

ADAPTIVE REUSE & DEVELOPMENT APPLICATION DETERMINATION
TEXT AMENDMENT
3-TA-2024

Section 1. That the Zoning Ordinance of the City of Scottsdale, ARTICLE I. – ADMINISTRATION AND PROCEDURES, Section 1.206. and Section 1.305. are amended as follows with all new language depicted in grey shading and deleted language in strike-through:

Sec. 1.206. Processing of development applications.

- A. The Zoning Administrator shall process the following development applications: General Plan amendments, Zoning Ordinance text amendments, zoning district map amendments, conditional use permits, municipal use master site plan approvals, abandonments, development review, variances, conditional use permit revocations, multifamily conversion developments, and subdivision plats.
- B. The Historic Preservation Officer shall process the following development applications: Historic Property (HP) District designation, Certificates of No Effect, Certificates of Appropriateness, Certificates of Demolition Approval, and Certificates of Economic Hardship relating to development of historic and/or archaeological resources.

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Sec. 1.305. Review of Development Applications.

- A. ~~Review for Administrative Completeness Review of Development Applications.~~ After the filing of a development application the Zoning Administrator shall review the application for completeness, and in the case of a complete application (other than an application for a conditional use permit for an adult use, which is governed by Section 1.403.A), shall forward the application to the secretary of the appropriate board or commission within twenty one (21) days of the application submittal date.

If the applicant is required by this article to provide a public safety plan, lighting plan, exterior refuse control plan, or other plan subject to approval, the Zoning Administrator shall forward the plan to the reviewing department. The department shall complete its review of the plan and inform the Zoning Administrator and the applicant in writing whether the plan has been approved, and if not, of the steps necessary to correct any deficiencies.

- 1. **Initial administrative completeness review of development applications.** After the filing of a development application, the Zoning Administrator or designee shall review the application for completeness and notify the applicant of whether the application has been determined to be administratively complete or administratively incomplete within thirty (30) working days of application submittal. This review time frame does not apply to a development application for a conditional use permit for an adult use, which is governed by Section 1.403.A.
- 2. **Incomplete development applications.** If the Zoning Administrator or designee determines that the development application is administratively incomplete, the Zoning

Administrator or designee shall, within thirty (30) working days of the development application submittal date, convey a comprehensive list of specific deficiencies to the applicant in a written or electronic notice. The written or electronic notice shall not serve as verification of accuracy of the information submitted. The administrative completeness review time frame and the overall time frames as published by the city shall be suspended upon conveyance of the comprehensive list of specific deficiencies to the applicant in a written or electronic notice until such date that the city receives the necessary information from the applicant to satisfy the deficiencies of the application.

3. *Second and subsequent administrative completeness reviews.* The Zoning Administrator or designee shall review any second or subsequent development application submittals for administrative completeness within fifteen (15) working days of the second or subsequent development application submittals. The Zoning Administrator or designee may issue an additional written or electronic notice of administrative completeness or deficiencies based upon the applicant's submission of necessary information.

If after the Zoning Administrator or designee has conveyed a comprehensive list of specific deficiencies to the applicant in a written or electronic notice, and the applicant has not supplied the documentation or information requested, or an explanation of why the information cannot be provided, within six (6) months of said written or electronic notice, the development application may be considered withdrawn, and any subsequent resubmittal shall be treated as a new development application that will be subject to new review time frames.

- B. ~~*Incomplete applications.*~~ *Substantive Review of Development Applications.* ~~—If the Zoning Administrator determines the application is incomplete, the Zoning Administrator shall, within twenty-two (22) days of the application submittal date, convey to the applicant a written statement of the reasons therefor. The written statement shall not serve as verification of accuracy or completeness of the information submitted. The Zoning Administrator shall process any resubmitted application as a new application. If the Zoning Administrator has not forwarded a complete application to the secretary of the appropriate board or commission within six (6) months of the application submittal date, then the application may be considered withdrawn.~~

1. *Substantive review of development applications.* If the Zoning Administrator or designee has determined a development application to be administratively complete, the Zoning Administrator or designee shall complete a substantive review of the development application.

If the applicant is required by this section to provide any other necessary information subject to approval by another reviewing department, the Zoning Administrator or designee shall forward the necessary information to the reviewing department. The reviewing department shall complete its assessment of the necessary information and inform the Zoning Administrator or designee and the applicant in writing whether the necessary information is accepted, and if not, of the steps necessary to correct any deficiencies.

- a. *Review time frame for Zoning District Map Amendments.* For purposes of Zoning District Map Amendment development applications only, the substantive review of

a development application shall not exceed one hundred eighty (180) working days. During the substantive review process, the applicant may make a written or electronic request to extend the substantive review time frame and overall time frame by thirty (30) working days for each request. During the substantive review process, the city may employ a onetime extension of the substantive review time frame to review a Zoning District Map Amendment development application by thirty (30) working days.

- b. *Review time frame for all other development application types.* For all other development applications, substantive review time frames shall follow those time frames published by the City to meet state statutes. During the substantive review process, the applicant may request an extension of the substantive review time frame and overall time frame by written or electronic request.
2. *Request for corrections.* During the substantive review time frame, the Zoning Administrator or designee may issue a comprehensive written or electronic request for corrections. If an initial comprehensive written or electronic request for corrections or supplemental requests for corrections are issued, the substantive review time frame and overall time frames shall be suspended from the date the request for corrections is issued until the date that the city receives the applicant's submission of corrections that satisfy the request for corrections.

If after the Zoning Administrator or designee has conveyed a comprehensive written or electronic request for corrections, and the applicant has not supplied the documentation or information requested, or an explanation of why the information cannot be provided, within six (6) months of said written or electronic request for corrections, then the development application may be considered withdrawn, and any subsequent resubmittal shall be treated as a new development application that will be subject to new review time frames.

C. *Citizen Review Process:*

- 1. *Purpose.* The purpose of the Citizen Review Process is to:
 - a. Provide citizens and property owners sufficient time to learn the substance of zoning district map amendments and Zoning Ordinance text amendments that may affect them, and
 - b. Enhance communications with citizens regarding zoning district map amendments and Zoning Ordinance text amendments to promote early and effective citizen participation, and to identify and address issues at an early stage in the process.
- 2. *Citizen review plan and report.* Applications for zoning district map amendments and for Zoning Ordinance text amendments shall include a Citizen Review Process comprised of a citizen review plan and a citizen review report.
 - a. *Citizen review plan.* A citizen review plan shall be submitted with the application and implemented prior to the notice of the first public hearing. At a minimum, the citizen review plan must include the following:
 - i. The means by which adjacent property owners and other potentially affected citizens will receive early notification by the applicant of the substance of the

request in order to promote early citizen involvement. The applicant's notification shall be prior to any notification made by the city required by Sections 1.605 and 1.702.

- ii. The early notification by the applicant shall also identify the method by which adjacent property owners and other potentially affected citizens will be provided an opportunity to express any issues or concerns prior to the notice of the first public hearing.
- iii. The means by which the school district will be notified if the zoning district map amendment application changes zoning classification(s) from a non-residential zoning classification to a residential zoning classification, and/or changes in residential zoning classification(s), and/or amends the stipulations that results in greater residential densities, thereby increasing the number of potential students.
 - (1) The property owner shall deliver a letter by registered mail to the superintendent(s) of all applicable school districts at least 30 days prior to filing an application.
 - (2) The letter shall provide specifics of the proposed zoning district map amendment, including the projected number of new residential units proposed within the development project, and the resulting projected number of new students. The projected number of new students shall be based upon a student-per-household ratio methodology approved and published by the appropriate school district(s). If a school district fails to establish a student-per-household ratio methodology for projecting the number of new students resulting from a rezoning application, then an estimate may be derived based upon an authoritative source using the most recent published census information.
 - (3) The property owner shall include as part of the rezoning application a copy of the letter delivered to the school district(s).
 - (4) School district input thereafter may be sought by the city or the property owner on the issue for consideration by the Planning Commission and/or City Council in making a decision on the rezoning application.
- iv. Additional information as required on a checklist for the Citizen Review Process.
- v. The applicant shall be responsible for notifying parties identified in the citizen review plan of ~~any~~ **substantial** modification to their proposal prior to the notice of the first public hearing. The means of notification of the modification shall be identified in the citizen review report described below.
- b. *Citizen review report.* The applicant shall also provide to the Zoning Administrator a written report of the results of their citizen review effort prior to notice of the first public hearing. This report on the applicant's citizen review effort shall be included with the public hearing report. The means of notifying citizens identified in the case of a modification shall be identified in the citizen review report. If the citizen review report has been submitted and any additional modifications occur, the applicant

shall submit an addendum to the citizen review report. The addendum shall describe the citizen involvement process which provided citizens the opportunity to review and comment on the modification.

- c. *Incomplete citizen review plan and/or report.* If the citizen review plan and/or report does not meet the requirements of Section 1.305.C., the application for the zoning district map amendment or Zoning Ordinance text amendment shall be considered incomplete and shall not be scheduled for public hearing.

Section 2. That the Zoning Ordinance of the City of Scottsdale, ARTICLE III. – DEFINITIONS, Section 3.100. is amended to create several new definitions as follows with all new language depicted in grey shading:

Building code shall mean the construction codes adopted by the City of Scottsdale including, but not limited to, plumbing codes, mechanical codes, electrical codes, residential construction codes, fire codes, energy conservation codes, existing building construction codes, green building codes, property maintenance codes, neighborhood preservation codes, anti-blight codes, or other similar codes, however denominated.

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Economically or functionally obsolete shall mean an existing commercial, mixed-use, or office building that is in a state of disrepair or has a fifty percent (50%) or greater vacancy in the total leasable square footage of the building.

* * *

Low-income housing shall mean housing:

- A. For a person or persons whose household income does not exceed eighty percent (80%) of the area median income.
- B. For which the occupant pays not more than thirty percent (30%) of the occupant’s gross income for the occupant’s rent or mortgage, as determined by the Arizona Department of Housing and adjusted for household size based on the United States Department of Housing and Urban Development.

* * *

Moderate-income housing shall mean housing:

- A. For a person or persons whose household income does not exceed one hundred twenty percent (120%) of the area median income.

- B. For which the occupant pays not more than thirty percent (30%) of the occupant’s gross income for the occupant’s rent or mortgage, as determined by the Arizona Department of Housing and adjusted for household size based on the United States Department of Housing and Urban Development.

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Multifamily Conversion shall mean the conversion of an existing, qualified building or buildings from the existing commercial, mixed, or office uses for which it was constructed to a building or buildings that are designed and used for residential purposes and that contain more than one (1) dwelling unit.

Section 3. That the Zoning Ordinance of the City of Scottsdale, ARTICLE V. – DISTRICT REGULATIONS, Sections 5.2102. and 5.2605. are amended as follows with all new language depicted in grey shading and deleted language in strike-through:

Sec. 5.2100. Planned Community (P-C).

Sec. 5.2102. General provisions.

- A. *Qualifications.* P-C districts may be established on parcels of land which, because of their unified ownership or control, size, topography, proximity to large public facilities, or exceptional or unusual locational advantages, are suitable for planned development in a manner consistent with the purposes of this section.
- B. *Minimum district size.*
 - 1. Minimum parcel size for any P-C District established within the boundaries of the McDowell Road/Scottsdale Road Growth Area ~~single Central Business District~~ as designated by the Scottsdale General Plan: ~~City Council in Resolution No. 8356~~: ten (10) acres of gross lot area of all lots shown on the Development Plan.
 - 2. Minimum parcel size for any P-C District established outside the boundaries of the McDowell Road/Scottsdale Road Growth Area ~~single Central Business District~~ as designated by the Scottsdale General Plan: ~~City Council in Resolution No. 8356~~: one hundred sixty (160) acres of gross lot area of all lots shown on the Development Plan.
- C. *Property development standards.* All land uses in a P-C district shall conform to the property development standards of the comparable zoning district. Modification of the comparable district's standards may be allowed as provided in the modification procedure below. The Zoning Administrator shall determine, primarily on the basis of proposed use and density, which of the districts of this Zoning Ordinance is most closely comparable to the proposed development.

Property development standards modification procedure. Application shall be made and the procedure followed as provided in Section 1.300. Development Applications; with the addition that an application for proposed amendments to development standards in a

~~designated redevelopment area~~ within the boundaries of the McDowell Road/Scottsdale Road Growth Area shall first be heard by the Development Review Board, Section 1.900. The application shall be accompanied by written terminology, graphic material, and will illustrate the conditions that the modified standards will produce, so as to enable the Planning Commission and the City Council to make the determination that the modification will produce a living environment, landscape quality and life-style superior to that produced by existing standards.

- D. All provisions of this Zoning Ordinance shall apply to development in the P-C district except as allowed in the immediately preceding paragraph C.

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Sec. 5.2600. Planned Regional Center (PRC).

Sec. 5.2605. Use regulations.

- A. ~~The uses allowed in the PRC District are shown in Table 5.2605.A. with additional limitations on uses as listed.~~ *Permitted uses.* Buildings, structures, or premises shall be used and buildings and structures shall hereafter be erected, altered, or enlarged only for the following uses:

- 1. Any use shown as permitted in Table 5.2605.A., subject to the limitations as listed.

- B. ~~Drive-through and drive-in services are not permitted in the Downtown Area.~~ *Uses permitted by conditional use permit.*

- 1. Any use shown as permitted by conditional use permit in Table 5.2605.A., subject to the limitations as listed.

- C. Drive-through and drive-in services are not permitted in the Old Town Area.

Table 5.2605.A. Use Table

Land Uses	Permitted (P) or Conditional Use CU
1. Aquarium, indoor	CU
2. Bar	CU
3. Big box	P (1), CU (1)
4. Carwash	CU
5. Civic and social organization	P (2)
6. Community buildings and recreational facilities not publically owned	CU
7. Courier and messenger	P
8. Cultural institution	P (2)
9. Day care center	P (2)
10. Dwelling	P (2)
11. Educational service, elementary and secondary school	P (2) (3)

12. Educational service other than elementary and secondary school	P
13. Financial institution, including drive-through and drive-in service	P
14. Furniture and home furnishings sales	P
15. Game center	P
16. Gas station	CU
17. Health and fitness studio	P
18. Live entertainment	CU
19. Municipal use Multifamily Conversion	P (2) (7)
20. Multimedia production without communication tower	P
21. Multimedia production with communication tower	CU
22. Municipal use	P
22.23. Office	P
23.24. Personal care service	P
24.25. Place of worship	P (2)
25.26. Planetarium	CU
26.27. Plant nursery	P
27.28. Pool hall	P
28.29. Repair and maintenance	P
29.30. Residential health care facility	P (2) (4)
30.31. Restaurant, including drive-through and drive-in	P
31.32. Retail	P
32.33. Seasonal art festival	CU
33.34. Teen dance center	CU
34.35. Theater	P
35.36. Travel accommodations	P (2)
36.37. Vehicle leasing, rental or sales with indoor vehicle display and storage located in an enclosed building	P (5)
37.38. Vehicle leasing, rental or sales with outdoor vehicle display and storage	CU
38.39. Vehicle repair	CU
39.40. Veterinary and pet care service	P (6)
40.41. Wireless communications facilities; Types 1, 2, and 3	P
41.42. Wireless communications facilities; Type 4	CU

Use Limitations:

- (1) Big box retail sales are not allowed in the Environmentally Sensitive Lands Overlay District and are subject to a Conditional Use Permit if:
 - a. Primary access is from a local residential street, or
 - b. Residential property is located within one thousand three hundred (1,300) feet of the big box property line, except where the residential property is developed with nonresidential uses or separated from the big box by the Loop 101 Pima Freeway.

- (2) Uses are allowed except in the AC-3 area as described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended.
- (3) Educational services, elementary and secondary school, are subject to the following standards:
- a. The facility shall be located not less than five hundred (500) feet from any adult use.
 - b. The net lot area for the facility shall be a minimum of forty-three thousand (43,000) square feet.
 - c. The facility shall not have outdoor speaker systems or bells.
 - d. A maximum of one-third ($\frac{1}{3}$) of the required parking may be shared parking with other uses located within six hundred (600) feet of the building front entrance.
 - e. Outdoor playgrounds and recreation areas shall be:
 - i. Located not less than fifty (50) feet from any residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A;
 - ii. Located within the rear or side yard; and
 - iii. Enclosed and screened by a six-foot tall wall or fence.
 - f. A drop-off area accommodating a minimum of five (5) vehicles shall be located along a sidewalk or landing area connected to the main entrance to the facility. This area shall not include internal site traffic aisles, parking spaces, or fire lanes.
 - g. Public trails or pedestrian connections shall link to the front door of the main building, subject to Development Review Board approval.
 - h. The circulation plan shall show minimal conflicts among the student drop-off area, any vehicle drop-off area, parking, access driveways, pedestrian and bicycle paths on site.
 - i. Facilities located in the AC-2 area, described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended, shall be constructed with sound transmission requirements of the International Building Code (IBC).
- (4) Residential health care facilities.
- a. Specialized residential health care facilities.
 - i. The number of beds shall not exceed eighty (80) per acre of gross lot area of the Development Plan.
 - b. Minimal residential health care facilities.
 - i. The number of units shall not exceed forty (40) dwelling units per acre of gross lot area of the Development Plan.

- (5) Vehicle leasing, rental or sales.
 - a. Required parking shall not be used for vehicle storage.
- (6) Veterinary and pet care services are permitted if all facilities are within a soundproof building. However, outdoor activities are permitted if:
 - a. An employee or pet owner shall accompany an animal at all times when the animal is outside the building.
 - b. The property owner and operator maintain all outdoor areas in a clean and sanitary condition, including immediate and proper disposal of animal waste.
 - c. The outdoor areas are set back at least one hundred (100) feet from any lot line adjacent to a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., measured from the property boundary to the zoning district line all within the City limits.
 - d. There is no outdoor kennel boarding.
- (7) Multifamily Conversion permitted subject to the requirements of Sec. 7.1300.

Section 4. That the Zoning Ordinance of the City of Scottsdale, ARTICLE VII. – GENERAL PROVISIONS is amended to create Section 7.1300 through Section 7.1304. as follows with all new language depicted in grey shading:

Sec. 7.1300. Multifamily Conversion developments.

Sec. 7.1301. Purpose.

A. These provisions describe the qualifications, application requirements, and property development standards for a development application for a Multifamily Conversion development. The qualifications, requirements, and regulations in these provisions are in addition to the other codes and requirements of the City of Scottsdale.

Sec. 7.1302. Qualifications.

A. A Multifamily Conversion development shall only be established upon all of the following requirements being met:

1. *Location.*

a. The Multifamily Conversion development shall be located on a parcel or parcels that have an existing commercial, mixed-use, or office building or buildings and that have received a Certificate of Occupancy on or before December 31, 2024, and

- b. The Multifamily Conversion development shall be located on a parcel or parcels that are a minimum of one (1) net acre in size, but not more than twenty (20) net acres in size, and
 - c. The Multifamily Conversion development shall not be located in any of the following areas:
 - i. An area designated as a Commercial or Employment Hub or Essential Commercial or Employment Use Area on the Commercial and Employment Hubs and Essential Areas Map, as adopted by Ordinance No. XXXX, and on file with the Planning Department, or
 - ii. An area designated as a district of historical significance pursuant to A.R.S. § 9-462.01.A.10., or
 - iii. An area designated as historic by the City of Scottsdale or on the national register of historic places, or
 - iv. Land in the territory in the vicinity of a military airport or ancillary military facility as defined in A.R.S. § 28-8461, or
 - v. Land in the territory in the vicinity of a federal aviation administration commercially licensed airport or a general aviation or public airport as defined in A.R.S. § 28-8486.
2. *Water and sewer infrastructure.*
- a. The Multifamily Conversion development shall demonstrate adequate public water and sewer infrastructure service for the entire proposed development, as administered by the City of Scottsdale.
3. *Building and fire codes.*
- a. The Multifamily Conversion development shall demonstrate compliance with all applicable building code and fire code requirements, as adopted by the City of Scottsdale.
4. *Economically or functionally obsolete buildings.*
- a. The Multifamily Conversion development shall demonstrate that the existing building or buildings located on the parcel or parcels of the development are economically or functionally obsolete on or before December 31, 2024, to the satisfaction of the Zoning Administrator or designee.
5. *Moderate-income housing or low-income housing.*
- a. The Multifamily Conversion development project shall allocate a minimum of ten (10) percent of the total dwelling units of the Multifamily Conversion development as either moderate-income housing or low-income housing, or any combination thereof, for at least twenty (20) years after the initial occupation of the proposed development project, in a form satisfactory to the City Attorney or designee.
6. *Maximum building area.*
- a. The Multifamily Conversion development shall have a total gross floor area that, cumulatively with any existing and approved Multifamily Conversion development,

does not exceed the Scottsdale Total Allocated Multifamily Conversion Development Projects Allotment, as adopted by Ordinance No. XXXX and on file with the Planning Department, and as administered by the Zoning Administrator or designee. Fulfillment of the Scottsdale Total Allocated Multifamily Conversion Development Projects Allotment shall be determined by:

- i. The number buildings and/or building area redeveloped for Multifamily Conversion under this Ordinance; in cumulative with
- ii. The number of buildings and/or building area with approved building permits for Multifamily Conversion under this Ordinance but not yet completed; in cumulative with
- iii. The number of buildings and/or building area with submitted construction documents for development of a Multifamily Conversion under this Ordinance but not yet permitted.

Sec. 7.1303. Application requirements.

- A. Prior to issuance of any permit for a Multifamily Conversion, the property owner shall submit for review of a development application, subject to the requirements of Sec. 1.300. The Zoning Administrator or designee shall review a development application for a qualified Multifamily Conversion development. The Zoning Administrator or designee shall have the authority to approve, approve with stipulations, or deny a development application for a qualified Multifamily Conversion development and the decision shall not be appealable. The property owner must receive approval of the development application before any permit for a Multifamily Conversion development will be issued.
- B. In addition to the standard requirements of a development application, any development application for a Multifamily Conversion development shall demonstrate the following application requirements, to the satisfaction of the Zoning Administrator or designee:
 1. A site plan in conformance with City of Scottsdale rules, regulations, and guidelines for development. The site plan shall also demonstrate, amongst other requirements, that the proposed development is located on a parcel or parcels that are a minimum of one (1) net acre in size, but not more than twenty (20) net acres in size, and that the Scottsdale Total Allocated Multifamily Conversion Development Projects Allotment has not, or will not be, exceeded by the proposed development.
 2. A site plan review and approval by all applicable utility providers impacted by the proposed development.
 3. Adequate existing public water supply and service, and sewer capacity and service for the entire proposed development, as administered by the City of Scottsdale.
 4. Compliance with all applicable building code and fire code requirements, as adopted by the City of Scottsdale.
 5. That the proposed Multifamily Conversion development is located on a parcel or parcels that have an existing commercial, mixed-use, or office building or buildings that received a Certificate of Occupancy on or before December 31, 2024.

6. That the existing building or buildings located on the parcel or parcels of the proposed Multifamily Conversion development are economically or functionally obsolete on or before December 31, 2024.
7. That the proposed Multifamily Conversion development will allocate a minimum of ten (10) percent of the total dwelling units of the Multifamily Conversion development as either moderate-income housing or low-income housing, or any combination thereof, for at least twenty (20) years after the initial occupation of the proposed development, in a form satisfactory to the Zoning Administrator and City Attorney or designees. The final form of documentation of this requirement shall be recorded by the City prior to issuance of any building permit.

Sec. 7.1304. Property Development Standards.

- A. A Multifamily Conversion development shall be subject to the property development standards of the zoning district for which the proposed development is located within, except as modified by this section. If there is a conflict between the property development standards of the underlying zoning district and the property development standards outlined in this section, the property development standards of this section shall control.

1. *Density.*

- a. Multifamily Conversion.

- i. The maximum multifamily residential density for a Multifamily Conversion development shall be equal to the highest allowable multifamily residential density of a multifamily residential zoning district shown in Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to a multifamily residential district shown in Table 4.100.A., within one (1) mile of the subject Multifamily Conversion development. If there is no multifamily residential zoning district within one (1) mile of the subject Multifamily Conversion development, the maximum multifamily residential density for the subject Multifamily Conversion development shall be equivalent to the next closest multifamily residential zoning district as listed in Table 4.100.A. (Two-Family Residential (R-2) zoning district).
 - ii. A Multifamily Conversion development constructed pursuant to the provisions of this section does not qualify as being within one (1) mile of a subsequent Multifamily Conversion development, or as the next closest multifamily residential district.

2. *Building height.*

- a. Multifamily Conversion.

- i. The maximum building height for a Multifamily Conversion development located within one hundred (100) feet of a Single-family Residential District shall not exceed the lesser of two stories or thirty (30) feet (inclusive of rooftop appurtenances). This building height limitation applies to all buildings of the Multifamily Conversion development.

- ii. The maximum building height for a Multifamily Conversion development that is not located within one hundred (100) feet of a Single-family Residential District shall not exceed the lesser of five (5) stories or sixty (60) feet, or the highest allowable multifamily residential building height (exclusive of rooftop appurtenances) for a multifamily residential zoning district shown in Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to a multifamily residential district shown in Table 4.100.A., within one (1) mile of the subject Multifamily Conversion development. If there is no multifamily residential zoning district within one (1) mile of the subject Multifamily Conversion development, the maximum building height for the subject Multifamily Conversion development shall be equivalent to the next closest multifamily residential zoning district as listed in Table 4.100.A. (Townhouse Residential (R-4) zoning district).
- iii. Any Multifamily Conversion development constructed pursuant to the provisions of this section does not qualify as being within one (1) mile of a subsequent Multifamily Conversion development, or as the next closest multifamily residential district.

3. *Building setbacks.*

a. Multifamily Conversion.

- i. The minimum building setback for a Multifamily Conversion development shall be equivalent to the building setback requirements of the Townhouse Residential (R-4) zoning district.

4. *Private outdoor living space.*

a. Multifamily Conversion.

- i. All dwelling units shall include private outdoor living space located directly adjacent to the dwelling unit.
- ii. Each private outdoor living space shall be at least six (6) feet deep and sixty (60) square feet in area.

Section 5. That the Zoning Ordinance of the City of Scottsdale, ARTICLE XI. – LAND USE TABLES is amended as follows with all new language depicted in grey shading and deleted language in strike-through:

ARTICLE XI. LAND USE TABLES

Sec. 11.100. Reserved.

Sec. 11.200. Commercial, Industrial, and Parking Land Uses Table

Sec. 11.201. Use regulations.

- A. *Permitted uses.* The uses allowed in certain zoning districts are shown in Table 11.201.A., subject to the limitations as listed. Buildings, structures, or premises shall be used and buildings and structures shall hereafter be erected, altered, or enlarged only for uses noted.
- B. *Uses permitted by conditional use permit.* The uses allowed by conditional use permit in certain zoning districts are shown in Table 11.201.A., subject to the limitations as listed, and any additional conditional use permit criteria.
- C. Drive-through and drive-in services are not permitted in the Downtown Area.
- D. Drive-through and drive-in services are not permitted in the Service Residential (S-R) zoning district.

Table 11.201.A. Land Use Table

(Note – Land Use Table begins on next page)

LAND USES	ZONING DISTRICTS - Permitted (P) or Conditional Use (CU)														
	S-R	C-S	C-1	C-2	C-3	C-4	S-S	C-O	PNC	PCC	PCoC	I-1	I-G	P-1	P-2
Adult uses				CU	CU										
Aeronautical use, except off-airport heliport or helipad												P ¹³			
Amusement and theme parks					CU										
Animal and veterinary hospital								P ⁴							
Appliance sales															
Arts and craft production														P	
Auction sales												CU			
Bar															
Big box		CU		CU						CU					
Bowling alley		P/CU ⁵		P/CU ⁵	P/CU ⁵	P/CU ⁵				P/CU ⁵					
Building material and garden sales		P		P											
Bus station, excluding overnight parking and storage of buses							P ¹²								
Carports															P
Carwash		CU	CU	CU	CU	CU			CU	CU	CU				
Civic and social organization				P ¹	P ¹					P ¹					
Community buildings and recreational facilities not publicly owned			CU		CU				CU	CU					
Courier and messenger			P	P	P				P	P	P	P	P		
Cultural institution				P ¹	P ¹					P ¹					
Data processing, hosting and related service												P	P		
Day care center with drop off or outdoor play area farther than 100 feet from a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.															
Day care center with drop off or outdoor play area within 100 feet of a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹		P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	CU ¹	CU ¹
Dwelling	P ¹		P ^{1.10}	P ^{1.10}					P ^{1.10}	P ^{1.10}	P ^{1.10}	P ^{1.10}			

LAND USES	ZONING DISTRICTS - Permitted (P) or Conditional Use (CU)														
	S-R	C-S	C-1	C-2	C-3	C-4	S-S	C-O	PNC	PCC	PCoC	I-1	I-G	P-1	P-2
Educational service, elementary and secondary school	P ^{1,2}	P ^{1,2}	P ^{1,2}	P ^{1,2}	P ^{1,2}	P ^{1,2}		P ^{1,2}	P ^{1,2}	P ^{1,2}		CU ^{1,2}	CU ^{1,2}		
Educational service, other than elementary and secondary school	P		P	P	P	P		P	P	P	P	P	P		
Electronic shopping and mail-order service												P	P		
Equipment storage															
Equipment sales, rental, and storage					CU	P	P								
Farm supply sales						P									
Financial institution	P	P	P	P	P			P	P	P		P/CU ^{6,14}			
Funeral home and funeral services				CU	CU			CU							
Furniture and home furnishing sales		P	P	P	P	P			P	P	P				
Game center		CU		CU	CU				CU						
Gas station		CU	CU	CU	CU	CU			CU	CU	CU				
General and specialty trade contractors						P	P								
Gun shop				P	P										
Health and fitness studio			P	P	P			P	P	P		P	P		
Hospital								CU ¹							
Industrial launderer															
Internalized community storage			P	P	P	P			P	P					
Light manufacturing						P									
Live entertainment		CU	CU	CU	CU				CU	CU					
Medical and diagnostics laboratory	P	P		P	P			P		P		P	P		
Medical marijuana caregiver cultivation												CU			
Medical marijuana use												CU			
Medical marijuana use, excluding medical marijuana cultivation								CU							
Miniature golf course						CU									
Multifamily Conversion	P ^{1,16}	P ^{1,16}	P ^{1,16}	P ^{1,16}	P ^{1,16}	P ^{1,16}	P ^{1,16}	P ^{1,16}	P ^{1,16}	P ^{1,16}	P ^{1,16}	P ^{1,16}	P ^{1,16}	P ^{1,16}	P ^{1,16}
Multimedia production with communication tower equal to or less than 100 feet in height						P							P		
Multimedia production with communication tower over 100 feet in height						CU						CU			
Multimedia production without communication tower			P	P	P	P		P	P	P		P	P	P	P
Municipal use	P	P	P	P	P	P		P	P	P	P	P	P	P	P
Off-airport heliport or helipad												CU			

LAND USES	ZONING DISTRICTS - Permitted (P) or Conditional Use (CU)														
	S-R	C-S	C-1	C-2	C-3	C-4	S-S	C-O	PNC	PCC	PCoC	I-1	I-G	P-1	P-2
Office	P	P	P	P	P	P		P	P	P	P	P	P		
Outdoor sales display area					CU										
Parking structures				P											P
Pawnshop															
Permitted uses of Downtown Overlay (DO), Central Business (C-2), or Highway Commercial (C-3) zoning districts, in a building above ground-level parking															P
Personal care service		P	P	P	P			P	P	P	P	P ¹⁴			
Place of worship	P ^{1,3}	P ¹	P ¹	P ¹	P ¹			P ¹	P ¹	P ¹		P ¹	P ¹		
Plant nursery		P	P	P	P										
Pool hall				CU	CU										
Public utility buildings, structures or appurtenances thereto for public service uses			CU						CU					CU	
Recyclable material collection center						P									
Refuse enclosures															
Repair and maintenance					P	P									
Residential health care facility			P ^{1,9}	P ^{1,9}	P ^{1,9}			P ^{1,9}	P ^{1,9}	P ^{1,9}					
Restaurant, excluding drive-through restaurant and excluding drive-in restaurant		P	P	P	P				P	P	P	P			
Restaurant, including drive-through restaurant but excluding drive-in restaurant		P	P	P					P	P					
Restaurant, including drive-through restaurant and including drive-in restaurant		CU			P							CU ¹⁴			
Restoration service												P			
Retail		P	P	P	P				P	P	P				
Scenic and sightseeing transportation												P			
Scientific research and development								CU				P	P		
Seasonal art festival				CU	CU	CU				CU					
Sports arena					CU ¹										
Storage buildings															P ¹⁵
Surface parking lots														P	P
Swimming pool sales, including display pools only and including construction equipment storage yard						P									

LAND USES	ZONING DISTRICTS - Permitted (P) or Conditional Use (CU)														
	S-R	C-5	C-1	C-2	C-3	C-4	S-S	C-O	PNC	PCC	PCoC	I-1	I-G	P-1	P-2
Swimming pool sales, including display pools only, but excluding construction equipment storage yard					P	P									
Taxi and limousine service												P			
Teen dance center				CU	CU										
Theater		P ¹		P ¹	P ¹				P ¹	P ¹					
Towing service						CU	CU								
Travel accommodation				P ¹	P ¹					P ¹					
Utility service yard						P	P				CU				
Vehicle emissions testing facility						P									
Vehicle leasing, rental or sales with indoor or outdoor vehicle display and storage				CU		P				CU					
Vehicle leasing, rental or sales with indoor vehicle display and storage located in an enclosed building		P ⁷			P ⁷	P ⁷				CU ⁷					
Vehicle leasing, rental or sales with outdoor vehicle display and storage located more than 150 feet from a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., measured from the property boundary to the zoning district line all within the City limits															
Vehicle leasing, rental or sales with outdoor vehicle display and storage located 150 feet or less from a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., measured from the property boundary to the zoning district line all within the City limits		CU			CU										
Vehicle repair			CU				P ⁸				CU				

LAND USES	ZONING DISTRICTS - Permitted (P) or Conditional Use (CU)														
	S-R	C-5	C-1	C-2	C-3	C-4	S-S	C-O	PNC	PCC	PCoC	I-1	I-G	P-1	P-2
Vehicle repair, located more than 150 feet from a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., measured from the property boundary to the zoning district line all within the City limits		P ⁸			P ⁸										
Vehicle repair, located 150 feet or less from a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., measured from the property boundary to the zoning district line all within the City limits		CU			CU										
Vehicle storage adjacent to residential districts					CU ¹¹	P ¹¹						CU ¹¹			
Vehicle storage not adjacent to residential districts					CU ¹¹	P ¹¹						P ¹¹			
Veterinary and pet care service	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴			P ⁴	P ⁴	P ⁴				
Wholesale, warehouse and distribution					P	P						P	P		
Wireless communications facility, Type 1, 2, and 3	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Wireless communications facility, Type 4	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	

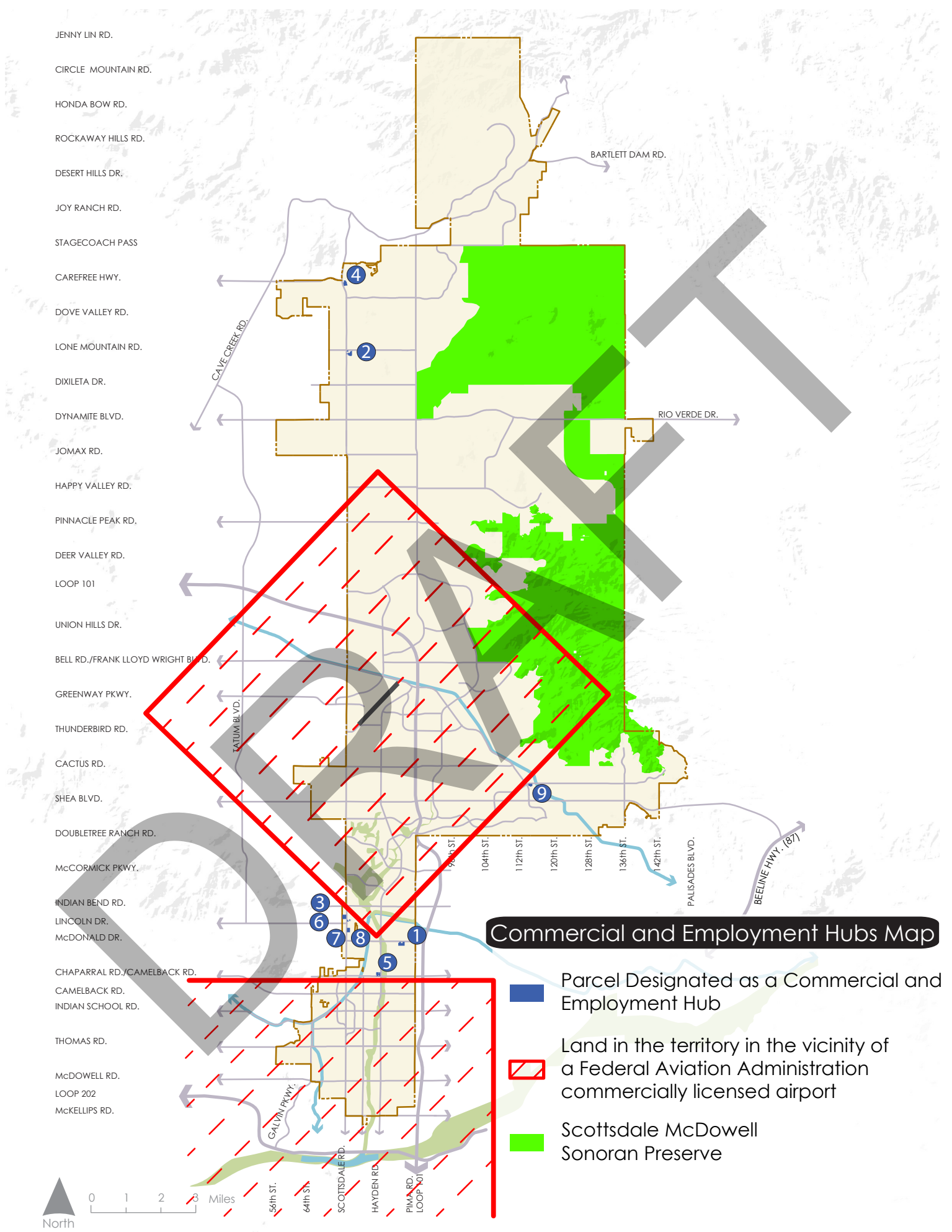
Use Limitations:

- (1) Uses are allowed except in the AC-3 area as described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended.
- (2) Educational services, elementary and secondary school, are subject to the following standards:
 - a. The facility shall be located not less than five hundred (500) feet from any adult use, except for a facility located within the S-R zoning district, which shall be located not less than 1,320 feet from any adult use.
 - b. Net lot area. Minimum: 43,000 square feet.
 - c. The facility shall not have outdoor speaker systems or bells.
 - d. Outdoor playgrounds and recreation areas shall be:
 - i. Located not less than 50 feet from any residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A;
 - ii. Located within the rear or side yard; and
 - iii. Enclosed and screened by a six-foot wall or fence.
 - e. All lighting adjacent to residential districts shall be set back a minimum of thirty (30) feet from the property line.
 - f. A minimum twenty-four (24) foot setback shall be provided and maintained where parking is adjacent to a residential district.
 - g. A drop-off area accommodating a minimum of five (5) vehicles shall be located along a sidewalk or landing area connected to the main entrance to the facility. This area shall not include internal site traffic aisles, parking spaces, or fire lanes.
 - h. Public trails or pedestrian connections shall link to the front door of the main building, subject to Development Review Board approval.
 - i. The circulation plan shall show minimal conflicts among the student drop-off area, any vehicle drop-off area, parking, access driveways, pedestrian and bicycle paths on site.
 - j. Facilities located in the AC-2 area, described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended, shall be constructed with sound transmission requirements of the International Building Code (IBC). In the I-1 and I-G zoning districts, facilities shall be constructed with sound attenuation measures to reduce outdoor to indoor noise by a minimum of twenty-five (25) decibels. Compliance with the noise attenuation measures set forth in Appendix F to FAA Part 150 Noise Compatibility Study Section 4.00 is deemed compliance with this requirement.
- (3) Places of worship are subject to the following standards:
 - a. Net lot area. Minimum: 20,000 square feet.
 - b. Floor area ratio. Maximum: 0.2.
 - c. Building and structure height.
 - i. Building height including mechanical equipment (such equipment shall be screened). Maximum: 30 feet. However:
 - (1) Non-habitable steeples, towers and spires that cover a maximum of ten (10) percent of the roof area, maximum: 45 feet.
 - (2) Non-habitable freestanding steeples, towers and spires. Maximum: 45 feet.
 - ii. Building height exceptions contained in Article VII shall not apply.

- d. Required open space.
 - i. Minimum: 0.24 multiplied by the net lot area.
 - ii. Building heights over twenty (20) feet: the minimum open space requirement plus 0.004 multiplied by the net lot area for each foot of building height over twenty (20) feet.
 - iii. NAOS may be included in the required open space.
 - e. Lighting.
 - i. All pole mounted lighting shall be shielded, directed downward and a maximum of sixteen (16) feet in height.
 - ii. All lighting adjacent to residential districts shall be set back a minimum of thirty (30) feet from the property line.
 - iii. All lighting, other than security lighting, shall not be operated between 10:00 p.m. and 6:00 a.m.
 - f. Screening. Screening shall be as approved by the Development Review Board.
 - g. Access. All places of worship must have primary access to a street classified in the Transportation Master Plan as a minor collector or greater.
 - h. Operations.
 - i. No outdoor activities shall be permitted after 10:00 p.m.
 - ii. The use shall not have outdoor speakers.
- (4) Veterinary and pet care services are permitted if all facilities are within a soundproof building. However, outdoor activities are permitted if:
- a. An employee or pet owner shall accompany an animal at all times when the animal is outside the building.
 - b. The property owner and operator maintain all outdoor areas in a clean and sanitary condition, including immediate and proper disposal of animal waste.
 - c. The outdoor areas are set back at least 100 feet from any lot line abutting a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., measured from the property boundary to the zoning district line all within the City limits.
 - d. There is no outdoor kennel boarding, except within the C-4 zoning district.
- (5) Big box retail sales are not allowed in the Environmentally Sensitive Lands Overlay District and are subject to a conditional use permit if:
- a. Primary access is from a local residential street, or
 - b. Residential property is located within 1,300 feet of the big box property line, except where the residential property is developed with nonresidential uses or separated from the big box by the Loop 101 Pima Freeway.
- (6) Drive-through and drive-in service subject to Conditional Use Permit in I-1 zoning district.
- (7) Vehicle leasing, rental or sales with indoor vehicle display and storage located in an enclosed building is subject to the following standards:
- a. Required parking shall not be used for vehicle storage or display.
 - b. None of the above criteria shall prohibit the Development Review Board from considering an application to reconstruct or remodel an existing vehicle leasing, rental or sales with indoor vehicle display and storage located in an enclosed building facility.
- (8) The vehicle repair use is subject to the following standards:
- a. All repairs shall be performed within an enclosed building, except vehicle repair facilities located in the C-4 zoning district.

- b. Vehicles may only enter the rear of the building, except vehicles may enter the side of the building if the lot is:
 - i. A corner lot,
 - ii. A lot abutting a residential district shown on Table 4.100.A.,
 - iii. A lot abutting the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., or
 - iv. Separated by an alley from one (1) of the districts set forth in subsection b.ii. or b.iii. above.
 - c. If the lots meets any requirement of subsection b. above, and side entry bays are proposed, the side entry repair bays shall be screened from street views by solid masonry walls, and the landscape plan shall demonstrate to the Development Review Board's satisfaction, that the proposed screening does not impact the streetscape by exposing repair bays, unassembled vehicles, vehicle repair activities, or vehicle parts.
 - d. All vehicles awaiting repair shall be screened from view by a masonry wall or landscape screen.
 - e. Required parking shall not be used for vehicle storage.
 - f. None of the above criteria shall prohibit the Development Review Board from considering an application to reconstruct or remodel an existing vehicle repair facility.
- (9) Residential health care facilities are permitted subject to the following:
- a. Within the PNC zoning district: site size shall not exceed forty (40) percent of the Development Plan.
 - b. Within the PCC zoning district: site size shall not exceed thirty-five (35) percent of the Development Plan.
 - c. Specialized residential health care facilities.
 - i. The number of beds shall not exceed eighty (80) per acre of gross lot area.
 - d. Minimal residential health care facilities.
 - i. The gross lot area shall not be less than one (1) acre.
 - ii. The number of units shall not exceed forty (40) dwelling units per acre of gross lot area.
 - e. Required open space.
 - i. Minimum open space: 0.24 multiplied by the net lot area distributed as follows.
 - (1) Frontage open space minimum: 0.50 multiplied by the total open space, except as follows:
 - (a) Minimum: Twenty (20) square feet per one (1) linear foot of public street frontage.
 - (b) Not required to exceed fifty (50) square feet per one (1) linear foot of public street frontage.
 - (2) The remainder of the minimum open space, less the frontage open space, shall be provided as common open space.
 - f. The site shall be designed, to the maximum extent feasible, so that on-site parking is oriented to the building(s) to provide convenient pedestrian access for residents, guests, and visitors.
- (10) Dwelling units permitted subject to the following:
- a. Dwelling units shall be physically integrated with commercial establishments.

- b. Limited to one (1) dwelling unit per each business establishment. The dwelling unit limitation of one (1) dwelling unit per each business establishment does not apply to property in the PNC zoning district, the PCC zoning district, or the Downtown Area.
- (11) Vehicle storage facilities may include an apartment/office for on-site supervision but no vehicle shall be used as a dwelling, even temporarily.
 - (12) Excludes concrete mixing/manufacturing.
 - (13) Aeronautical uses are subject to Chapter 5 of the Scottsdale Revised Code.
 - (14) Uses that are not accessory uses shall front on a major collector or higher street classification.
 - (15) Subject to Zoning Administrator's approval and if the storage building meets the following requirements:
 - a. Is smaller than five hundred (500) square feet, and
 - b. Occupies an area unusable as a parking space.
 - (16) Multifamily Conversion permitted subject to the requirements of Section 7.1300.



JENNY LIN RD.
 CIRCLE MOUNTAIN RD.
 HONDA BOW RD.
 ROCKAWAY HILLS RD.
 DESERT HILLS DR.
 JOY RANCH RD.
 STAGECOACH PASS
 CAREFREE HWY.
 DOVE VALLEY RD.
 LONE MOUNTAIN RD.
 DIXILETA DR.
 DYNAMITE BLVD.
 JOMAX RD.
 HAPPY VALLEY RD.
 PINNACLE PEAK RD.
 DEER VALLEY RD.
 LOOP 101
 UNION HILLS DR.
 BELL RD./FRANK LLOYD WRIGHT BLVD.
 GREENWAY PKWY.
 THUNDERBIRD RD.
 CACTUS RD.
 SHEA BLVD.
 DOUBLETREE RANCH RD.
 McCORMICK PKWY.
 INDIAN BEND RD.
 LINCOLN DR.
 McDONALD DR.
 CHAPARRAL RD./CAMELBACK RD.
 CAMELBACK RD.
 INDIAN SCHOOL RD.
 THOMAS RD.
 McDOWELL RD.
 LOOP 202
 McKELLIPS RD.

BARTLETT DAM RD.

RIO VERDE DR.

CAVE CREEK RD.

TATUM BLVD.

PALISADES BLVD.

BEELINE HWY. (87)

56th ST.
 64th ST.
 SCOTTSDALE RD.
 HAYDEN RD.
 PIMA RD.
 LOOP 101

Commercial and Employment Hubs Map

- Parcel Designated as a Commercial and Employment Hub
- Land in the territory in the vicinity of a Federal Aviation Administration commercially licensed airport
- Scottsdale McDowell Sonoran Preserve



Source: Maricopa County Assessor's Office, 2024
 Commercial and Employment Hubs designated as per A.R.S. 9-462.10.B

Commercial and Employment Hub Table

Commercial and Employment Hubs ID	APN	Address	Number of Buildings	Building Square Footage
1	173-75-004L	8449 E MCDONALD DR	9	111,826
2	216-66-806	31313 N SCOTTSDALE RD	4	67,251
3	174-57-008	6720 N SCOTTSDALE RD	6	457,989
4	216-48-500	34505 N SCOTTSDALE RD	5	82,195
5	173-25-993B	7920 E CHAPARRAL RD	3	57,974
6	174-18-005H	6617 N SCOTTSDALE RD	2	12,154
7	174-18-005C	6613 N SCOTTSDALE RD	2	14,362
8	174-15-001L	6263 N SCOTTSDALE RD	3	355,399
9	217-28-009X	11475 E VIA LINDA	2	58,846
		Total	36	1,218,006

Source: Maricopa County Assessor's Office, 2024

Commercial and Employment Hubs designated as per A.R.S. 9-462.10.B