

PLANNING COMMISSION REPORT



Meeting Date: May 25, 2016
General Plan Element: *Community Involvement*
General Plan Goal: *Process city issues in a convenient manner for citizens*

ACTION

Special Event Ordinance Repeal 6-TA-2015

Request to consider the following:

1. A recommendation to City Council regarding a request by the City of Scottsdale to amend the Zoning Ordinance (Ord. No. 455) for the purpose of repealing Section 3.100 only pertaining to Definitions of Art Shows, Carnivals, Festival, Grand Opening, Haunted House, Home Exhibition, Pumpkin and Christmas Tree Sales, Sidewalk Sales, Special Vehicle Sales, Special Event; Section 7.200.H.7. only pertaining to Special Event Section 7.900; Sections 7.900 through 7.999 (Special Events); Section 9.102.H.1. only pertaining to Special Event Section 7.900; Section 9.103.I (Special Events Parking); Table 9.103.A. only pertaining to Special Event Section 7.900; as regulations have been recently updated by City of Scottsdale Ordinance No. 4242 (Special Events).

Key Items for Consideration

- Ordinance No. 4242, which recently amended Chapter 22 of the Scottsdale Revised Code for the purposes of regulating events, was adopted
- Prior to adoption of Ordinance No. 4242, the sections of the Zoning Ordinance specified above regulated special event activities
- The sections specified above can now be repealed from the Zoning Ordinance as they are no longer relevant and cause confusion

APPLICANT CONTACT

Greg Bloemberg
Senior Planner
City of Scottsdale
480-312-4306

LOCATION

City-wide

BACKGROUND

On 3/15/16, Ordinance No. 4242, which amended Chapter 22 of the Scottsdale Revised Code, was adopted for the purpose of regulating all special event activity in the City of Scottsdale. With the adoption of this ordinance, the sections of the Zoning Ordinance related to special events became obsolete and must now be repealed.

Currently, there are several sections in the Zoning Ordinance that reference special events. They are as follows:

- Section 3.100: defines obsolete types of activities classified as “special events”
- Section 7.200.H.7: references an obsolete section number pertaining to temporary wireless communication facilities
- Sections 7.900 through 7.999: regulates all special event activities; outlines process and procedures that are now obsolete
- Section 9.102.H.1: references an obsolete section number pertaining to parking restrictions for unimproved lots
- Section 9.103.I: references an obsolete section number for parking requirements related to special events
- Table 9.103.A: references an obsolete section number pertaining to stables

APPLICANTS PROPOSAL

Goal/Purpose of Request

Repeal specified sections in the Zoning Ordinance (Ordinance No. 455) related to special events to prevent confusion with regulatory requirements and procedures.

IMPACT ANALYSIS

Community Involvement

Extensive outreach was conducted by the City as part of the recent amendment to the Scottsdale Revised Code, including a series of Open Houses, café conversations and workshops to educate the public and document feedback. As part of that outreach effort, the public was notified of the City’s intent to repeal the applicable sections in the Zoning Ordinance related to special events once the new regulations were in place.

Community Impact

This proposal will eliminate irrelevant and duplicative regulations that would otherwise conflict with the recently adopted special event regulations.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission make a recommendation to City Council for approval of case 6-TA-2015, a request by the City of Scottsdale to amend the Zoning Ordinance (Ord. No. 455) for the purpose of repealing Section 3.100 only pertaining to Definitions of Art Shows, Carnivals, Festival, Grand Opening, Haunted House, Home Exhibition, Pumpkin and Christmas Tree Sales, Sidewalk Sales, Special Vehicle Sales, Special Event; Section 7.200.H.7. only pertaining to Special Event Section 7.900; Sections 7.900 through 7.999 (Special Events); Section 9.102.H.1. only pertaining to Special Event Section 7.900; Section 9.103.I (Special Events Parking); Table 9.103.A. only pertaining to Special Event Section 7.900; as regulations have been recently updated by City of Scottsdale Ordinance No. 4242 (Special Events).

RESPONSIBLE DEPARTMENT

Planning and Development Services
Current Planning Services

STAFF CONTACT

Greg Bloemberg
Senior Planner
480-312-4306
E-mail: gbloemberg@ScottsdaleAZ.gov

APPROVED BY



Greg Bloemberg, Report Author

5-6-16
Date



Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

5/6/2016
Date



Randy Grant, Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

5/11/16
Date

ATTACHMENTS

1. Legislative Draft

ARTICLE III. - DEFINITIONS

Section 3.100 [General] is amended as follows:

Sec. 3.100. - General.

For the purpose of this Zoning Ordinance, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural shall include the singular; the word "building" shall include the word "structure", and the word "lot" shall include the word "plot"; the word "may" is permissive, and the word "shall" is mandatory, further the word "or" shall mean "either" and the word "and" shall mean "in conjunction with." Land use activities defined herein are generally exclusive of other defined and/or specific uses in the Zoning Ordinance.

Abutting shall mean the condition of two (2) adjoining properties having a common property line or boundary, including cases where two (2) or more lots adjoin only a corner or corners, but not including cases where adjoining lots are separated by a street or alley.

Access or *accessway* shall mean the place, means, or way by which pedestrians and vehicles shall have safe, adequate and usable ingress and egress to a property or use as required by this Zoning Ordinance.

Accessory building is a secondary building, the use of which is customarily incidental to that of a dominant use of the main building.

Accessory use is an activity customarily incidental, related, appropriate and clearly subordinate to the principal use of the lot or building.

Acre shall mean a land area measuring forty-three thousand five hundred sixty (43,560) square feet.

Adjacent shall mean the condition of being near to or close to but not necessarily having a common dividing line, i.e., two (2) properties which are separated only by a street or alley shall be considered as adjacent to one another.

Adult bookstore shall mean any commercial establishment having as a substantial or significant portion of its stock in trade books, magazines, other periodicals, motion pictures, or video cassettes, video disks or other similar means of visual communication which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas".

Adult care home shall mean a residential care institution which provides supervisory care, personal care, or custodial care services to adults who require the assistance of no more than one (1) person to walk or to transfer from a bed, chair, or toilet, but who are able to self-propel a wheelchair, as subject to licensing by the State of Arizona.

Adult live entertainment establishment shall mean any commercial establishment which provides any of the following entertainment or services during any part of two (2) or more consecutive days or during any part of more than one (1) day within any ninety (90) day period:

- A. Any dancing, such as bottomless or topless, striptease, go-go, flash, exotic dancers, or any similar performance where the dancer's clothing does not completely and opaquely cover "specified anatomic areas" as defined herein.
- B. Any modeling, wrestling, sports performance or service or retail activity where the clothing of the participants does not completely and opaquely cover "specified anatomical areas" as defined herein.

Adult novelty store shall mean any commercial establishment having as a substantial or significant portion of its stock in trade instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities," excluding condoms and other birth control and disease prevention products.

Adult theater shall mean any commercial establishment regularly use for presenting for observation by patrons therein any film or plate negative, film or plate positive, film or tape designed to be projected on a screen for exhibition, or films, glass slides or transparencies, either in negative or positive form, and which is designed for exhibition by projection on a screen, or in any type of viewing booth or any other visual presentation, including supportive audio or other sensory communication media, which projects images by electronic, mechanical, or similar means which may be viewed by patrons alone or in groups of two (2) or more which is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specific sexual activities" or "specified anatomical areas."

After hours establishment includes any business which is open to patrons during the hours of 1:00 a.m. to 6:00 a.m. which is the business premises of a state on-sale retail liquor licensee and where dancing or live entertainment occurs.

Adult uses shall mean adult bookstores, adult novelty stores, adult theaters, or adult live entertainment establishments.

Alley is a public thoroughfare which affords only a secondary means of vehicular access to abutting property and is not intended for general traffic circulation. An alley line shall mean the centerline of an alley right-of-way as determined by the Manager of Transportation.

Alternative concealment WCF means a free-standing unoccupied structure that camouflages, integrates, or conceals the presence of wireless communications facility antennas. Some examples include, but are not limited to, art/sculptures and artificial trees, cacti, and rock formations. This does not include antennas concealed in buildings and within flagpoles.

Amendment shall mean a change in the wording, context or substance of this Zoning Ordinance, an addition or deletion or a change in the district boundaries or classifications upon the district map, which imposes any regulation not heretofore imposed or removed or modifies any such regulation theretofore imposed.

Amusement park shall mean a commercial amusement activity such as a carnival, circus, miniature golf course or similar establishment which does not require an enclosed building.

Analogous use shall mean any use which is comparable to the permitted uses, is similar in one (1) or more important ways to the permitted uses, or resembles the permitted uses in one (1) or more aspects. Analogous uses shall not be any more deleterious, obnoxious or harmful than the uses permitted.

Animal clinic or *animal hospital* shall mean a place where animals or pets are given medical or surgical treatment in emergency cases and are cared for during the time of such treatment. Use as kennel shall be limited to short-time boarding and shall be only incidental to such hospital use and shall be enclosed in a soundproof structure.

Antenna means a device from which radio frequency signals are sent and/or received. Some examples include, but are not limited to, whip antenna, panel antenna and dish antenna.

Archaeological resources means any material remains of past human life or activities which are at least fifty (50) years old and of historic or pre-historic significance. Such materials include, but are not limited to petroglyphs, pictographs, paintings, ornaments, jewelry, textiles, ceremonial objects, armaments, vessels, ships, vehicles, human skeletal remains, rock art, pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, water-control devices, pit houses, rock paintings, rock carvings, intaglios, graves, personal items and clothing, household or business refuse, printed matter, manufactured items, or any piece of any of the forgoing items.

Archaeological site means a concentration of archaeological resources inferred to be locations used for past specific human activities.

Archaeological site, recorded, means an archaeological site in Arizona that has been identified by a qualified archaeologist and has been recorded in a database at the Arizona State Museum and/or the State Historic Preservation Office (SHPO) so that the location is mapped and documentation on the archaeological resources found at the location or collected from the location is available for research use.

Archaeological site, significant, shall mean archaeological resources determined by the Historic Preservation Officer, Historic Preservation Commission, or a Committee of the Commission, to be significant in the City of Scottsdale when one (1) or more of the city's nine (9) criteria for significance are contained in the archaeological resources on a property, or designated HP District by City Council.

Archaeologist, City, is the person appointed by the City Manager, or designee, to administer the sections of the Zoning Ordinance of the City of Scottsdale relating to archaeological resources.

Archaeologist, qualified, shall mean a person or firm meeting the Arizona State Museum's standards and professional qualifications.

~~**Art shows shall mean the sale and display of original arts and crafts. Original arts and crafts include one (1) of a kind or limited edition materials.**~~

Balcony is a platform projected from a building with a floor height above grade.

Bar or cocktail lounge includes any business that offers alcoholic beverages for sale, is not an accessory use to a hotel, and meets any of the following criteria:

- A. The bar service area is in excess of fifteen (15) percent of the gross floor area.
- B. The kitchen is less than fifteen (15) percent of the gross floor area.
- C. Age verification is requested for admittance.
- D. A cover charge is required for admittance, except for special events as permitted through the city's special event permit process.
- E. Less than forty (40) percent of gross revenues are derived from the sale of prepared food.
- F. The business remains open and liquor sales continue but the full kitchen closes before 9:00 p.m.

Bar service area includes the floor areas under indoor and outdoor bars counter tops and the floor area behind the bars counter tops used for the storage, preparation and serving of food or drinks.

Basement shall mean that portion of a building between floor and ceiling, which is partly below and partly above grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling. (See story).

Berm is a mound of earth used as a barrier, an aesthetic feature, or for screening.

Big box shall mean any single retail space with a building footprint of equal to or greater than seventy-five thousand (75,000) square feet.

Boarding stable. See *commercial stable*.

Boardinghouse or lodginghouse shall mean a building where, for definite periods, lodging with or without meals is provided for three (3) or more persons but not exceeding twenty (20) persons.

Boulder collapse is the natural process of splitting or felling of large boulders (four (4) feet or larger in dimension).

Boulder features are exposed bedrock or bedrock clusters produced by the weathering of granite or other bedrock in place. Boulder features are categorized as 1) single boulder formations and 2) boulder clusters, which meet the following criteria: a single boulder formation is defined as a primarily single, solid rock formation that has at least one (1) dimension of twenty-five (25) feet or more across, and a height at one (1) point above the surrounding terrain of twenty (20) feet or more. Boulder clusters are defined as a collection of boulders and rock outcroppings in which the individual boulders are typically eight (8) feet in diameter or larger and the collective boulders are densely clustered. Boulder clusters shall have a collective width of at least fifty (50) feet and a height at one (1) point above the surrounding terrain of at least twenty-five (25) feet.

Boulder rolling is the natural phenomenon where granite, gneiss, basalt or similar rock fragments, with one (1) dimension of four (4) feet or more, are dislodged from rock outcrops or steep rock slopes and slide or roll downhill.

Buffer is a landscape area or other open space used to lessen the impact of an adjacent development.

Buffered setback is an area adjacent to a street, designated in the General Plan or in a Character Area Plan, that remains undisturbed or is landscaped to create a parkway type of streetscape.

Building shall mean any structure for the shelter, housing or enclosure of persons, animals, chattels or property of any kind, with the exception of dog houses, play houses and similar structures. Each portion of a building separated by dividing wall or walls without openings may be deemed a separate building for the purpose of issuing building permits.

Building envelope is the three (3) dimensional space on a property occupied by a building, regulated by the building height, setback, stepback, yard, and other provisions of the Zoning Ordinance.

Building façade is the side(s) of a building facing a public street, except alleys.

Building façade length is a measurement of the building façade in a straight line from the farthest corners of the building.

Building footprint shall mean the building area occupied by a single tenant and associated tenant spaces having common access within the confines of the primary use. The building footprint does not include outdoor activity areas, basements, or floor areas above the first floor level.

Building height, is the vertical distance measured from a point of reference elevation established 12 inches above the average elevation at the top of the curb of the street or streets adjacent to the property, or to the top of the crown of the roadway or roadways, if there is no curb, to the highest point of the coping of a flat roof, or to the highest point of a mansard roof or to the highest gable of a pitch or hip roof. In cases where drainage considerations supersede this Zoning Ordinance, the point of reference elevation would be subject to the approval of the Floodplain Administrator.

Building mounted antenna shall include any antenna that is located on the roof or attached to the walls of, or integrated into buildings, church steeples, cooling towers, elevator bulkheads, parapets, penthouses, fire towers, tanks, and water towers, or other structures.

Building valuation is the appraisal determined by the Building Official and based on the building valuation data published by the International Conference of Building Officials.

Building Official is the person, or designee, or successor, who administers the construction codes as adopted by the City of Scottsdale.

Building site shall mean the area of a building together with associated parking areas and open space required by this Zoning Ordinance. A building site may encompass more than one (1) lot.

Canister-mount means a cylindrical shaped form concealing wireless communications antennas mounted on a monopole, other type of pole, or tower.

~~**Carnivals (major) shall mean a promotional event intended to attract people to a site where there may or may not be an admission charge, and which may include such activities as rides, entertainment, game booths, food stands, exhibitions, and animal displays.**~~

~~**Carnivals (minor) shall mean a promotional event intended to attract people to a site where there is no admission charge, and which may include up to seven (7) small rides, each a maximum of fifteen (15) feet in height, and such activities as entertainment, game booths, food stands, exhibitions, and animal displays.**~~

Carport is an accessory building or portion of a main building, with two (2) or more open sides, used for vehicle parking. Enclosed storage facilities may be provided as part of a carport.

Carwash is a commercial facility where the washing, drying, polishing, vacuuming, or detailing of vehicles is done either mechanically or by a person.

Cellar shall mean that portion of a building between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling. (See story).

Certificate of Appropriateness is the City form stating that the proposed work on an historic or archaeological resource is compatible with the historic or archaeological character of the property and, therefore: (1) the proposed work may be completed as specified in the certificate; and (2) the City may issue any permits needed to do the work specified in the certificate.

Certificate of No Effect is the City form stating that proposed work on an historic or archaeological resource will have no detrimental effect on the historic character of the resource.

Certificate of Demolition Approval is the City form authorizing removal of all or part of a structure which is located within an Historic Property District or an area under application for Historic Property District designation.

Certificate of Economic Hardship is the City form demonstrating that a reasonable rate of return cannot be obtained for an income producing property or that no beneficial use exists for a non-income producing property.

Charter school shall mean a public school, including pre-school and any grades kindergarten through twelfth grade, established by contract with a district governing board, the state board of education or the state board of charter schools to provide learning that will improve pupil achievement.

Church, synagogue or temple shall mean a permanently located building commonly used for religious worship. Churches, synagogues or temples shall conform to the uniform building code and are subject to development review approval.

City shall mean the City of Scottsdale.

City Council shall mean the City Council of the City of Scottsdale.

Cluster housing shall mean housing which qualifies for section 7.856 [6.1082], "cluster development option", or is perceived as a complex of closely related structures.

Co-location means the use of a single mount and/or structure by more than one (1) wireless communications service provider. Some examples include, but are not limited to, a tower, a monopole, a power pole, and a sports/field light pole.

Common open space is any meaningful open space, other than private outdoor living space, frontage open space, parking areas or parking lot landscaping, intended for use by all occupants of a development. This space may include recreation areas.

Conditional uses shall mean those uses specified with each zoning district which require approval of a special permit by the City Council. Such permits may be limited by specific conditions, restrictions, terms or time periods, and may be revocable.

Condominium shall mean an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in air space in a residential, industrial or commercial building on such real property, such as apartment, office or store.

Construction envelope is one (1) or more specified areas on a lot or parcel within which all structures, driveways, parking, nonnative landscaping, water surfaces, decks, walks, walls, and recreation areas are located. Underground utilities and perimeter walls may be located beyond the construction envelope.

Convalescent home or nursing home shall mean any place or institution which makes provisions for bed care, or for chronic or convalescent care for one (1) or more persons exclusive of relatives, who by reason of illness or physical infirmity are unable to properly care for themselves. Alcoholics, drug addicts, persons with mental diseases and persons with communicable diseases, including contagious tuberculosis, shall not be admitted or cared for in these homes licensed under the State of Arizona, as a convalescent and nursing home.

Corporate headquarters office shall mean a complex of buildings whose purpose is to be the administrative center of a business enterprise. Corporate headquarters may include transient residential units only for employees subject to any and all provisions of this ordinance.

Corral shall mean a fence-type structure consisting of vertical posts and horizontal members, and so constructed that seventy-five (75) percent or more of the vertical surface is open. Chain link or other similar types of wire fences are not intended to be included in this definition and shall be classified as a fence or wall.

Cost of artwork is the actual, direct cost of creating and installing artwork, including artist fees to create the artwork, transportation of the artwork to the site, and installation materials and labor. Cost of artwork does not include incidental costs to the artist or laborers such as food, lodging and travel costs.

Cultural Improvement Program is the program established by this Zoning Ordinance.

Cultural institution is a library or museum or comparable use, for providing access to the arts and sciences.

Curb is the edge of a street, following the curves of the street for bus bays, turn lanes, parking areas and changing directions.

Curb, back of is the edge of the curb farthest from the centerline of the street.

Curb elevation shall mean the average elevation of a curb adjacent to a development from which the height of a building is determined.

Day care shall mean the care, supervision and guidance of a person or persons who is unaccompanied by a parent, child, guardian or custodian, for periods of less than twenty-four (24) hours per day, in a place other than persons' own home or homes.

Day care center is any facility providing, for compensation, the care, supervision and guidance of five (5) or more people unaccompanied by parent, guardian or custodian, on a regular basis for periods of less than twenty-four (24) hours per day, in a place other than the persons' own dwelling.

Day care group home is a dwelling providing, for compensation, the care, supervision and guidance of not more than ten (10) people, unaccompanied by parent, guardian or custodian, on a regular basis for periods of less than twenty-four (24) hours per day, in a place other than the persons' own dwelling.

Day care home is a dwelling providing, for compensation, the care, supervision and guidance of no more than four (4) people unaccompanied by parent, guardian or custodian, on a regular basis for periods of less than twenty-four (24) hours per day, in a place other than the persons' own dwelling.

Demolish shall mean any act or process which removes a building or other structure or any portion thereof.

Demolition permit shall mean a permit issued by the building official allowing the permittee to demolish a building or structure.

Density is usually used to describe the number of dwelling units per acre in residential districts, while intensity is usually used to describe floor area ratio of development in nonresidential zoning districts. Where both residential and nonresidential districts are encompassed, the term intensity is generally used.

Density based land uses shall mean those of a residential nature.

Desert Scenic Roadways Setback is an area along one (1) mile and one-half (½) mile roads within the Environmentally Sensitive Lands ESL District (not already established as scenic corridors or roadways with Buffered Setbacks but designated in the General Plan) intended to preserve views and native vegetation.

Development is the performance of any building or mining operation, the making of any material change in the use or appearance of any structure or land, the installation of public artwork provided in accordance with the Cultural Improvement Program or Public Art Program, the division of land into two (2) or more parcels, and the creation or termination of access rights. "Development" includes, but is not limited to, such activities as the construction, reconstruction, or alteration of the size, or material change

in the external appearance of a structure or land; commencement of mining excavation, trenching, or grading; demolition of a structure or removal of vegetation; deposit of refuse, solid waste or fill; alteration of a floodplain, or bank of watercourse.

Development agreement shall mean an agreement made pursuant to A.R.S. § 9-500.05.

Development Master Plan (DMP) is a detailed plan with multiple infrastructure and design components to provide overall coordination for a complex and often multiple-phased zoning district map amendment.

Development Plan (DP) is a comprehensive conceptual plan covering an entire zoning district map amendment project area which addresses how components of the development work together.

Development project is any development resulting from the approval of a building permit, lot split, preliminary or final plat, rezoning application, grading permit, public or private infrastructure improvement, variance requests, development review, master plans, native plant removal, relocation or revegetation, or use permit.

Development site is a specific area within the development project which is proposed for a specified zone, use, or density, and may be developed separately from the balance of the development project.

District shall mean any zone as shown on the zoning map of the City of Scottsdale for which there are uniform regulations governing the use of buildings and premises or the height and area of buildings.

District map is the City's zoning map, which is a part of the City's Zoning Ordinance.

Downtown Area is the area described by the Downtown Plan.

Downtown Boundary is the designated outline of the Downtown Area.

Downtown Plan is the plan, and any amendments, adopted by the City Council.

Downtown Plan Urban Design & Architectural Guidelines are the design guidelines, and any amendments, for the Downtown Area, approved by the Development Review Board.

Dwelling shall mean any building, or portion thereof, which is designed exclusively for residential purposes.

Dwelling, multiple shall mean a building or portion thereof designed for occupancy by three (3) or more families.

Dwelling, single-family shall mean a building designed for occupancy by one (1) family.

Dwelling, two-family shall mean a building designed for occupancy by two (2) families.

Dwelling unit shall mean one (1) or more rooms in a dwelling designed for occupancy by one (1) family for living purposes and having its own cooking and sanitary facilities.

Efficiency apartment shall mean a dwelling unit which has only one (1) combined living and sleeping room, said dwelling unit, however, may also have a separate room containing only kitchen facilities and also a separate room containing only sanitary facilities.

Environmental scientists are professionals with training or experience in areas such as environmental planning, physical geography, environmental geology, ecology, botany, soil sciences, or natural resource administration.

Environmental design concept master plan is a document that includes plans, design methods, guidelines and other similar material that outline the concepts to be used on a development project for open spaces, streetscapes, trails, common and public areas and the protection, conservation, and enhancement of environmentally sensitive features or conditions of a parcel.

Equipment cabinet means an enclosed shed or box at the base of or near a wireless communications antenna mount within which are housed, among other things, batteries, cables, cable trays, and electrical equipment (hereinafter referred to as "equipment").

Exposed/shallow bedrock is bedrock which is exposed or which has irregular patches of soil cover that may vary in depth or location over time. The maximum depth of the soil cover is three (3) feet. Locations containing exposed/shallow bedrock shall be mapped if they have a minimum horizontal dimension of forty (40) feet or more.

Family shall mean one (1) or more persons occupying a premise[s] and living as a single housekeeping unit as distinguished from a group occupying a boardinghouse, lodginghouse or hotel as herein defined.

Farm shall mean an area of five (5) or more contiguous acres which is used for the production of farm crops such as vegetables, fruit trees, cotton or grain and their storage, as well as raising thereon of farm animals such as poultry or swine on a limited basis. Farms also include dairy produce [products]. Farming does not include the commercial raising of animals, commercial pen feeding (feed lots) or the commercial feeding of garbage or offal to swine or other animals.

Festival shall mean the sale of ethnic specialty, regional and gourmet foods, art and crafts, live musical entertainment, in an outdoor setting.

Financial institution is a bank, credit union, savings and loan, payday loan, lender, savings and loan association, or check cashing business; that is primarily engaged in deposits and withdrawals, loans, lease financing, investments, fiduciary activities, exchange of currencies, transfer of money, cash advances, credit services, or the sale and processing of cashier's checks, traveler checks, or money orders.

Flag lot is a lot that is narrower along the roadway frontage than at the building site and employs a long, narrow driveway and lot line configuration that extends from the roadway to the building site.

Floor area, except as otherwise provided herein, is the area of a building floor, measured from the exterior faces of the exterior walls or from the center lines of common walls separating two (2) buildings.

Floor area ratio is the ratio of gross floor area to the net lot area of a site.

Frontage shall mean all property on one (1) side of a street between two (2) intersecting streets (crossing or terminating) measured along the line of the street, or, if the street is dead end, then all of the property abutting on one (1) side between an intersecting street and the dead end of the street including property fronting on a cul-de-sac.

Frontage open space is the meaningful open space between the street line and a building. Frontage open space generally provides a setting for the building and visual continuity within the community. Frontage open space may extend between structures or between a structure and a side property line to a depth of not more than one-half (½) the width of the opening.

Front building façade shall mean the exterior walls of a building which face a public or private street.

Garage, private is any accessory building or portion of a main building used for parking the occupant's vehicle(s).

Game center shall mean a place or facility where pinball or other similar electronic games are played for amusement only. "Game center" shall not be construed so as to include bingo games nor shall it be construed so as to include gambling devices or any other devices prohibited by law.

Gas station is a facility selling vehicle fuels, and may include retail sales of consumer goods.

General Manager is the City department head, or designee, or successor, whose responsibilities include planning and development functions.

Golf course, regulation or par-three is a facility other than a miniature golf course for the playing of golf at which there may be a clubhouse including rest rooms and locker rooms. A golf course may provide additional services customarily furnished such as swimming, outdoor recreation and related retail sales that may include a restaurant, excluding drive-through restaurant and excluding drive-in restaurant, and cocktail lounge if approved as a part of the required use permit.

Golf training center shall mean a facility other than a miniature golf course or commercial driving range providing primarily both indoor and outdoor professional instruction in all phases of golf learning skills. Accessory uses may be allowed if approved as part of the required use permit.

Grade (adjacent ground elevation) shall mean the lowest point of elevation of the finished surface of the ground between the exterior wall of a building and a point five (5) feet distant from said wall, or the lowest point of elevation of the finished surface of the ground between the exterior wall of a building and the property line if it is less than five (5) feet distant from said wall. In case walls are parallel to and within five (5) feet of a public sidewalk, alley or other public way, the grade shall be the elevation of the sidewalk, alley or public way.

~~**Grand opening shall mean the introduction, promotion or announcement of a new business, store, shopping center or office, or the announcement or introduction or promotion of an established business changing ownership or location.**~~

Green Construction Code is the building and construction code, and any amendments, adopted by the City Council to implement Scottsdale's Green Building Program.

Gross floor area is the sum of the floor areas of all the floors of a building or buildings, including mezzanines, measured from the exterior faces of exterior walls or from the center lines of common walls separating two (2) buildings. Gross floor area does not include:

- a. Parking areas.
- b. Uncovered steps.
- c. Exterior balcony space.
- d. Exterior ground floor patio space.
- e. Basement space used for unoccupied storage.
- f. Elevator shafts and space occupied by electrical and mechanical rooms.

Gross floor area ratio (GFAR) is the ratio of nonresidential floor area to the gross lot area.

Gross lot area shall mean the area of a lot including one-half (½) of all dedicated streets and alleys abutting the property.

Guest house is an accessory building or portion of a main building used to house guests of the occupants of the main building.

Guest ranch is a use incorporating two (2) or more guest rooms, other than a boardinghouse, hotel or motel, and including outdoor recreational facilities such as but not limited to horseback riding, swimming, tennis courts, shuffleboard courts, barbecue and picnic facilities, and dining facilities intended primarily for use by the guests of the guest ranch. Bars and restaurants, including drive-through restaurants and including drive-in restaurants, which cater primarily to those other than guests of the guest ranch are not permitted.

Hardscape is a built element added to a landscape area, including but not limited to concrete walkways, benches, recreation equipment, statuary and fountains.

~~**Haunted house shall mean temporary structures which house booths, displays, live performances relating to Halloween themes.**~~

Health and fitness studio is a facility where gymnastic, sports training, general exercise and related activities, such as therapeutic massage or Pilates, are performed for the purpose of physical fitness.

Hedge shall mean shrubs, bushes or other living plant material forming a visual or physical barrier.

Hillside landforms are the more elevated, deeper and rugged landforms which tend to divide broad desert valleys or separate the lower deserts from higher plateau regions, to the north and east. These landforms include mountains, hills, buttes, or escarpments predominantly composed of bedrock materials. Typical bedrock materials include volcanics such as basalt and tuff; intrusives such as granite; and metamorphics such as diorites, quartzites, and schists. Locally slopes may be covered by colluvium

comprised of upslope bedrock materials or by thin veneers of in-situ soils. Land slopes are usually above fifteen (15) percent and in most cases are over thirty-five (35) percent, but may be as little as five (5) percent in isolated pockets, typically atop ledges or near ridge tops. Drainageways are relatively poorly defined on the slopes but collect into deep canyon bottom courses strewn with large-sized rubble. Hazards which may be present include boulder rolling, rock falls, debris movement and general slope instability. The surface movement of materials occurs as a result of both gravity and water transport. The surface material size includes larger boulders, rocks and gravel as well as grainy soil materials.

HP or Historic Property District shall mean an historic resource subject to HP (Historic Property) zoning overlay zoning.

Historic designation report shall mean the written and visual information compiled to demonstrate how and why a Scottsdale resource may be eligible to be placed on the Scottsdale Historic Register and zoned HP District.

Historic Preservation Commission shall mean the Historic Preservation Commission appointed by the Scottsdale City Council for the City of Scottsdale.

Historic Preservation Officer shall mean the person appointed by the City Manager to administer the Historic Preservation Program and maintain the Scottsdale Historic Register.

Historic Preservation Plan shall mean a plan for the preservation of historic resources and landmarks on the Scottsdale Historic Register.

~~**Home exhibition shall mean a one-time display of homes including furnishing and accessories in an unoccupied subdivision. The exhibition may include live entertainment, food sales, street closures, and other activities.**~~

Home occupation shall mean any occupation or profession carried on by a member of a family, residing on the premises, and which is clearly incidental to the use of the structure for dwelling purposes and which does not change the exterior character of the premises in any way. There shall be no commodity sold upon the premises, nor shall such use generate pedestrian or vehicular traffic beyond that normal to the district in which it is located, and further there shall be no signs, buildings or structures other than those permitted in the district.

A carport or garage may not be used for home occupations. There shall be no use of material or mechanical equipment not recognized as being part of normal household or hobby use. Home occupation shall include the use of premises by a physician, surgeon, dentist, lawyer, clergyman, or other professionals for consultation or emergency treatment, but not for general practice.

Hospital shall mean a facility for the general and emergency treatment of human ailments, with bed care and shall include sanitarium and clinic but shall not include convalescent or nursing home.

Hotel shall mean a building in which lodging is provided and offered for compensation to transient guests.

Intensity is usually used to describe floor area ratio of development in nonresidential districts, while density describes number of dwelling units per acre in residential districts. Where both residential and nonresidential districts are encompassed, the term intensity is generally used.

Internalized community storage is an establishment that offers storage in an enclosed building, with access to storage units only from the interior of the building. The use may include a dwelling unit/office for on-site supervision, but may not include outdoor storage.

Irrigation system shall mean an underground watering system which consists of heads, valves, pipes, etc., used for the sole purpose of sustaining and promoting plant life.

Kennel shall mean any premises where six (6) or more dogs or cats are bred, boarded and/or trained.

Kitchen includes only those areas used for the preparation and cooking of food and dishwashing including all areas accessory thereto, and not including walk-in refrigerators or cold storage rooms or rooms for the storage of food or beverages.

Land slope is the ratio of the vertical rise in the land elevation over the horizontal dimension of the rise. For the purposes of the Zoning Ordinance the maximum horizontal dimension that shall be used to measure slope is one hundred (100) feet. The allowed techniques for measuring slopes include the "slide-chord" method, computerized methods, or other methods approved by the Zoning Administrator.

Landscape area is an area which has been improved with landscape materials, and may include hardscape.

Landscape materials are natural elements used to improve an outdoor area, including organic items such as trees, shrubs, groundcovers, cacti, turf, and vines; and inorganic materials such as boulders and gravel.

Landscape plan is a graphic representation of the development site indicating the location of all existing and proposed landscape and any hardscape improvements, including buffers.

Landscape plan is an improvement of outdoor property using landscape materials, and may include hardscape.

Light manufacturing is processing, fabricating, and assembling products, that produces no significant off-site noise, vibration, air pollution, fire hazard, odor or noxious emissions. Light manufacturing excludes the initial processing of raw materials.

Light reflective value (LRV). A measurement of the amount of light reflected by a paint color.

Lighting, outdoor is lighting mounted outdoors, including, but not limited to, lighting in landscaping and parking areas; for recreational areas; on the exterior of building and structure walls; under eaves, patio covers and open sided structures. Exterior lighting is outdoor lighting.

Lighting shield is the internal or external louvers, visors, or other barrier integral to a luminaire that obscures the light source. Lighting required to be shielded shall meet the definition of lighting shield.

Live entertainment is a performance in person before an audience at a nonresidential establishment, but excludes the following:

- A. Adult uses;
- B. One or two performers without electronic amplification;
- C. Incidental modeling of clothing and/or singing by employees or patrons, for which no additional floor area is required;
- D. Disc jockey (DJ) who plays recorded music, but does not perform for the audience;
- E. Karaoke;
- F. Performances at an educational service or place of worship;
- G. Indoor performances at travel accommodations; or
- H. Outdoor performances at travel accommodations for a wedding ceremony, but not performances for a wedding reception.

Loading space shall mean a permanently maintained space on the same lot as the main building accessible to a street or alley.

Lot shall mean a legally created parcel of land occupied or intended for occupancy by one (1) main building together with its accessory buildings, and uses customarily incident to it, including the open spaces required by this Zoning Ordinance and having its principal frontage upon a street as defined in this Zoning Ordinance.

Lot area shall mean the same as *net lot area*.

Lot, corner shall mean a lot adjoining two (2) or more streets at their intersections.

Lot coverage is the land covered by building(s) on a site. It is described as a percentage of net lot area covered by the floor area of the first floor of the building(s).

Lot, depth of shall mean the horizontal distance between the front and rear lot lines.

Lot, double frontage shall mean a lot having a frontage on two (2) nonintersecting streets, as distinguished from a corner lot.

Lot, interior shall mean a lot other than a corner lot or key lot.

Lot, key shall mean a lot adjacent to a corner lot having its side lot line in common with the rear lot line of the corner lot and facing on the street which forms the side boundary of the corner lot.

Lot lines shall mean the lines bounding a lot.

Lot of record shall mean a lot which is a part of a subdivision, the plat of which has been recorded in the Office of the Clerk of Maricopa County Recorder's Office; or parcel of land, the deed of which is recorded in the office of the county recorder.

Lot width shall mean, in the case of irregularly shaped lots, lots having side lot lines not parallel, or lots on the curve of a street, the distance between side lot lines measured thirty (30) feet behind the required minimum front setback line parallel to the street or street chord.

Lower desert landforms are the lower plains and expanses which typically occupy the broad lowlands and floodplains between isolated desert mountains. These landforms generally include basin floors and active alluvial fans. Generally, the depth to bedrock is deep to very deep (one hundred (100) feet to over two thousand (2,000) feet) and the texture of the alluvium is fine to medium grained. Caliche may be present but typically occurs in discontinuous lenses and is not strongly indurated. The land is low to moderately sloping and typically there is very little break, either by channels or ridges, in the planer character of the terrain. The typical land slopes are overwhelmingly less than five (5) percent, although in rare localized situations, slopes may reach fifteen (15) percent. Drainageways often are poorly defined, with the low side banks, and stream courses show substantial evidence of continuous braiding and overflows into widespread sheet flows. Hazards predominately relate to overbank and sheet flooding, but may in some areas, include the potential for earthcracks. Most material transport is by water flows although wind transport may become significant if the soil surface is disturbed. Materials are almost exclusively fine silts and loams with only very limited pockets of gravels and stones.

Manager of Transportation is the City department head, or designee, or successor, whose duties include transportation functions.

Manufactured home shall mean a dwelling that has been certified as a manufactured home by the applicable State of Arizona or United States government agency.

Manufactured home park is any parcel that is used for parking manufactured homes or residential trailers that are used as dwellings.

Manufactured home space is any plot of ground within a manufactured home park designed to accommodate one (1) manufactured home or residential trailer.

Mass grading shall mean the process of clearing, grading, excavating, and/or filling or combination thereof for two (2) or more lots, two (2) or more building pads, or a site where more than sixty (60) percent of the lot area will be disturbed which may include the clearing, grading, excavating, or filling the adjoining street(s), in preparation for future development.

Mature trees are healthy, full-bodied trees with a shape characteristic of the species with the following minimum sizes:

- a. Palms: trunk eight (8) feet high.
- b. Single trunk trees: two (2) inch caliper.
- c. Multiple trunk trees: one (1) inch caliper average trunk.

Medical marijuana is all the parts of the plant of the genus cannabis whether growing or not, and the seed of such plants that can be administered to treat or alleviate a condition(s) of a medical marijuana qualifying patient cardholder.

Medical marijuana caregiver cultivation is a facility where a "designated caregiver" grows medical marijuana (as "designated caregiver" is defined in Arizona Revised Statutes, Title 36, Chapter 28.1, Arizona Medical Marijuana Act, as amended).

Medical marijuana qualifying patient cardholder is a "qualifying patient" who is a "cardholder" as those terms are defined in Arizona Revised Statutes, Title 36, Chapter 28.1, Arizona Medical Marijuana Act, as amended.

Medical marijuana use is an establishment where medical marijuana may be acquired, grown or cultivated, harvested, prepared, processed, manufactured, compounded, encapsulated, infused, packaged, dispensed, sold, provided, shared, and exchanged; and as an accessory use medical marijuana related supplies and educational materials may be provided or sold.

Micro-brewery/distillery is a use engaged in brewing, distilling, vinification and/or blending beer, ale, malt liquors, nonalcoholic beer, wine, spirit liquors, and liqueurs.

Minimal residential health care facility shall mean a facility which provides services such as central dining, transportation and limited medical assistance.

Minor work shall mean any change, modification, restoration, rehabilitation, or renovation of the features of an historic resource that does not materially change the historic characteristics of the property and is consistent with the Historic Preservation Plan for the historic resource.

Mitigation Plan means a plan for the recovery or protection of discovered archaeological resources.

Mixed-use commercial center is a development that contains only nonresidential uses, consisting of a minimum of 10,000 square feet of gross floor area and a minimum of five nonresidential uses.

Mixed-use development is a development that contains nonresidential and residential uses that are arranged either horizontally and/or vertically within a development's area.

Monopole means a facility used exclusively for wireless communications antenna mounts and is self-supporting with a single shaft of steel, concrete or wood. Monopoles with a flag (antennas concealed within flagpoles) are found in Section 7.200 H.

Motel is any building or group of buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building with garage or parking space located on the lot and designed, used or intended wholly or in part for the accommodation of transient guests. Motel includes motor court, motor lodge and tourist court, but not a manufactured home park.

Mount means the ground or the structure to which a wireless communications facility is attached.

Move shall mean any relocation of a building or structure on its site or to another site.

Multimedia production is a facility for staging and recording video or audio productions, including but not limited to, video, electronic, motion picture, television, radio, sound and live show production.

Municipal use shall mean any use provided to the general public which is operated by or contracted for by the city. Municipal use shall not include any vehicle, bicycle, equestrian, or pedestrian right-of-way dedications or easements or scenic dedications or easements, single purpose flood control corridors, or utilities which are located underground.

Munsell Book of Color is a system that describes color in terms of three (3) standardized attributes: hue, value (lightness/darkness) and chroma (intensity). Numerical values define each color attribute, and the colors are arranged in the book in equal visual steps for each attribute.

Natural area open space is an area of undisturbed natural desert, but may include revegetated areas.

Natural landmarks are those prominent, unique terrain features which due to their character and location are considered landmarks for the city or for a local region within the city. Such "landmarks" may or may not be named features. These features shall be indicated on maps of record at the city and shall

be designated by the city council. Historical and archaeological sites shall also be considered as landmarks.

Net lot area is the area included within lot lines after all right-of-way dedications have been made as required in the Transportation Master Plan and the Design Standards & Policies Manual.

Nonconforming building shall mean a building or portion thereof which was lawful when established but which does not conform to a subsequently established district or district regulations.

Nonconforming lot shall mean a parcel of land having less area, frontage or dimensions than required in the district in which it is located.

Nonconforming use shall mean any building or land lawfully occupied by a use at the time of passage of this Zoning Ordinance or amendment thereto which does not conform after passage of this Zoning Ordinance or amendment thereto with the use regulations of the district in which located.

Non-density based uses shall mean those of nonresidential nature.

Office is an establishment or activity primarily engaged in professional, clerical or medical services, including inpatient services.

Old Town Design District Area is area within the Downtown Area described in the Downtown Plan Urban Design & Architectural Guidelines.

Open space is meaningful outdoor space for passive or active use. It includes, but is not limited to, settings for development, recreation areas, landscaping, hardscape, water features, seating areas, plazas, gazebos, sidewalks and trails. Open space does not include parking areas or parking lot landscaping.

Outdoor sales display area is an outdoor space that is used for displaying merchandise, except vehicles, sold within a building located on the same site as the outdoor sales display area.

Outdoor vehicle display is an outdoor space used for displaying vehicles for rent or sale from a building located on the same site as the outdoor vehicle display.

Parcel is a legally defined lot, or contiguous group of lots in single ownership or under single control, and considered a unit for purposes of development and open space calculation.

Parking lot shall mean a parcel of land devoted to parking spaces as set forth by the parking standards of the City of Scottsdale.

Parking space is a delineated area to park a vehicle.

Parking structure is an above-ground or underground structure used for parking vehicles.

Parking structure, above-ground is a structure of two (2) or more levels, starting at or above-ground level.

Parking structure, underground is a structure of one (1) or more levels, fully below ground level, except for the ramp into the parking structure.

Patio home shall mean an attached or detached single-family dwelling constructed with no side yard on one (1) side of the lot.

Peak means a point of maximum elevation of a hill or mountain.

Perimeter wall shall mean a wall that surrounds a subdivision or a group of related districts and/or subdivisions.

Permitted use shall mean a use specifically permitted on a use analogous to those specifically permitted.

Personal care service is a business that provides a service such as: hair/skin/nail care, make-up/tattoo/body art, tanning, massage, shoe repair, tailoring/garment repair, laundromat, or dry cleaning.

Planning Commission shall mean the Planning Commission of the City of Scottsdale.

Podium parking is one (1) level of vehicle parking at ground level or partially below ground level, on fifty (50) percent or more of the ground level of a habitable building, with a building or open space above the parking.

Pool hall is a facility which provides, for playing pool, four (4) or more pool tables.

Preservation easement shall mean a nonpossessory interest in real property, granted to the City pursuant to Arizona Revised Statutes Title 33, Chapter 2, Article 4, Conservation Easements, which imposes limitations or affirmative obligations on the property to preserve the historical, architectural, archaeological, or cultural aspects of the real property.

Private outdoor living space is a visibly delineated space open to the natural elements of wind, air and light. This space complements a project's other open space areas and supports the setting for a building, visual continuity within the community, and a variety of spaces in the streetscape and within a project. This space may be partially sheltered by architectural elements of the primary building but it is not enclosed with building components such as windows, screens, doors and similar elements.

Private school shall mean a nonpublic institution where instruction is imparted, including pre-schools and any grades kindergarten through twelfth grade.

Prohibited use shall mean a use not specifically permitted or a use analogous to those not specifically permitted.

Property owner is the person holding fee simple title to real property as shown on the records of the Maricopa County Assessor's Office, unless title ownership is otherwise clearly demonstrated to the Zoning Administrator's satisfaction.

Protected peak is a peak identified by the city as being visually significant and consequently important to the city's image and economy. Protected peaks are designated on maps by the city.

Protected ridge is a ridge identified by the city as being visually significant and important to the city's image and economy. Protected ridges are designated on maps by the city.

Public Art Program is the program established by Scottsdale Revised Code, Chapter 20.

Public floor area shall mean for the purpose of determining parking requirements, all areas of a building that are used by the public excluding public rest rooms.

~~***Pumpkin and Christmas tree sales shall mean outdoor sale of seasonal material such as pumpkins and Christmas trees.***~~

Ranch shall mean a lot which is used primarily for the breeding of horses; raising of livestock; individual training or training of small groups of eight (8) or fewer students; practice polo courses and arenas not used for scheduled, public, or club events; boarding only of horses, mules or ponies directly involved with current breeding or training activities; and ancillary sales and previews of livestock and occasional weekend seminars and clinics. Permanent housing for ranch employees shall be permitted as an accessory use to the ranch. No feed lot shall be permitted. A ranch shall meet the provisions of the applicable zoning district and the conditions of Section 1.403.

Replacement/Reuse Plan shall mean a plan for redevelopment of a site within an HP District.

Resort shall mean a group or groups of buildings containing more than five (5) dwelling units and/or guest rooms and providing outdoor recreational activities which may include golf, horseback riding, swimming, shuffleboard, tennis and similar activities. A resort may furnish services customarily furnished by a hotel, including a restaurant, cocktail lounge and convention facilities.

Restaurant is an establishment whose primary business is serving food to the public. Examples of accessory restaurant uses include, but are not limited to, microbrewery, miscellaneous retail and packaged food sales, and play areas. Preparation of food may be included in the restaurant operation. Examples of restaurants include full-service dining, self-service dining, cafe, cafeteria, coffee shop, delicatessen, food service shop, ice cream parlor, and pizza parlor.

Restaurant, drive-in is a restaurant with food service to people who are in vehicles for the consumption of the food in vehicles on the restaurant premises.

Restaurant, drive-through is a restaurant with food service through a service window to people who are in vehicles for consumption of the food off the premises.

Retail shall mean a sale for any purpose including resale of tangible personal property, and excluding specified uses such as gun shop, pawnshop, wholesale sales, and vehicles.

Restoration service is a facility or activity that restores used or damaged products to their original condition, including but not limited to restoration of antique and rare vehicles, furniture, or antiques, excluding vehicle repair.

Revegetated area is land restored through the process of revegetation.

Revegetation is the restoration of disturbed or damaged land by planting trees, shrubs, cacti, groundcover or other plants, consistent with the natural desert.

Ridge means a relatively narrow elevation which is prominent because of the steep angle at which it rises; an elongated crest, or series of crests, significantly higher than the adjoining ground.

Rockfalls are events where metamorphic, schist, or other paty rocks drop, slide, or roll downhill from a rock outcrop or steep slope. Areas at risk from rockfalls are below the sources of these falls.

Rooftop appurtenances are the structures, equipment and screening on the top of a building, including utility penthouses, elevator penthouses and other non-habitable structures.

Rooming house. See *boardinghouse.*

Sales, incidental shall mean any sales which may occur as a result of or in connection with uses permitted on a property.

Editor's note— Ordinance No. 1876 adopted January 21, 1986, adopted zoning ordinance amendments contained in Exhibit A thereto. Exhibit A consisted of a "draft page", and the sections amended were apparently reproduced in their entirety. The definition of "sales incidental" was on the "draft page", but was not in section 3.100 as amended.

Satellite receiving earth station shall mean a parabolic antenna designed to receive electromagnetic transmissions from a satellite.

Scenic corridor is the required landscape setback abutting certain major roadways as identified in the City's General Plan.

School shall mean any building or part thereof which is designed, constructed or used for education or instruction in any branch of knowledge.

School district is a governmental organization formed under state law to provide public education for specific areas. In the city of Scottsdale this includes the Scottsdale Unified District, Paradise Valley Unified District, Cave Creek Unified District, Fountain Hills Unified District, Balsz Elementary District and Phoenix Union High School District.

School, elementary and secondary shall mean a public or private school providing primary and secondary education for grades kindergarten through twelve (12), such as elementary, middle, junior high and high schools.

School facilities board is a government agency created by the state to disburse state funding for the construction of school facilities.

School, instructional shall mean a public or private school providing domestic, recreational and other types of instruction, such as dance, gymnastics, cooking, music, martial arts and handicraft.

School, vocation shall mean a school primarily teaching useable skills that prepare students for jobs in a trade or occupation.

Scottsdale's Green Building Program is the program, and any amendments, adopted by the City Council to encourage design and building techniques that minimize environmental impact, reduce the

energy consumption and contribute to the public health, and the program's associated building codes and policies.

Scottsdale Historic Register shall mean the list, compiled and kept by the Historic Preservation Officer, of historic and archaeological resources in the City of Scottsdale which are designated HP District.

Seasonal art festival shall mean a temporary or permanent facility which is primarily operated for the sale and display of arts and crafts. Ancillary uses may include food sales, special events, and support offices. The festival shall display the art or craftwork of at least ten (10) independent persons or companies. The festival shall operate for a period over not less than thirty (30) consecutive days nor over more than ninety (90) consecutive days with the facility being open at least four (4) days each week. No two (2) festivals may occupy the same site within forty-five (45) days of each other.

Sensitive Design Principles is the document, and any amendments, adopted by the City Council.

Severely constrained area (SCA) is any land within the hillside landform which contains land slopes over twenty-five (25) percent, unstable slopes, or special features, including any land which is surrounded by one (1) of these conditions.

Shopping center shall mean a group of stores planned and designed for the site on which it is built, functioning as a unit, with off-street parking, landscaped areas and pedestrian malls or plazas provided on the property as an integral part of the unit.

~~Sidewalk sales is an outdoor sale conducted by the owner of products normally sold within a retail establishment.~~

Sight line representation means a drawing in which a sight line is drawn from the closest façade of each building, private road or right-of-way (viewpoint) within five hundred (500) feet of the wireless communications facility to the highest point (visible point) of the wireless communications facility. Each sight line shall be depicted in profile, drawn at one (1) inch equals forty (40) feet unless otherwise specified by the city. The profiles shall show all intervening trees and structures.

Slope collapse includes those soil slopes which, due to their steepness and internal structures, are prone to land or mud slides or similar mass wasting events.

Snug-mount means an antenna mounted no more than eight (8) inches from the edge/face of the pole, tower, or structure to which it is mounted.

~~Special vehicle sales is a short term or seasonal sale of vehicles.~~

~~Special event shall mean a temporary outdoor use on private property which extends beyond the normal uses and standards allowed by the Zoning Ordinance. Except as otherwise specifically provided herein, only those events held on commercial-zoned property, are subject to the provisions of this Zoning Ordinance. "Special event" includes, but is not limited to, art shows, sidewalk sales, pumpkin and Christmas tree sales, haunted houses, carnivals (major and minor), special vehicle sales, grand openings, festivals, home exhibitions, and church bazaars.~~

Specialized residential health care facility shall mean a convalescent or nursing home which normally provides medical care and supervision.

Specified anatomical areas shall mean less than completely and opaquely covered human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola; and human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified sexual activities shall mean human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Springs shall include areas where permanent or ephemeral flows or ponding of water naturally occur. Such sites may include mountainous or canyon conditions where water flows or seeps out from water-bearing geologic structures or tanks and rock-bottomed washes where water typically collects for extended periods of time.

Stable, commercial shall mean a lot which may be used for commercial riding stable open to the general public; boarding of livestock not involved with current breeding or training; training involving large groups of eight (8) or more students; polo fields or arenas used for scheduled, public or club events; and those uses permitted in a ranch. No feed lot shall be permitted. A commercial stable shall meet the provisions of the applicable zoning district and the conditions of Section 1.403.

Stable, private shall mean a detached accessory building for the keeping of horses, mules or ponies owned by the occupants of the premises and not kept for remuneration, hire or sale.

Stepback plane is the imaginary surface of the building envelope that angles toward the interior of a property at a specified vertical to horizontal ratio.

Story shall mean that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement, cellar or unused underfloor space is more than six (6) feet above the grade as defined herein for more than fifty (50) percent of the total perimeter or is more than twelve (12) feet above grade as defined herein at any point, such basement, cellar or unused underfloor space shall be considered as a story.

Street shall mean a dedicated public or private passageway which affords a principal means of access to abutting property.

Street, centerline is the centerline of a street right-of-way as determined by the Manager of Transportation.

Street line shall mean a dividing line between a lot, tract or parcel of land and a contiguous street (right-of-way).

Street, public is a right-of-way dedicated to the public.

Structural alterations shall mean any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any complete rebuilding of the roof.

Structural roof element is the highest part of the building's structure that supports the building's roof.

Structure shall mean any piece of work constructed or erected, the use of which requires a location on the ground or attached to something having a location on the ground, but not including a tent, vehicle, residential trailer or mobile home.

Structure, temporary shall mean any piece of work which is readily movable and used or intended to be used for a period not to exceed ninety (90) consecutive days. Such structure shall be subject to all applicable property development standards for the district in which it is located.

Swimming pool is any structure intended for swimming or recreational bathing that contains water over eighteen (18) inches deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

Talus slopes are areas covered by loose piles of rocks and/or boulders and are typically void of surface soils and vegetation if they are active.

Tattoo parlor is a business that provides services for the human body such as: tattooing, branding, scarification and piercing. An establishment is not a tattoo parlor if it provides these services as an ancillary use.

Teen dance center shall mean an enclosed or unenclosed structure which is open to persons from fifteen (15) through twenty (20) years of age unaccompanied by adults at which music is furnished for the purpose of social dancing, and at which a person fifteen (15) through twenty (20) years of age pays an admission, membership dues, or a minimum fee or cover charge, whether or not admission is limited to members only. "Teen dance center" shall include the enclosed or unenclosed structure and the surrounding premises used for parking or any activity related to the dancing operation.

Temporary/security fencing shall mean a fence that is provided to secure a site and is not intended to be a permanent improvement to the site.

Tennis club shall mean a commercial facility for the playing of tennis at which there is a clubhouse including rest rooms. A tennis facility may provide additional services customarily furnished by a club such as swimming, outdoor recreation and related retail sales, that may include a restaurant and cocktail lounge if approved as a part of the required use permit.

Timeshare project means a project in which a purchaser receives the right in perpetuity, for life or for a term of years to the recurrent, exclusive use or occupancy of a lot, parcel, unit or segment of real property, annually or on some other periodic basis, for a period of time that has been or will be allotted from the use or occupancy periods into which the project has been divided, or a project in which a license or contractual or membership right of occupancy is not coupled with an estate in the real property; except that a project in which such right to exclusive use or occupancy is available only for intervals of more than thirty (30) days shall not be considered a timeshare project.

Tower means a facility used for wireless communications antenna mounts and consists of more than a single structural support. No guy wires shall be permitted.

Townhouse shall mean a single-family dwelling with party walls and no side yards between abutting dwellings.

Transportation Master Plan is the plan, and any amendments, adopted by the City Council.

Travel accommodation is a building, a portion of a building, or group of buildings, in which lodging, with or without related services and facilities, are provided and offered to transient guests, and for which the accommodations are made available for use in stays of less than thirty (30) days. Travel accommodations include hotels, motels, resorts, timeshares, and/or other analogous uses, and may include dwellings provided and offered to transient guests for stays of less than thirty (30) days.

Tuck-under parking is vehicle parking on less than fifty (50) percent of the ground level of a habitable building.

Type 1 Area is the area of the Downtown Area that is described by the Downtown Plan as Type 1.

Type 2 Area is the area of the Downtown Area that is described by the Downtown Plan as Type 2.

Underlying zoning is the zoning district which exists on the property to which an overlay district has been applied.

Undisturbed land shall mean any area of land in its existing natural condition.

University or college shall mean an educational institution offering academic courses and awarding baccalaureate or higher degrees.

Upper desert landforms are typically the irregular terrain at the base of or surrounding mountain ridges or isolated mountain outcrops. These landforms include pediments, piedmonts, abandoned alluvial fan segments, alluvial-colluvial slopes, uplifted and dissected inactive alluvial shops, and ridge/valley complexes. Underlying materials include shallow (ten (10) to one hundred (100) feet) depths to bedrock, medium to strongly calichified alluvium, and fanglomerate. Locally there may be small hillocks, rock outcrops, boulder formations and fields, or bedrock balds which occur in isolated or grouped patterns. Land slopes range from two (2) percent to thirty-five (35) percent but are predominately in the five (5) percent to twenty (20) percent range. Drainageways are typically well incised with stream capacities greater than historic flow levels. Occasionally there may be old floodplain terraces benched between the wash bottom and distinct wash banks or there may be minor stream braiding which lasts for short distances and then reforms into a single main channel. Hazards are generally limited to flooding in channel bottoms and occasional bank collapse along sharply incised wash banks. The transport of material is dominated by water transport concentrated in drainage courses and the surface material size typically ranges from coarse silts to medium-sized cobbles.

Use shall mean the purpose for which land or building is occupied, or maintained, arranged, designed or intended.

Use permit shall mean a permit granted to a property owner by the City Council to conduct a use allowed as a permitted use in a zoning district subject to a use permit. A use permit may be granted at the discretion of the City Council after a public hearing.

Variance shall mean a modification of the provisions of the Zoning Ordinance granted by the Board of Adjustment upon a finding that strict enforcement of the Zoning Ordinance would cause undue hardship owing to circumstances unique to the individual property for which the variance is granted and not caused by the property owner.

Vacant site shall mean land that has been or has not been disturbed and/or was previously developed, and may contain structures, but does not contain buildings.

Vehicle is a device in, on, or by which a person or property is transported, such as cars, motorcycles, boats, horse trailers and general trailers, trucks, buses, campers, and recreational vehicles.

Vehicle repair is all aspects of vehicle repair including, but not limited to, preventive maintenance, lubrication, tune-up, tire replacement, decorative treatments, audio or electronic installation, upholstery, paint, and body work.

Vehicle storage facility is a commercial building or parcel used for storing four (4) or more vehicles that are not occupied for living purposes or used as dwellings.

Veterinary service is a use which is primarily engaged in the practice of veterinary medicine, dentistry, or surgery for animals and associated care that is provided to these animals during the time of such treatment.

Viewpoints are positions at "minor collector street" and higher classification street intersections within the Environmentally Sensitive Lands (ESL) area as identified in the Transportation Master Plan from which development in the hillside landform can be observed.

Viewsheds are the major segments of the natural terrain which are visible above the natural vegetation from scenic viewpoints which are defined in this Zoning Ordinance.

Vista corridor is the area along major watercourses or other features as designated in the General Plan to protect major wildlife habitat, protect distant views, separate land uses, and provide links for trails and paths.

Volume is the three-dimensional space a building occupies above-grade.

Wall shall mean any structure or device required by this Zoning Ordinance for screening purposes forming a physical barrier, which is so constructed that fifty (50) percent or more of the vertical surface is closed and prevents the passage of light, air and vision through said surface in a horizontal plane. This shall include concrete, concrete block, wood or other materials that are solids and are so assembled as to form a screen. Where a solid wall is specified, one hundred (100) percent of the vertical surface shall be closed, except for approved gates or other access ways. Where a masonry wall is specified, said wall shall be concrete block, brick, stone or other similar material and one hundred (100) percent of the vertical surface shall be closed, except for approved gates or other access ways.

Warehouse shall mean a building or building used for the storage of goods of any type, and where no retail operation is conducted.

Watercourse means a natural or man made lake, river, creek, stream, wash, arroyo, channel, culvert, pipes or any other topographic feature, through, on or over which waters flow at least periodically. "Watercourses" include specifically designated areas in which substantial flood damage may occur.

Watercourses, major are washes having a 100-year flood flow rate of seven hundred fifty (750) cfs or greater.

Watercourses, minor are washes having a capacity of at least fifty (50) cfs and a 100-year flood flow rate of up to seven hundred fifty (750) cfs.

Wholesale shall mean the sale of tangible personal property for resale by a licensed retailer and not the sale of tangible personal property for consumption by the purchaser.

Wildland/urban interface is an area where development and native desert wildland areas meet at a well-defined boundary.

Wildland/urban intermix is an area where development and native desert wildland areas meet with no clearly defined boundary.

Wireless communications facility (WCF) means a facility for the transmission and/or reception of radio frequency signals, including over-the-air broadcasting signals, usually consisting of antennas, equipment cabinet, a support structure, and/or other transmission and reception devices. Exemption: ham radio, amateur radio facilities, commercial radio and television broadcasting towers, and point-to-point end-user facilities less than one (1) meter in diameter.

Wireless communications facilities shall be categorized as Type 1, Type 2, Type 3, or Type 4 facilities, subject to Section 7.200H. (wireless communications facilities).

Work/live is a commercial use with an accessory residential use. The commercial use may have employees, and may generate pedestrian and vehicular traffic.

Yard is the space between a building and the adjoining lot lines, which is unoccupied and unobstructed by any portion of the building from the ground upward. The yard is the minimum horizontal distance between the lot line and the main building.

Yard, front is a yard on the same lot with a main building, extending the full width of the lot and situated between the street line and the front line of the building projected to the side lines of the lot. The front yard of a residential corner lot is the yard adjacent to the shorter street frontage. The front yard of a commercial corner lot is the yard adjacent to the major street as determined by the Zoning Administrator.

Yard, rear is a yard on the same lot with a main building between the rear line of the building and the rear line of the lot extending the full width of the lot. The rear lot line is that lot line opposite the front lot line. Where these are not parallel, the rear lot line shall be that line which is intersected by a line drawn perpendicular through a tangent to the midpoint of the front lot line. If the line drawn through the tangent to the midpoint of the front line strikes a ten-foot long line drawn parallel to the tangent then that line shall be considered the rear lot line for purposes of determining setbacks, and all other lot lines between that and the front line shall be side lot lines. If the lot has frontage on a cul-de-sac, the rear lot line shall be the lot line which most closely approximates the rear lot line of abutting lots.

Yard, side is a yard on the same lot with a main building situated between the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side lot line. An interior side yard is defined as the side yard adjacent to a common lot line.

Zoning Administrator is the person, or designee, or successor, with the duties prescribed in Article I.

(Ord. No. 1851, § 1, 11-5-85; Ord. No. 1876, § 1, 1-21-86; Ord. No. 1923, § 1, 12-16-86; Ord. No. 1994, §§ 1, 1-19-88; Ord. No. 2266, 1, 11-21-89; Ord. No. 2311, § 1, 8-21-90; Ord. No. 2305, § 1, 2-19-91; Ord. No. 2420, § 1, 12-17-91; Ord. No. 2430, § 1, 1-21-92; Ord. No. 2431, § 1, 1-21-92; Ord. No. 2526, § 2, 3-16-93; Ord. No. 2509, § 1, 6-1-93; Ord. No. 2636, § 1, 2-15-94; Ord. No. 2620, § 1, 8-2-94; Ord. No. 2830, § 1, 10-17-95; Ord. No. 2831, § 1, 9-19-95; Ord. No. 2858, § 1, 12-5-95; Ord. No. 3048, § 1, 10-7-97; Ord. No. 3034, § 1, 11-4-97; Ord. No. 3225, § 1, 5-4-99; Ord. No. 3242, § 6, 7-13-99; Ord. No. 3274, § 5, 12-7-99; Ord. No. 3493, § 1, 3-4-03; Ord. No. 3394, 6-19-01; Ord. No. 3365, § 1, 12-11-01; Ord. No. 3395, § 1, 12-11-01; Ord. No. 3493, § 1, 3-4-03; Ord. No. 3501, § 1, 4-1-03; Ord. No. 3542, § 1, 12-9-03; Ord. No. 3724, § 1(Exh. 1), 3-6-07; Ord. No. 3760, § 1, 11-6-07; Ord. No. 3854, § 1, 6-9-09; Ord. No. 3869, § 1, 10-6-09; Ord. No. 3879, § 1(Exh. § 4), 3-2-10; Ord. No. 3896, § 1(Exh. § 1), 6-8-10; Ord. No. 3899, § 1(Res. No. 8342, Exh. A, § 2), 8-30-10; Ord. No. 3920, § 1(Exh. § 21), 11-9-10; Ord. No. 3923, § 1(Exh. § 2), 1-25-11; Ord. No. 3926, § 1(Exh. § 1), 2-15-11; Ord. No. 3980, § 1(Res. 8895, § 1, Exh. A, § 2), 12-6-11; Ord. No. 3982, § 1(Res. No. 8902, Exh. A, § 2), 1-10-12; Ord. No. 3992, § 1(Res. No. 8922, Exh. A, § 1), 1-24-12; Ord. No. 4002, § 1(Res. No. 8967, Exh. A, § 2), 3-6-12; Ord. No. 4005, § 1(Res. No. 8947, Exh. A, § 11), 4-3-12; Ord. No.

3987, § 1(Res. No. 8948, § 1(Exh. A, § 16), 11-14-12; Ord. No. 4042, § 1(Exh. 1), 10-16-12;
Ord. No. 4048, § 1(Res. No. 9223, § 1(Exh. A, § 1), 11-14-12; Ord. No. 4099, § 1(Res. No.
9439, Exh. A, § 3), 6-18-13; Ord. No. 4117, § 1(Res. No. 9563, Exh. A, § 5), 11-19-13; Ord. No.
4121, § 1, 12-9-13; Ord. No. 4123, § 1(Res. No. 9596, Exh. A, § 2), 1-14-14; Ord. No. 4143, §
1(Res. No. 9678, Exh. A, § 69), 5-6-14; Ord. No. 4163, § 1(1), 8-25-14)

Section 7.200 [Additional Area Regulations] is amended as follows:

Sec. 7.200. - Additional Area Regulations.

- H. *Wireless communications facilities (WCF)*. The purpose of the WCF regulations is to encourage and promote wireless communications coverage for all areas of the city while minimizing the visual, environmental, and neighborhood impacts. The preferred WCF locations include locations having the least amount of visual and neighborhood impact. More preferred locations include commercial and industrial areas, and less preferred locations include residential and school areas. The wireless communications service providers shall adhere to all applicable federal regulations, such as the Federal Communications Commission (FCC) and the National Environmental Protection Act (NEPA). Locations may require an environmental assessment.

- 7. *Temporary WCF*. All temporary WCF shall be limited to being in conjunction with a special event ~~and be subject to Section 7.900 (special events)~~, or be in response to an emergency or disaster as determined by the Zoning Administrator.

Section 7.900 [Special Events] is amended as follows:

~~Sec. 7.900. Special Events.~~

~~(Ord. No. 4005, § 1(Res. No. 8947, Exh. A, § 197), 4-3-12)~~

~~Sec. 7.910. Purpose.~~

~~The purpose of these Special Events provisions is to promote special events while protecting nearby neighborhoods and the public health, safety and welfare, and to provide for safe traffic control, public sanitation facilities, and emergency care.~~

~~(Ord. No. 2475, § 1, 9-1-92; Ord. No. 2830, § 1, 10-17-95; Ord. No. 4005, § 1(Res. No. 8947, Exh. A, § 198), 4-3-12; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 218), 5-6-14)~~

~~Sec. 7.920. General requirements.~~

~~Sec. 7.921. Pumpkin and Christmas tree sales.~~

~~Pumpkin and Christmas tree sales may be conducted on vacant lots or within developed retail properties.~~

~~(Ord. No. 2475, § 1, 9-1-92; Ord. No. 2830, § 1, 10-17-95)~~

~~Sec. 7.922. Sidewalk sales.~~

~~Sidewalk sales shall be conducted in front of or adjacent to the retail establishment, and shall be limited to two (2) events per calendar year.~~

~~(Ord. No. 2475, § 1, 9-1-92; Ord. No. 2830, § 1, 10-17-95)~~

~~Sec. 7.923. Special events.~~

~~Special events shall be limited to a maximum of thirty (30) consecutive days per event, and may not occur more than forty-eight (48) cumulative days per calendar year per property.~~

~~(Ord. No. 2475, § 1, 9-1-92; Ord. No. 2830, § 1, 10-17-95)~~

~~Sec. 7.924. Special vehicle sales.~~

~~Special vehicle sales shall be limited to two (2) events per quarter.~~

~~(Ord. No. 2475, § 1, 9-1-92; Ord. No. 2830, § 1, 10-17-95; Ord. No. 3980, § 1(Res. 8895, § 1, Exh. A, § 42), 12-6-11)~~

~~Sec. 7.925. Procedures.~~

Sec. 7.900. ~~Special Events.~~

~~(Ord. No. 4005, § 1(Res. No. 8947, Exh. A, § 197), 4-3-12)~~

Sec. 7.910. ~~Purpose.~~

~~The purpose of these Special Events provisions is to promote special events while protecting nearby neighborhoods and the public health, safety and welfare, and to provide for safe traffic control, public sanitation facilities, and emergency care.~~

~~(Ord. No. 2475, § 1, 9-1-92; Ord. No. 2830, § 1, 10-17-95; Ord. No. 4005, § 1(Res. No. 8947, Exh. A, § 198), 4-3-12; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 218), 5-6-14)~~

Sec. 7.920. ~~General requirements.~~

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~~(Ord. No. 2475, § 1, 9-1-92; Ord. No. 2830, § 1, 10-17-95; Ord. No. 3980, § 1(Res. 8895, § 1, Exh. A, § 42), 12-6-11)~~

Sec. 7.925. ~~Procedures.~~

~~The following procedure is to ensure to the extent possible that special events are conducted in a location and a manner that is consistent with the public health, safety and welfare.~~

- ~~A. Any person wishing to conduct a special event is required to make application to the City not less than thirty (30) days before the event is to commence.~~

~~B. The Zoning Administrator shall determine whether the event requires a special event permit as provided in this Zoning Ordinance. Permits will be issued by the Zoning Administrator pursuant to the procedures provided herein.~~

~~1. A pre-application meeting will be scheduled within five (5) working days, with appropriate departments to determine what measures, if any, are necessary to protect the public health, safety, and welfare during the special event, and to meet the requirements of this Zoning Ordinance. The departments will together constitute the special events committee ("committee").~~

~~2. At the pre-application meeting, the requirements necessary to meet the intent of this Zoning Ordinance will be explained, which may include but not be limited to the employment of security or traffic control personnel; proof of adequate insurance; securing appropriate business licenses; and providing a sanitation cleanup plan.~~

~~3. The applicant may appeal as provided in Section 7.928, any condition or requirement which is not reasonably related to meeting the intent of this Zoning Ordinance.~~

~~C. The committee must approve or deny every application within ten (10) working days of receipt of the application. This time limit will be extended by the number of days necessary to process an appeal of any requirement imposed by the committee.~~

~~If the application is denied, the denial must be in writing and must state with specificity the reasons for denial. Failure to comply with a condition reasonably related to meeting the intent of this Zoning Ordinance, is grounds for denial.~~

~~(Ord. No. 2475, § 1, 9-1-92; Ord. No. 2663, § 1, 6-6-94; Ord. No. 2830, § 1, 10-17-95; Ord. No. 3920, § 1(Exh. § 102), 11-9-10; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 219), 5-6-14)~~

~~Sec. 7.926. Permits required; zoning districts.~~

~~The following types of special events require a special events permit, unless otherwise indicated, and shall be allowed in the zoning districts specified below:~~

Table 7.926.A. Type of Event and Zoning District	
Type of Event	Zoning District
Art shows	All Commercial "C" and Downtown "D" districts
Carnivals:	
**Major	All districts with use permit
Minor	All districts
*Church bazaars	All districts

Festivals	Open Space O-S, Downtown D and DO, Resort/Townhouse Residential R-4R/Central Business C-2/Multiple-family Residential R-5 on sites with hotels, Planned Regional Center PRC and Regional Shopping Center C-S
*Grand opening	All districts
Haunted houses	Open Space O-S, Central Business C-2, Highway Commercial C-3, Regional Shopping Center C-S and Downtown D and Planned Regional Center PRC
Home exhibitions	All Single-family residential R-1 districts
*Pumpkin and Christmas tree sales	Highway Commercial C-3, General Commercial C-4, developed retail parcels, Regional Shopping Center C-S, and Planned Regional Center PRC
*Sidewalk sales	All Commercial "C," Downtown "D" districts, Planned Regional Center PRC
Special vehicle sales	General Commercial C-4, Highway Commercial C-3, Central Business C-2, and Multiple-family Residential R-5 on site with hotel, Regional Shopping Center C-S, Planned Community Center PCC, and Planned Regional Center PRC

~~_____~~ ***Does not require a special events permit.**
****Requires a use permit and is subject to the provisions outlined in Article I.**

~~(Ord. No. 2475, § 1, 9-1-92; Ord. No. 2830, § 1, 10-17-95; Ord. No. 3225, § 1, 5-4-99; Ord. No. 3980, § 1(Res. 8895, § 1, Exh. A, § 43), 12-6-11; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 220), 5-6-14)~~

~~Sec. 7.927. – Permit revocation.~~

~~A permit may be revoked for any of the following reasons:~~

- ~~(A) Failure to conduct special event as presented on application.~~
- ~~(B) Failure to comply with special conditions in the approval.~~
- ~~(C) If the event poses a threat to public health, safety or welfare.~~

~~(Ord. No. 2475, § 1, 9-1-92; Ord. No. 2830, § 1, 10-17-95)~~

~~Sec. 7.928. – Appeal.~~

~~When a permit is denied or revoked, the Zoning Administrator shall notify the applicant in writing of reasons for denial/revocation. An applicant who has been denied a permit, or permittee~~

~~whose permit has been revoked or who objects to any special conditions of the permit, may appeal the action to the Zoning Administrator. Notice of appeal must be given in writing within ten (10) days after notification of denial/revocation. The Zoning Administrator shall set an appeal hearing within ten (10) days after receiving appeal. Within five (5) days of the conclusion of the hearing, the Zoning Administrator will rule on the appeal, giving notice in writing to the aggrieved person. Such decision shall be final.~~

~~(Ord. No. 2475, § 1, 9-1-92; Ord. No. 2830, § 1, 10-17-95; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 221), 5-6-14)~~

~~Sec. 7.929. Exemptions.~~

~~Events occurring on public property or operated by the City of Scottsdale, or by the Scottsdale Paradise Valley or Cave Creek school districts, are exempt from the provisions of the Special Events sections of this Zoning Ordinance.~~

~~(Ord. No. 2475, § 1, 9-1-92; Ord. No. 2830, § 1, 10-17-95; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 222), 5-6-14)~~

~~Sec. 7.930. Special events signage.~~

~~The provisions of article VIII shall apply.~~

~~(Ord. No. 2475, § 1, 9-1-92; Ord. No. 2701, § 1, 2-7-95; Ord. No. 2830, § 1, 10-17-95)~~

~~Secs. 7.931—7.999. Reserved.~~

ARTICLE IX. - PARKING AND LOADING REQUIREMENTS

Section 9.102 [Applications of and exemptions from parking] is amended as follows:

Sec. 9.102. - Applications of and exemptions from parking.

H. *Prohibited uses of parking areas.*

1. Parking of more than 5 vehicles on any unimproved lot is prohibited, except when used for special events parking ~~pursuant to Section 7.900~~. An improved lot shall mean 1 that fulfills the requirements of Section 9.103.

Section 9.103 [Parking requirements] is amended as follows:

Sec. 9.103. - Parking requirements.

~~I. *Special events parking.* Parking for special events shall be provided as per Section 7.900.~~

Table 9.103.A. Schedule of Parking Requirements	
Stables, commercial	Adequate parking for daily activities shall be provided as determined by the Zoning Administrator. Additional parking, improved as determined by the Zoning Administrator, shall be provided for shows or other special events pursuant to Section 7.900, Special Events.