

ADAPTIVE REUSE TEXT AMENDMENT
3-TA-2024#3

Section 1. That the Zoning Ordinance of the City of Scottsdale, ARTICLE VII. – GENERAL PROVISIONS, Section 7.1300 through Section 7.1304. are amended as follows with all new language depicted in grey shading and deleted language in strike-through:

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 were created pursuant to Chapter 48 of the City of Scottsdale Revised Code on or before December 31, 2024 and 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 Scottsdale Commercial and Employment Hubs and Essential Areas Table 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, which by whole or part, is located 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, which by whole or part, is located in the territory in the vicinity of a federal aviation administration commercially licensed airport or a general

Ordinance No. ????

Exhibit A

Page 1 of 5

aviation or public airport as defined in A.R.S. § 28-8486, ~~or that has an average sound level of sixty-five (65) decibels or higher measured along the lot line abutting the primary street frontage.~~

~~vi. Land, which by whole or part, has an average sound level of 65 decibels or higher measured along the lot line abutting the primary street frontage.~~

- d. For Multifamily Conversion developments with multiple parcels, such parcels must be contiguous and under single ownership or control to meet the minimum net acreage size requirements. Adjacent right-of-way and alleys shall not be considered as contributing to the contiguity of parcels.
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 have been economically or functionally obsolete, 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 quantity of conversion parcels.*
 - a. The Multifamily Conversion development shall be located on a parcel that, cumulatively with any existing and approved Multifamily Conversion development, does not exceed the Scottsdale Total Allocated Multifamily Conversion Development Projects Allotment 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 of parcels redeveloped for Multifamily Conversion under this Ordinance; in cumulative with
 - ii. The number of parcels with approved building permits for Multifamily Conversion under this Ordinance but not yet completed; in cumulative with

- iii. The number of parcels 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 ~~have been or are~~ economically or functionally obsolete ~~for at least six (6) continuous months.~~
 - 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., or a zoning district that permits residential development as an allowed land use, whichever density is greater, 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 by distance or the next closest zoning district in proximity to the subject Multifamily Conversion development that permits residential development as an allowed land use, whichever density is greater.
 - 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 directly adjacent to and 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 only to buildings of the Multifamily Conversion development that are located within one hundred (100) feet of a Single-family Residential District.
 - 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., or a zoning district that permits residential development as an allowed land use, whichever building height is greater, within one (1) mile of

Ordinance No. ????

Exhibit A

Page 4 of 5

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 by distance or the next closest zoning district in proximity to the subject Multifamily Conversion development that permits residential development as an allowed land use, whichever building height is greater.

- 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.