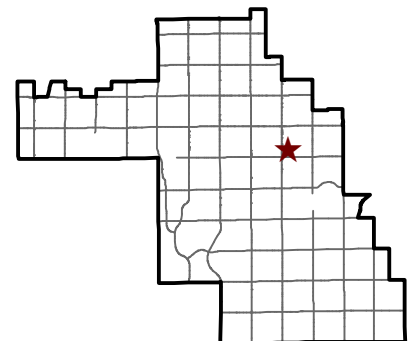
Proposed Project Details

1080 E. Pecos Rd. Suite# 23

Entertainment Use Permit (EUP) request to allow
televisions, external speakers, and live entertainment
within an outdoor patio



City of Chandler Planning Division
chandleraz.gov/planning
 For more information visit:
<https://gis.chandleraz.gov/planning>



BPP Holdings LLC dba Buon Padre Pizza

Entertainment Use Permit | Narrative of Request

Property Address: 1080 E Pecos Road, Suite 23, Chandler, AZ 85225. Located within the Pecos Plaza at Pecos Road and McQueen Road.

Buon Padre Pizza is a family-owned pizzeria serving the local Chandler community. We are requesting an Entertainment Use Permit to provide an inviting atmosphere where patrons can spend time making new memories with their friends and family. We want people to enjoy watching their favorite sports team or spend time socializing over a delicious meal while recorded music plays in the background - setting the perfect mood for a night out. We are close to a residential neighborhood and want to respect their right to not be intruded upon by loud music or TV programs coming from our patio. We plan on keeping a mid-low volume level at all times.

Type of entertainment requested: Outdoor televisions, speakers, and live acoustic entertainment

Hours of Operation:

Monday: Closed

Tuesday - Thursday: 3:00pm – 9:00pm

Friday – Saturday: 11:00am – 10:00pm

Sunday: 11:00am – 9:00pm

Number of Employees: 7

Tenant Square Footage: 1,208 sq. ft.

Outdoor Patio Square Footage: 525 sq. ft.

Patio: There are two gates allowing access from outside into the patio. There is also a door allowing access from inside the restaurant onto the patio.

Total indoor seating: 10

Total outdoor seating: 17

Total combined seating: 27

Smoke-Free compliance:

- We have removed all indoor ashtrays and smoking receptacles and moved all outdoor ashtrays and smoking receptacles at least 20 feet away from entrances.

- We have posted the required "No Smoking" signs at every entrance into our establishment, including the patio.
- We have educated all existing and prospective employees about the Smoke-Free Act
- We prohibit anyone including employees, vendors, and customers from smoking on the patio and within 20 feet of all entrances into our place of business
- We politely inform violators smoking on the patio or within 20 feet of an entrance to extinguish their lit tobacco product or to go at least 20 feet away from the entrance to smoke

Site Improvements: N/A

Building signage: N/A

Applicant: BPP Holdings LLC

Contact: Michael Schwan, 623-249-9412. AZBPPholdings@gmail.com



Entrance

Small Speaker

Outdoor TVs

Interior Eating Area

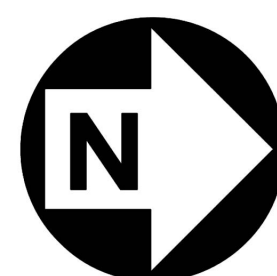
Outdoor Patio

Dining Tables

Small Speaker

2 TV's Back to Back

PLH23-0045 Buon Padre Pizza



PIZZA
OVEN

REGISTER

COUNTER

MEN'S
BATHROOM

MIXER

FREEZER

FREEZER

WOMEN'S
BATHROOM

MOP
SINK

WALK-IN
FREEZER



**Planning & Zoning Commission
23-056**

Development Services Memo No. PZ

Date: November 15, 2023
To: Planning and Zoning Commission
Thru: Kevin Mayo, Planning Administrator
From: Julie San Miguel, Senior Administrative Assistant
Subject: Notice of Cancellation of December 6, 2023, Planning and Zoning Commission Hearing

Proposed Motion:

Move Planning and Zoning Commission cancel December 6, 2023, Planning and Zoning Commission Hearing.

Background/Discussion

Due to the management of cases, Planning Staff is recommending cancellation of the December 6, 2023, Planning and Zoning Hearing.
