

ACCESSORY DWELLING UNIT (ADU) TEXT AMENDMENT

Section 1. That the Zoning Ordinance of the City of Scottsdale, ARTICLE I. – ADMINISTRATION AND PROCEDURES, Section 1.206. and Section 1.1304. 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, accessory dwelling units, 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. 1.1304. Enlargement, extension, reconstruction or structural alteration of nonconforming structure; enlargement of nonconforming use.

- A. Except as set forth in paragraph ~~(b)~~(B) of this subsection, no existing structure designed or arranged in a manner not permitted under the regulations of this Zoning Ordinance for the district in which such structure is located shall be enlarged, extended, reconstructed or structurally altered unless such structure together with such enlargement, extension, reconstruction or structural alterations conform in every respect with the regulations specified by this Zoning Ordinance for such district in which said structure is located. Provided nothing herein shall prohibit any reasonable repairs or alterations to such structure. Similarly, except as set forth in paragraph ~~(c)~~(C) of this subsection, no existing use not permitted under the regulations of this Zoning Ordinance shall be enlarged or extended unless such use conforms in every respect with the regulations specified by this ordinance for the district in which such use is located.
- B. For all main single-family residential dwellings located in residential zoning districts shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to a residential zoning district shown on Table 4.100.A., or any Planned Residential Development (PRD) district: ~~that are not located within an environmentally sensitive lands overlay zone:~~
 - 1. Structural enlargements, extensions, reconstruction or modifications to dwellings are permitted if:

- a. The enlargement, extension, reconstruction or modification is made to the ground level story;
 - b. The height of any portion of the dwelling is not increased;
 - c. The cumulative total of the initial and any subsequent enlargement, extension, reconstruction or modification constitutes less than fifty (50) percent of the gross floor area of the existing livable and non-livable square footage of the existing main single-family residential dwelling at the time of non-conformance; and
 - d. The dwelling enlargement, extension, reconstruction, or structural modification conforms to all of the regulations specified by this Zoning Ordinance for such district in which the dwelling is located.
2. Nothing contained in this subsection shall prohibit any reasonable repairs or alterations to such dwelling.
 3. An existing use not permitted under the regulations of this Zoning Ordinance shall not be enlarged or extended unless such use conforms to the regulations specified by this Zoning Ordinance for the district in which the use is located.
- C. Any authorized care home that is lawfully located and operating in a residential zoning district on December 5, 2017, may continue to operate in their existing location. Nothing in this section will grandfather a care home operating unlawfully or that is located in violation of the provisions of the Zoning Ordinance of the City of Scottsdale existing on December 5, 2017.

Section 2. That the Zoning Ordinance of the City of Scottsdale, ARTICLE III. – DEFINITIONS, Section 3.100. is amended as follows with all new language depicted in grey shading and deleted language in strike-through:

Accessory building or structure is a detached, secondary building or structure, the use of which is customarily incidental to that of a dominant use of the main building on the same lot. Accessory building or structure includes, but is not limited to, guest houses, private garages, pool houses, and residential recreation area support buildings, but does not include Accessory Dwelling Units.

Accessory Dwelling Unit shall mean a subordinate, self-contained dwelling unit that is on the same lot as a main single-family residential dwelling of greater square footage than the accessory dwelling unit, that is designed for living purposes, and that includes its own sleeping facilities, kitchen facilities, and sanitary facilities. An Accessory Dwelling Unit is not a guest house, accessory building or accessory structure. An Accessory Dwelling Unit, where permitted, does not count towards calculations of density.

Accessory Dwelling Unit (Attached) shall mean an Accessory Dwelling Unit that is physically attached and structurally integrated to the main single-family residential dwelling on a single-family residential lot, but which has its own separate entrance, sleeping facilities, kitchen facilities, and sanitary facilities from the main single-family residential dwelling.

Accessory Dwelling Unit (Detached) shall mean an Accessory Dwelling Unit that is physically detached from the main single-family residential building and any other buildings on the same single-family residential lot, and that includes its own separate entrance, sleeping facilities, kitchen facilities, and sanitary facilities.

Accessory Dwelling Unit (Restricted-Affordable Detached) shall mean a Detached Accessory Dwelling Unit that, through a private deed restriction, shall only be rented to households earning up to eighty percent (80%) of area median income.

* * *

Building shall mean any structure capable of complying with all applicable building code and fire code requirements as adopted by the City of Scottsdale, unless exempted by state statutes, 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 minor structures. Each portion of a building separated by dividing wall or walls without openings may be deemed a separate building for the purposes of issuing building permits.

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Dwelling shall mean any building, or portion thereof, that is designed principally for residential purposes and that includes sleeping facilities, cooking kitchen facilities, and sanitary facilities.

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

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

Dwelling, two-family shall mean a main building dwelling 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 sleeping facilities, kitchen facilities, and sanitary facilities.

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Guest house is an detached, subordinate, accessory building used to house accommodate guests of the occupants of the main single-family residential dwelling. A guest house is not a dwelling unit or an Accessory Dwelling Unit.

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Lot shall mean a legally created parcel of land occupied or intended for occupancy by one (1) main building together with its accessory buildings or structures, and uses customarily

incident incidental 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.

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Residential Recreation Area is an outdoor area designed for recreational activities customarily incidental, related, appropriate, and clearly subordinate to the principal use of the lot. Residential recreation areas include, but are not limited to, multi-sport courts and batting cages, but exclude swimming pools, driveways with a primary use for access to a garage or carport, and patios.

Section 3. That the Zoning Ordinance of the City of Scottsdale, ARTICLE V. – DISTRICT REGULATIONS, Sections 5.010. through 5.1107. are amended as follows with all new language depicted in grey shading and deleted language in strike-through:

Sec. 5.010. Single-family Residential (R1-190).

Sec. 5.011. Purpose.

This district is intended to promote and preserve residential development. Large lots are required to maintain a low density of population. The principal land use is single-family dwellings and uses incidental or accessory thereto together with required recreational, religious and educational facilities.

Sec. 5.012. Use regulations.

- A. *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 5.012., subject to the use limitations as listed.
- B. *Uses permitted by conditional use permit.*
 - 1. Any use shown as permitted by conditional use permit in Table 5.012., subject to the use limitations as listed, and any additional conditional use permit criteria.

Table 5.012. Use Table

Land Uses	Permitted (P) or Conditional Use (CU)
1. Accessory buildings and structures including private garages, swimming pools, and recreation buildings and courts	P (11)
2. Accessory Dwelling Unit	P (12)
2.3. Accessory uses including home occupation and swimming pools	P (1) (13)
3.4. Care home	P (2)
4.5. Cemetery (see Section 1.403. for criteria)	CU

5.6. Community buildings and recreational facilities not publicly owned, such as: athletic fields, boys' clubs, commercial stables, ranches, and tennis clubs (see Section 1.403. for criteria)	CU
6.7. Day care home	P
7.8. Day care group home	P
8.9. Dwelling unit, single-family, including Vacation rental or Short-term rental	P (3)
9.10. Farm	CU
10.11. Educational service, elementary and secondary school (see Section 1.403. for criteria)	CU (4) (5)
11.12. Educational service, other than elementary and secondary school, colleges and universities only (see Section 1.403. for criteria)	CU (4)
12.13. Golf course (except miniature golf course or commercial driving range)	CU
13.14. Guest house, as an accessory use	P (6)
14.15. Ham transmitting or receiving radio antennas in excess of seventy (70) feet	CU
15.16. Model home, temporary sales office/buildings	P (7)
16.17. Municipal uses	P
17.18. Place of worship	P (8)
18.19. Public utility buildings, structures or appurtenances thereto for public service uses	CU
20. Residential Recreation Area	P (14)
19.21. Wireless communication facility, Type 1, 2 and 3	P (9)
20.22. Wireless communication facility, Type 4	CU (10)

Use Limitations:

- (1) The landing and taking-off of aircraft is not a valid accessory use in residential districts and is prohibited.
- (2) Care home is subject to the following criteria:
 - a. *Floor area ratio:* Is limited to thirty-five hundredths (0.35) of the net lot area.
 - b. *Capacity:* The maximum number of residents, including up to ten (10) disabled persons, the manager/supervisor, property owner, and residential staff at the home is twelve (12) per residential lot.
 - c. *Location:* A care home shall not be located within twelve hundred (1200) feet, measured from lot line to lot line, of another care home.
 - d. *Compatibility:* The home and its premises shall be maintained in a clean, well-kept condition that is consistent in materials and design style with homes in the surrounding or adjacent neighborhood.
 - e. *Criteria:* Care homes must be licensed by the State of Arizona and must provide proof of such licensing by the State of Arizona as a health care institution to the Director of

Planning prior to the commencement of operations. All care homes must pass an initial and annual fire inspection administered by the Scottsdale Fire Department. Proof of such inspection and of correction of any noted deficiencies must be available at the care home at all times.

- f. *Accommodation:* A disabled person may request a disability accommodation from the above criteria or a development standard pursuant to Section 1.806. of this Zoning Ordinance.
- (3) Limited to one main dwelling unit per lot.
- (4) Conditional use permit is not required for public or charter educational services.
- (5) Educational service, charter school: minimum lot size is forty-three thousand (43,000) square feet.
- (6) Guest house, as an accessory use and accessory building subject to the following criteria:
- The cumulative ~~square footage~~ gross floor area of the guest house(s) shall be no greater than one-half (1/2) the ~~livable square footage~~ gross floor area of the main ~~single-family residential~~ dwelling on the same lot.
 - Any guest house shall be connected to the existing ~~water meter~~ utilities (electrical, gas, water, and sanitary sewer) connections for the main ~~single-family residential~~ dwelling on the same lot. It shall not be separately metered.
 - The guest house shall not be sold, rented, or offered for rent independent of the main ~~single-family residential~~ dwelling on the same lot. The property owner shall record a private deed restriction acknowledging that the guest house will never be sold, rented, or offered for rent independent of the main single-family residential dwelling on the same lot, in a form satisfactory to the City.
 - The guest house shall be subject to the requirements of Section 7.200.A.
- (7) For uses incidental to construction work and/or home sales, to be removed upon completion or abandonment of construction work and/or home sales.
- (8) Place of worship subject to compliance with the following standards, as well as those otherwise required in the underlying District:
- Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than twenty thousand (20,000) square feet (net).
 - Floor area ratio: In no case shall the gross floor area of the structure(s) exceed an amount equal to 0.20 multiplied by the net lot area.
 - Building height: Development Review Board may allow building heights, including towers, spires, and mechanical equipment (such equipment must be screened) limited to thirty (30) feet in height, and may allow a maximum of ten (10) percent of the roof area to exceed the height limit by fifteen (15) feet. Height and location are subject to the Development Review Board review and approval for compatibility with the established neighborhood character. Maximum permissible heights may not be achievable in all neighborhoods. (This provision supersedes Section 7.100. through 7.102., exceptions to height restrictions, which shall not apply to churches within the underlying District.)

- d. Required open space:
 - i. Minimum: 0.24 multiplied by the net lot area.
 - ii. For 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. Parking:
 - i. Parking shall observe the minimum front yard setbacks of the underlying District for all frontages. On streets classified in the Transportation Master Plan as major arterial or greater, parking may be located between the established front building line and the front yard setback. On all other street classifications, parking shall be located behind the established front building lines.
 - ii. A minimum of fifteen (15) percent of all parking areas shall be landscaped.
 - iii. A ten-foot minimum landscaped setback shall be provided where parking is adjacent to residential districts 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.
- f. Lighting:
 - i. All pole-mounted lighting shall be directed down and shielded and shall be a maximum of sixteen (16) feet in height.
 - ii. All lighting adjacent to residential districts 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., shall be set back a minimum of thirty (30) feet from the property line. All lighting, other than security, shall be shut off by 10:00 p.m.
 - iii. All lighting, other than security, shall be turned off by 10:00 p.m., unless otherwise approved through a special event permit.
- g. Screening:
 - i. There shall be a minimum six-foot high masonry wall and/or landscape screen, as approved by the Development Review Board, on the side and rear property lines that are adjacent to residential districts 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. There shall be a three-foot high landscaped berm along all street frontages where parking occurs.
- h. Access:

- i. All places of worship must have primary access to a street classified in the Transportation Master Plan as a minor collector or greater.
 - ii. Access to a local or local collector residential street is prohibited when the primary worship center, auditorium, or other major gathering place exceeds three thousand (3,000) square feet.
 - i. Operations: No outdoor activities shall be permitted after 10:00 p.m.
 - j. Noise: Outdoor speakers or paging systems are not allowed.
- (9) Subject to the requirements of Sections 1.904., 3.100., and 7.200.
- (10) Subject to the requirements of Sections 1.400., 3.100., and 7.200.
- (11) Accessory buildings and structures subject to the requirements of Section 7.200.A.
- (12) Accessory Dwelling Unit subject to the requirements of Section 7.900.
- (13) Swimming pools subject to the requirements of Section 7.200.E.
- (14) Residential Recreation Area subject to the requirements of Section 7.200.G.1.

Sec. 5.013. Reserved.

Sec. 5.014. Property development standards.

The following property development standards shall apply to all land and buildings in the R1-190 District:

A. *Lot area.*

- 1. Each lot shall have a minimum lot area of not less than one hundred ninety thousand (190,000) square feet.
- 2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorded prior to the date of the passage of this ordinance, such lot may be used for any purpose permitted in this section.

B. *Lot dimensions.*

Width. All lots shall have a minimum width of three hundred (300) feet.

C. *Density.* There shall be not more than one (1) single-family dwelling unit on any one (1) lot.

D. *Building height.* No building shall exceed thirty (30) feet in height, except as otherwise provided in article VII.

E. *Yards.*

1. Front Yard.

- a. There shall be a front yard having a depth of not less than sixty (60) feet.
- b. Where lots have a double frontage on two (2) streets, the required front yard of sixty (60) feet shall be provided on both streets.

- c. On a corner lot, the required front yard of sixty (60) feet shall be provided on each street. No accessory ~~buildings~~ building or structure shall be constructed in ~~the front yard of a corner lot's shortest street frontage.~~ ~~Exception: On a corner lot which does not abut a key lot or an alley adjacent to a key lot, accessory buildings may be constructed in the yard facing the side street.~~ An accessory building or structure may be constructed in the front yard of a corner lot's longer street frontage subject to the requirements of Sec. 7.200.A.
 - 2. Side Yard. There shall be a side yard of not less than thirty (30) feet on each side of a building.
 - 3. Rear Yard. There shall be a rear yard having a depth of not less than sixty (60) feet.
 - 4. Other requirements and exceptions as specified in article VII.
- F. *Distance between buildings.*
- 1. There shall be not less than ten (10) feet between an accessory building ~~or structure~~ and the main building.
 - 2. The minimum distance between main buildings on adjacent lots shall be not less than sixty (60) feet.
- G. *Walls, fences and landscaping.* Walls, fences and hedges up to eight (8) feet in height are allowed on the property line or within the required side and rear yard. Walls, fences and hedges up to twelve (12) feet in height are allowed subject to a sixty-foot setback from the side and rear property line. Walls, fences and hedges up to three (3) feet in height are allowed on the front property line or within the required front yard, except as provided in Article VII. The height of the wall or fence is measured from within the enclosure. Exception: Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences and hedges in the yard of the longer street frontage need only conform to the side yard requirements.
- H. *Access.* All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.
- I. *Corral.* Corral not to exceed six (6) feet in height shall be permitted on the property line or within the required front, side or rear yard.

Sec. 5.015. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.016. Signs.

The provisions of article VIII shall apply.

[Secs. 5.017—5.019. Reserved.]

Sec. 5.020. Single-family Residential (R1-130).

Sec. 5.021. Purpose.

This district is intended to promote and preserve residential development. Large lots are required to maintain a low density of population. The principal land use is single-family dwellings and uses incidental or accessory thereto together with required recreational, religious and educational facilities.

Sec. 5.022. Use regulations.

- A. *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 5.012., subject to the use limitations as listed.
- B. *Uses permitted by conditional use permit.*
1. Any use shown as permitted by conditional use permit in Table 5.012., subject to the use limitations as listed, and any additional conditional use permit criteria.

Sec. 5.023. Reserved.

Sec. 5.024. Property development standards.

The following property development standards shall apply to all land and buildings in the R1-130 District:

- A. *Lot area.*
1. Each lot shall have a minimum lot area of not less than one hundred thirty thousand (130,000) square feet.
 2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorded prior to the date of the passage of this ordinance, such lot may be used for any purpose permitted in this section.
- B. *Lot dimensions.*
- Width. All lots shall have a minimum width of two hundred (200) feet.
- C. *Density.* There shall be not more than one (1) single-family dwelling unit on any one (1) lot.
- D. *Building height.* No building shall exceed thirty (30) feet in height, except as otherwise provided in article VII.
- E. *Yards.*
1. Front Yard.
 - a. There shall be a front yard having a depth of not less than sixty (60) feet.
 - b. Where lots have a double frontage on two (2) streets, the required front yard of sixty (60) feet shall be provided on both streets.
 - c. On a corner lot, the required front yard of sixty (60) feet shall be provided on each street. No accessory buildings or structure shall be constructed in the front yard of a corner lot's shortest street frontage. ~~Exception: On a corner lot which does not abut a key lot or an alley adjacent to a key lot, accessory buildings or~~

~~structures may be constructed in the yard facing the side street.~~ An accessory building or structure may be constructed in the front yard of a corner lot's longer street frontage subject to the requirements of Sec. 7.200.A.

- 2. Side Yard. There shall be a side yard of not less than thirty (30) feet on each side of a building.
- 3. Rear Yard. There shall be a rear yard having a depth of not less than sixty (60) feet.
- 4. Other requirements and exceptions as specified in article VII.

F. *Distance between buildings.*

- 1. There shall be not less than ten (10) feet between an accessory building or structure and the main building.
- 2. The minimum distance between main buildings on adjacent lots shall be not less than sixty (60) feet.

G. *Walls, fences and landscaping.* Walls, fences and hedges up to eight (8) feet in height are allowed on the property line or within the required side and rear yard. Walls, fences and hedges up to twelve (12) feet in height are allowed subject to a sixty-foot setback from the side and rear property line. Walls, fences and hedges up to three (3) feet in height are allowed on the front property line or within the required front yard, except as provided in Article VII. The height of the wall or fence is measured from within the enclosure. Exception: Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences and hedges in the yard of the longer street frontage need only conform to the side yard requirements.

H. *Access.* All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

I. *Corral.* Corral not to exceed six (6) feet in height shall be permitted on the property line or within the required front, side or rear yard.

Sec. 5.025. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.026. Signs.

The provisions of article VIII shall apply.

[Secs. 5.027—5.029. Reserved.]

Sec. 5.030. Single-family Residential (R1-70).

Sec. 5.031. Purpose.

This district is intended to promote and preserve residential development. Large lots are required to maintain low density of population. The principal land use is single-family dwellings and uses incidental or accessory thereto together with required recreational, religious and educational facilities.

Sec. 5.032. Use regulations.

- A. *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 5.012., subject to the use limitations as listed.
- B. *Uses permitted by conditional use permit.*
1. Any use shown as permitted by conditional use permit in Table 5.012., subject to the use limitations as listed, and any additional conditional use permit criteria.
 2. Specialized Residential Health Care Facility. Where there is a conflict with the modified standards specified for this use, the more restrictive standards shall take precedence.)
 - a. A Specialized Residential Health Care Facility must have no more than sixteen (16) beds per gross acre of land and shall comply with the following:
 - i. *Location:* all Residential Health Care Facilities shall have frontage on a street classified by the Scottsdale General Plan (Transportation Master Plan) as a minor arterial or greater.
 - ii. *Location:* all Residential Health Care Facilities shall be located within one thousand three hundred twenty (1,320) feet of the property line of commercially zoned property.
 - iii. *Parking:* the site plan shall be designed so that on-site parking is oriented to the building(s) in a manner that will provide convenient pedestrian access for residents, guests, and visitors. All parking areas shall be screened from the street and from neighboring properties by a minimum three-foot high undulating wall and/or landscaping. A minimum of fifteen (15) percent of all parking areas shall be landscaped. A minimum twenty-foot landscape setback shall be provided where parking is adjacent to residential districts 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.
 - iv. *Buffer minimum:* Twenty-foot landscape area adjacent to all residential districts 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.
 - b. *Compatibility:* All site improvements, including but not limited to, the buildings, parking areas, and other areas, should be designed to be consistent with homes allowed in the surrounding or adjacent neighborhood. Building materials and form should be responsive to the Sonoran Desert climate. To promote design compatibility, the Development Review Board application shall emphasize the following:
 - i. Design elements such as varied building forms, variety of window sizes and placements, covered patios, sloped roofs and other such elements associated with large custom designed single-family dwellings.

- ii. Building materials that reflect the character of the Sonoran Desert including materials that are unpolished and have substantial texture with no exterior painted surfaces.
- iii. Limiting the use of non-native plant materials to a maximum of five (5) percent of the total lot area and that such materials will be placed in courtyards surrounded by buildings and walls at least six (6) feet in height.
- iv. Building and site design using passive solar control techniques such as, but not limited to, overhangs, recessed doors and windows, architectural screens in front of areas of glass, and earth mounded against the base of the building walls.
- v. Site design that minimizes exterior heat gain through the elimination of asphaltic paving materials and the shading of at least fifty (50) percent of all parking, walkway and patio surfaces by mature trees and/or shade structures.
- vi. Exterior water conservation measures including but not limited to water harvesting.

Sec. 5.033. Reserved.

Sec. 5.034. Property development standards.

The following property development standards shall apply to all land and buildings in the R1-70 District:

A. Lot area.

1. Each lot shall have a minimum lot area of not less than seventy thousand (70,000) square feet.
2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorded prior to the date of the passage of this ordinance, such lot may be used for any purpose permitted in this section.
3. Specialized Residential Health Care Facility: the minimum lot area shall be five (5) gross acres.

B. Lot dimensions.

Width. All lots shall have a minimum width of two hundred fifty (250) feet.

C. Density. There shall be not more than one (1) single-family dwelling unit on any one (1) lot.

D. Building height. No building shall exceed thirty (30) feet in height, except as otherwise provided in article VII.

E. Yards.

1. Front Yard.
 - a. There shall be a front yard having a depth of not less than sixty (60) feet.

- b. Where lots have a double frontage on two (2) streets, the required front yard of sixty (60) feet shall be provided on both streets.
 - c. On a corner lot, the required front yard of sixty (60) feet shall be provided on each street. No accessory buildings, building or structure shall be constructed in the front yard of a corner lot's shortest street frontage. ~~Exception: On a corner lot which does not abut a key lot or an alley adjacent to a key lot, accessory buildings may be constructed in the yard facing the side street.~~ An accessory building or structure may be constructed in the front yard of a corner lot's longer street frontage subject to the requirements of Sec. 7.200.A.
- 2. Side Yard. There shall be a side yard of not less than thirty (30) feet on each side of a building.
 - 3. Rear Yard. There shall be a rear yard having a depth of not less than sixty (60) feet.
 - 4. Other requirements and exceptions as specified in article VII.
- F. *Distance between buildings.*
- 1. There shall be not less than ten (10) feet between an accessory building or structure and the main building.
 - 2. The minimum distance between main buildings on adjacent lots shall be not less than sixty (60) feet.
- G. *Walls, fences and landscaping.* Walls, fences and hedges up to eight (8) feet in height are allowed on the property line or within the required side and rear yard. Walls, fences and hedges up to twelve (12) feet in height are allowed subject to a twenty-foot setback from the side and rear property line. Walls, fences and hedges up to three (3) feet in height are allowed on the front property line or within the required front yard, except as provided in Article VII. The height of the wall or fence is measured from within the enclosure. Exception: Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences and hedges in the yard of the longer street frontage need only conform to the side yard requirements.
- H. *Access.* All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision. Access for Specialized Residential Health Care Facilities shall be provided in the following manner:
- 1. All Specialized Residential Health Care Facilities shall have access to a street classified by the Scottsdale General Plan (Transportation Master Plan) as a minor collector or greater.
- I. *Corral.* Corral not to exceed six (6) feet in height shall be permitted on the property line or within the required front, side or rear yard.

Sec. 5.035. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.036. Signs.

The provisions of article VIII shall apply.

[Secs. 5.037—5.099. Reserved.]

Sec. 5.100. Single-family Residential (R1-43).

Sec. 5.101. Purpose.

This district is intended to promote and preserve residential development. Large lots are required to maintain a low density of population. The principal land use is single-family dwellings and uses incidental or accessory thereto together with required recreational, religious and educational facilities.

Sec. 5.102. Use regulations.

- A. *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 5.102., subject to the use limitations as listed.
- B. *Uses permitted by conditional use permit.*
 - 1. Any use shown as permitted by conditional use permit in Table 5.102., subject to the use limitations as listed, and any additional conditional use permit criteria.

Table 5.102. Use Table

Land Uses	Permitted (P) or Conditional Use (CU)
1. Accessory buildings and structures including private garages, swimming pools, and recreation buildings and courts	P (11)
2. Accessory Dwelling Unit	P (12)
2.3. Accessory uses including home occupation and swimming pools	P (1) (13)
3.4. Care home	P (2)
4.5. Cemetery (see Section 1.403. for criteria)	CU
5.6. Community buildings and recreational facilities not publicly owned, such as: athletic fields, boys' clubs, commercial stables, ranches, and tennis clubs (see Section 1.403. for criteria)	CU
6.7. Day care home	P
7.8. Day care group home	P
8.9. Dwelling unit, single-family, including Vacation rental or Short-term rental	P (3)
9.10. Farm	CU
10.11. Educational service, elementary and secondary school (see Section 1.403. for criteria)	CU (4) (5)
11.12. Educational service, other than elementary and secondary school, colleges and universities only (see Section 1.403. for criteria)	CU (4)

42.13. Golf course (except miniature golf course or commercial driving range)	CU
43.14. Guest house, as an accessory use	P (6)
44.15. Ham transmitting or receiving radio antennas in excess of seventy (70) feet	CU
45.16. Model home, temporary sales office/buildings	P (7)
46.17. Municipal uses	P
47.18. Place of worship	P (8)
48.19. Public utility buildings, structures or appurtenances thereto for public service uses	CU
20. Residential Recreation Area	P (14)
49.21. Wireless communication facility, Type 1, 2 and 3	P (9)
20.22. Wireless communication facility, Type 4	CU (10)

Use Limitations:

- (1) The landing and taking-off of aircraft is not a valid accessory use in residential districts and is prohibited.
- (2) Care home is subject to the following criteria:
 - a. *Floor area ratio:* Is limited to thirty-five hundredths (0.35) of the net lot area.
 - b. *Capacity:* The maximum number of residents, including up to ten (10) disabled persons, the manager/supervisor, property owner, and residential staff at the home is twelve (12) per residential lot.
 - c. *Location:* A care home shall not be located within twelve hundred (1200) feet, measured from lot line to lot line, of another care home.
 - d. *Compatibility:* The home and its premises shall be maintained in a clean, well-kept condition that is consistent in materials and design style with homes in the surrounding or adjacent neighborhood.
 - e. *Criteria:* Care homes must be licensed by the State of Arizona and must provide proof of such licensing by the State of Arizona as a health care institution to the Director of Planning prior to the commencement of operations. All care homes must pass an initial and annual fire inspection administered by the Scottsdale Fire Department. Proof of such inspection and of correction of any noted deficiencies must be available at the care home at all times.
 - f. *Accommodation:* A disabled person may request a disability accommodation from the above criteria or a development standard pursuant to Section 1.806. of this Zoning Ordinance.
- (3) Limited to one main dwelling unit per lot.
- (4) Conditional use permit is not required for public or charter educational services.
- (5) Educational service, charter school: minimum lot size is forty-three thousand (43,000) square feet.

- (6) Guest house, as an accessory use and accessory building subject to the following criteria:
- a. The cumulative square footage gross floor area of the guest house(s) shall be no greater than one-half (1/2) the livable square footage gross floor area of the main single-family residential dwelling on the same lot.
 - b. Any guest house shall be connected to the existing water meter utilities (electrical, gas, water, and sanitary sewer) connections for the main single-family residential dwelling on the same lot. It shall not be separately metered.
 - c. The guest house shall not be sold, rented, or offered for rent independent of the main single-family residential dwelling on the same lot. The property owner shall record a private deed restriction acknowledging that the guest house will never be sold, rented, or offered for rent independent of the main single-family residential dwelling on the same lot, in a form satisfactory to the City.
 - d. The guest house shall be subject to the requirements of Section 7.200.A.
- (7) For uses incidental to construction work and/or home sales, to be removed upon completion or abandonment of construction work and/or home sales.
- (8) Place of worship subject to compliance with the following standards, as well as those otherwise required in the underlying District:
- a. *Lot area:* The minimum lot area shall be equal to that required for the district, except that no lot shall be less than twenty thousand (20,000) square feet (net).
 - b. *Floor area ratio:* In no case shall the gross floor area of the structure(s) exceed an amount equal to 0.20 multiplied by the net lot area.
 - c. *Building height:* Development Review Board may allow building heights, including towers, spires, and mechanical equipment (such equipment must be screened) limited to thirty (30) feet in height, and may allow a maximum of ten (10) percent of the roof area to exceed the height limit by fifteen (15) feet. Height and location are subject to the Development Review Board review and approval for compatibility with the established neighborhood character. Maximum permissible heights may not be achievable in all neighborhoods. (This provision supersedes Section 7.100. through 7.102., exceptions to height restrictions, which shall not apply to churches within the underlying District.)
 - d. *Required open space:*
 - i. Minimum: 0.24 multiplied by the net lot area.
 - ii. For 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. *Parking:*
 - i. Parking shall observe the minimum front yard setbacks of the underlying District for all frontages. On streets classified in the Transportation Master Plan as major arterial or greater, parking may be located between the established front building

line and the front yard setback. On all other street classifications, parking shall be located behind the established front building lines.

- ii. A minimum of fifteen (15) percent of all parking areas shall be landscaped.
 - iii. A ten-foot minimum landscaped setback shall be provided where parking is adjacent to residential districts 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.
- f. *Lighting:*
- i. All pole-mounted lighting shall be directed down and shielded and shall be a maximum of sixteen (16) feet in height.
 - ii. All lighting adjacent to residential districts 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., shall be set back a minimum of thirty (30) feet from the property line. All lighting, other than security, shall be shut off by 10:00 p.m.
 - iii. All lighting, other than security, shall be turned off by 10:00 p.m., unless otherwise approved through a special event permit.
- g. *Screening:*
- i. There shall be a minimum six-foot high masonry wall and/or landscape screen, as approved by the Development Review Board, on the side and rear property lines that are adjacent to residential districts 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. There shall be a three-foot high landscaped berm along all street frontages where parking occurs.
- h. *Access:*
- i. All places of worship must have primary access to a street classified in the Transportation Master Plan as a minor collector or greater.
 - ii. Access to a local or local collector residential street is prohibited when the primary worship center, auditorium, or other major gathering place exceeds three thousand (3,000) square feet.
- i. *Operations:* No outdoor activities shall be permitted after 10:00 p.m.
- j. *Noise:* Outdoor speakers or paging systems are not allowed.
- (9) Subject to the requirements of Sections 1.904., 3.100., and 7.200.
- (10) Subject to the requirements of Sections 1.400., 3.100., and 7.200.
- (11) Accessory buildings and structures subject to the requirements of Section 7.200.A.

(12) Accessory Dwelling Unit subject to the requirements of Section 7.900.

(13) Swimming pools subject to the requirements of Section 7.200.E.

(14) Residential Recreation Area subject to the requirements of Section 7.200.G.1.

Sec. 5.103. Reserved.

Sec. 5.104. Property development standards.

The following property development standards shall apply to all land and buildings in the R1-43 District:

A. Lot area.

1. Each lot shall have a minimum lot area of not less than forty-three thousand (43,000) square feet.
2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorded prior to the date of the passage of this ordinance, such lot may be used for any purpose permitted in this section.

B. Lot dimensions.

Width. All lots shall have a minimum lot width of one hundred fifty (150) feet.

C. Density. There shall be not more than one (1) single-family dwelling unit on any one (1) lot.

D. Building height. No building shall exceed thirty (30) feet in height, except as otherwise provided in article VII.

E. Yards.

1. Front Yard.

- a. There shall be a front yard having a depth of not less than forty (40) feet.
- b. Where lots have a double frontage on two (2) streets, the required front yard of forty (40) feet shall be provided on both streets.
- c. On a corner lot, the required front yard of forty (40) feet shall be provided on each street. ~~No accessory buildings or structure shall be constructed in the front yard of a corner lot's shortest street frontage.~~ ~~Exception: On a corner lot which does not abut a key lot or an alley adjacent to a key lot, accessory buildings may be constructed in the yard facing the side street.~~ An accessory building or structure may be constructed in the front yard of a corner lot's longer street frontage subject to the requirements of Sec. 7.200.A.

2. Side Yard. There shall be a side yard of not less than twenty (20) feet on each side of a building.

3. Rear Yard. There shall be a rear yard having a depth of not less than thirty-five (35) feet.

4. Other requirements and exceptions as specified in article VII.

- F. *Distance between buildings.*
1. There shall be not less than ten (10) feet between an accessory building or structure and the main building.
 2. The minimum distance between main buildings on adjacent lots shall be not less than forty (40) feet.
- G. *Walls, fences and landscaping.* Walls, fences and hedges up to eight (8) feet in height are allowed on the property line or within the required side and rear yard. Walls, fences and hedges up to twelve (12) feet in height are allowed subject to a twenty-foot setback from the side and rear property line. Walls, fences and hedges up to three (3) feet in height are allowed on the front property line or within the required front yard, except as provided in Article VII. The height of the wall or fence is measured from within the enclosure. Exception: Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences and hedges in the yard of the longer street frontage need only conform to the side yard requirements.
- H. *Access.* All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.
- I. *Corral.* Corral not to exceed six (6) feet in height shall be permitted on the property line or within the required front, side or rear yard.

Sec. 5.105. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.106. Signs.

The provisions of article VIII shall apply.

Sec. 5.200. Single-family Residential (R1-35).

Sec. 5.201. Purpose.

This district is intended to promote and preserve residential development. The minimum lot size, although less than one (1) acre, still results in a low density of population. The principal land use is single-family dwellings and uses incidental or accessory thereto, together with required recreational, religious and educational facilities.

Sec. 5.202. Use regulations.

- A. *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 5.102., subject to the use limitations as listed.
- B. *Uses permitted by conditional use permit.*
1. Any use shown as permitted by conditional use permit in Table 5.102., subject to the use limitations as listed, and any additional conditional use permit criteria.

Sec. 5.203. Reserved.**Sec. 5.204. Property development standards.**

The following property development standards shall apply to all land and buildings in the R1-35 District:

A. Lot area.

1. Each lot shall have a minimum lot area of not less than thirty-five thousand (35,000) square feet.
2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorded prior to the date of the passage of this ordinance, such lot may be used for any purpose permitted in this section.

B. Lot dimension.

1. Width. All lots shall have a minimum width of one hundred thirty-five (135) feet.

C. Density. There shall not be more than one (1) single-family dwelling unit on any one (1) lot.**D. Building height.** No building shall exceed thirty (30) feet in height, except as provided in article VII.**E. Yards.**

1. Front Yard.

- a. There shall be a front yard having a depth of not less than forty (40) feet.
- b. Where lots have a double frontage on two (2) streets, the required front yard of forty (40) feet shall be provided on both streets.
- c. On a corner lot, the required front yard of forty (40) feet shall be provided on each street. No accessory building or structure shall be constructed in the front yard of a corner lot's shortest street frontage. ~~Exception: On a corner lot which does not abut a key lot or an alley adjacent to a key lot, accessory buildings may be constructed in the yard facing the side street.~~ An accessory building or structure may be constructed in the front yard of a corner lot's longer street frontage subject to the requirements of Sec. 7.200.A.

2. Side Yard. There shall be side yards of not less than fifteen (15) feet on each side of a building.

3. Rear Yard. There shall be a rear yard having a depth of not less than thirty-five (35) feet.

4. Other requirements and exceptions as specified in article VII.

F. Distance between buildings.

1. There shall not be less than ten (10) feet between an accessory building or structure and the main building.

2. The minimum distance between main buildings on adjacent lots shall be not less than thirty (30) feet.
- G. *Walls, fences and landscaping.* Walls, fences and hedges up to eight (8) feet in height are allowed on the property line or within the required side or rear yard. Walls, fences and hedges up to three (3) feet in height are allowed on the front property line or within the required front yard, except as provided in Article VII. The height of the wall or fence is measured from within the enclosure. Exception: Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences and hedges in the yard facing the longer street frontage need only conform to the side yard requirements.
- H. *Access.* All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.
- I. *Corral.* Corral not to exceed six (6) feet in height shall be permitted on the property line or within the required front, side or rear yard.

Sec. 5.205. Off-street parking.

The provisions of article IX shall apply.

~~Sec. 5.207.~~ **Sec. 5.206. Signs.**

The provisions of article VIII shall apply.

Sec. 5.300. Single-family Residential (R1-18).

Sec. 5.301. Purpose.

This district is intended to promote and preserve residential development. Lot size is such that a low density of population is still maintained. Land use is composed chiefly of individual homes, together with required recreation, religious and educational facilities as the basic elements of a balanced neighborhood.

Sec. 5.302. Use regulations.

- A. *Permitted uses.* Buildings, structures or premises shall be used and building and structures shall hereafter be erected, altered or enlarged only for the following uses:
1. Any use shown as permitted in Table 5.102., subject to the use limitations as listed.
- B. *Uses permitted by conditional use permit.*
1. Any use shown as permitted by conditional use permit in Table 5.102., subject to the use limitations as listed, and any additional conditional use permit criteria.

Sec. 5.303. Reserved.

Sec. 5.304. Property development standards.

The following property development standards shall apply to all land and buildings in the R1-18 district:

- A. *Lot area.*
1. Each lot shall have a minimum area of not less than eighteen thousand (18,000) square feet.
 2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorded prior to the date of the passage of this ordinance, such lot may be used for any purpose permitted in this section.
- B. *Lot dimensions.*
1. Width. All lots shall have a minimum width of one hundred twenty (120) feet.
- C. *Density.* There shall not be more than one (1) single-family dwelling unit on any one (1) lot.
- D. *Building height.* No building shall exceed thirty (30) feet in height, except as otherwise provided in article VII.
- E. *Yards.*
1. Front Yard.
 - a. There shall be a front yard having a depth of not less than thirty-five (35) feet.
 - b. Where lots have a double frontage on two (2) streets, the required front yard of thirty-five (35) feet shall be provided on both streets.
 - c. On a corner lot, the required front yard of thirty-five (35) feet shall be provided on each street. ~~Exception: On a corner lot which does not abut a key lot or an alley adjacent to a key lot, accessory buildings may be constructed in the yard facing the side street.~~ No accessory building or structure shall be constructed in the front yard of a corner lot's shortest street frontage. An accessory building or structure may be constructed in the front yard of a corner lot's longer street frontage subject to the requirements of Sec. 7.200.A.
 2. Side Yard. There shall be a side yard on each side of a building having a width of not less than ten (10) feet.
 3. Rear Yard. There shall be a rear yard having a depth of not less than thirty (30) feet.
 4. Other requirements and exceptions as specified in article VII.
- F. *Distance between buildings.*
1. There shall be not less than ten (10) feet between an accessory building or structure and the main building.
 2. The minimum distance between main buildings on adjacent lots shall not be less than twenty (20) feet.
- G. *Walls, fences and landscaping.* Walls, fences and hedges up to eight (8) feet in height are allowed on the property line or within the required side or rear yard. Walls, fences and hedges up to three (3) feet in height are allowed on the front property line or within the required front yard, except as provided in Article VII. The height of the wall or fence is measured from within the enclosure. Exception: Where a corner lot does not abut a key lot or an alley adjacent to

a key lot, the height of walls, fences and hedges in the yard facing the longer street frontage need only conform to the side yard requirements.

- H. *Access.* All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

Sec. 5.305. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.306. Signs.

The provisions of article VIII shall apply.

Sec. 5.400. Single-family Residential (R1-10).

Sec. 5.401. Purpose.

This district is intended to promote and preserve residential development. Lot size permits a higher density of population. Land use is composed chiefly of individual homes, together with required recreational, religious and educational facilities as the basic elements of a balanced neighborhood.

Sec. 5.402. Use regulations.

- A. *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 5.102., subject to the use limitations as listed.
- B. *Uses permitted by conditional use permit.*
1. Any use shown as permitted by conditional use permit in Table 5.102., subject to the use limitations as listed, and any additional conditional use permit criteria.

Sec. 5.403. Reserved.

Sec. 5.404. Property development standards.

The following property development standards shall apply to all land and buildings in the R1-10 district:

- A. *Lot area.*
1. Each lot shall have a minimum area of not less than ten thousand (10,000) square feet.
 2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorded prior to the date of the passage of this ordinance, such lot may be used for any purpose permitted in this section.
- B. *Lot dimension.*
1. *Width.* All lots shall have a minimum width of eighty (80) feet.

- C. *Density*. There shall not be more than one (1) single-family dwelling unit on any one (1) lot.
- D. *Building Height*. No building shall exceed thirty (30) feet in height, except as otherwise provided in article VII.
- E. *Yards*.
1. Front Yard.
 - a. There shall be a front yard having a depth of not less than thirty (30) feet.
 - b. Where lots have a double frontage on two (2) streets, the required front yard of thirty (30) feet shall be provided on both streets.
 - c. ~~Where a lot is located at the intersection of two (2) or more streets,~~ On a corner lot, there shall be a yard conforming to the front yard requirements on the street with the narrowest shortest frontage and a yard of not less than fifteen (15) feet on the intersecting street longer street frontage. ~~Exception: On a corner lot which does not abut a key lot or an alley adjacent to a key lot, accessory buildings may be constructed in the yard facing the side street.~~ An attached private garage or carport that has direct access from a street along the longer street frontage of a corner lot shall not be located closer than twenty (20) feet to the back of ultimate street improvements. No accessory building or structure shall be constructed in the front yard of a corner lot's shortest street frontage. An accessory building or structure may be constructed in the front yard of a corner lot's longer street frontage subject to the requirements of Sec. 7.200.A.
 2. Side Yard. There shall be a side yard on each side of a building having a an aggregate width of not less than seven (7) feet.
 3. Rear Yard. There shall be a rear yard having a depth of not less than twenty-five (25) feet.
 - a. The main building or additions to the main building may extend into the required rear yard subject to the following requirements:
 - (1) The main building or additions to the main building shall be set back fifteen (15) feet from the rear property line.
 - (2) The main building or addition to the main building shall not occupy more than thirty (30) percent of the area between the rear setback line and the rear property line.
 4. Other requirements and exceptions as specified in article VII.
- F. *Distance between buildings*.
1. There shall not be less than ten (10) feet between an accessory building or structure and the main building.
 2. The minimum distance between main buildings on adjacent lots shall not be less than fourteen (14) feet.
- G. *Walls, fences and landscaping*. Walls, fences and hedges up to eight (8) feet in height are allowed on the property line or within the required side or rear yard. Walls, fences and hedges

up to three (3) feet in height are allowed on the front property line or within the required front yard, except as provided in Article VII. The height of the wall or fence is measured from within the enclosure. Exception: Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences and hedges in the yard facing the longer street frontage need only conform to the side yard requirements.

- H. *Access.* All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

Sec. 5.405. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.406. Signs.

The provisions of article VIII shall apply.

Sec. 5.500. Single-family Residential (R1-7).

Sec. 5.501. Purpose.

This district is intended to promote and preserve urban single-family residential development. Lot size permits the highest density of population attainable in a single-family residential district. The principal land use is a single-family dwelling. Uses incidental or accessory to dwellings, recreations, religious and educational facilities are included.

Sec. 5.502. Use regulations.

- A. *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 5.102., subject to the use limitations as listed.
- B. *Uses permitted by conditional use permit.*
 - 1. Any use shown as permitted by conditional use permit in Table 5.102., subject to the use limitations as listed, and any additional conditional use permit criteria.

Sec. 5.503. Reserved.

Sec. 5.504. Property development standards.

The following property development standards shall apply to all land and buildings in the R1-7 district:

- A. *Lot area.*
 - 1. Each lot shall have a minimum area of not less than seven thousand (7,000) square feet.
 - 2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorded prior to the date of the

passage of this ordinance, such lot may be used for any purpose permitted in this section.

- B. *Lot dimensions.* Width. All lots shall have a minimum width of seventy (70) feet.
- C. *Density.* There shall not be more than one (1) single-family dwelling unit on any one (1) lot.
- D. *Building height.* No building shall exceed thirty (30) feet in height, except as otherwise provided in Article VII.
- E. *Yards.* Except as otherwise provided in this Section 5.504:
 - 1. Front yard. Each lot shall have a front yard with a minimum depth of twenty (20) feet.
 - 2. Side yard. Each lot shall have two (2) side yards with a minimum depth of five (5) feet.
 - 3. Rear yard. Each lot shall have a rear yard with a minimum depth of twenty-five (25) feet or twenty-two (22) feet where the property owner has dedicated a minimum of eight (8) feet for alley purposes.
 - 4. Double frontage lot yards. A double frontage lot shall have a front yard with a minimum depth of twenty (20) feet, and a rear yard with a minimum depth of twenty-five (25) feet. The Zoning Administrator shall determine which yard is the front yard of a double frontage lot.
 - 5. Corner lot yards. A corner lot shall have a front yard with a minimum depth of twenty (20) feet on the shorter street frontage, and a yard with a minimum depth of five (5) feet on the longer street frontage. However, if a corner lot abuts a key lot or an alley adjacent to a key lot, the yard on the longer street frontage shall have a minimum depth of ten (10) feet. An attached private garage or carport that has direct access from a street along the longer street frontage of a corner lot shall not be located closer than twenty (20) feet to the back of ultimate street improvements. No accessory building or structure shall be constructed in the front yard of a corner lot's shortest street frontage. An accessory building or structure may be constructed in the front yard of a corner lot's longer street frontage subject to the requirements of Sec. 7.200.A.
 - 6. All yards shall conform to Article VII.
- F. *Distance between buildings.* There shall not be less than five (5) feet between an accessory building or structure and any main building.
- G. *Walls, fences and hedges.*
 - 1. Front yards. Walls, fences and hedges with a maximum height of three (3) feet are allowed on the front property line or in the front yard. However, walls, fences and hedges with a maximum height of six (6) feet are allowed in the front yard if:
 - a. Not more than forty (40) percent of the front yard set forth in E. above is enclosed, and
 - b. A minimum setback of three (3) feet from the front property line is provided.
 - 2. Side and rear yards. Walls, fences and hedges with a maximum height of eight (8) feet are allowed on the side or rear property line or in the side or rear yard.
 - 3. Corner lot yards. Except as provided in Article VII, walls, fences and hedges:

- a. With a maximum height of three (3) feet are allowed in the front yard of a corner lot on the shorter street frontage.
 - b. With a maximum height of six (6) feet are allowed in the front yard of a corner lot on the shorter street frontage if:
 - i. Not more than forty (40) percent of the front yard set forth in E. above is enclosed, and
 - ii. A minimum setback of three (3) feet from the front property line is provided.
 - c. With a maximum height of six (6) feet are allowed:
 - i. In the yard on the longer street frontage between the setback of the main building and the rear property line, or
 - ii. On the property line on the longer street frontage between the setback of the main building and the rear property line.
4. The height of any wall, fence or hedge is measured from within the enclosure.
- H. *Main buildings and additions to main buildings.*
1. The main building and an addition to the main building may extend into the rear yard if:
 - a. It is set back a minimum of fifteen (15) feet from the rear property line or twelve (12) feet where the property owner has dedicated a minimum of eight (8) feet for alley purposes, and
 - b. It does not occupy more than thirty (30) percent of the area of the rear yard as set forth in E. above.
 2. A patio cover and/or covered porch is allowed in the front yard if:
 - a. It is structurally integrated with compatible building materials to, and not taller than, the main building's roof;
 - b. It is set back a minimum of ten (10) feet from the front property line; and
 - c. The combined area of the patio cover and covered porch does not encompass more than twenty-two (22) percent of the front yard set forth in E. above.
 3. A carport attached to the main building is allowed in the front yard if:
 - a. It is structurally integrated with compatible building materials to the main building's roof,
 - b. It is set back a minimum of ten (10) feet from the front property line,
 - c. It does not encompass more than twenty (20) percent of the front yard set forth in E. above,
 - d. The entrance to the carport is perpendicular to the street, and
 - e. It is constructed so that a minimum of twenty-five (25) percent of the front side shall remain open.

4. Regardless of the distance between buildings set forth in F. above, a carport attached to the main building is allowed in the side yard and on the side property line if:
 - a. It is structurally integrated with compatible building materials to the main building's roof;
 - b. It does not abut a carport, garage or similar structure on the adjacent lot; and
 - c. The property owner adjacent to the proposed carport grants to the City a five-foot wide nonbuildable easement, on a City form, recorded with the Maricopa County Recorder's Office and filed with the City.

~~I. Accessory buildings and structures.~~

~~1. On any lot:~~

- ~~a. No accessory building shall be located in the front yard.~~
- ~~b. No accessory building shall be located in the side yard between the front and rear building planes of the main building.~~
- ~~c. No accessory building shall be constructed closer than two (2) feet to any side or rear lot line. However, an accessory building used as a garage or carport may be constructed on the rear lot line with the entrance to the garage or carport perpendicular to the alley.~~
- ~~d. Any accessory building within a side yard or required rear yard, or accessory building used as a garage or carport with the entrance to the garage or carport perpendicular to the alley, which is more than twelve (12) feet in height shall be set back one (1) additional foot for each foot of building height above twelve (12) feet.~~
- ~~e. An electric or gas fire place is allowed in the front yard if:

 - ~~i. It does not exceed six (6) feet in height;~~
 - ~~ii. It is within the area enclosed by a wall;~~
 - ~~iii. The wall encloses not more than forty (40) percent of the front yard as set forth in E. above, and is setback a minimum of three (3) feet from the property line.~~~~

~~2. On a corner lot:~~

- ~~a. No accessory building shall be located in the front yard or in the yard on the longer street frontage.~~
- ~~b. A private garage, whether attached or detached, with perpendicular access through the yard on the longer street frontage, shall be located a minimum of twenty (20) feet from the right-of-way line.~~

~~J.I. Access. All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.~~

Sec. 5.505. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.506. Signs.

The provisions of article VIII shall apply.

Sec. 5.550. Single-family Residential (R1-5).

Sec. 5.551. Purpose.

This district is intended to provide an urban single-family residential development. This district is the most intense single-family district and provides a patio home style of development. It should provide a transition between attached and multi-family residential areas and modest density single-family areas. Uses incidental or accessory to dwellings, recreational, religious and educational facilities are included.

Sec. 5.552. Use regulations.

- A. *Permitted uses.* Buildings, structures or premises shall be used and buildings, structures and premises shall hereafter be erected, altered or enlarged only for the following uses:
 - 1. Any use shown as permitted in Table 5.102., subject to the use limitations as listed.
- B. *Uses permitted by conditional use permit.*
 - 1. Any use shown as permitted by conditional use permit in Table 5.102., subject to the use limitations as listed, and any additional conditional use permit criteria.

Sec. 5.553. Reserved.

Sec. 5.554. Property development standards.

The following property development standards shall apply to all land and buildings in the R1-5 District:

- A. *Lot area.*
 - 1. Each lot shall have a minimum area of not less than four thousand seven hundred (4,700) square feet.
- B. *Lot dimensions.*
 - 1. ~~Low~~Lot width. All lots shall have a minimum width of forty-five (45) feet. All corner lots at the intersection of two (2) streets shall have a minimum width of fifty-five (55) feet.
 - 2. Lot depth. All lots shall have a minimum depth of eight-five (85) feet.
- C. *Density.* There shall not be more than one (1) single-family dwelling unit on any one (1) lot.
- D. *Building height.* No building shall exceed thirty (30) feet in height, except as otherwise provided in article VII.
- E. *Yards.*
 - 1. Front Yard.
 - a. There shall be a front yard ~~which provides the following setbacks:~~ having a minimum depth of fifteen (15) feet.

- i. ~~Fifteen (15) feet from the property line to the main building.~~
- b. Where lots have double frontage on two (2) streets the required yard where access is not provided shall be:
 - i. Fifteen (15) feet from the property line where the street is a local residential street; or
 - ii. Twenty-five (25) feet from the property line where the street is a collector, arterial, parkway, expressway or freeway classification.

These requirements do not apply to fences and walls, pools and accessory buildings.

- c. ~~Where the lot is located at the intersection of two (2) or more streets~~ On a corner lot, there shall be a yard conforming to the front yard requirements on the street with the narrowest shortest frontage and a yard of not less than ten (10) feet in depth from property line to the main building on the longer street frontage. An attached private garage or carport that has direct access from a street along the longer street frontage of a corner lot shall not be located closer than twenty (20) feet to the back of ultimate street improvements. No accessory building or structure shall be constructed in the front yard of a corner lot's shortest street frontage. An accessory building or structure may be constructed in the front yard of a corner lot's longer street frontage subject to the requirements of Sec. 7.200.A.
2. Side Yards.
- a. There shall be a side yard on each side of a building of zero feet or five (5) feet or more.
 - b. There shall be an aggregate side yard width of ten (10) feet.
 - c. If there is to be a side yard setback of zero feet, all side yards for lots within the residential block where the zero side yards occur shall be clearly identified on the recorded subdivision plat.
3. Rear Yard. There shall be a rear yard of:
- a. Fifteen (15) feet where the rear yard abuts the following districts: Single-family Residential R1-5, Medium Density Residential R-3, Townhouse Residential R-4, Resort/Townhouse Residential R-4R, Multiple-family Residential R-5, Service Residential S-R, Regional Shopping Center C-S, Neighborhood Commercial C-1, Central Business C-2, Highway Commercial C-3, General Commercial C-4, Support Services SS, Commercial Office C-O, Planned Convenience Center PCoC, Planned Neighborhood Center PNC, Planned Community Center PCC, Planned Regional Center PRC, Downtown D, Light Employment I-G, Industrial Park I-1, Conservation Open Space COS, Open Space OS, Environmentally Sensitive Lands ESL; or
 - b. Twenty-five (25) feet where the rear year abuts other single-family residential districts, as shown on Table 4.100.A., or the single-family 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 single-family residential districts shown on Table 4.100.A.

- 4. Other requirements and exceptions as specified in Article VII.

F. *Garage setbacks.*

- 1. The garage or carport shall be set back from the back of street improvements according to the following table:

Angle of the face of the garage from parallel to the street	Minimum setback
0° (parallel) to 29°	20'
30° to 44°	17'
45° to 59°	14'
60° +	10'

In no case shall the garage or carport face be closer to the property line than ten (10) feet.

- 2. The sides and rear walls of a garage or carport shall conform to the standard main building yard requirements.

G. *Distance between buildings.*

- 1. There shall not be less than eight (8) feet between an accessory building or structure and main building.
- 2. The minimum distance between main buildings on adjacent lots shall not be less than ten (10) feet.

H. *Buildings, walls, fences and landscaping.*

- 1. Walls, fences and hedges up to eight (8) feet in height are allowed on the property line or within the required side or rear yard. Walls, fences and hedges up to three (3) feet in height are allowed on the front property line or within the required front yard except as provided in Article VII, subsection E.1.b. above and subsection 2. below. The height of the wall or fence is measured from within the enclosure.
- 2. In the front yard walls and fences a maximum of six (6) feet in height are allowed provided:
 - a. The yard enclosed by such wall or fence shall not include more than thirty-three (33) percent of the area between the front property line and the front setback line.
 - b. The wall or fence shall be set back three (3) feet from the front property line.
 - c. The provisions of Section 7.104 shall apply on corner lots.
- 3. In the required front yard patio covers are allowed when in conjunction with the enclosure of the front yard (as provided in Section 5.554.H.2) subject to the following requirements:
 - a. The area encompassed by the patio cover shall not include more than twenty (20) percent of the area between the front property line and the front setback line.

- b. The patio cover shall be set back a minimum of ten (10) feet from the front property line.
 - c. The patio cover shall be structurally integrated with similar or compatible building materials to the roof system of the main building.
 - d. The patio cover shall be constructed so that a minimum of fifty (50) percent of the roof structure is open and unobstructed to the sky.
- I. Access. All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

Sec. 5.555. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.556. Signs.

The provisions of article VIII shall apply.

Sec. 5.600. Two-family Residential (R-2).

Sec. 5.601. Purpose.

This district is intended to permit two-family dwellings; use incidental or accessory to dwellings; recreational, religious, educational facilities are included.

Sec. 5.602. Reserved.

Sec. 5.603. Use regulations.

- A. *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 5.102., subject to the use limitations as listed.
 - 2. Dwellings, two-family.
- B. *Uses permitted by conditional use permit.*
- 1. Any use shown as permitted by conditional use permit in Table 5.102., subject to the use limitations as listed, and any additional conditional use permit criteria.

Sec. 5.604. Property development standards.

The following property development standards shall apply to all land and buildings in the R-2 district:

- A. *Lot area.*
- 1. Each lot used for single-family or two-family residential purposes shall have a minimum lot area of eight thousand (8,000) square feet.
 - 2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorded prior to the date of the

passage of this ordinance, such lots may be used for any purpose permitted in this section.

- B. *Lot dimension.* Each lot used for single-family or two-family residential purposes shall have a width of not less than seventy (70) feet.
- C. *Density.* There shall not be more than one (1) single-family dwelling unit or one (1) two-family dwelling unit on any one (1) lot.
- D. *Building height.* No building shall exceed thirty (30) feet in height, except as otherwise provided in article VII.
- E. *Yards.*
1. *Front Yard.*
 - a. There shall be a front yard having a depth of not less than twenty (20) feet.
 - b. Where lots have a double frontage, the required front yard shall be provided on both streets.
 - c. ~~Where a lot is located at the intersection of two (2) or more streets,~~ On a corner lot, there shall be one (1) yard ~~shall that~~ conforms to the front yard requirements and one (1) yard ~~shall have~~ that has a depth of not less than ten (10) feet; provided, however, the buildable width of a lot of record at the time of passage of this ordinance need not be reduced to less than thirty (30) feet. An attached private garage or carport that has direct access from a street along the longer street frontage of a corner lot shall not be located closer than twenty (20) feet to the back of ultimate street improvements.
 - d. No accessory building or structure shall project into yards required to conform with the front yard requirements.
 2. *Side Yard.* There shall be side yards on each side of a building having an aggregate width of not less than fourteen (14) feet; provided, however, the minimum side yard shall not be less than five (5) feet in width.
 3. *Rear Yard.* There shall be a rear yard having a depth of not less than thirty (30) feet.
 4. Other requirements and exceptions as specified in article VII.
- F. *Distance between buildings.*
1. There shall not be less than ten (10) feet between a main building and an accessory building or structure.
 2. The minimum distance between main buildings on adjacent lots shall be fourteen (14) feet.
- G. *Buildings, walls, fences and landscaping.* Walls, fences and hedges not to exceed six (6) feet in height shall be permitted on the property line or within the required side or rear yard. Walls, fences and hedges shall not exceed three (3) feet in height on the required front property line or within the required front yard except as provided in article VII.
- H. *Access.* All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

Sec. 5.605. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.606. Signs.

The provisions of article VIII shall apply.

Sec. 5.700. Medium Density Residential (R-3).

Sec. 5.701. Purpose.

This district is intended to fulfill the need for medium density residential development. The property development standards are designed to allow maximum flexibility while maintaining an environment compatible with single-family neighborhoods. This district will generally serve as an integral part of the neighborhood, allowing for a variety of housing types.

Sec. 5.702. Reserved.

Sec. 5.703. Use regulations.

- A. *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 5.703., subject to the use limitations as listed.
- B. *Uses permitted by conditional use permit.*
 - 1. Any use shown as permitted by conditional use permit in Table 5.703., subject to the use limitations as listed, and any additional conditional use permit criteria.

Table 5.703. Use Table

Land Uses	Permitted (P) or Conditional Use (CU)
1. Accessory buildings and structures including private garages, swimming pools, and recreation buildings and courts	P (8)
2. Accessory Dwelling Unit	P (9)
2.3. Accessory uses including home occupation and swimming pools	P (1) (10)
3.4. Community buildings and recreational facilities not publicly owned, such as: athletic fields, boys' clubs, commercial stables, ranches, and tennis clubs (see Section 1.403. for criteria)	CU
4.5. Day care home	P
6. Dwelling, multiple	P
5.7. Dwelling unit(s), single-family, including Vacation rental or Short-term rental	P
6.8. Educational service, elementary and secondary school (see Section 1.403. for criteria)	CU (2) (3)

7.9. Educational service, other than elementary and secondary school, colleges and universities only (see Section 1.403. for criteria)	CU (2)
8.10. Group home	P
9.11. Model home, temporary sales office/buildings	P (4)
10.12. Municipal uses	P
11.13. Place of worship	P (5)
12.14. Residential health care facility (see Section 1.403. for criteria, except as modified in Section 5.704.C.)	CU
15. Residential Recreation Area	P (11)
13.16. Wireless communication facility, Type 1, 2 and 3	P (6)
14.17. Wireless communication facility, Type 4	CU (7)

Use Limitations:

- (1) The landing and taking-off of aircraft is not a valid accessory use in residential districts and is prohibited.
- (2) Conditional use permit is not required for public or charter educational services.
- (3) Educational service, charter school: minimum lot size is forty-three thousand (43,000) square feet.
- (4) For uses incidental to construction work and/or home sales, to be removed upon completion or abandonment of construction work and/or home sales.
- (5) Place of worship subject to compliance with the following standards, as well as those otherwise required in the underlying District:
 - a. *Lot area:* The minimum lot area shall be equal to that required for the district, except that no lot shall be less than twenty thousand (20,000) square feet (net).
 - b. *Floor area ratio:* In no case shall the gross floor area of the structure(s) exceed an amount equal to 0.20 multiplied by the net lot area.
 - c. *Building height:* Development Review Board may allow building heights, including towers, spires, and mechanical equipment (such equipment must be screened) limited to thirty (30) feet in height, and may allow a maximum of ten (10) percent of the roof area to exceed the height limit by fifteen (15) feet. Height and location are subject to the Development Review Board review and approval for compatibility with the established neighborhood character. Maximum permissible heights may not be achievable in all neighborhoods. (This provision supersedes Section 7.100. through 7.102., exceptions to height restrictions, which shall not apply to churches within the underlying District.)
 - d. *Required open space:*
 - i. Minimum: 0.24 multiplied by the net lot area.
 - ii. For 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. *Parking:*
- i. Parking shall observe the minimum front yard setbacks of the underlying District for all frontages. On streets classified in the Transportation Master Plan as major arterial or greater, parking may be located between the established front building line and the front yard setback. On all other street classifications, parking shall be located behind the established front building lines.
 - ii. A minimum of fifteen (15) percent of all parking areas shall be landscaped.
 - iii. A ten-foot minimum landscaped setback shall be provided where parking is adjacent to residential districts 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.
- f. *Lighting:*
- i. All pole-mounted lighting shall be directed down and shielded and shall be a maximum of sixteen (16) feet in height.
 - ii. All lighting adjacent to residential districts 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., shall be set back a minimum of thirty (30) feet from the property line. All lighting, other than security, shall be shut off by 10:00 p.m.
 - iii. All lighting, other than security, shall be turned off by 10:00 p.m., unless otherwise approved through a special event permit.
- g. *Screening:*
- i. There shall be a minimum six-foot high masonry wall and/or landscape screen, as approved by the Development Review Board, on the side and rear property lines that are adjacent to residential districts 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. There shall be a three-foot high landscaped berm along all street frontages where parking occurs.
- h. *Access:*
- i. All places of worship must have primary access to a street classified in the Transportation Master Plan as a minor collector or greater.
 - ii. Access to a local or local collector residential street is prohibited when the primary worship center, auditorium, or other major gathering place exceeds three thousand (3,000) square feet.
- i. *Operations:* No outdoor activities shall be permitted after 10:00 p.m.

- j. *Noise*: Outdoor speakers or paging systems are not allowed.
- (6) Subject to the requirements of Sections 1.904., 3.100., and 7.200.
- (7) Subject to the requirements of Sections 1.400., 3.100., and 7.200.
- (8) Accessory buildings and structures subject to the property development standards of the R-3 zoning district.
- (9) Accessory Dwelling Unit subject to the requirements of Section 7.900.
- (10) Swimming pools subject to the requirements of Section 7.200.E.
- (11) Residential Recreation Area subject to the requirements of Section 7.200.G.1.

Sec. 5.704. Property development standards.

The following property development standards shall apply to all land and buildings in the R-3 District:

A. *Required open space.*

1. Minimum open space: 0.36 multiplied by the net lot area distributed as follows.
 - a. Frontage open space minimum: 0.12 multiplied by the net lot area, except as follows:
 - i. Minimum: Twenty (20) square feet per one (1) linear foot of public street frontage.
 - ii. Not required to exceed fifty (50) square feet per one (1) linear foot of public street frontage.
 - b. The remainder of the minimum open space, less the frontage open space, shall be common open space.
2. Private outdoor living space.
 - a. First story dwelling units, minimum: 0.10 multiplied by the gross floor area of the unit.
 - b. Dwelling units above the first story, minimum: 0.05 multiplied by the gross floor area of the unit.
 - c. The private outdoor living space shall be located beside the dwelling unit which it serves and shall be for the exclusive use of the unit occupant(s), but is not part of the unit's gross floor area.
3. Parking areas and parking lot landscaping are not included in the required open space.

B. *Building height.*

1. No building shall exceed thirty (30) feet in height except as otherwise provided in article VII.
2. If the R-3 development abuts a single-family residential district or an alley abutting a single-family residential district, the building height may be limited to one (1) story as determined by Development Review Board approval.

C. *Density.*

1. The minimum gross land area per dwelling unit shall be three thousand three hundred seventy (3,370) square feet.
2. Specialized residential health care facility: the number of beds shall not exceed forty-three (43) beds per gross acre of land.
3. Minimal residential health care facility: the number of dwelling units shall not exceed twenty-two (22) dwelling units per gross acre of land.

D. *Building setback.*

1. Wherever an R-3 development abuts an R-1, R-4, R-4R or M-H district or an alley abutting any of those districts, a yard of not less than fifteen (15) feet shall be maintained, except that accessory buildings for purpose of storage or carports may be constructed to within fifteen (15) feet of the adjacent district boundary line.
2. Whenever an R-3 development abuts any district other than R-1, R-2, R-4, R-4R or M-H or abuts an alley adjacent to such other district, a building may be constructed on the property line. However, if any yard is to be maintained, it shall be not less than ten (10) feet in depth. Larger yards may be required by the Development Review [Board] or City Council if the existing or future development of the area around the site warrants such larger yards.

E. *Distance between buildings.* There shall be not less than ten (10) feet between an accessory building or structure and the main building or between two (2) main buildings, except that an accessory building or structure with two (2) or more open sides, one (1) of which is adjacent to the main building, may be built to within six (6) feet of the main building.

F. *Walls, fences and required screening.*

1. Walls, fences and hedges not to exceed eight (8) feet in height shall be permitted on the property line or within the required yard areas, except within the required frontage open space, within which they may not exceed three (3) feet in height, or except as otherwise provided in article VII.
2. All parking areas shall be screened from view from all public streets.
3. All mechanical structures and appurtenances shall be screened as approved by the Development Review Board.
4. All storage and refuse areas shall be screened as determined by the Development Review Board.

G. *Access.* All lots shall have frontage on and have vehicular access from a dedicated street, unless a secondary means of permanent vehicle access has been approved by the Development Review Board.

Sec. 5.705. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.706. Signs.

The provisions of article VIII shall apply.

Sec. 5.707. Landscaping.

Unless otherwise provided, the provisions of Article X. apply.

Sec. 5.800. Townhouse Residential (R-4).

Sec. 5.801. Purpose.

This district is intended to provide for relatively low density development having individual ownership and built-in privacy either in the form of party wall construction or enclosed yards and courts.

Sec. 5.802. Development plan.

A. Development Plan at time of rezoning.

1. The Planning Commission or City Council may require any application for rezoning to the R-4 District to be accompanied by Development Plan which shall show the following:
 - a. Topography.
 - b. Proposed street system.
 - c. Proposed block layouts.
 - d. Proposed reservation for parks, parkways, playgrounds, recreation areas and other open spaces.
 - e. Off-street parking space.
 - f. Types of dwelling and portions of the area proposed therefor.
 - g. Locations of dwellings, garages and/or parking spaces.
 - h. A tabulation of the total number of acres in the proposed project and a percentage thereof designated for the proposed dwelling types.
 - i. A tabulation of overall density per gross acres.
 - j. Preliminary plans and elevations of the several dwelling types.

Sec. 5.803. Use regulations.

A. Permitted uses. Building, 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 5.803., subject to the use limitations as listed.

B. Uses permitted by conditional use permit.

1. Any use shown as permitted by conditional use permit in Table 5.803., subject to the use limitations as listed, and any additional conditional use permit criteria.

Table 5.803. Use Table

Land Uses	Permitted (P) or Conditional Use (CU)
1. Accessory buildings and structures including private garages, swimming pools, and recreation buildings and courts	P (7)
2. Accessory Dwelling Unit	P (8)
2.3. Accessory uses including home occupation and swimming pools	P (1) (9)
3.4. Community buildings and recreational facilities not publicly owned, such as: athletic fields, boys' clubs, commercial stables, ranches, and tennis clubs (see Section 1.403. for criteria)	CU
4.5. Day care home	P
6. Dwelling, multiple	P
7. Dwelling unit, single-family, having either party walls or walled courtyards, including Vacation rental or Short-term rental	P
5.8. Educational service, elementary and secondary school (see Section 1.403. for criteria)	CU (2) (3)
6.9. Educational service, other than elementary and secondary school, colleges and universities only (see Section 1.403. for criteria)	CU (2)
7.10. Group home	P
8.11. Model home, temporary sales office/buildings	P (4)
9.12. Municipal uses	P
10.13. Place of worship	P
11.14. Residential health care facility (see Section 1.403. for criteria, except as modified in Section 5.804.D.)	CU
12.15. Single family dwelling having either party walls or walled courtyards, including Vacation rental or Short term rental Residential Recreation Area	P (10)
13.16. Wireless communication facility, Type 1, 2 and 3	P (5)
14.17. Wireless communication facility, Type 4	CU (6)

Use Limitations:

- (1) The landing and taking-off of aircraft is not a valid accessory use in residential districts and is prohibited.
- (2) Conditional use permit is not required for public or charter educational services.
- (3) Educational service, charter school: minimum lot size is forty-three thousand (43,000) square feet.
- (4) For uses incidental to construction work and/or home sales, to be removed upon completion or abandonment of construction work and/or home sales.
- (5) Subject to the requirements of Sections 1.904., 3.100., and 7.200.
- (6) Subject to the requirements of Sections 1.400., 3.100., and 7.200.

- (7) Accessory buildings and structures subject to the property development standards of the R-4 zoning district.
- (8) Accessory Dwelling Unit subject to the requirements of Section 7.900.
- (9) Swimming pools subject to the requirements of Section 7.200.E.
- (10) Residential Recreation Area subject to the requirements of Section 7.200.G.1.

Sec. 5.804. Property development standards.

The following property standards shall apply to all land and buildings in the R-4 district:

A. *Minimum property size.*

- 1. Any property for which R-4 zoning is requested shall contain a minimum of eight thousand (8,000) square feet.

B. *Required common open space.*

- 1. Minimum: 0.10 multiplied by the total gross land area of the development, including landscape areas and recreation areas.
- 2. Accessory buildings for recreation may occupy up to 0.15 multiplied by the minimum required common open space.
- 3. This common open space is not required for developments with densities of less than five (5) units per acre.
- 4. The City Council may waive this common open space requirement based on the development's relationship with an existing public park or recreation area.

C. *Building height.*

- 1. The building height shall be as determined by Development Review Board except that no building shall exceed thirty (30) feet in height and except as otherwise provided in article VII.
- 2. If the R-4 development abuts a single-family residential district or an alley abutting a single-family residential district, the City Council may limit the building height to one (1) story as determined by Development Review Board.

D. *Density.*

- 1. The overall density shall not exceed one (1) dwelling unit per five thousand two hundred forty (5,240) square feet of gross land area.
- 2. Specialized residential health care facility: the number of beds shall not exceed twenty-eight (28) beds per gross acre of land.
- 3. Minimal residential health care facility: the number of units shall not exceed fourteen (14) dwelling units per gross acre of land.

E. *Building setback.*

- 1. Wherever an R-4 development abuts an R-1, R-4R or M-H district or an alley abutting any of those districts, the following shall apply:

- a. A yard of not less than fifteen (15) feet shall be maintained for the single story structures.
 - b. An additional depth of ten (10) feet shall be provided for each additional story.
2. Within an R-4 development or wherever an R-4 development abuts any district other than R-1, R-4R or M-H, or abuts an alley adjacent to such other district, a building may be constructed on the property line. However, if any yard is to be maintained, it shall be not less than ten (10) feet in depth. Larger yards may be required by the Development Review [Board] or City Council if the existing or future development of the area around the site warrants such larger yards.
 3. No building or part thereof shall be erected or altered in this district that is nearer a dedicated street than fifteen (15) feet except that the average setback from any dedicated street shall be twenty (20) feet.

Exception:

- a. Where a lot is located at the intersection of two (2) or more streets the setback on one (1) street shall be not less than ten (10) feet.
4. No more than thirty (30) percent of the frontage dwelling units shall have living space above one (1) story in height that is located within fifty (50) feet of any dedicated street.

F. *Distance between buildings.*

1. There shall not be less than ten (10) feet between an accessory building or structure and a main building or between two (2) main buildings, except that an accessory building or structure with two (2) or more open sides, one (1) of which is adjacent to the main building, may be built to within six (6) feet of the main building.

G. *Walls, fences and required screening.*

1. Walls, fences and hedges up to eight (8) feet in height are allowed on the property line or within the required yard areas, except within the required frontage open space, within which they may not exceed three (3) feet in height, or except as otherwise provided in Article VII.
2. All parking areas shall be screened to a height of three (3) feet above the parking surface.
3. Storage and refuse areas shall be screened as determined by Development Review Board.

H. *Access.* Access shall be as determined by Development Review Board.

Sec. 5.805. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.806. Signs.

The provisions of article VIII shall apply.

Sec. 5.807. Landscaping.

Unless otherwise provided, the provisions of Article X. apply.

Sec. 5.900. Resort/Townhouse Residential (R-4R).

Sec. 5.901. Purpose.

This district is intended primarily for self-contained accommodations which include recreational amenities and services customarily furnished at hotels, including the service of meals. Additionally, the district provides for residential development having either party walls or walled courtyards.

Sec. 5.902. Development plan.

A. Development Plan at time of rezoning.

1. The Planning Commission or City Council may require any application for rezoning to the R-4R District to be accompanied by a Development Plan which shall show the following:
 - a. Topography.
 - b. Proposed street system.
 - c. Proposed block layouts.
 - d. Proposed reservation for parks, parkways, playgrounds, recreation areas and other open spaces.
 - e. Off-street parking space.
 - f. Types of buildings and portions of the area proposed therefor.
 - g. Locations of buildings, garages and/or parking spaces.
 - h. A tabulation of the total number of acres in the proposed project and a percentage thereof designated for the proposed building types.
 - i. A tabulation of overall density per gross acres.
 - j. Preliminary plans and elevations of proposed major buildings and any proposed dwelling types.

Sec. 5.903. Use regulations.

A. 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 5.903., subject to the use limitations as listed.

B. Uses permitted by conditional use permit.

1. Any use shown as permitted by conditional use permit in Table 5.903., subject to the use limitations as listed, and any additional conditional use permit criteria.

Table 5.903. Use Table

Land Uses	Permitted (P) or Conditional Use (CU)
1. Accessory buildings and structures including private garages, swimming pools, recreation buildings and courts, and walled driveway entrances	P (7)
2. Accessory Dwelling Unit	P (8)
2.3. Accessory uses including home occupation and swimming pools	P (1) (9)
3.4. Community buildings and recreational facilities not publicly owned, such as: athletic fields, boys' clubs, commercial stables, ranches, and tennis clubs (see Section 1.403. for criteria)	CU
4.5. Day care home	P
6. Dwelling, multiple	P
5.7. Dwelling unit(s), single-family, having party walls or walled courtyards, including Vacation rental or Short-term rental	P
6.8. Educational service, elementary and secondary school (see Section 1.403. for criteria)	CU (2) (3)
7.9. Educational service, other than elementary and secondary school, colleges and universities only (see Section 1.403. for criteria)	CU (2)
8.10. Golf course	CU
9.11. Group home	P
10.12. Model home, temporary sales office/buildings	P (4)
11.13. Municipal uses	P
12.14. Place of worship	P
15. Residential Recreation Area	P (10)
13.16. Travel accommodation	P
14.17. Wireless communication facility, Type 1, 2 and 3	P (5)
15.18. Wireless communication facility, Type 4	CU (6)

Use Limitations:

- (1) The landing and taking-off of aircraft is not a valid accessory use in residential districts and is prohibited.
- (2) Conditional use permit is not required for public or charter educational services.
- (3) Educational service, charter school: minimum lot size is forty-three thousand (43,000) square feet.
- (4) For uses incidental to construction work and/or home sales, to be removed upon completion or abandonment of construction work and/or home sales.
- (5) Subject to the requirements of Sections 1.904., 3.100., and 7.200.
- (6) Subject to the requirements of Sections 1.400., 3.100., and 7.200.
- (7) Accessory buildings and structures subject to the requirements of Section 7.200.A.
- (8) Accessory Dwelling Unit subject to the requirements of Section 7.900.

(9) Swimming pools subject to the requirements of Section 7.200.E.

(10) Residential Recreation Area subject to the requirements of Section 7.200.G.1.

Sec. 5.904. Property development standards.

The following property development standards shall apply to all land and buildings in the R-4R District:

- A. *Lot area.* The overall site shall contain a minimum of seven and one-half (7½) acres prior to street dedications.
- B. *Lot dimensions.*
 - 1. Width. The overall site shall have a minimum width of three hundred (300) feet.
- C. *Density.*
 - 1. The minimum gross land area per guest room shall be four thousand one hundred (4,100) square feet.
 - 2. The minimum gross land area per dwelling unit having either party walls or walled courtyards made available for rent, lease or sale shall be five thousand seven hundred seventy (5,770) square feet.
 - 3. Buildings may cover an aggregate area of twenty-five (25) percent excluding parking areas.
 - 4. The City Council may regulate concentrations of density by site plan approval.
- D. *Building height.*
 - 1. No building shall exceed thirty-five (35) feet in height.
- E. *Overall side yard requirements.*
 - 1. There shall be a yard a minimum of thirty (30) feet in depth adjacent to all perimeter property lines, including property lines abutting perimeter streets, except that the minimum yard shall be only twenty (20) feet adjacent to those perimeter property lines that abut districts other than a single-family residential district shown on Table 4.100.A., or the single-family 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 single-family residential districts shown on Table 4.100.A.
 - 2. Within one hundred (100) feet of any perimeter street or any single-family residential district shown on Table 4.100.A., or the single-family 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 single-family residential districts shown on Table 4.100.A., all buildings shall be:
 - a. Used only for guest rooms that are detached from central hotel facilities or for dwelling units.
 - b. A maximum of one (1) story in height.

- 3. There shall be a yard a minimum of one hundred (100) feet in depth adjacent to all perimeter streets, maintained as open space except for vehicular access ways, unless buildings as allowed in 2. above are constructed.
- 4. Within fifty (50) feet of any district boundary line other than a single-family residential district shown on Table 4.100.A., or the single-family 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 single-family residential districts shown on Table 4.100.A., or any property line abutting additional Resort/Townhouse Residential R-4R zoning, all buildings shall be:
 - a. Used only for guest rooms that are detached from central hotel facilities or for dwelling units.
 - b. A maximum of one (1) story in height.
- F. *Walls, fences and landscaping.* Walls, fences and hedges up to eight (8) feet in height and walled driveway entrances up to six (6) feet in height are permitted, except that walls, fences and hedges up to three (3) feet in height in the required one hundred-foot yard along street frontages and in the ten (10) feet adjacent to the street where a thirty-foot setback is allowed along street frontages. Those yards must be maintained as landscape areas and may be penetrated by pedestrian and vehicular access ways only. Walled driveway entrances up to six (6) feet in height are permitted within the setback requirements if such entrance is compatible with the surrounding development.
- G. Other requirements and exceptions as specified in article VII.

Sec. 5.905. Parking.

The provisions of article IX shall apply.

Sec. 5.906. Signs.

The provisions of article VIII shall apply.

Sec. 5.907. Landscaping.

Unless otherwise provided, the provisions of Article X. apply.

Sec. 5.1000. Multiple-family Residential (R-5).

Sec. 5.1001. Purpose.

This district is intended to provide for development of multiple-family residential and allows a high density of population with a proportional increase in amenities as the density rises. The district is basically residential in character and promotes a high quality environment through aesthetically oriented property development standards.

Sec. 5.1002. Reserved.

Sec. 5.1003. Use regulations.

- A. *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 5.1003., subject to the use limitations as listed.
- B. *Uses permitted by conditional use permit.*
 - 1. Any use shown as permitted by conditional use permit in Table 5.1003., subject to the use limitations as listed, and any additional conditional use permit criteria.

Table 5.1003. Use Table

Land Uses	Permitted (P) or Conditional Use (CU)
1. Accessory buildings and structures including private garages, swimming pools, and recreation buildings and courts	P (6)
2. Accessory Dwelling Unit	P (7)
2-3. Accessory uses including home occupation and swimming pools	P (1) (8)
3-4. Commercial and/or ham transmitting or receiving radio and television antennas in excess of seventy (70) feet	CU
4-5. Community buildings and recreational facilities not publicly owned, such as: athletic fields, boys' clubs, commercial stables, private lake, ranches, semi-private lake, and tennis clubs (see Section 1.403. for criteria)	CU
5-6. Day care home	P
6-7. Day care center	CU
7-8. Dwelling unit, single-family detached or attached, including Vacation rental or Short-term rental	P
8-9. Dwelling, multi-family/multiple	P
9-10. Educational service, elementary and secondary school (see Section 1.403. for criteria)	CU (2)
10-11. Educational service, other than elementary and secondary school, colleges and universities only (see Section 1.403. for criteria)	CU (2)
11-12. Golf course, regulation or par-three, that is incidental to and located within the development	CU
12-13. Group home	P
13-14. Model home, temporary sales office/buildings	P (3)
14-15. Municipal uses	P
15-16. Place of worship	P
16-17. Plant nursery (see Section 1.403. for criteria)	CU
17-18. Private club	CU
18-19. Public buildings other than hospitals	CU
19-20. Public utility buildings, structures or appurtenances thereto for public service uses	CU
20-21. Residential health care facility (see Section 1.403. for criteria)	CU

22. Residential Recreation Area	P (9)
21.23. Travel accommodation	CU
22.24. Wireless communication facility, Type 1, 2 and 3	P (4)
23.25. Wireless communication facility, Type 4	CU (5)

Use Limitations:

- (1) The landing and taking-off of aircraft is not a valid accessory use in residential districts and is prohibited.
- (2) Conditional use permit is not required for public or charter educational services.
- (3) For uses incidental to construction work and/or home sales, to be removed upon completion or abandonment of construction work and/or home sales.
- (4) Subject to the requirements of Sections 1.904., 3.100., and 7.200.
- (5) Subject to the requirements of Sections 1.400., 3.100., and 7.200.
- (6) Accessory buildings and structures subject to the property development standards of the R-5 zoning district.
- (7) Accessory Dwelling Unit subject to the requirements of Section 7.900.
- (8) Swimming pools subject to the requirements of Section 7.200.E.
- (9) Residential Recreation Area subject to the requirements of Section 7.200.G.1.

Sec. 5.1004. Property development standards.

The following property development standards shall apply to all land and buildings in the R-5 District.

A. *Minimum property size.*

1. Each parcel or lot within a development shall be a minimum net lot size of thirty-five thousand (35,000) square feet.
2. If an R-5 zoned parcel of land or a lot of record in separate ownership has an area of less than thirty-five thousand (35,000) square feet and has been lawfully established and re-corded prior to the adoption of this requirement on October 2, 1979, such lot may be used for any purpose permitted in this section, subject to all other requirements of this ordinance.

B. *Required open space.*

1. Density based uses.
 - a. Minimum open space per Section 5.1004.D., distributed as follows:
 - i. Frontage open space minimum: 0.50 multiplied by the minimum open space per Section 5.1004.D., except as follows:
 - (1) Minimum: Twenty (20) square feet per one (1) linear foot of public street frontage.

- (2) Not required to exceed more than fifty (50) square feet per one (1) linear foot of public street frontage.
 - ii. The remainder of the density based uses minimum open space per Section 5.1004.D., less the frontage open space, shall be common open space.
 - b. Private outdoor living space.
 - i. First story dwelling units, minimum: 0.10 multiplied by the gross floor area of the unit.
 - ii. Dwelling units above the first story, minimum: 0.05 multiplied by the gross floor area of the unit.
 - iii. The private outdoor living space shall be located beside the dwelling unit which it serves and shall be for the exclusive use of the unit occupant(s), but is not part of the unit's gross floor area.
 - 2. Non-density based uses.
 - a. Minimum open space: 0.24 multiplied by the net lot area distributed as follows.
 - i. Frontage open space minimum: 0.50 multiplied by the minimum open space.
 - ii. The remainder of the non-density based uses minimum open space, less the frontage open space, shall be provided as common open space.
 - 3. Parking areas and parking lot landscaping are not included in the required open space.
- C. *Building height.*
- 1. No building shall exceed thirty-six (36) feet in height except as otherwise provided in article VII.
 - 2. Building height shall not exceed one (1) story within fifty (50) feet of any R-1, R-2, R-3, R-4, R-4R or M-H district boundary line.
- D. *Density requirements.* Compliance with the standards under columns 3 and 4 determine allowable density for dwelling and guest units.

ALLOWABLE DENSITY		STANDARDS	
1	2	3	4
Dwelling Units Per Acre (and corresponding gross land area per unit requirement)	Timeshare or Guest Units Per Acre (and corresponding gross land area per unit requirement)	Minimum Percentage of Net Lot Area to be maintained in Open Space	Minimum Percentage of the Tree Requirement to be provided in Mature Trees
17 (2562) or less	24 (1816) or less	22	40
18 (2422)	25.5 (1708)	25	50
19 (2292)	27 (1613)	28	60
20 (2180)	28.5 (1528)	31	70
21 (2074)	30 (1452)	34	80
22 (1980)	31.5 (1382)	37	90
23 (1890)	33 (1320)	40	100

E. *Building setback.*

1. Wherever an R-5 development abuts an R-1, R-2, R-3, R-4, R-4R or M-H district or an alley abutting any of those districts, a yard of not less than fifteen (15) feet shall be maintained.
2. Wherever an R-5 development abuts any district other than R-1, R-2, R-3, R-4, R-4R or M-H, or abuts an alley adjacent to such other district, a building may be constructed on the property line. However, if any yard is to be maintained, it shall be not less than ten (10) feet in depth. Larger yards may be required by the Development Review Board or City Council if the existing or future development of the area around the site warrants such larger yards.

F. *Distance between buildings.*

1. There shall not be less than ten (10) feet between an accessory building or structure and a main building or between two (2) main buildings, except that an accessory building or structure with two (2) or more open sides, one (1) of which is adjacent to the main building, may be built to within six (6) feet of the main building.

G. *Walls, fences and required screening.*

1. Walls, fences and hedges not to exceed eight (8) feet in height shall be permitted on the property line or within the required yard areas, except within the required frontage open spaces, within which they may not exceed three (3) feet in height, or except as otherwise provided in article VII.
2. All parking areas adjacent to a public street shall be screened with a wall to a height of three (3) feet above the parking surface.
3. All mechanical structures and appurtenances shall be screened as approved by the Development Review Board.
4. All storage and refuse areas shall be screened as determined by Development Review [Board].

H. *Access.* All lots shall have frontage on and have vehicular access from a dedicated street, unless a secondary means of permanent vehicle access has been approved by the Development Review Board.

Sec. 5.1005. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.1006. Signs.

The provisions of article VIII shall apply.

Sec. 5.1007. Landscaping.

Unless otherwise provided, the provisions of Article X. apply.

Sec. 5.1100. Service Residential (S-R).

Sec. 5.1101. Purpose.

This district is transitional, intended primarily to provide offices of a residential scale and character, to serve nearby neighborhoods; and secondarily, to offer medium density residential land uses. Strict property development standards lessen the impact of more intense land uses on adjacent single-family residential districts, while encouraging sensitive design.

Sec. 5.1102. Use regulations.

- A. *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 11.201.A., subject to the limitations as listed.
- B. *Uses permitted by conditional use permit.*
 - 1. Any use shown as permitted by conditional use permit in Table 11.201.A., subject to the limitations as listed, and any additional conditional use permit criteria.

Sec. 5.1103. Property development standards.

The following property development standards shall apply to all land and buildings in the S-R District.

- A. *Density.*
 - 1. Maximum: 12 dwelling units per acre of gross lot area.
- B. *Building height (excluding rooftop appurtenances).* Maximum: 18 feet.
- C. *Required open space.*
 - 1. Density based uses. Minimum open space: 0.36 multiplied by the net lot area.
 - 2. Non-density based uses. Minimum open space: 0.24 multiplied by the net lot area.
 - 3. Minimum open space is distributed as follows:
 - a. Frontage open space minimum: 0.12 multiplied by the net lot area, except as follows:
 - i. Lots with one (1) street frontage. Not required to exceed fifty (50) square feet per one (1) linear foot of public street frontage excluding driveways.
 - ii. Lots with two (2) or more street frontages.
 - (1) Minimum: Twenty (20) square feet per one (1) linear foot of public street frontage excluding driveways, for one (1) street.
 - (2) Minimum: Ten (10) square feet per one (1) linear foot of public street frontage excluding driveways, for all other streets.
 - b. The remainder of the minimum open space, less the frontage open space, shall be common open space.
 - 4. Private outdoor living space.

- a. Ground floor dwelling units, minimum: 0.10 multiplied by the gross floor area of the unit.
 - b. Above the ground floor dwelling units, minimum: 0.05 multiplied by the gross floor area of the unit.
 - c. The private outdoor living space shall be located beside the dwelling unit which it serves and shall be for the exclusive use of the unit occupant(s), but is not part of the unit's gross floor area.
- 5. Parking areas and parking lot landscaping are not included in the required open space.
 - 6. NAOS may be included in the required open space.
- D. *Distance between buildings.*
- 1. Minimum: 10 feet between all buildings.
 - 2. However an accessory building or structure with two or more open sides, one which is adjacent to the main building, minimum: 6 feet to the main building.
- E. *Walls and fences.*
- 1. On side and rear property lines, walls and fences are permitted. Maximum height: eight feet.
 - 2. Within frontage open space: Maximum height: three feet.
- F. *Screening.*
- 1. All operations shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by Development Review Board approval.

Sec. 5.1104. General provisions.

Unless otherwise provided, the provisions of Article VII. shall apply.

Sec. 5.1105. Signs.

The provisions of Article VIII shall apply.

Sec. 5.1106. Off-street parking.

The provisions of Article IX shall apply.

Sec. 5.1107. Landscaping.

Unless otherwise provided, the provisions of Article X. shall apply.

Section 4. That the Zoning Ordinance of the City of Scottsdale, ARTICLE V. – DISTRICT REGULATIONS, Sections 5.2000. through 5.2008. are amended as follows with all new language depicted in grey shading and deleted language in strike-through:

Sec. 5.2000. Manufactured Home (M-H).

Sec. 5.2001. Purpose.

This district is intended to provide for the development of manufactured home parks at standards consistent with the health, safety and welfare of the community. Further, it is intended that, by the criteria set forth in this section said development will better the existing environment.

Sec. 5.2002. Reserved.

Sec. 5.2003. Use regulations.

- A. *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 5.2003., subject to the use limitations as listed.
- B. *Uses permitted by conditional use permit.*
 - 1. Any use shown as permitted by conditional use permit in Table 5.2003., subject to the use limitations as listed, and any additional conditional use permit criteria.

Table 5.2003. Use Table

Land Uses	Permitted (P) or Conditional Use (CU)
1. Accessory buildings and structures including private garages, swimming pools, and recreation buildings and courts	P (7)
2. Accessory Dwelling Unit	P (8)
2.3. Accessory uses including home occupation and swimming pools	P (1) (9)
3.4. Community buildings and recreational facilities not publicly owned, such as: athletic fields, boys' clubs, commercial stables, ranches, and tennis clubs (see Section 1.403. for criteria)	CU
4.5. Day care group home	P
5.6. Day care home	P
7. Dwelling, single-family	P
6.8. Educational service, elementary and secondary school (see Section 1.403. for criteria)	CU (2)
7.9. Educational service, other than elementary and secondary school, colleges and universities only (see Section 1.403. for criteria)	CU (2)
8.10. Installation of residential trailers and manufactured homes	P
9.11. Model home, temporary sales office/buildings	P (3)
10.12. Municipal uses	P
11.13. Place of worship	P (4)
12.14. Public utility buildings, structures or appurtenances thereto for public uses	CU

13. 15. Single family dwelling units Residential Recreation Area	P (10)
14. 16. Wireless communication facility, Type 1, 2 and 3	P (5)
15. 17. Wireless communication facility, Type 4	CU (6)

Use Limitations:

- (1) The landing and taking-off of aircraft is not a valid accessory use in residential districts and is prohibited.
- (2) Conditional use permit is not required for public or charter educational services.
- (3) For uses incidental to construction work and/or home sales, to be removed upon completion or abandonment of construction work and/or home sales.
- (4) Place of worship subject to compliance with the following standards, as well as those otherwise required in the underlying District:
 - a. *Lot area:* The minimum lot area shall be equal to that required for the district, except that no lot shall be less than twenty thousand (20,000) square feet (net).
 - b. *Floor area ratio:* In no case shall the gross floor area of the structure(s) exceed an amount equal to 0.20 multiplied by the net lot area.
 - c. *Building height:* Development Review Board may allow building heights, including towers, spires, and mechanical equipment (such equipment must be screened) limited to thirty (30) feet in height, and may allow a maximum of ten (10) percent of the roof area to exceed the height limit by fifteen (15) feet. Height and location are subject to the Development Review Board review and approval for compatibility with the established neighborhood character. Maximum permissible heights may not be achievable in all neighborhoods. (This provision supersedes Section 7.100. through 7.102., exceptions to height restrictions, which shall not apply to churches within the underlying District.)
 - d. *Required open space:*
 - i. Minimum: 0.24 multiplied by the net lot area.
 - ii. For 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. *Parking:*
 - i. Parking shall observe the minimum front yard setbacks of the underlying District for all frontages. On streets classified in the Transportation Master Plan as major arterial or greater, parking may be located between the established front building line and the front yard setback. On all other street classifications, parking shall be located behind the established front building lines.
 - ii. A minimum of fifteen (15) percent of all parking areas shall be landscaped.
 - iii. A ten-foot minimum landscaped setback shall be provided where parking is adjacent to residential districts 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.

- f. *Lighting:*
- i. All pole-mounted lighting shall be directed down and shielded and shall be a maximum of sixteen (16) feet in height.
 - ii. All lighting adjacent to residential districts 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., shall be set back a minimum of thirty (30) feet from the property line. All lighting, other than security, shall be shut off by 10:00 p.m.
 - iii. All lighting, other than security, shall be turned off by 10:00 p.m., unless otherwise approved through a special event permit.
- g. *Screening:*
- i. There shall be a minimum six-foot high masonry wall and/or landscape screen, as approved by the Development Review Board, on the side and rear property lines that are adjacent to residential districts 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. There shall be a three-foot high landscaped berm along all street frontages where parking occurs.
- h. *Access:*
- i. All places of worship must have primary access to a street classified in the Transportation Master Plan as a minor collector or greater.
 - ii. Access to a local or local collector residential street is prohibited when the primary worship center, auditorium, or other major gathering place exceeds three thousand (3,000) square feet.
- i. *Operations:* No outdoor activities shall be permitted after 10:00 p.m.
- j. *Noise:* Outdoor speakers or paging systems are not allowed.
- (5) Subject to the requirements of Sections 1.904., 3.100., and 7.200.
- (6) Subject to the requirements of Sections 1.400., 3.100., and 7.200.
- (7) Accessory buildings and structures subject to the requirements of Section 7.200.A.
- (8) Accessory Dwelling Unit subject to the requirements of Section 7.900.
- (9) Swimming pools subject to the requirements of Section 7.200.E.
- (10) Residential Recreation Area subject to the requirements of Section 7.200.G.1.

Sec. 5.2004. Property development standards.

The following property development standards shall apply to all land, buildings and manufactured homes in the M-H district.

A. Area.

1. Each parcel of land used for a manufactured home park shall have a minimum area of ten (10) acres.
2. There shall be a minimum of seven thousand (7,000) square feet of gross land area within a manufactured home park per manufactured home.

B. Dimensions.

1. Width. Each manufactured home space **or lot** shall have a minimum width of fifty (50) feet.
2. Depth. Each manufactured home space **or lot** shall have a minimum depth of eighty (80) feet.

C. Density. ~~There shall be not more than one (1) manufactured home per each manufactured home space.~~

1. ~~There shall be not more than one (1) manufactured home per each manufactured home space.~~
2. ~~There shall not be more than one (1) single-family dwelling unit on any one (1) lot.~~

D. Building height. No building shall exceed thirty (30) feet in height except as otherwise provided in article VII.**E. Yards.**

1. Front Yard.
 - a. There shall be a front yard having a depth of not less than sixteen (16) feet.
 - b. Where spaces have frontage on more than one (1) street the required front yard shall be ten (10) feet on street frontages other than the narrowest frontage.
 - c. ~~There shall be a setback of twenty (20) feet from the property line, **or street improvements where property lines are not present**, to any garage door or to a carport, ~~cover from the property line to the carport.~~~~
2. Side Yard.
 - a. There shall be side yards on each side of a **main** building or manufactured home.
 - b. The aggregate width of side yards on a manufactured home space **or lot** shall not be less than ten (10) feet.
 - c. The minimum side yard shall not be less than five (5) feet in width for ~~enclosed~~**any main buildings, **manufactured homes****, or garages and three (3) feet in width for carports open on at least two (2) sides.
3. Rear Yard. There shall be a rear yard having a minimum depth of ten (10) feet.

4. Perimeter setbacks. All main buildings, manufactured homes, ~~or~~ attached garages or carports shall be setback a minimum of twenty (20) feet from the perimeter property line of the manufactured home park.

F. *Distance between buildings.*

1. Accessory buildings or structures may be attached to the main building or manufactured home or if separate shall be not less than ten (10) feet away from the main building or manufactured home.
2. The distance between main buildings or manufactured homes ~~along with~~, including any attached garages or carports, and main buildings or manufactured homes, including any attached garages or carports, on adjacent lots shall be not less than ten (10) feet.

G. *Buildings, walls, fences and landscaping.*

1. Walls, fences and hedges not to exceed six (6) feet in height shall be permitted on the property line or within the side or rear yard. Walls, fences and hedges not to exceed three (3) feet in height shall be permitted within the front yard except as otherwise provided in article VII.
2. All manufactured home parks shall have decorative masonry walls as approved by the Development Review Board.
3. Landscaping shall be provided as required by the Development Review Board, with a minimum of five (5) percent of all common parking and driveway areas to be landscaped.

H. *Access.*

1. Manufactured home parks shall have vehicular access from a street classified as a collector or greater.
2. Access roads within the manufactured home park shall be paved to a minimum width of not less than twenty-eight (28) feet with concrete curbs or edging.

Sec. 5.2005. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.2006. Signs.

The provisions of article VIII shall apply.

Sec. 5.2007. Other requirements.

- A. Maximum coverage including buildings, manufactured homes and paved areas shall be sixty (60) percent.
- B. Manufactured homes shall be equipped with toilet and bath facilities and shall be connected to the sanitary sewer line. Water, telephone and electric service shall be provided and all utilities shall be underground.

- C. One (1) or more community recreation areas, each having not less than three thousand (3,000) square feet in area, shall be set aside within the manufactured home parks. The total area set aside for recreation shall be not less than ten (10) percent of the gross manufactured home park area.
- D. Residential trailers or manufactured homes shall be installed with the bottom flush with the ground or with a skirt matching the building or mound that shields from view the bottom space under the unit.

Sec. 5.2008. Reserved.

Section 5. That the Zoning Ordinance of the City of Scottsdale, ARTICLE VI. – SUPPLEMENTARY DISTRICTS, Section 6.1004. is amended as follows with all new language depicted in grey shading and deleted language in strike-through:

Sec. 6.1004. Property development standards.

The property development standards of the underlying district shall apply except as modified below.

A. Building height:

- 1. Buildings in general: No building shall exceed twenty-four (24) feet in height, except as otherwise provided in this section.
- 2. Institutional buildings: Public, semipublic or public service buildings, institutions, or schools, when permitted in a district, may be erected to a height not exceeding forty (40) feet, provided that the buildings are set back from each property line at least twenty-five (25) feet for each one (1) foot of additional building height above twenty-four (24) feet and provided that the building meets all yards and setbacks provided herein and within the underlying district. If the parcel of such a use or building is less than ten (10) gross acres in size the maximum building height shall be twenty-four (24) feet.

B. Walls, fences and hedges:

- 1. Walls, fences, or hedges up to six (6) feet in height are allowed on the property line and within the parcel except within a required front yard. The use of undulating walls that follow the land form are highly encouraged.
- 2. Walls, fences or hedges taller than three (3) feet in height shall not be placed within a required front yard.
- 3. The maximum portion of a parcel that may be enclosed by walls, fences and hedges taller than three (3) feet in height but not taller than six (6) feet in height, except as provided in section 6.1004b, in which case walls of up to eight (8) feet in height may be built, shall be as follows:

Parcel size: Maximum enclosure area by walls and building (including the area of any accessory building).

Parcel size:	Maximum Permitted Percent of Enclosure of the Net Lot Area:
32,000 to 69,999 sq. ft.	60% of net lot area
70,000 to 189,999 sq. ft.	55% of net lot area
190,000 sq. ft. or more	45% of net lot area

4. Exceptions:

- a. No wall, fence or hedge may be placed in a location that separates a Natural Area Open Space (NAOS) from an abutting street right-of-way or road/access easement or an abutting Natural Area Open Space (NAOS).
- b. Walls, fences or hedges up to eight (8) feet tall may be placed within a required rear or side yard along collector or larger street as classified in the Transportation Master Plan, provided that the wall is set back a minimum of fifty (50) feet and a maximum of one hundred (100) feet from the right-of-way. If a street is designated in the General Plan as a scenic corridor, the walls, fences or hedges shall be set back a minimum of one hundred twenty-five (125) feet and a maximum of one hundred seventy-five (175) feet from the right-of-way.
- c. A corral fence not exceeding six (6) feet in height shall be permitted on the property line or within any yard, except that no corral fence may be placed within ten (10) feet of a street right-of-way or a dedicated public trail easement or pathway easement. Areas enclosed by a corral fence are not subject to the provisions of Section 6.1004.B.3.

C. Accessory buildings and structures:

- 1. The minimum setback for an accessory buildings or structure from the rear or side property line shall be:

Lot Size:	Setback:
32,000—69,000 square feet	5 feet
70,000—189,999 square feet	10 feet
190,000 square feet or more	15 feet

Exception: This provision shall not apply to an Accessory Dwelling Unit.

- 2. The minimum distance between an accessory building or structure and the main residence or guest house on an abutting lot shall be:

Lot Size:	Minimum Distance:
32,000—69,000 square feet	40 feet
70,000—189,999 square feet	60 feet
190,000 square feet or more	60 feet

Exception: This provision shall not apply to an Accessory Dwelling Unit.

- 3. The minimum distance between an accessory building or structure and any other building on the same parcel when the accessory building or structure is located within the required rear yard or within twenty (20) feet of a side property line in the R1-43 district or within thirty (30) feet of a side property line in the R1-70, R1-130 or R1-190 districts shall be:

Lot Size:	Minimum Distance:
32,000—69,999 square feet	10 feet
70,000—189,999 square feet	15 feet
190,000 square feet or more	20 feet

Note: This provision shall also apply to an Accessory Dwelling Unit.

- 4. The minimum distance between accessory buildings or structures on the same parcel that are located within the portion of the property excluding the required front, required side or required rear yards or between more than one (1) main building on the same parcel shall be:

Lot Size:	Minimum Distance:
32,000—69,999 square feet	5 feet
70,000—189,999 square feet	10 feet
190,000 square feet or more	10 feet

Note: This provision shall also apply to an Accessory Dwelling Unit.

- 5. No accessory building or structure may be placed closer to the front property line than the main building if the main building is located at or within the following distance of the property line:

Lot Size:	Distance from Main Building to Front Property Line:
32,000—69,999 square feet	60 feet
70,000—189,999 square feet	80 feet
190,000 square feet or more	100 feet

Note: This provision shall also apply to an Accessory Dwelling Unit.

Note: The provisions of Sec. 6.1004.C.5. only apply to the shorter street frontage of corner lots or lots with multiple street frontages.

- 6. The total maximum area under roof of all accessory buildings or structures on any one (1) parcel shall be:

Lot Size	Maximum Area (Accessory Building Only)
45,000 sq. ft. or less	30% of rear yard (excluding any dedicated NAOS)
45,001—70,000 sq. ft.	8,000 sq. ft.

70,001—130,000 sq. ft.	14,000 sq. ft.
130,001—240,000 sq. ft.	25,000 sq. ft.
Greater than 240,000 sq. ft.	40,000 sq. ft.

Exception: This provision shall not apply to an Accessory Dwelling Unit.

7. The maximum size of any single accessory building or structure shall be:

Lot Size:	Maximum Size:
32,000—69,999 square feet	6,000 square feet
70,000—189,999 square feet	12,000 square feet
190,000 square feet or more	35,000 square feet

Exception: This provision shall not apply to an Accessory Dwelling Unit.

8. Large building setbacks: The minimum setback from the property line for any accessory building or structure of six thousand (6,000) square feet (under roof) or more shall be:

Setback by Building Size/Lot Size

Building Size:	32,000—69,000 sq. ft.	70,000—189,999 sq. ft.	190,000 sq. ft. or more
6,000—8,000 sq. ft.	50 feet	70 feet	75 feet
8,001—12,000 sq. ft.	N/A*	75 feet	75 feet
Greater than 12,000 sq. ft.	N/A*	N/A*	90 feet

* NA: This size building is not physically possible or allowed (see section 7 above).

Exception: This provision shall not apply to a Accessory Dwelling Unit.

D. *Outdoor lighting:*

- All outdoor lighting below three (3) feet in height shall be shielded. All outdoor lighting above three (3) feet in height shall be full cutoff fixtures and directed downward.
- Outdoor lighting height maximum: sixteen (16) feet.
- Exemption: Security lights that do not stay on more than fifteen (15) minutes do not require shields or full cutoff fixtures.

E. *Sensitive building design and integration:*

- Reflective building materials are prohibited.
- No paint colors shall be used which have a light reflective value (LRV) greater than forty (40) percent.
- Exterior paint and material colors shall not exceed a value of six (6) as indicated in the Munsell Book of Color.

4. Plant materials that are not indigenous to the area shall not exceed twenty (20) feet in height and shall be limited to yards enclosed by walls or solid fences that are a minimum of three (3) feet in height. A list of indigenous plants is available from the City. Outdoor community recreation facilities shall be allowed turf as specified in Section 6.1004.E.5.
 5. Turf shall be limited to enclosed areas not visible off-site from lower elevations. Outdoor recreation facilities, including parks and golf courses, shall be exempt from this standard.
 6. Any parking or staging areas located on any parcel shall be screened from the street and from neighboring properties by low undulating walls and/or berms.
- F. *Special exceptions for unique conditions.* Where there are substantial existing improvements to a property at the time the foothills overlay (FO) is applied to the property and/or there are significant areas of natural features occurring on the property, the property owner may seek relief from the standards contained within the foothills overlay (FO) using the following procedures and standards:
1. Substantial existing improvements shall include a main residence in combination with other structures and improvements such as guest houses, detached garages, barns, studios, tennis courts, hotwalkers, arenas, etc., that occupy at least thirty-five (35) percent of the net lot of the property at the time that the foothills overlay (FO) is applied to the property.
 2. Significant areas of natural features may include large boulders or boulder clusters; ridges, small hills and mountains with slopes generally exceeding fifteen (15) percent and with a vertical dimension of at least fifteen (15) feet; or large washes with a unobstructed bottom width of at least ten (10) feet or a calculated 100-year storm flow of at least two hundred fifty (250) cubic feet-per-second (C.F.S.) that in aggregate occupy at least twenty-five (25) percent of the net lot area of the property or occupy a location on the property that interferes with the application of the standards contained within the foothills overlay (FO).
 3. It shall be the responsibility of the applicant to demonstrate that either or both of the conditions described above apply to the property.
 4. Development review process: The Development Review Board may approve a reduction in the standards contained in the foothills overlay (FO) ordinance of up to but not exceeding twenty-five (25) percent of the standard and not exceeding the standards contained in the applicable underlying zoning district. The Development Review Board may approve such reductions if it has determined that the applicant has demonstrated that the results of the proposal meet the stated purposes of the foothills overlay (FO) and the environmentally sensitive lands overlay (ESLO) and that such reductions are consistent with the character and structure of uses that occur on adjacent properties.
 5. Public hearing process: The city council may approve a reduction of the standards contained in the Foothills Overlay (FO) exceeding twenty-five (25) percent if it has determined that the applicant has demonstrated that the proposal meets the stated purposes of the Foothills Overlay (FO) and the Environmentally Sensitive Lands Overlay (ESLO) and that the results of the proposed reductions are consistent in

character and structure with uses on properties within one thousand (1,000) feet of the property.

Section 6. That the Zoning Ordinance of the City of Scottsdale, ARTICLE VII. – GENERAL PROVISIONS, Section 7.200.A., Section 7.200.G. and Section 7.203. are amended as follows with all new language depicted in grey shading and deleted language in strike-through:

Sec. 7.200. Additional Area Regulations.

~~A. *Accessory buildings.* This section shall apply only to residential districts.~~

- ~~1. No accessory building shall be constructed upon a lot unless the construction of the main building has been actually commenced.~~
- ~~2. No accessory building shall be permitted in a required front or side yard.~~
- ~~3. Accessory buildings may be constructed in a rear yard, but such accessory buildings shall not occupy more than thirty (30) percent of a rear yard, except in R-5 multiple-family residential districts where the lot is used for multiple family units, accessory buildings may occupy seventy-five (75) percent of the rear yard.~~
- ~~4. Except as otherwise provided:

 - ~~a. Accessory buildings shall not be constructed closer than two (2) feet to any side or rear lot line, and~~
 - ~~b. Accessory buildings within a required side or rear yard, which are more than ten (10) feet in height, shall be set back an additional one (1) foot for each foot of building height above ten (10) feet.~~~~
- ~~5. Except as otherwise provided:

 - ~~a. Accessory buildings used as a garage or carport, having access from an alley, shall not be located closer than fifteen (15) feet to the centerline of said alley, and~~
 - ~~b. One (1) additional foot of setback shall be provided for each foot of building height above twelve (12) feet.~~~~
- ~~6. Accessory buildings used as a garage or carport, having direct access from a street, shall not be located closer than twenty (20) feet to the back of ultimate improvements, and one (1) additional foot of setback shall be provided for each foot of building height above twelve (12) feet.~~

A. *Accessory buildings and structures.* This section shall apply only to residential districts. This section shall not apply to an Accessory Dwelling Unit.

- 1. No accessory building or structure shall be constructed upon a lot unless the construction of the main single-family residential dwelling on the same lot has commenced. No accessory building or structure shall be issued a Certificate of Occupancy unless a Certificate of Occupancy has been issued for the main single-family residential dwelling on the same lot.**

2. Lot Coverage. Accessory buildings or structures may be constructed in a rear yard, but the cumulative lot coverage of such accessory buildings or structures shall not occupy more than thirty percent (30%) of a rear yard. Exception: In the Multiple-family Residential (R-5) zoning district where the lot is used for multiple-family dwelling units, the cumulative lot coverage of accessory buildings or structures may occupy up to seventy-five percent (75%) of the rear yard.
3. Single-family Residential (R1-7) location requirements. An accessory building or structure located in the Single-family Residential (R1-7) zoning district shall meet the following location requirements:
 - a. No accessory building or structure shall be permitted in a required front yard.
 - b. No accessory building or structure shall be permitted in a required side yard.
 - c. When an accessory building or structure is located in a rear yard and behind the rear plane of the main single-family residential dwelling, the minimum setback shall be two (2) feet to any side or rear lot line.
 - d. An accessory building or structure used as a private garage or carport and having direct access from an alley shall not be located closer than fifteen (15) feet to the centerline of said alley. Exception: An accessory building or structure used as a private garage or carport that is located in the rear yard may be constructed on the rear lot line if the face of the vehicle entrance into the private garage or carport is located at an angle of ninety (90) degrees or greater from parallel to the alley.
 - e. An accessory building or structure, including any accessory building or structure used as a private garage or carport, that is located in a rear yard and closer to the property line than the equivalent distance of a side or rear setback of the lot, and which is more than twelve (12) feet in height, shall be set back an additional one (1) foot for each one (1) foot of building height above twelve (12) feet.
 - f. An electric or gas fireplace is allowed in the front yard if:
 - i. It does not exceed six (6) feet in height; and
 - ii. It is within the area enclosed by a wall; and
 - iii. The wall encloses forty percent (40%) or less of the front yard as set forth in Sec. 5.504. and is set back a minimum of three (3) feet from the property line.
4. All other residential zoning districts location requirements. An accessory building or structure located in a residential zoning district that is not the Single-family Residential (R1-7) zoning district shall meet the following location requirements:
 - a. No accessory building or structure shall be permitted in a required front yard, including the front yard of the shortest street frontage of a corner lot. Exception: An accessory building or structure may be constructed in the front yard of the longer street frontage of a corner lot, subject to the requirements of this section.
 - b. An accessory building or structure may be constructed in the front yard of the longer street frontage of a corner lot, subject to the following requirements:

- i. The accessory building or structure must be located between the rear plane of the main single-family residential dwelling and rear lot line, and
 - ii. The accessory building or structure must have a minimum setback from the lot line along the longer street frontage equal to the side yard setback requirement of the zoning district for which the lot is located within, unless the lot is adjacent to a key lot in which case the accessory building or structure must meet the minimum front yard setback requirement of the zoning district for which the lot is located within from the lot line along the longer street frontage.
 - c. No accessory building or structure shall be permitted in a required side yard.
 - d. When an accessory building or structure is located in a rear yard and behind the rear plane of the main single-family residential dwelling, the minimum setback shall be two (2) feet to any side or rear lot line.
 - e. An accessory building or structure used as a private garage or carport and having direct access from an alley shall not be located closer than fifteen (15) feet to the centerline of said alley. Exception: An accessory building or structure used as a private garage or carport that is located in the rear yard may be constructed to within two (2) feet of the rear lot line if the face of the vehicle entrance into the private garage or carport is located at an angle of ninety (90) degrees or greater from parallel to the alley.
 - f. An accessory building or structure, including any accessory building or structure used as a private garage or carport, that is located in a rear yard and closer to the property line than the equivalent distance of a side or rear setback of the lot, and which is more than ten (10) feet in height, shall be set back an additional one (1) foot for each one (1) foot of building height above ten (10) feet.
5. An accessory building or structure used as a private garage or carport and having direct access from a street, including direct access from a street along the longer street frontage of a corner lot, shall not be located closer than twenty (20) feet to the back of ultimate street improvements, and one (1) additional foot of setback shall be provided for each one (1) foot of building height above twelve (12) feet.
- B. *Projections into required yards of residential buildings.* This section shall apply only to residential districts. Yards shall be open and unobstructed from the ground to the sky except for the following:
1. Front Yards.
 - a. Sills, belt courses, cornices, eaves, and ornamental features may project two (2) feet into the required yard.
 - b. Terraces, uncovered porches, platforms, and ornamental features which do not extend more than three (3) feet above the adjacent natural ground level may project into the required yard provided these projections be distant at least two (2) feet from the adjacent side lot line.
 - c. Balconies, stairs, covered porches may project four (4) feet into the required yard.

- d. Canopies and awnings projecting over windows may extend into the required yard three (3) feet; however, a canopy extending from the main entrance to the sidewalk and not wider than the entrance may project to the front property line.
 - a. Chimneys may project two (2) feet into the required yard.
2. Side Yards.
- a. Sills, belt courses, cornices, eaves, and ornamental features may project two (2) feet into the required yard.
 - b. Terraces, uncovered porches, platforms and ornamental features which do not extend more than three (3) feet above the adjacent natural ground level may project into the required yard provided these projections be distant at least two (2) feet from the adjacent side lot line.
 - c. Balconies and stairs may project two (2) feet into the required yard, but not nearer than two (2) feet to the adjacent side property line.
 - d. Canopies and awnings projecting over windows may extend into the required yard three (3) feet.
 - e. Chimneys may project two (2) feet into the required yard.
 - f. Mechanical equipment such as air conditioners may be constructed in the side yard provided the blower system is not directed toward the adjacent property, and provided said mechanical equipment shall not be closer than ten (10) feet to any opening to an indoor living area on an adjacent lot.
3. Rear Yards.
- a. Sills, belt courses, cornices, eaves and ornamental features may project two (2) feet into the required yard
 - b. Terraces, uncovered porches, platforms, and ornamental features which do not extend more than three (3) feet above the adjacent natural ground level may project into the required yard provided these projections be distant at least two (2) feet from the adjacent side lot line.
 - c. Balconies and stairs may project four (4) feet into the required yard.
 - d. Covered porches may project into the required yard provided they are not nearer than ten (10) feet to the rear property line.
 - e. Canopies and awnings projecting over windows may extend into the required yard three (3) feet.
 - f. Chimneys may project two (2) feet into the required yard.
 - g. Mechanical equipment such as air conditioners may be constructed in the rear yard provided the blower system is not directed toward the adjacent property, and provided said mechanical equipment shall not be closer than ten (10) feet to any opening to an indoor living area on an adjacent lot.
- C. *Basement or cellar occupancies.* This section shall apply only to residential districts. No basement or cellar shall be occupied for residential purposes until the remainder of the

building has been substantially completed, and in no event shall the basement or cellar be occupied for longer than two (2) years from the time of completion of the basement or cellar.

- D. *Temporary buildings.* Temporary buildings that are used in conjunction with construction work only may be permitted in any district during the period that the building is being constructed, but such temporary buildings shall be removed upon completion or abandonment of the construction work.
- E. ~~*Swimming pool.*~~ *Reserved.*
1. ~~No swimming pool shall be located closer than two (2) feet to any property line. Any portion of a pool wall constructed with a distance from a property line less than the depth of the pool, may be subject to special structural requirements.~~
- F. *Satellite receiving earth stations.* Satellite receiving earth stations may be located in rear and side yards provided that the installation is screened to the height of the installation from off-property views by means of buildings, solid walls, and/or solid fences. The height of screening shall comply with the requirements of the zoning district. The method of screening for installations below six (6) feet in height shall be approved by the planning staff. Appeals of staff decisions shall be made to the Development Review Board. Installations for a single-family residential use shall be limited to six (6) feet in height measured from grade level. Installations above six (6) feet in height of non-single residential family use shall be approved by the Development Review Board.
- G. *Accessory uses.*
1. **Residential Recreation Areas.** This section shall apply only to residential districts.
- a. ~~Tennis courts.~~ **Residential Recreation Areas** are a permitted accessory use to a single-family residential dwelling on the same lot. ~~Tennis courts~~ **Residential Recreation Areas**, including the enclosure and lighting thereof, may be built on a single-family residential lot as follows:
- i. **No Residential Recreation Area shall be constructed upon a lot unless the construction of the main single-family residential dwelling on the same lot has commenced.**
- ii. ~~Tennis courts~~ **Residential Recreation Areas** shall not be permitted in a required front yard.
- iii. ~~Tennis courts without lighting~~ **Residential Recreation Areas** shall be setback a minimum of five (5) feet from all side and rear lot lines (measure from the edge of the playing surface).
- iv. ~~Tennis courts with lighting shall be setback twenty (20) feet from all side and rear lot lines (measured from the edge of the playing surface and base of the lighting standard).~~ **Residential Recreation Areas** shall not exceed a height of thirty (30) inches above the adjacent grade unless otherwise required to meet stormwater requirements.
- v. **Outdoor lights that direct illumination towards a side or rear property line shall have a minimum setback of twenty (20) feet (measured from the base of the lighting standard). Outdoor lights shall be shielded to obscure the light source**

from adjacent properties, comply with Section 7.600 of this Article, and shall not be operated between 10:00 p.m. and sunrise. Residential Recreation Areas that include outdoor lights shall submit plans and specifications of said lighting along with details of the residential recreation area for review and determination of zoning compliance in accordance with the requirements of Sec. 1.300. and Sec. 1.908.

v.vi. ~~Tennis courts~~ Residential Recreation Areas shall be fenced or otherwise enclosed to prevent tennis balls and other flying objects from landing on adjacent properties. The maximum wall and/or fence height shall comply with the standards of the zoning district for the lot.

vi.vii. Plans for the construction of a ~~tennis court~~ Residential Recreation Area shall be submitted in accordance with Sec. 1.1100. ~~to the development services manager for a determination of zoning compliance. Tennis court plans~~ Plans for the construction of a Residential Recreation Area shall include setback dimensions from all property lines and the location and height of any walls, fences, or lighting related to the ~~tennis court~~ Residential Recreation Area.

2. Medical marijuana qualifying patient cardholder cultivation. This section applies only to dwelling units.

a. Medical marijuana qualifying patient cardholder may cultivate medical marijuana if:

- (i) Permitted by the Arizona Revised Statutes, Title 36, Chapter 28.1, Arizona Medical Marijuana Act, as amended.
- (ii) The cultivation takes place in an "enclosed, locked facility" as that term is defined in the Arizona Revised Statutes, Title 36, Chapter 28.1, Arizona Medical Marijuana Act, as amended.
- (iii) The medical marijuana is cultivated by the medical marijuana qualifying patient cardholder only: on the property where the cardholder resides if the cardholder resides in a single-family dwelling or two-family dwelling; or in the dwelling where the cardholder resides if the cardholder resides in an apartment, condominium or other communal living arrangement.
- (iv) The medical marijuana is used only by the medical marijuana qualifying patient cardholder who resides in the dwelling unit.

3. Backyard fowl. This section applies only to single-family residential lots.

a. The keeping of fowl in the rear yard is a permitted accessory use to a main single-family dwelling. The keeping of backyard fowl is subject to the requirements of SRC Chapter 4, Article II., and the following requirements:

- i. The keeping of fowl shall not be permitted in a required front or side yard.
- ii. Fowl shall be kept in an enclosure located in the rear yard of the property. The enclosure shall be set back at least twenty (20) feet from a property line. The enclosure shall be limited to a maximum size of two hundred (200) square feet. The enclosure shall be limited to a maximum height of eight (8) feet, or

the maximum wall or fence height allowed in the zoning district where the property is located, whichever is less. These enclosure requirements shall not apply to an enclosure constructed prior to December 31, 2024.

4. Swimming pools.

- a. No swimming pool shall be located closer than two (2) feet to any property line. Any portion of a pool wall constructed with a distance from a property line less than the depth of the pool, may be subject to special structural requirements.

* * *

Sec. 7.203. Vacation rentals or Short-term rentals.

A. Any legally authorized vacation rental or short-term rental is subject to the following:

- 1. The owner of a vacation rental shall provide to the City of Scottsdale the name and contact information of a person designated as an emergency contact.
- 2. The vacation rental must at all times comply with all federal, state, and local laws, rules and regulations related to public health, safety, sanitation, solid waste, hazardous waste, traffic control, pollution control, noise, property maintenance, and nuisance abatement. The owner of the vacation rental shall be deemed responsible for any violation of such laws, rules, and regulations occurring on the vacation rental property.
- 3. No vacation rental may be used for the purpose of any of the following:
 - a. Any commercial, industrial, manufacturing, or other non-residential purpose,
 - b. Operating a retail business, restaurant, event or banquet center,
 - c. Housing sex offenders,
 - d. Operating or maintaining a structured sober living home,
 - e. Selling controlled substances or pornography,
 - f. Operating any adult-oriented business.
- 4. An Accessory Dwelling Unit that is issued a certificate of occupancy on or after September 14, 2024, shall not be used as a vacation rental or short-term rental unless the property owner resides on the same property as the property owner's primary residence.

Section 7. That the Zoning Ordinance of the City of Scottsdale, ARTICLE VII. – GENERAL PROVISIONS, Section 7.900. is amended as follows with all new language depicted in grey shading and deleted language in strike-through:

Sec. 7.900. ~~Reserved.~~ Accessory Dwelling Units.

Sec. 7.901. Purpose.

- A. These provisions describe the qualifications, application requirements, and property development standards for the development of an Accessory Dwelling Unit to ensure that an Accessory Dwelling Unit is consistent with the character of single-family residential neighborhoods, and to minimize impacts of the development. The qualifications, requirements, and regulations in these provisions are in addition to the other codes and requirements of the City of Scottsdale.

Sec. 7.902. Qualifications.

- A. An Accessory Dwelling Unit shall only be established upon demonstration of all of the following requirements:

1. Location.

- a. An Accessory Dwelling Unit shall only be permitted on a single-family residential lot as permitted by the underlying zoning district. No Accessory Dwelling Unit shall be constructed upon a single-family residential lot unless the main single-family residential dwelling has been constructed and received a Certificate of Occupancy on the same lot. No Accessory Dwelling Unit shall be issued a Certificate of Occupancy unless a Certificate of Occupancy has been issued for the main single-family residential dwelling on the same lot.
- b. An Accessory Dwelling Unit shall not be located in any of the following areas:
- i. Land in the territory in the vicinity of a military airport or ancillary military facility as defined in A.R.S. § 28-8461, or
- ii. 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. Utility services.

- a. The property owner shall provide separately metered utilities (electrical, gas, water, and sanitary sewer) connections to the Accessory Dwelling Unit.
- b. The property owner shall be responsible to repair any public street or other public property that is disturbed as a result of the construction of an Accessory Dwelling Unit to the requirements and standards of the City.

3. Ownership, renting, and subdivision.

- a. Any Accessory Dwelling Unit on a single-family residential lot shall not be sold separately from the main single-family residential dwelling on the same lot.
- b. Any Accessory Dwelling Unit that is rented, leased, offered for rent or lease, or occupied as a Vacation Rental or Short-term Rental shall be subject to the requirements of Sec. 7.203.
- c. A Restricted-Affordable Detached Accessory Dwelling Unit shall only be rented to households earning up to eighty percent (80%) of area median income and shall not be offered as a Vacation Rental or Short-term Rental. Rent shall be established

based on the household size and income in accordance with the rent and income limits published by the Arizona Department of Housing at the time of the lease agreement. Prior to issuance of any permit for a Restricted-Affordable Detached Accessory Dwelling Unit, the property owner shall enter into a private deed restriction to meet the requirements of this section, to the satisfaction of the City.

- d. A lot or parcel shall not be subdivided, including through a condominium plat, in a manner that would create a separate lot, parcel, or ownership boundaries exclusively for the main single-family residential dwelling or for an Accessory Dwelling Unit.

Sec. 7.903. Application requirements.

- A. Prior to issuance of any permit for an Accessory Dwelling Unit, the property owner shall submit a development application for review, subject to the requirements of Sec. 1.300. The Zoning Administrator or designee shall review a development application for an Accessory Dwelling Unit. The Zoning Administrator or designee shall have the authority to approve, approve with stipulations, or deny a development application for an Accessory Dwelling Unit and that decision shall not be appealable. The property owner must receive approval of the development application before any permit for an Accessory Dwelling Unit will be issued.
- B. In addition to the standard requirements of a development application, any development application for an Accessory Dwelling Unit 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 Accessory Dwelling Unit is located on a single-family residential lot with an existing main single-family residential dwelling on the same lot and demonstrate compliance with the requirements Sec. 7.904.
 2. The gross floor area of the existing main single-family residential dwelling on the same lot, and plans of the proposed Accessory Dwelling Unit that are in compliance with the requirements of this section.
 3. Separately metered utilities (electrical, gas, water, and sanitary sewer) and connections to the Accessory Dwelling Unit.
 4. Compliance with all applicable building code and fire code requirements, as adopted by the City of Scottsdale, unless otherwise exempted by state statutes.
 5. That, prior to the issuance of any permit for the Restricted-Affordable Detached Accessory Dwelling Unit, the property owner has recorded a private deed restriction acknowledging that the Restricted-Affordable Detached Accessory Dwelling Unit will only be rented to households earning up to eighty percent (80%) of the area median income and will not be offered as a Vacation Rental or Short-term Rental, in a form satisfactory to the City.
- C. Conversion of existing building to an Accessory Dwelling Unit.
 1. In order to convert an existing building, or portion of an existing building, to an Accessory Dwelling Unit, the property owner shall comply with the requirements of Sec. 7.900.,

including but not limited to, provision of sleeping facilities, kitchen facilities, and sanitary facilities, and compliance with all applicable building code and fire code requirements.

Sec. 7.904. Property Development Standards.

A. An Accessory Dwelling Unit shall be subject to the property development standards of the zoning district for which the proposed Accessory Dwelling Unit 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. Attached Accessory Dwelling Unit.

i. There shall be no more than one (1) Attached Accessory Dwelling Unit on any one (1) single-family residential lot.

b. Detached Accessory Dwelling Unit.

i. There shall be no more than one (1) Detached Accessory Dwelling Unit on any one (1) single-family residential lot.

c. Restricted-Affordable Detached Accessory Dwelling Unit.

i. Single-family residential lots that are one (1) acre or larger in size are permitted one (1) Restricted-Affordable Detached Accessory Dwelling Unit on any one (1) single-family residential lot in addition to any existing Accessory Dwelling Unit(s) constructed on the lot.

d. For any single-family residential lot less than one (1) acre in size, there shall be no more than two (2) total Accessory Dwelling Units on any one (1) lot. For any single-family residential lot that is one (1) acre or larger in size, there shall be no more than three (3) total Accessory Dwelling Units on any one (1) lot, one of which must be a Restricted-Affordable Detached Accessory Dwelling Unit.

2. Size.

a. Only one Accessory Dwelling Unit constructed on a single-family residential lot shall be allowed to have a gross floor area that is up seventy-five percent (75%) gross floor area of the main single-family residential dwelling on the same lot, or one thousand (1,000) gross square feet, whichever is less. All other Accessory Dwelling Units constructed on the same lot shall be five hundred (500) gross square feet or less in size.

3. Occupancy.

a. The cumulative occupancy of the main single-family residential dwelling in combination with any Accessory Dwelling Units on a single-family residential lot shall not exceed six (6) adults and, if any, their related dependent children.

4. Building height.

a. No Accessory Dwelling Unit shall exceed the building height permitted in the zoning district for which the Accessory Dwelling Unit is located.

5. *Building setbacks.*

a. Attached Accessory Dwelling Unit.

- i. The building setbacks for an Attached Accessory Dwelling Unit shall be that which apply to a main single-family residential dwelling of the zoning district for which the Attached Accessory Dwelling Unit is located.

b. Detached Accessory Dwelling Unit or Restricted-Affordable Detached Accessory Dwelling Unit.

- i. A Detached Accessory Dwelling Unit or Restricted-Affordable Detached Accessory Dwelling Unit shall not be permitted in a required front yard, including the front yard on the longer street frontage of a corner lot.
- ii. A Detached Accessory Dwelling Unit or Restricted-Affordable Detached Accessory Dwelling Unit shall not be permitted in a required side yard.
- iii. A Detached Accessory Dwelling Unit or Restricted-Affordable Detached Accessory Dwelling Unit that is located within a rear yard may be constructed five (5) feet from a side or rear property line.

6. *Distance between buildings.*

- a. There shall not be less than ten (10) feet between an Accessory Dwelling Unit and the main single-family residential dwelling on the same lot, or between an Accessory Dwelling Unit and another Accessory Dwelling Unit on the same lot.

7. *Private outdoor living space.*

- a. Each Accessory Dwelling Unit shall provide private outdoor living space located adjacent to the Accessory Dwelling Unit.
- b. Each private outdoor living space shall be at least five (5) feet deep and fifty (50) square feet in area.

8. *Parking.*

- a. The addition of an Accessory Dwelling Unit to a single-family residential lot shall not reduce or eliminate any required parking for the main single-family residential dwelling on the lot. The minimum parking requirements for the main single-family residential dwelling on the lot shall be provided at all times. If an Accessory Dwelling Unit removes or modifies existing required vehicle parking spaces for the main single-family residential dwelling on the lot, the minimum required parking spaces for the main single-family residential dwelling on the lot shall be replaced on the same lot in a location approved by the Zoning Administrator or designee.

9. *Access.*

- a. Each Accessory Dwelling Unit shall provide a separate exterior entrance from that serving the main single-family residential dwelling on the same lot.
- b. The path of ingress and egress travel from an Accessory Dwelling Unit to a public street or to a yard that opens to a public street shall be independent of, and not pass through, the main single-family residential dwelling.

10. Addressing.

- a. Each Accessory Dwelling Unit shall provide a unique address that follows the City’s addressing requirements, policies, and assignment process. The address of an Accessory Dwelling Unit shall be placed near the primary entrance of the Accessory Dwelling Unit, clearly visible from the main street frontage of the lot, and meet the requirements of Sec. 8.401.

Section 8. 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
Accessory Dwelling Unit	P ^{1,17}														
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					P							CU			
Bar					CU	CU				CU					
Big box		P/CU ⁵		P/CU ⁵	P/CU ⁵	P/CU ⁵				P/CU ⁵					
Bowling alley		P		P	P										
Building material and garden sales						P ¹²	P ¹²								
Bus station, excluding overnight parking and storage of buses				CU	CU										
Carpools															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	P		
Cultural institution				P ¹	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		
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.		CU ¹	CU ¹	CU ¹	CU ¹	CU ¹		CU ¹	CU ¹	CU ¹	CU ¹	CU ¹	CU ¹		

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
Dwelling	P ^{1.18}		P ^{1.10}	P ^{1.10}					P ^{1.10}	P ^{1.10}	P ^{1.10}				
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		
Electronic shopping and mail-order service												P	P		
Equipment storage												P	P		
Equipment sales, rental, and storage					CU	P	P								
Farm supply sales						P									
Financial institution	P	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					
General and specialty trade contractors						P									
Gun shop				P	P										
Health and fitness studio			P	P	P			P	P	P		P	P		
Hospital								CU ¹							
Industrial launderer												P			
Internalized community storage			P	P	P	P			P	P		P			
Light manufacturing						P						P	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}				
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		
Municipal use	P	P	P	P	P	P	P	P	P	P		P	P		

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
Off-airport heliport or helipad												CU			
Office	P	P	P	P	P			P	P	P	P	P	P		
Outdoor sales display area					CU										P
Parking structures															
Pawnshop				P	P										
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						
Recyclable material collection center						P								CU	
Refuse enclosures															P
Repair and maintenance						P									
Residential health care facility			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															
Retail		P	P	P	P			P	P	P	P				
Scenic and sightseeing transportation															
Scientific research and development								CU							
Seasonal art festival						P							P	P	
Sports arena				CU	CU	CU				CU					
Storage buildings					CU ¹										
Surface parking lots														P	P

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
Swimming pool sales, including display pools only and including construction equipment storage yard						P									
Swimming pool sales, including display pools only, but excluding construction equipment storage yard				P											
Taxi and limousine service												P			
Teen dance center				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									
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		P			P										
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													
Vehicle repair				CU											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
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.
- (17) Accessory Dwelling Unit subject to the requirements of Section 7.900.
- (18) Accessory buildings and structures permitted on single-family residential lots subject to the requirements of Section 7.200.A.