

Development Services
Planning

May 4, 2008

Re: Zoning and Development Code amendments

Dear Customer,

Attached are Zoning and Development Code amendments adopted through March 20, 2008. Amendments are typically effective thirty (30) calendar days after the adoption date. Please make the following changes as noted below to this Code.

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Ord. No. 2007.74, code text amendment for Sections 3-202, 4-406	p. 3-1 to 2 p. 3-9 to 12 p. 3-13 to 16 p. 3-35 to 36 p. 4-1 to 2 p. 4-18 to 20	p. 3-1 to 2 p. 3-9 to 12 p. 3-13 to 16 p. 3-35 to 36 p. 4-1 to 2 p. 4-18 to 20
Ord. No. 2007.74, code text amendment for Sections 4-903, 4-904	p. 4-66 to 67	p. 4-66 to 67
Ord. No. 2007.64, code text amendment for Part 4, Chapter 9, adding Section 4-905 Way-Finding Signs	p. 4-72	p. 4-72 to 74
Ord. No. 2007.74, code text amendment for adding Sections 3-424 and 3-425 for Outdoor Seating and Tattoo/Body Piercing Establishments, and amending Sections 6-305, 6-402, 6-404, 7-114, 7-120, 7-121	p. 6-15 to 16 p. 6-27 to 30 p. 7-19 to 20 p. 7-31 to 34	p. 6-15 to 16 p. 6-27 to 30 p. 7-19 to 20 p. 7-31 to 34
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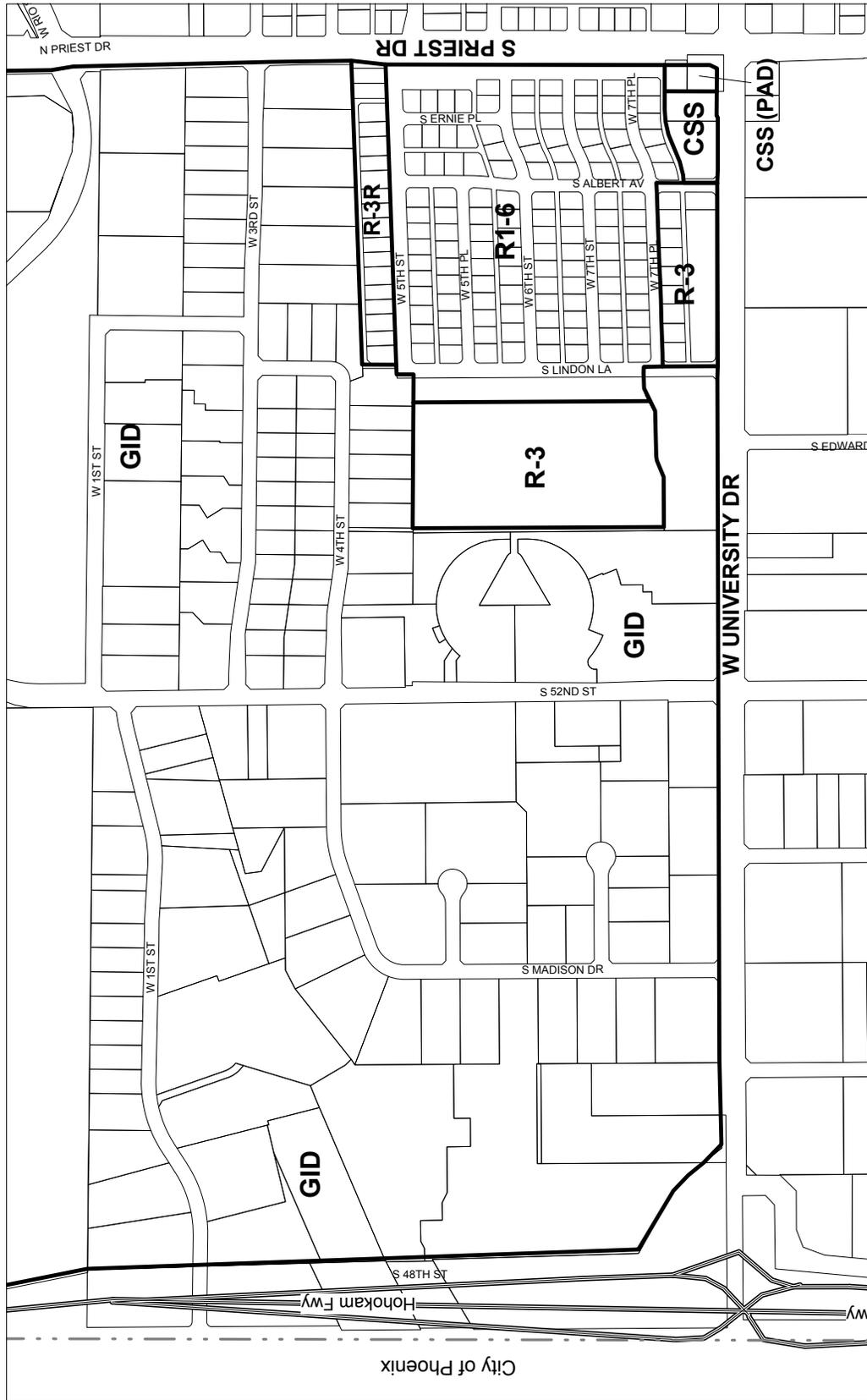
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NOTE: This map represents the zoning related to a parcel or lot, but the City of Tempe is not responsible for situations requiring a field verification or legal description. This information should not be relied upon without staff verification.



9N	16N	21N
	17N	20N



ZONING MAP LEGEND

RESIDENTIAL
 AG: Agricultural
 R1-4: Single-Family Residential
 R1-5: Single-Family Residential
 R1-6: Single-Family Residential
 R1-7: Single-Family Residential
 R1-8: Single-Family Residential
 R1-10: Single-Family Residential
 R1-16: Single-Family Residential
 R1-PAD: Single-Family Residential

COMMERCIAL / MIXED USE
 RCC: Residential/Office
 RSC: Commercial Shopping and Services Center
 C-CC: Commercial Center Neighborhood
 PCC-1: Planned Commercial Center General
 PCC-2: Planned Commercial Center
 RCC: Regional Commercial Center
 MU-1: Mixed Use: Low-Medium Density
 MU-2: Mixed Use: Medium Density
 MU-3: Mixed Use: Medium-High Density
 MU-4: Mixed Use: High Density
 MU-Ec: Mixed Use Educational

INDUSTRIAL
 I-D: Light Industrial District
 GID: General Industrial District
 HID: Heavy Industrial District

Other Districts:
 R-2: Multi-Family Residential
 R-3R: Multi-Family Residential Restricted
 R-3: Multi-Family Residential Limited
 R-4: Multi-Family Residential General
 R-5: Multi-Family Residential High Density
 MHS: Manufactured Housing Subdivision
 RMH: Mobile Home Residence
 TP: Trailer Park

Special Areas:
 TOD Corridor
 TOD Station Area
 (PAD): Planned Area Development Overlay
 (H): Historic Property
 City Limits

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9N	10N
17N	15N
20N	21N
	22N



ZONING MAP LEGEND

RESIDENTIAL
 AG: Agricultural
 R1-4: Single-Family Residential
 R1-5: Single-Family Residential
 R1-6: Single-Family Residential
 R1-7: Single-Family Residential
 R1-8: Single-Family Residential
 R1-10: Single-Family Residential
 R1-15: Single-Family Residential
 R1-PAD: Single-Family Residential

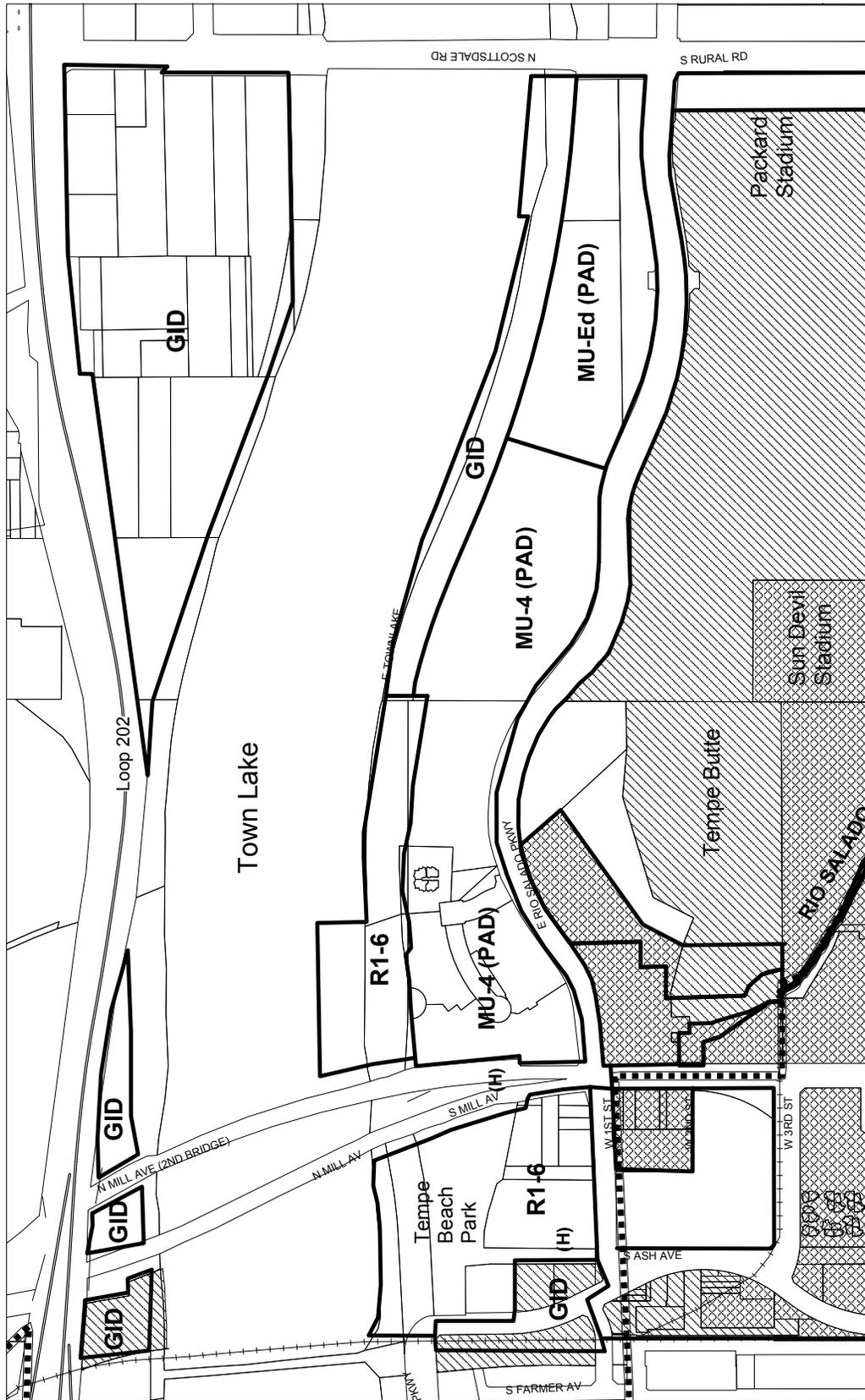
COMMERCIAL / MIXED USE
 R/O: Residential/Office
 CSS: Commercial Shopping and Services
 CC: City Center
 PCC-1: Planned Commercial Center Neighborhood
 PCC-2: Planned Commercial Center General
 RCC: Regional Commercial Center
 MU-1: Mixed Use, Low-Medium Density
 MU-2: Mixed Use, Medium Density
 MU-3: Mixed Use, Medium-High Density
 MU-4: Mixed Use, High Density
 MU-Edu: Mixed Use Educational

INDUSTRIAL
 LID: Light Industrial District
 GID: General Industrial District
 HID: Heavy Industrial District

R-2: Multi-Family Residential
 R-3R: Multi-Family Residential Restricted
 R-3: Multi-Family Residential Limited
 R-4: Multi-Family Residential General
 R-5: Multi-Family Residential High Density
 MHS: Manufactured Housing Subdivision
 RMH: Mobile Home Residence
 TP: Trailer Park

Legend symbols:
 [Hatched Box] TOD Corridor
 [Cross-hatched Box] TOD Station Area
 [Dotted Box] Planned Area Development Overlay
 [Dashed Box] Historic Property
 [Solid Line] City Limits

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9N	10N	11N
16N	15N	14N
21N	22N	23N



ZONING MAP LEGEND

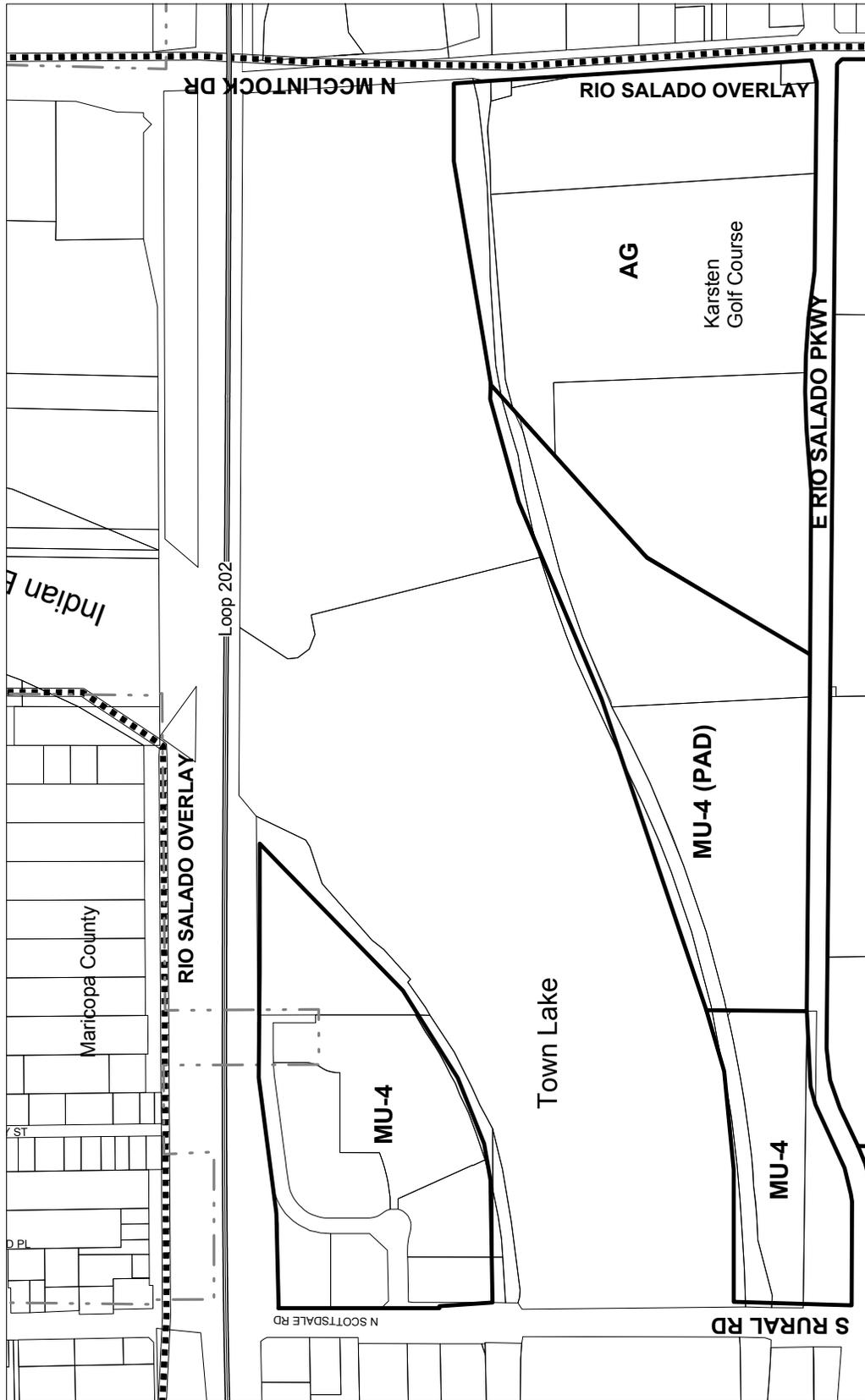
RESIDENTIAL
 AG: Agricultural
 R1-4: Single-Family Residential
 R1-5: Single-Family Residential
 R1-6: Single-Family Residential
 R1-7: Single-Family Residential
 R1-8: Single-Family Residential
 R1-10: Single-Family Residential
 R1-PAD: Single-Family Residential

COMMERCIAL / MIXED USE
 R1: Residential Office
 CCS: Commercial Shopping and Services
 CC: City Commercial District
 PCC-1: Planned Commercial Center Neighborhood
 PCC-2: Planned Commercial Center General
 RCC: Regional Commercial Center
 MU-1: Mixed Use: Low-Medium Density
 MU-2: Mixed Use: Medium Density
 MU-3: Mixed Use: Medium-High Density
 MU-4: Mixed Use: High Density
 MU-Ed: Mixed Use Educational

INDUSTRIAL
 LI: Light Industrial District
 GID: General Industrial District
 HI: Heavy Industrial District

Other Symbols:
 TOD Corridor
 TOD Station Area
 (PAD): Planned Area Development Overlay
 (H): Historic Property
 City Limits

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10N	11N	13N	24N
15N	14N	23N	



ZONING MAP LEGEND

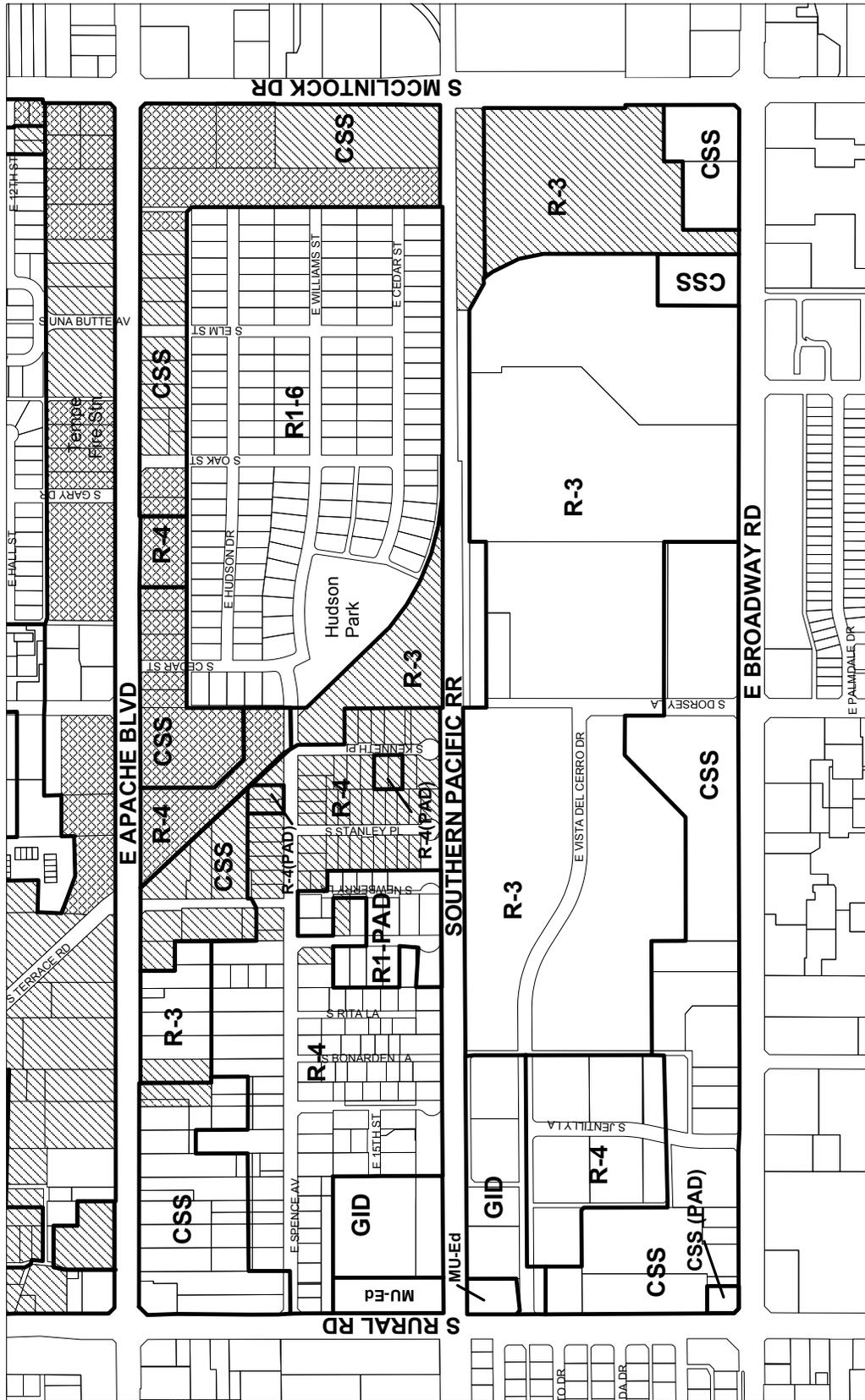
RESIDENTIAL
 AG: Agricultural
 R-2: Multi-Family Residential
 R-3R: Multi-Family Residential Restricted
 R-3: Multi-Family Residential Limited
 R-4: Multi-Family Residential General
 R-5: Multi-Family Residential High Density
 MHS: Manufactured Housing Subdivision
 RMH: Mobile Home Residence
 TP: Trailer Park
 R1-4: Single-Family Residential
 R1-5: Single-Family Residential
 R1-6: Single-Family Residential
 R1-7: Single-Family Residential
 R1-8: Single-Family Residential
 R1-9: Single-Family Residential
 R1-10: Single-Family Residential
 R1-PAD: Single-Family Residential

COMMERCIAL / MIXED USE
 CS: Commercial/Office
 CSS: Commercial Shopping and Services
 CC: City Center
 PCC-1: Planned Commercial Center Neighborhood
 PCC-2: Planned Commercial Center General
 RCC: Regional Commercial Center
 MU-1: Mixed Use, Low-Medium Density
 MU-2: Mixed Use, Medium Density
 MU-3: Mixed Use, Medium-High Density
 MU-4: Mixed Use, High Density
 MU-Ed: Mixed Use Educational

INDUSTRIAL
 IUD: Light Industrial District
 GID: General Industrial District
 HID: Heavy Industrial District

Other Symbols:
 TOD Corridor (diagonal lines)
 TOD Station Area (cross-hatch)
 (PAD): Planned Area Development Overlay
 (H): Historic Property
 City Limits (dashed line)

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15N	14N	13N
22N	23N	24N
27N	26N	25N



ZONING MAP LEGEND

RESIDENTIAL
 AG: Agricultural
 R1-4: Single-Family Residential
 R1-5: Single-Family Residential
 R1-6: Single-Family Residential Limited
 R1-7: Single-Family Residential
 R1-8: Single-Family Residential
 R1-10: Single-Family Residential
 R1-PAD: Single-Family Residential

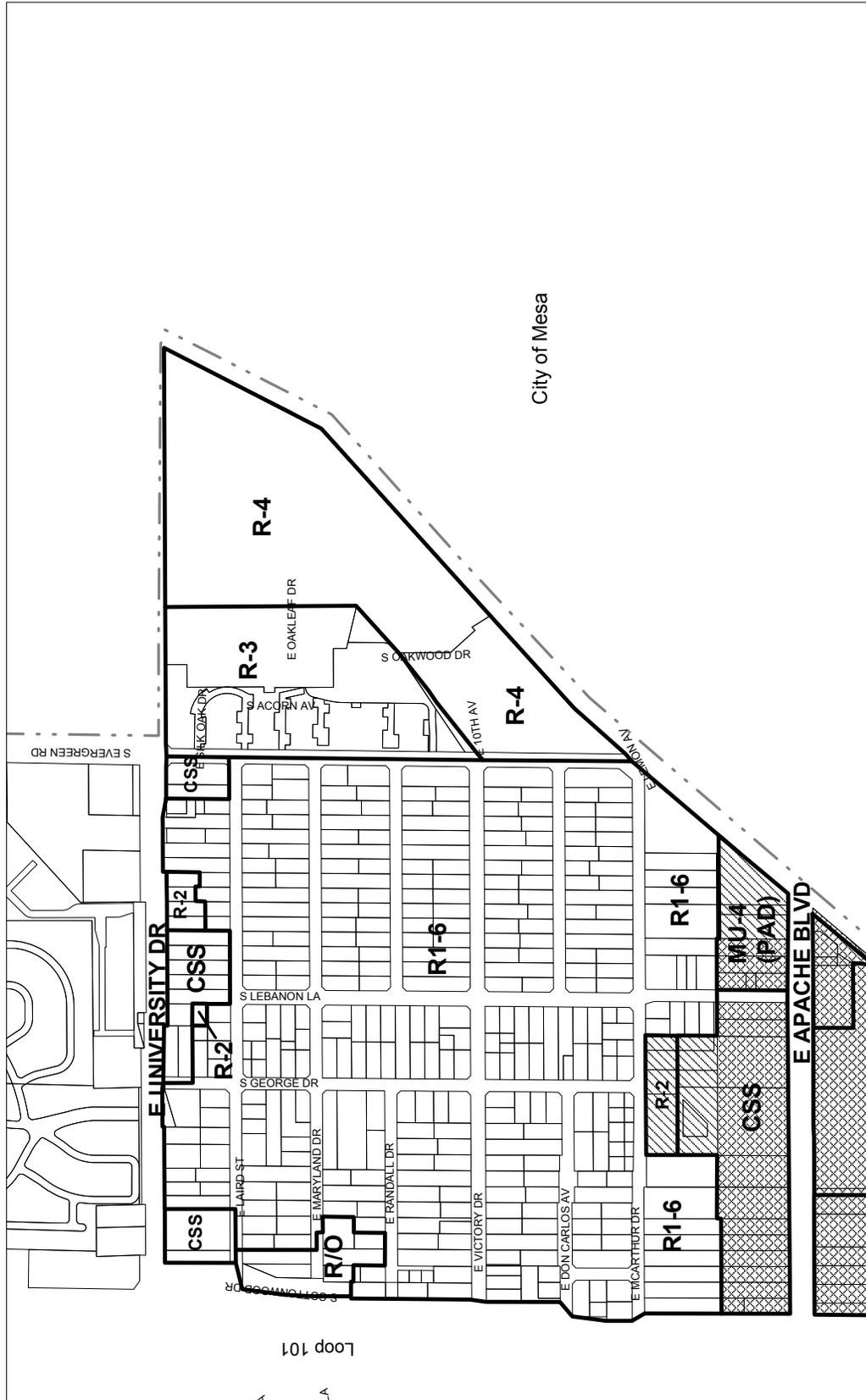
COMMERCIAL / MIXED USE
 R/O: Residential/Office
 CSS: Commercial Shopping and Services
 CC: City Center
 POC-1: Planned Commercial Center Neighborhood
 POC-2: Planned Commercial Center General
 RCC: Regional Commercial Center
 MU-1: Mixed Use, Low-Medium Density
 MU-2: Mixed Use, Medium Density
 MU-3: Mixed Use, Medium-High Density
 MU-4: Mixed Use, High Density
 MU-Ed: Mixed Use Educational

INDUSTRIAL
 I/D: Light Industrial District
 G/D: General Industrial District
 H/D: Heavy Industrial District

Other Districts:
 R-2: Multi-Family Residential
 R-3R: Multi-Family Residential Restricted
 R-3: Multi-Family Residential Limited
 R-4: Multi-Family Residential General
 R-5: Multi-Family Residential High Density
 MHS: Manufactured Housing Subdivision
 RMH: Mobile Home Residence
 TP: Trailer Park

Overlays and Features:
 TOD Corridor
 TOD Station Area
 PAD: Planned Area Development Overlay
 (H): Historic Property
 City Limits

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13N	18N
24N	19N
25N	30N



ZONING MAP LEGEND

RESIDENTIAL
 AG: Agricultural
 R1-4: Single-Family Residential
 R1-5: Single-Family Residential
 R1-6: Single-Family Residential
 R1-7: Single-Family Residential
 R1-8: Single-Family Residential
 R1-10: Single-Family Residential
 R1-15: Single-Family Residential
 R1-PAD: Single-Family Residential

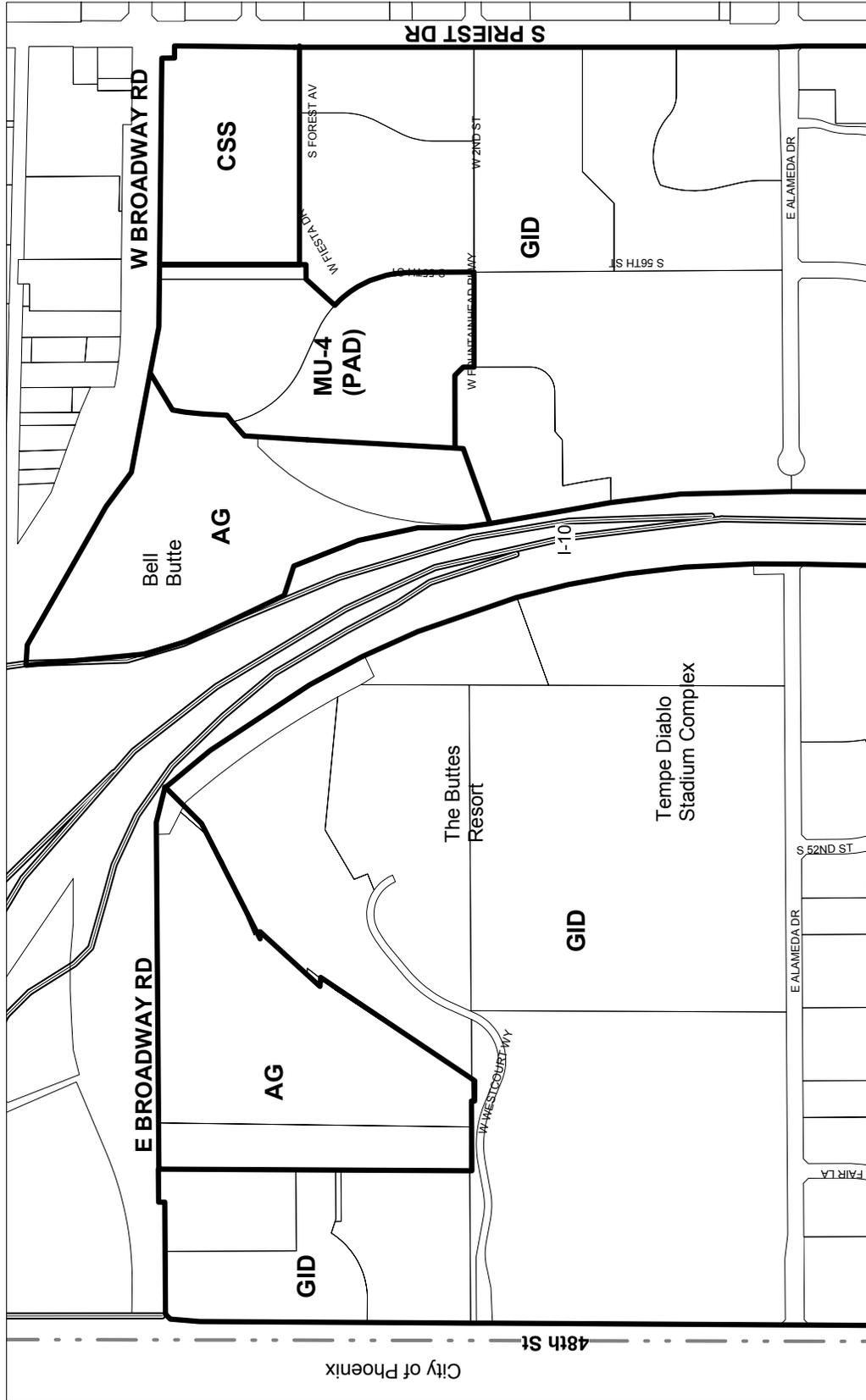
R-2: Multi-Family Residential
 R-3R: Multi-Family Residential Restricted
 R-3: Multi-Family Residential Limited
 R-4: Multi-Family Residential General
 R-5: Multi-Family Residential High Density
 MHS: Manufactured Housing Subdivision
 RMH: Mobile Home Residence
 TP: Trailer Park

COMMERCIAL / MIXED USE
 R/O: Residential/Office
 CSS: Commercial Shopping and Services
 CC: City Center
 PCC-1: Planned Commercial Center Neighborhood
 PCC-2: Planned Commercial Center General
 RCC: Regional Commercial Center
 MU-1: Mixed Use, Low-Medium Density
 MU-2: Mixed Use, Medium Density
 MU-3: Mixed Use, Medium-High Density
 MU-4: Mixed Use, High Density
 MU-EC: Mixed Use Educational

INDUSTRIAL
 LID: Light Industrial District
 GID: General Industrial District
 HID: Heavy Industrial District

TOD Corridor
 TOD Station Area
 (PAD): Planned Area Development Overlay
 (H): Historic Property
 City Limits

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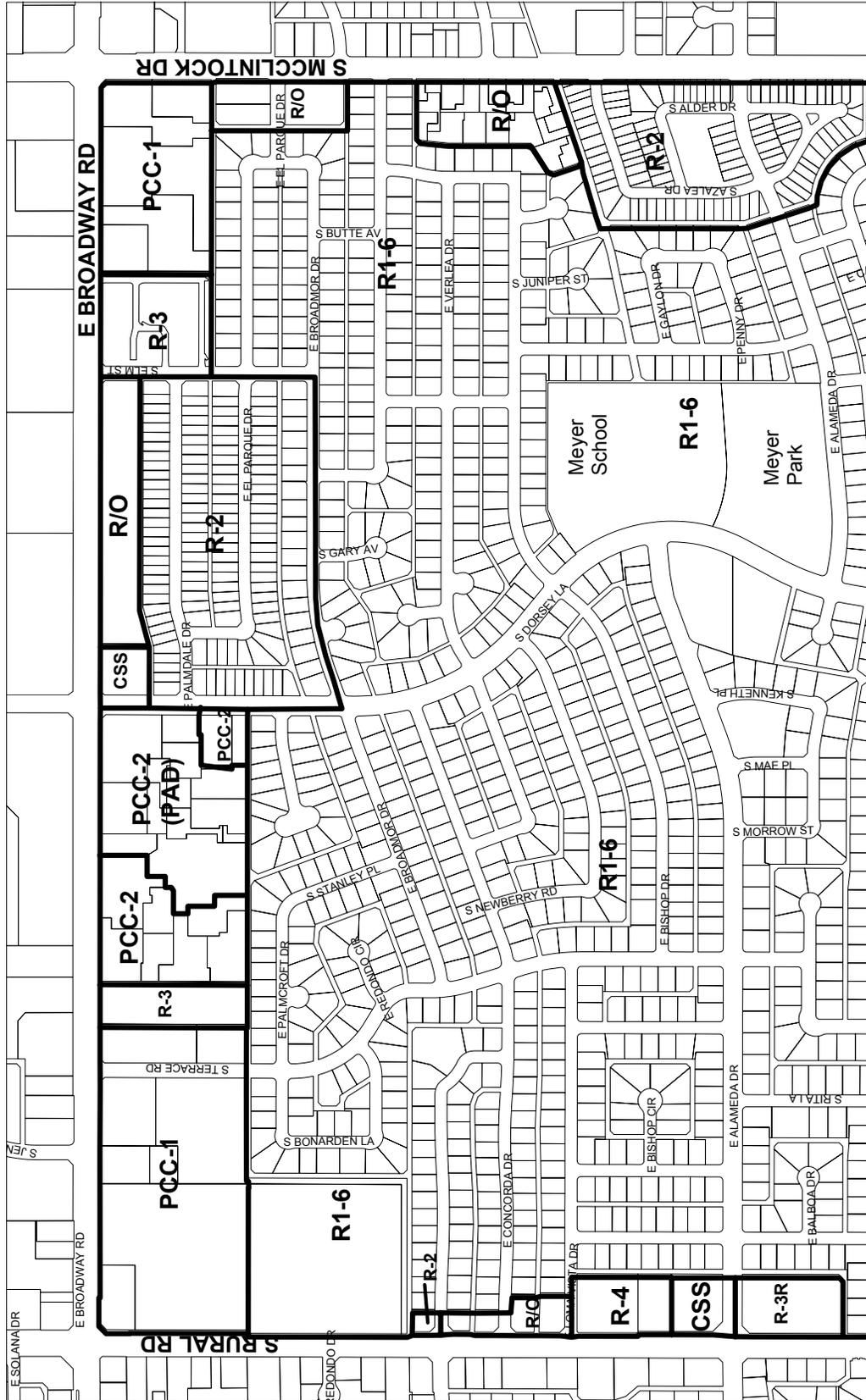
20N	21N
28N	29N
32N	33N



ZONING MAP LEGEND

RESIDENTIAL	COMMERCIAL / MIXED USE	INDUSTRIAL
AG: Agricultural	ROV: Residential/Office	LID: Light Industrial District
R1-4: Single-Family Residential	CSS: Commercial Shopping and Services	GID: General Industrial District
R1-5: Single-Family Residential	CC: City Center	HID: Heavy Industrial District
R1-6: Single-Family Residential	PCC-1: Planned Commercial Center Neighborhood	
R1-7: Single-Family Residential	PCC-2: Planned Commercial Center General	
R1-8: Single-Family Residential	RCC: Regional Commercial Center	
R1-9: Single-Family Residential	MU-1: Mixed Use, Low-Medium Density	
R1-10: Single-Family Residential	MU-2: Mixed Use, Medium Density	
R1-PAD: Single-Family Residential	MU-3: Mixed Use, Medium-High Density	
	MU-4: Mixed Use, High Density	
	MU-Ed: Mixed Use Educational	
		TOD Corridor
		(Hatched pattern)
		TOD Station Area
		(Cross-hatched pattern)
		(PAD): Planned Area Development Overlay
		(H): Historic Property
		City Limits

NOTE: This map represents the zoning related to a parcel or lot, but the City of Tempe is not responsible for situations requiring a field verification or legal description. This information should not be relied upon without staff verification.



22N	23N	24N
27N	26N	25N
34N	35N	36N



ZONING MAP LEGEND

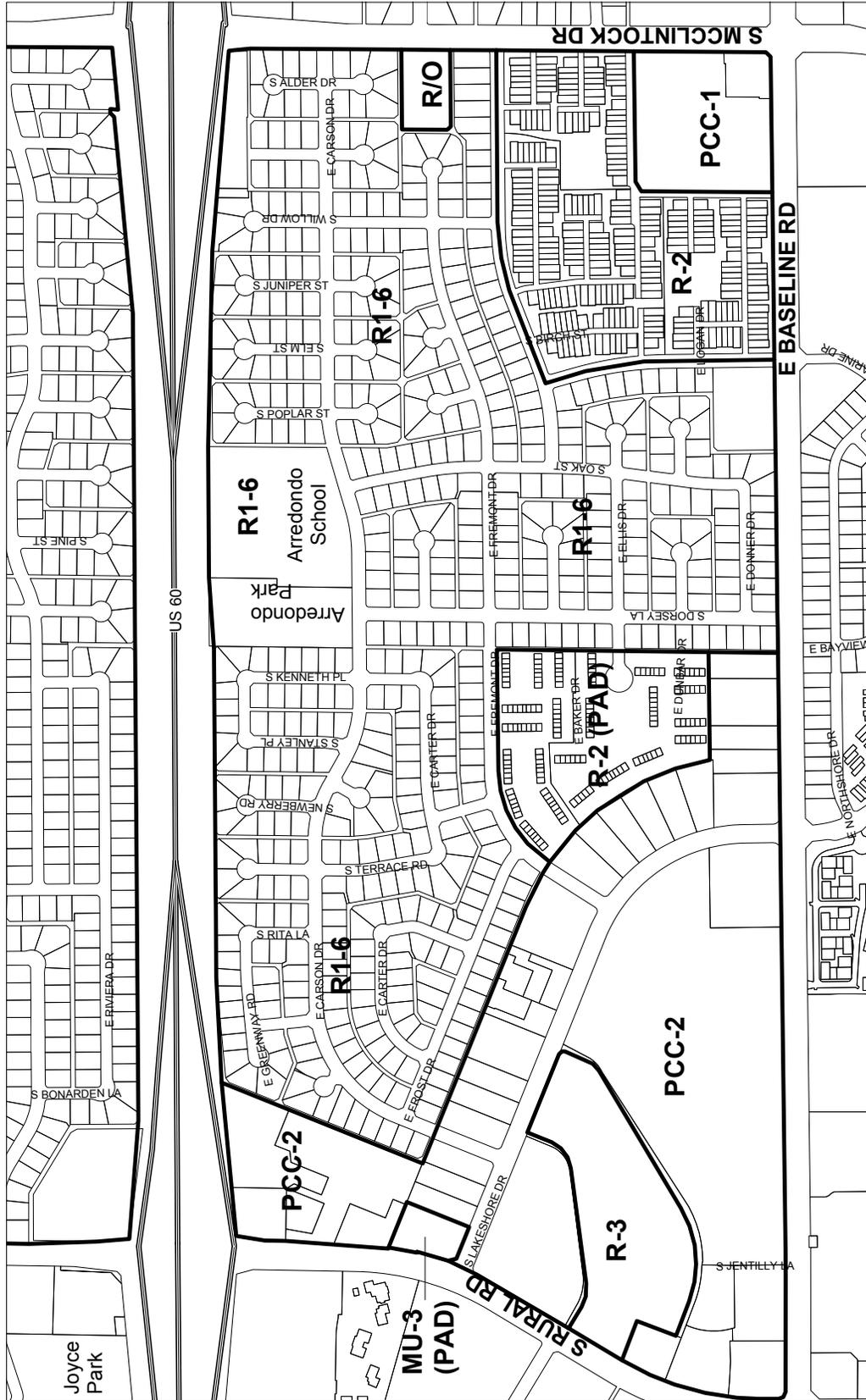
RESIDENTIAL
 AG: Agricultural
 R1-4: Single-Family Residential
 R1-5: Single-Family Residential
 R1-6: Multi-Family Residential Limited
 R1-7: Single-Family Residential
 R1-8: Single-Family Residential
 R1-9: Single-Family Residential
 R1-10: Single-Family Residential
 R1-PAD: Single-Family Residential

COMMERCIAL / MIXED USE
 R/O: Residential/Office
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 MU-2: Mixed Use, Medium Density
 MU-3: Mixed Use, Medium-High Density
 MU-4: Mixed Use, High Density
 MU-Ec: Mixed Use Educational

INDUSTRIAL
 I: Light Industrial District
 IGD: General Industrial District
 HID: Heavy Industrial District

Other:
 TOD Corridor
 TOD Station Area
 (PAD): Planned Area Development Overlay
 (H): Historic Property
 City Limits

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27N	26N	25N
34N	35N	36N
3S	2S	1S



ZONING MAP LEGEND

RESIDENTIAL
 AG: Agricultural
 R1-4: Single-Family Residential
 R1-5: Single-Family Residential
 R1-6: Single-Family Residential
 R1-7: Single-Family Residential
 R1-8: Single-Family Residential
 R1-10: Single-Family Residential
 R1-15: Single-Family Residential
 R1-PAD: Single-Family Residential

COMMERCIAL / MIXED USE
 R/O: Residential/Office
 CSS: Commercial Shopping and Services
 CC: City Center
 PCC-1: Planned Commercial Neighborhood
 PCC-2: Planned Commercial Center General
 RCC: Regional Commercial Center

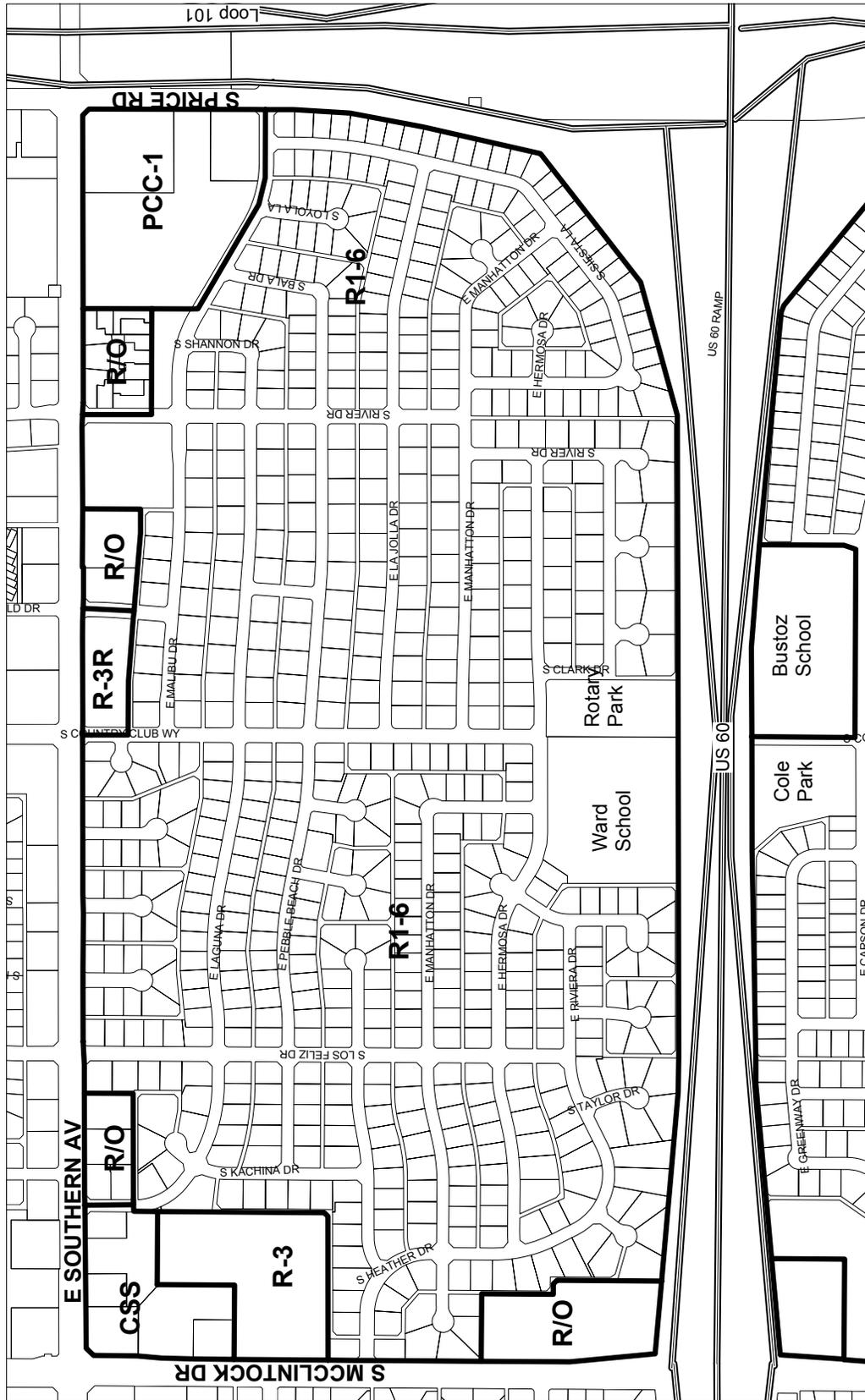
INDUSTRIAL
 LID: Light Industrial District
 GID: General Industrial District
 HID: Heavy Industrial District

MU-1: Mixed Use, Low-Medium Density
MU-2: Mixed Use, Medium Density
MU-3: Mixed Use, Medium-High Density
MU-4: Mixed Use, High Density
MU-Ed: Mixed Use Educational

R-2: Multi-Family Residential
R-3R: Multi-Family Residential Restricted
R-3: Multi-Family Residential Limited
R-4: Multi-Family Residential General
R-5: Multi-Family Residential High Density
 MHS: Manufactured Housing Subdivision
 RWHT: Mobile Home Residence
 TP: Trailer Park

TOD Corridor
TOD Station Area
 (PAD): Planned Area Development Overlay
 (H): Historic Property
 City Limits

NOTE: This map represents the zoning related to a parcel or lot, but the City of Tempe is not responsible for situations requiring a field verification or legal description. This information should not be relied upon without staff verification.



26N	25N	30N
35N	36N	31N
2S	1S	



ZONING MAP LEGEND

RESIDENTIAL
 AG: Agricultural
 R1-4: Single-Family Residential
 R1-5: Single-Family Residential
 R1-6: Single-Family Residential
 R1-7: Single-Family Residential
 R1-8: Single-Family Residential
 R1-10: Single-Family Residential
 R1-15: Single-Family Residential
 R1-PAD: Single-Family Residential

COMMERCIAL / MIXED USE
 R/O: Residential/Office
 CSS: Commercial Shopping and Services
 CC: City Center
 PCC-1: Planned Commercial Neighborhood
 PCC-2: Planned Commercial Center General
 RCC: Regional Commercial Center
 MU-1: Mixed Use, Low-Medium Density
 MU-2: Mixed Use, Medium Density
 MU-3: Mixed Use, Medium-High Density
 MU-4: Mixed Use, High Density
 MU-Ed: Mixed Use Educational

INDUSTRIAL
 LID: Light Industrial District
 GID: General Industrial District
 HID: Heavy Industrial District

Other:
 (PAD): Planned Area Development Overlay
 (H): Historic Property
 City Limits

PART 3 – LAND USE

Chapter 1 – Permitted Uses in Residential Districts

Section 3-101	Purpose and Applicability
Section 3-102	Permitted Uses in Residential Districts

Chapter 2 – Permitted Uses in Commercial and Mixed-Use Districts

Section 3-201	Purpose and Applicability
Section 3-202	Permitted Uses in Commercial and Mixed-Use Districts

Chapter 3 – Permitted Uses in Office/Industrial Districts

Section 3-301	Purpose and Applicability
Section 3-302	Permitted Uses in Office/Industrial Districts

Chapter 4 – Special Use Standards

Section 3-401	Accessory Buildings, Uses and Structures
Section 3-402	Accessory Dwellings
Section 3-403	Adult-Oriented Businesses
Section 3-404	Agricultural Uses
Section 3-405	Bed and Breakfast
Section 3-406	Boutique
Section 3-407	Child Care, In Home
Section 3-408	Drive-Through Facilities
Section 3-409	Group Homes for Adult Care, Persons with Disabilities, and Child Shelter
Section 3-410	Boarding Room
Section 3-411	Guest Quarters
Section 3-412	Home Occupation
Section 3-413	Hospitals, Sanitariums, Nursing Homes
Section 3-414	Live-Work
Section 3-415	Mini-Warehouse/Rental Storage Facilities
Section 3-416	Mobile Homes
Section 3-417	Outdoor Retailing
Section 3-418	Outdoor Retail Display
Section 3-419	Residential Sales Office, Temporary
Section 3-420	Single-Family Residential Second Story Addition or Rebuild
Section 3-421	Wireless Telecommunication Facilities
Section 3-422	Amateur Radio Antennas
Section 3-423	Use Separation Requirements
Section 3-424	Tattoo, Body Piercing Establishment
Section 3-425	Outdoor Seating

Chapter 5 – Non-Conforming Use or Development

Section 3-501	Purpose
Section 3-502	General Provisions
Section 3-503	Legal Non-Conforming Development
Section 3-504	Legal Non-Conforming Use
Section 3-505	Discontinuance of a Legal Non-Conforming Use
Section 3-506	Damage to a Legal Non-Conforming Development
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Section 3-202 Permitted Uses in Commercial and Mixed-Use Districts

Table 3-202A identifies land uses according to permit status. See key below the table:

Table 3-202A – Permitted Land Uses (R/O, CSS, CC, PCC, RCC)						
Uses	Status of Use District					
	R/O	CSS	CC	PCC-1	PCC-2	RCC
Accessory Use (see Section 7-102, Definitions)	P	P	P	P	P	P
Animal Kennel	N	U	U	U	U	U
Amateur Radio Antennas [Section 3-422]						
35 feet in height or less	S	S	S	S	S	S
Over 35 feet in height	U(S)	U(S)	U(S)	U(S)	U(S)	U(S)
Brewery, ancillary to a bar (a)	N	P	P	P	P	P
Cemeteries, Crematoriums and Mausoleums	N	U	U	U	U	N
Childcare Centers: Nursery Schools, Day Care Centers, similar	P	P	P	P	P	P
Clinic (medical, dental, veterinary (small animals))	P	P	P	P	P	P
Plasma donation center	U	U	U	U	U	U
Clubs						
Bar (indoor or outdoor), tavern, or nightclub (a)	N	U	U	U	U	P
Lodge or similar organization (a)	N	P	P	P	P	P
Teen night club (a)	N	U	U	U	U	U
Conference/Assembly (convention center)	N	P	P	P	P	P
Construction Offices and Sheds, Appurtenant Signs and Storage; Temporary – incidental to a construction project only for the duration of such project; not to exceed 24 months	P	P	P	P	P	P
Entertainment	N	U	U	U	U	P
Amusement businesses (a)	N	U	U	U	U	P
Outdoor (permanent use)	N	U	U	U	U	U
Theater or similar use	N	P	P	P	P	P
Fitness Centers: e.g. Heath Club, Fitness Studio	N	P	P	P	P	P
Heliport	N	U	U	U	U	U
Hospitals, Sanitariums, Nursing Homes: e.g. Orphanages, Institutions [Section 3-413]	N	U(S)	U(S)	U(S)	U(S)	U(S)
Hotels and Motels (a)	N	U	P	U	U	P

Key:

- P = Permitted
- S = Permitted with special standards or limitations
- U = Use permit required
- N = Not permitted
- R/O = Residential/Office
- (a) Security plan required. See Section 6-313.

- CSS = Commercial Shopping and Services (previously designated as CCR, C-1, C-2 districts)
- CC = City Center (previously designated as CCD)
- PCC-1 = Planned Commercial Center Neighborhood
- PCC-2 = Planned Commercial Center Comprehensive
- RCC = Regional Commercial Center

Table 3-202A – Permitted Land Uses (R/O, CSS, CC, PCC, RCC)

Uses	Status of Use District					
	R/O	CSS	CC	PCC-1	PCC-2	RCC
Live-Work [Section 3-414]	S	N	S	U(S)	U(S)	N
Mini-Warehouse/Rental Storage Facilities [Section 3-415]	N	U(S)	N	U(S)	U(S)	S
Offices	P	P	P	P	P	P
Outdoor Storage of equipment, goods, or materials	N	N	N	U	U	U
Parking Facilities, Commercial						
Surface	N	U	U	P	P	P
Structure	N	U	P	U	U	P
Places of Worship – (except tents and other temporary structures or buildings not permitted) including childcare, Sunday school uses which are ancillary to main use	P	P	P	P	P	P
Childcare center, private or charter school not ancillary to main use	U	U	U	U	U	U
Public Uses						
Civic facilities (e.g., post office, library, city office, customer serving)	P	P	P	P	P	P
Municipal Facilities (maintenance, repair and storage)	N	U	U	U	U	U
Open space, parks, similar uses (See also, Schools)	P	P	P	P	P	P
Radio and Television Studios with Receiving and Transmitting Towers	N	U	N	U	U	P
Resale Items	N	U	U	U	U	U
Antiques	N	U	U	U	U	U
Pawn Shops	N	U	U	U	U	U
Second Hand Stores	N	U	U	U	U	U
Residential, caretaker residence	P	P	P	P	P	P
Residential (all types)	P	U	P	U	U	U
Restaurants (a)	N	P	P	P	P	P
Entertainment as accessory use (a)	N	U	U	U	U	P
Outdoor seating [Section 3-425]	N	S	S	S	S	S
With drive-in or drive-through, [Section 3-408]	N	U(S)	N	S	S	S
With liquor license (a)	N	P	P	P	P	P

Key:

- P = Permitted
- S = Permitted with special standards or limitations
- U = Use permit required
- N = Not permitted
- R/O = Residential/Office
- (a) Security plan required. See Section 6-313.

- CSS = Commercial Shopping and Services (previously designated as CCR, C-1, C-2 districts)
- CC = City Center (previously designated as CCD)
- PCC-1 = Planned Commercial Center Neighborhood
- PCC-2 = Planned Commercial Center Comprehensive
- RCC = Regional Commercial Center

Table 3-202A – Permitted Land Uses (R/O, CSS, CC, PCC, RCC)						
Uses	Status of Use District					
	R/O	CSS	CC	PCC-1	PCC-2	RCC
Retail Sales [See Appendix M.]	N	P	P	P	P	P
Gun shop	N	U	U	U	U	U
Convenience Store (a)	N	P	P	P	P	P
with gas/fuel sales (a)	N	U	U	U	U	U
Drive-through or drive-in [Section 3-408]	N	U(S)	S	S	S	S
Liquor store	N	U	U	U	U	U
Outdoor retail display [Section3-418]	N	U(S)	S	U(S)	U(S)	U(S)
Outdoor retailing [Section 3-417]	N	U(S)	U(S)	U(S)	U(S)	U(S)
Tire store	N	U	U	U	U	U
Tobacco retailer [Section 3-423]	N	U(S)	U(S)	U(S)	U(S)	U(S)
Schools						
Charter	U	U	U	U	U	U
Instructional	P	P	P	P	P	P
Private	U	U	U	U	U	U
Public	P	P	P	P	P	P
Vocational	N	U	U	U	U	U
Services [See Appendix M.]	N	P	P	P	P	P
Auto title loan [Section 3-423]	N	U(S)	U(S)	U(S)	U(S)	U(S)
Barber/ beauty salon	P	P	P	P	P	P
Employment agency	U	U	U	U	U	U
Financial institution (without drive through)	P	P	P	P	P	P
Financial institution, non-chartered [Section 3-423]	N	U(S)	U(S)	U(S)	U(S)	U(S)
Massage establishment	U	U	U	U	U	U
Mortuary	N	U	U	U	U	U
Personal or business (e.g. drycleaner, small appliance repair)	N	P	P	P	P	P
Photography Studio, except adult-oriented businesses	N	P	P	P	P	P
Tattoo, body piercing establishment [Section 3-424]	N	U(S)	U(S)	U(S)	U(S)	U(S)
Tutoring/After school learning center	P	P	P	P	P	P
Vehicle based service (e.g. courier, delivery service, taxi and ambulance dispatch)	N	U	U	U	U	U
With drive through (e.g. dry cleaner) [Section 3-408]	N	S	S	S	S	S
Similar Uses [Section 6-301]	S	S	S	S	S	S

Table 3-202A – Permitted Land Uses (R/O, CSS, CC, PCC, RCC)						
Uses	Status of Use District					
	R/O	CSS	CC	PCC-1	PCC-2	RCC
Vehicle						
Auto Body Repair	N	N	N	N	N	N
Car wash [Section 3-408]	N	U(S)	N	U(S)	U(S)	S
Repair	N	N	U	U	U	P
Sales/ rental (indoor or outdoor)	N	N	U	U	U	P
Service station	N	U	N	U	U	P
Warehouse Commercial	N	P	P	P	P	P
Wireless Telecommunication Facilities [Section 3-421]	U(S)	U(S)	U(S)	U(S)	U(S)	U(S)

Key:

P = Permitted
 S = Permitted with special standards or limitations
 U = Use permit required
 N = Not permitted
 R/O = Residential/Office
 (a) Security plan required. See Section 6-313.

CSS = Commercial Shopping and Services (previously designated as CCR, C-1, C-2 districts)
 CC = City Center (previously designated as CCD)
 PCC-1 = Planned Commercial Center Neighborhood
 PCC-2 = Planned Commercial Center Comprehensive
 RCC = Regional Commercial Center

Table 3-202B – Permitted Land Uses (MU-1, MU-2, MU-3, MU-4 and MU-Ed)

Uses	Districts				
	MU-1	MU-2	MU-3	MU-4	MU-Ed
Accessory Use	P	P	P	P	P
Amateur Radio Antennas [Section 3-422]					
35 feet in height or less	S	S	S	S	S
Over 35 feet in height	U(S)	U(S)	U(S)	U(S)	U(S)
Bed and Breakfast [Section 3-405]	U(S)	U(S)	U(S)	U(S)	U(S)
Brewery, ancillary to a bar (a)	P	P	P	P	U
Childcare, In-Home					
Not to exceed 6 children [Section 3-407]	S	S	S	S	U(S)
7 to 10 children [Section 3-407]	U(S)	U(S)	U(S)	U(S)	U(S)
Childcare Centers: Nursery Schools, Day Care Centers, similar	P	P	P	P	P
Clinic (medical, dental, veterinary (small animals))	P	P	P	P	U
Plasma donation center	U	U	U	U	U
Clubs					
Bar, tavern, nightclub (a)	U	U	U	P	U
Lodges & similar organization (a)	U	P	P	P	U
Teen nightclub (dance hall) (a)	N	N	U	P	U
Conference/Assembly (Convention Center)	P	P	P	P	P
Construction Offices and Sheds, Appurtenant Signs and Storage; Temporary – incidental to a construction project only for the duration of such project, not to exceed 24 months	P	P	P	P	P
Entertainment					
Amusement businesses (arcade) (a)	N	U	U	P	P
Outdoor/permanent use	N	N	N	N	P
Theater or similar use	U	U	U	P	P
Fitness Centers: e.g. Health Club, Fitness Studio	P	P	P	P	P
Hospitals, Sanitariums, and Nursing Homes: e.g. Orphanages, Institutions [Section 3-413]	N	N	U(S)	U(S)	U(S)
Hotels and Motels (a)	N	U	P	P	P
Live-Work [Section 3-414]	S	S	S	S	S

Key:

P = Permitted
S = Permitted with special standards or limitations
U = Use permit required
N = Not permitted

MU-1 = Low – Medium Density District
MU-2 = Medium Density District
MU-3 = Medium – High Density District
MU-4 = High Density District (previously designated as MG district)
MU-Ed = Mixed Use Educational District

(a) Security plan required. See Section 6-313.

Table 3-202B – Permitted Land Uses (MU-1, MU-2, MU-3, MU-4 and MU-Ed)

Uses	Districts				
	MU-1	MU-2	MU-3	MU-4	MU-Ed
Mini-Warehouse/Rental Storage Facilities [Section3-415]	N	N	N	N	N
Offices	P	P	P	P	P
Outdoor Storage of equipment, goods, or materials	N	N	N	N	N
Parking Facilities, Commercial					
Surface	N	N	U	U	P
Structure	N	N	U	U	P
Places of Worship (except tents and other temporary structures or buildings not permitted) including childcare, Sunday school uses which are ancillary to main use	P	P	P	P	P
Childcare center, private school, or charter not ancillary to main use	U	U	U	U	P
Public Uses					
Civic facilities (e.g., post office, library, city office, customer serving)	P	P	P	P	P
Municipal Facilities (maintenance, repair and storage)	N	N	N	N	P
Open space, parks, similar uses (See also, Schools)	P	P	P	P	P
Resale Items					
Antiques	U	U	U	U	U
Pawn Shops	N	N	N	N	N
Second Hand Stores	N	N	N	N	U
Residential – of a caretaker or operator employed on the premises	P	P	P	P	P
Residential (all types)	P	P	P	P	P
Restaurants	P	P	P	P	P
Entertainment as accessory use (a)	U	U	U	P	P
Outdoor seating [Section 3-425]	S	S	S	S	S
With drive-in or drive-through [Section 3-408]	N	N	U(S)	S	U(S)
With liquor license (a)	P	P	P	P	P
Retail Sales [See Appendix M.]	P	P	P	P	P
Convenience Store (a)	P	P	P	P	U
with gas/fuel sales (a)	N	N	N	N	U
Drive-through [Section 3-408]	N	N	U(S)	S	U(S)

Key:

- P = Permitted
- S = Permitted with special standards or limitations
- U = Use permit required
- N = Not permitted
- (a) Security plan required. See Section 6-313.

- MU-1 = Low – Medium Density District
- MU-2 = Medium Density District
- MU-3 = Medium – High Density District
- MU-4 = High Density District (previously designated as MG district)
- MU-Ed = Mixed Use Educational

Table 3-202B – Permitted Land Uses (MU-1, MU-2, MU-3, MU-4 and MU-Ed)

Uses	Districts				
	MU-1	MU-2	MU-3	MU-4	MU-Ed
Gun shop	U	U	U	U	U
Liquor store	U	U	U	U	U
Outdoor retailing [Section 3-417]	U(S)	U(S)	U(S)	U(S)	S
Tire store	U	U	U	U	U
Tobacco retailer [Section 3-423]	U(S)	U(S)	U(S)	U(S)	U(S)
Schools					
Charter	U	U	U	U	P
Instructional	U	U	U	U	P
Private	U	U	U	U	P
Public	P	P	P	P	P
Vocational	U	U	U	U	P
Services [See Appendix M.]	P	P	P	P	P
Auto title loan [Section 3-423]	U(S)	U(S)	U(S)	U(S)	U(S)
Barber/Beauty Salon	P	P	P	P	U
Employment agency	U	U	U	U	U
Financial institutions (without drive through)	P	P	P	P	P
Financial institutions, non-chartered [Section 3-423]	U(S)	U(S)	U(S)	U(S)	U(S)
Massage establishment	U	U	U	U	U
Mortuary	U	U	U	U	U
Personal or business (e.g. drycleaner, small appliance repair)	P	P	P	P	P
Photography Studio, except adult-oriented businesses	P	P	P	P	P
Vehicle base service (courier, delivery service, taxi and ambulance dispatch)	N	N	N	N	U
Tattoo, body piercing establishment [Section 3-424]	N	N	U(S)	U(S)	N
Tutoring/After school learning center	P	P	P	P	P
With drive through (e.g. dry cleaner) [Section 3-408]	N	S	S	S	U(S)
Similar Uses [Section 6-301]	S	S	S	S	S
Wireless Telecommunication Facilities [Section 3-421]	U(S)	U(S)	U(S)	U(S)	U(S)

Key:

P = Permitted
 S = Permitted with special standards or limitations
 U = Use permit required
 N = Not permitted

MU-1 = Low – Medium Density District
 MU-2 = Medium Density District
 MU-3 = Medium – High Density District
 MU-4 = High Density District (previously designated as MG district)

(a) Security plan required. See Section 6-313.

MU-Ed = Mixed Use Educational

CHAPTER 3 – PERMITTED USES IN OFFICE/INDUSTRIAL DISTRICTS

Section 3-301 Purpose and Applicability.

- A. Purpose.** The *office*/industrial districts are designed to provide for *office*/industrial business involved in research, warehousing, *wholesaling*, and manufacturing. The facilities range from administrative and research institutions to assembly and production. The *office*/industrial districts allow a range of industrial uses, as expressed below.
- B. Applicability.** Industrial uses are accommodated in three districts:
1. Light Industrial District (LID) (previously designated as IBD district). Administrative and research industries, *offices*, and limited manufacturing to provide opportunities for employment and for protection to neighborhood residential areas;
 2. General Industrial District (GID) (previously designated as I-1 and 1-2 districts). *Office* uses, warehousing, *wholesaling*, assembling and manufacturing of *building* materials, machinery and other commodities to provide employment centers and production; and
 3. Heavy Industrial District (HID) (previously designated as I-3 district). Intensive manufacturing, fabricating, and storage to provide for concentrated industrial uses.
- C. Applicability of Other Code Chapters.** Uses permitted under this chapter shall conform to the *development* standards in Part 4 and the application procedures in Part 6, as applicable. Uses shall also conform to any *overlay district* requirements that are applicable. Uses permitted with special standards or limitations (“S” type uses) shall comply with the standards in Part 3, Chapter 4, Special Use Standards. Zoning Administrator opinions may also apply. See Appendix H.

City code reference—See TCC §14A, Historic Preservation Ordinance.

Section 3-422 Amateur Radio Antennas

Amateur radio antennas for non-commercial use.

- A. Antennas Permitted.** Amateur radio antennas are permitted in all zoning districts subject to the following standards:
1. Antenna *structures* are allowed up to thirty-five (35) feet in height;
 2. Antenna *structures* shall comply with *setback* standards for the zoning district in which it is located and in all residential zoning districts, shall be located in the rear half of the *lot*;
 3. Antennas, including support *structures*, shall not extend beyond the *property line*; and
 4. When a Federally Licensed Radio Amateur no longer occupies the subject property, the antenna *structure* shall be removed.
- B. Antennas with a Use Permit.** All amateur radio antennas that exceed thirty-five (35) feet in height shall require approval of a *use permit*. Such antennas shall be of telescoping design and lowered to a height of no more than thirty-five (35) feet when not in use. In no event shall an amateur radio antenna exceed the height of seventy-five (75) feet.

Section 3-423 Use Separation Requirements.

- A. Non-Chartered Financial Institutions.**
1. *Non-chartered financial institutions* shall not be located on a *lot* within 1,320 feet, measured by a straight line in any direction, from the lot line of another *non-chartered financial institution*.
 2. *Non-chartered financial institutions* shall not be located on a lot within five hundred (500) feet, measured by a straight line in any direction, from the lot line of a residential district.
 3. The requirements pursuant to Section 3-423(A) shall also apply to *Non-chartered financial institutions* which are ancillary to another existing or permitted use.
- B. Auto Title Loan.** *Auto Title Loan* businesses shall not be located on a *lot* within 1,320 feet, measured by a straight line in any direction, from the lot line of another *auto title loan*. The requirements in this section shall also apply to *auto title loan* businesses which are ancillary to another existing or permitted use.
- C. Tobacco Retailer.** *Tobacco Retailers* shall not be located on a lot within 1,320 feet, measured by a straight line in any direction, from the lot line of a *charter school, private school, or public school*, which provides elementary or secondary education. *Instructional or vocational schools* are excluded from the separation requirement.

Section 3-424 Tattoo, Body Piercing Establishment.

A. Separation Requirements.

1. *Tattoo, body piercing establishments* shall not be located on a *lot* within 1,320 feet, measured by a straight line in any direction, from the *lot* line of another *tattoo shop or body piercing establishment*.
2. *Tattoo, body piercing establishments* shall not be located on a *lot* within five hundred (500) feet, measured by a straight line in any direction, from the *lot* line of a residential district.
3. *Tattoo, Body Piercing Establishments* shall not be located on a lot within five hundred (500) feet, measured by a straight line in any direction, from the lot line of a *charter school, private school, or public school*, which provides elementary or secondary education. *Instructional or vocational schools* are excluded from the separation requirement.
4. Existing *tattoo, body piercing establishments* that are considered a legal *non-conforming use*, not meeting the separation requirements of this Code, may relocate to another tenant space that is located on the same *lot* of the current tenant space. Such change shall require compliance with the procedures for Use Permits, pursuant to Section 6-308 and 6-903.

B. General Regulations. A use permit is required for such use, pursuant to the approval criteria within Section 6-308. Additional use requirements include the following, which shall be verified prior to occupying location:

1. The establishment must have and thereafter maintain written procedures on the premises, the proper handling and sterilization of equipment and demonstrate that all personnel are trained in the procedures;
2. All practitioners must have training in blood-borne pathogens and cross-contamination. Current Verification of such shall be maintained on the premises at all times;
3. The establishment must post and thereafter maintain and provide to customers, upon request, written instructions on tattoo and body piercing care; and
4. All hypodermic needles shall be immediately disposed within a proper container of single-use contaminated needles that is then shipped back to the appropriate company for further disposal. Needles and other similar equipment shall not be placed within the facility's refuse container outside of the business.

Section 3-425 Outdoor Seating.

- A. Purpose and Applicability.** This section is applicable to all outdoor seating areas designated on site or within the public right of way for use by a restaurant, bar or other related establishments providing outdoor seating.
- B. Procedure.** All outdoor seating shall first require review through a minor Development Plan Review application, pursuant to Section 6-306. Furniture, materials, and other related exterior modifications are included in the review process.
1. Use of outdoor seating within the public right of way shall require an encroachment permit and a right of way permit for construction performed, authorized by the City Engineer or designee;
 2. Businesses utilizing the outdoor seating area for liquor consumption shall require a liquor license and a security plan, pursuant to Tempe City Code, Chapter 4, Alcoholic Beverages and Chapter 26, Article V, Security Plans; and
 3. If liquor consumption is granted within the outdoor seating, the request shall comply with all Arizona revised Statutes and their related regulations, as amended, including liquor licensing and designated non-smoking areas.
- C. Standards.** Outdoor seating areas are subject to the following requirements:
1. Advertising or signs of any sort in the right-of-way or on site shall conform to the requirements pursuant to Part 4, Chapter 9, Signs, as applicable;
 2. The outdoor seating area shall be a clearly defined area, which creates a clear and continuous division between the use area and the public portion of the sidewalk; and
 3. Shall not obstruct sidewalk pedestrian traffic or create public health and safety hazards and shall leave a minimum clear distance of six (6) feet of sidewalk pedestrian area in all places. All walkways within the confines of the seating shall be level with the public sidewalk and accessible for the physically disabled.

CHAPTER 5 – NON-CONFORMING USE OR DEVELOPMENT

Section 3-501 Purpose.

The purpose of this section is to allow *non-conforming uses* and *developments* to continue, but not to encourage their perpetuation; and ultimately bring *development* and uses into conformance with this Code.

Section 3-502 General Provisions.

- A. **Legal Non-Conforming Uses and Non-Conforming Developments.** Nothing in this Code shall affect existing property or the right to its continued use for the purpose used at the time the Code takes effect, nor to make any reasonable repairs or *alterations* in *buildings* or property used for such legal existing purpose.
- B. **Approved Projects.** Nothing in this Code shall be deemed to require a change in the plans, construction, or designated use of any *building* for which a *building* permit has been lawfully issued prior to the effective date of adoption or amendment of this Code.

Section 3-503 Legal Non-Conforming Development.

All *developments* may be maintained but shall not be re-erected, relocated, or replaced unless brought into compliance with this Code.

Section 3-504 Legal Non-Conforming Use.

A *non-conforming use* may be expanded or enlarged to an extent not exceeding twenty-five percent (25%) of the land area or *building* floor area devoted to the use at the time it became non-conforming. Such expansion shall require a *use permit*.

Section 3-505 Discontinuance of a Legal Non-Conforming Use.

Whenever a *non-conforming use* has been abandoned or ceases to exist for a period in excess of one (1) year, such use shall not thereafter be re-established, as long as the period of non-use is attributable at least in part to the property owner, tenant or other person or entity in control of the use. For purposes of this Code, rental payments or lease payments and taxes shall not be considered as a continued use.

PART 4 – DEVELOPMENT STANDARDS

Chapter 1 – Development Standards Administration

- Section 4-101 Purpose and Applicability
- Section 4-102 General Regulations and Approval Criteria
- Section 4-103 Reference to Other Design Guidelines and Standards

Chapter 2 – General Development Standards

- Section 4-201 Purpose and Applicability
- Section 4-202 Development Standards for Residential Districts
- Section 4-203 Development Standards for Commercial and Mixed-Use Districts
- Section 4-204 Development Standards for Office/Industrial Districts
- Section 4-205 Exceptions

Chapter 3 – Public Infrastructure

- Section 4-301 Purpose and Applicability
- Section 4-302 General Requirements for Public Improvements
- Section 4-303 Transportation Improvements
- Section 4-304 Sanitary Sewer, Storm Drainage, and Water System Improvements
- Section 4-305 Private Utilities Coordination

Chapter 4 – Building Design

- Section 4-401 Purpose and Applicability
- Section 4-402 Public Safety Radio Amplification System
- Section 4-403 Building Identification
- Section 4-404 Building Height Step-Back
- Section 4-405 Mechanical Equipment
- Section 4-406 Employee Service Entrances and Exits
- Section 4-407 Art in Private Development

Chapter 5 – Access and Circulation

- Section 4-501 Purpose and Applicability
- Section 4-502 Motor Vehicle Access and Circulation Standards
- Section 4-503 Pedestrian and Bicycle Access and Circulation Standards

Chapter 6 – Parking

Section 4-601	Purpose and Applicability
Section 4-602	General Parking Standards
Section 4-603	Parking Ratios
Section 4-604	Shared Parking
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Section 4-606	Parking Area Dimensions

Chapter 7 – Landscape and Walls

Section 4-701	Purpose and Applicability
Section 4-702	General Landscape Standards
Section 4-703	Street Frontage Landscape Standards
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Chapter 8 – Lighting

Section 4-801	Purpose and Applicability
Section 4-802	Photometric Plan
Section 4-803	Lighting Standards
Section 4-804	Prohibited Lighting
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Chapter 9 – Signs

Section 4-901	Purpose and Applicability
Section 4-902	General Sign Standards
Section 4-903	Permitted Signs
Section 4-904	Sign Permits, Fees and Procedures
Section 4-905	Way-Finding Signs

CHAPTER 4 – BUILDING DESIGN

Section 4-401 Purpose and Applicability.

- A. **Purpose.** The purpose of Chapter 4 is to ensure that *buildings* are designed with aesthetic values that are contextually appropriate; compatible relationships with their surroundings; defensible space and crime prevention features; *accessibility* to pedestrians and those with disabilities; and proper addressing. Refer to Section 6-306(D).
- B. **Applicability.** The standards in Chapter 4 apply to all *buildings*, except single-family (detached) *dwellings*, MU-Ed District and unmanned utility *buildings*. Standards for building design in the MU-Ed District shall be established through the Joint Review Committee.

Section 4-402 Public Safety Radio Amplification System.

- A. Public safety radio amplification systems shall be provided in the following *buildings*:
1. New *buildings* greater than fifty thousand (50,000) square feet;
 2. Existing *buildings* over fifty thousand (50,000) square feet when modifications, *alterations* or repairs exceed fifty percent (50%) of the value of the existing *building(s)* and are made within any twelve (12) month period or the usable floor area is expanded or enlarged by more than fifty percent (50%); and
 3. All basements where the occupant load is greater than fifty (50) regardless of the occupancy, and/or sub-level *parking structures* over ten thousand (10,000) square feet. See Tempe City Code Chapter 9, Article II, Sections 9-21 through 9-32.

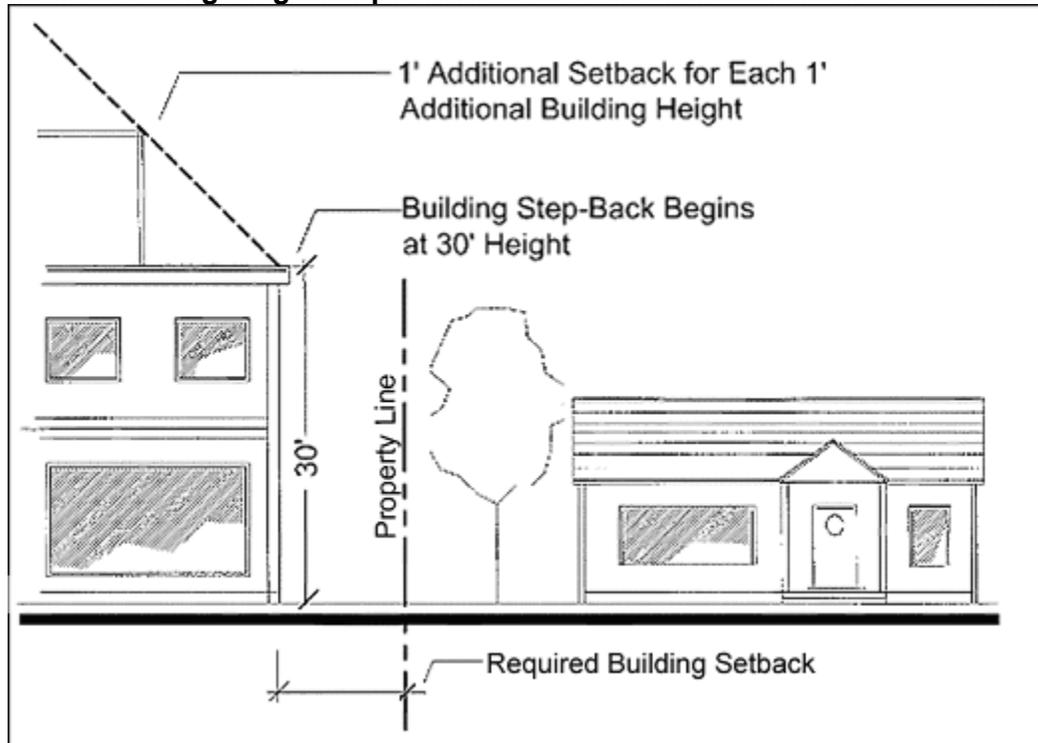
Section 4-403 Building Identification.

Buildings are required to have a site address, as assigned by the city. *Building identification signs* and site addresses shall conform to the standards in Section 4-903(A).

Section 4-404 Building Height Step-Back.

When a district other than single-family is immediately adjacent or separated by an *alley* to a single-family or multi-family residential district, (except when such single-family or multi-family districts are used for a public park) *building* facades are required to step-back, one (1) additional foot *setback* for each one (1) foot additional *building height* over thirty (30) feet. Step-back requirements begin at a height of thirty (30) feet. The *building* facades shall step-back as generally illustrated in Figure 4-404, below:

Figure 4-404. Building Height Step-Back



Section 4-405 Mechanical Equipment.

- A. All *roof mounted mechanical equipment* shall be concealed on all sides by elements that are an integral part of the *building* design and are equal to or greater in height than the *mechanical equipment*. Ground-mounted equipment may be screened using a masonry wall or other durable material as approved through development plan review.
- B. *Mechanical equipment* (e.g., satellite dish, cooling tower, or similar features) that cannot be concealed due to their unique functional requirements, as determined by the Zoning Administrator, shall be made visually subordinate with architectural features that blend with the design of the *main building* and meet building code standards, as approved through development plan review.

Section 4-406 Employee Service Entrances and Exits.

Employee service exit and entrance doors shall be equipped with a security vision panel. A vision panel is a maximum three (3) inch wide, by minimum twenty-three (23) inch tall high density, impact resistance acrylic or laminated glass window. The vision panel shall be located on the door with the lowest edge of the panel not more than forty-three (43) inches and the highest edge of the panel not less than sixty-six (66) inches from the bottom edge of the door. This requirement shall comply with current applicable building codes. Wire glass vision panel is acceptable when required. This section applies to new doors for remodels or additions, and new *buildings* designed for commercial, office/industrial or institutional uses, and do not apply to exterior doors installed to provide access to *building* utilities only. Multi-Family uses also require doors to be equipped with a security vision panel when not open directly to a *dwelling* unit. The Development Services Manager, or designee, may approve other types of vision panels providing equal security.

Section 4-407 Art in Private Development.

The property owner(s) of any project that contains more than fifty thousand (50,000) square feet *net floor area* of commercial or *office* use within any zoning district, or a phase of a larger project approved after February 24, 1990 that contains a total of more than fifty thousand (50,000) square feet *net floor area* of commercial or *office* use within any zoning district, shall contribute to Art In Private Development. The art contribution shall take the form of either on-site installation of exterior artwork or an equivalent cash donation to the Tempe municipal arts fund. All art contributions shall conform to the City of Tempe Art In Private Development Guidelines adopted by the City Council (See Appendix D).

3. May be maintained for twelve (12) months and shall be removed prior to the issuance of a certificate of occupancy;
4. Shall not be internally illuminated;
5. Shall be located on the *development* site;
6. Only one *sign* shall be displayed per *street* frontage; and
7. A *sign* permit is required.

L. Holiday Decorations. Holiday decorations for residential uses are permitted. Holiday decorations for non-residential uses are subject to the following requirements:

1. Holiday decorations may be displayed on a temporary basis for traditionally accepted civic, patriotic or religious holidays;
2. Holiday decorations shall not be displayed sooner than thirty (30) calendar days prior to the holiday to which they pertain, and shall be removed no later than fifteen (15) days following the holiday to which they pertain;
3. Balloons are not considered to be holiday decorations;
4. Such decorations shall not be displayed in a manner as to constitute a traffic hazard; and
5. No *sign* permit is required.

M. Lead-In Sign. *Lead-in sign* requirements are as follows:

1. Maximum height shall be three (3) feet and maximum area shall be three (3) square feet ; no illumination is allowed;
2. A maximum of four (4) *signs* shall be displayed for each home for sale or rent;
3. Apartment communities, complexes, *developments* or *subdivisions* shall not display more than four (4) such *signs*;
4. Shall only be displayed when a sales/lease person is on duty at the property. *signs* shall not be left out overnight;
5. *Signs* shall not be placed so as to create a traffic hazard as determined by the Development Services Manager, or designee. Such *signs* shall not be placed in a traffic median, public sidewalk, bicycle path, on city property, or in city right-of-way between the sidewalk and the curb; and
6. No *sign* permit is required.

N. Menu Board. Menu board requirements are as follows

1. Building Mounted and Patio Fence Menu Boards.

- a. Shall not exceed six (6) square feet in area and bottom of *sign* shall not exceed four (4) feet above finished *grade* immediately adjacent to the *building*;
 - b. May be illuminated;
 - c. The *sign* area for a menu board shall not be counted in the total aggregate *sign* area for the business in determining the allowable *sign* area for the business; and
 - d. *Sign* permit is required if illuminated.
2. Freestanding Menu Board requirements for *drive through restaurants* are as follows:
- a. Shall not exceed forty-five (45) square feet in area and eight (8) feet in height. Height and area includes accessory clip-ons;
 - b. Two *signs* per business are allowed. The *sign(s)* shall not be placed within a clear vision triangle, per Section 4-706(G), and shall not conflict with ADA *accessibility* requirements;
 - c. The *sign* area for menu board(s) shall not be counted in the total aggregate *sign* area for the business in determining the allowable *sign* area for the business;
 - d. May be illuminated, and emit sound only as part of a transaction of business. Sound emission must comply with Tempe City Code 20-6; and
 - e. *Sign* permit is required if illuminated.
- O. Political Sign.** *Political signs* are regulated by this chapter in terms of their location, and time allowance because of the secondary effects associated with such *signs* – namely litter, traffic safety hazards, and aesthetics in general – and not because of their content. Requirements are as follow:
- 1. Shall only be located on property with the owner’s permission;
 - 2. *Signs* shall not be located on city property, in city right-of-way, or within a required clear vision triangle, per Section 4-702(G);
 - 3. Shall be removed within ten (10) days after the relevant election. At the end of the ten (10) day period, the *sign* becomes an *unauthorized sign*, as per Section 4-902(C); and
 - 4. No *sign* permit is required.
- P. Sale, Lease or Rent Sign.** *Sale, lease or rent sign* requirements are as follows:
- 1. May be six (6) square feet in area and eight (8) feet in height;

Section 4-904 Sign Permits, Fees and Procedures.

A. Sign Permits and Fees.

1. A sign permit shall be required in order to erect, install, relocate, modify or change any sign within the city. "Modify", as it is used herein, shall mean any change in or to an existing sign, its face, copy, colors or supporting *structures*; except that *maintenance* of a sign shall not be considered a modification.
2. Failure to conform to the conditions of a sign permit, including any conditions or stipulation attached thereto by the City Council or other decision-making body, shall render such permit void.
3. Refer to Appendix H, for the fee schedule.
4. All electrical work must comply with the Tempe Electrical Code.
5. All gravity and wind load calculations shall comply with applicable Building Codes.

B. Permit Procedures. Sign Permit Criteria.

Sign permits are subject to review and approval by the Development Services Manager, or designee, per Section 6-101. The following information shall be submitted to obtain a sign permit, unless prior arrangement is made through the Development Services Manager, or designee:

1. Two (2) drawings, prepared to scale, of the proposed signage shall be submitted to the Development Services Department and shall include all of the following information:
 - a. The address of the site for the proposed signage;
 - b. All sign dimensions, including the height of the signage and all sign area calculations;
 - c. Sign materials and colors;
 - d. A *development* plan showing the proposed locations of signage;
 - e. *Building* elevations drawn to scale and dimension showing proposed locations of signage;
 - f. Details of the light fixture or other source of sign illumination;
 - g. Details of visual screening or shielding of the light fixture;
 - h. The applicant's name, name of business, business address, and work telephone number;
 - i. The fee as required; and

- j. Structural calculations for all freestanding signs exceeding eight (8) feet in height and for all building mounted signs that extend greater than sixteen (16) inches from the face of the building.

Section 4-905 Way-Finding Signs.

- A. Purpose.** The purpose of way-finding signs is to allow businesses in a pedestrian-oriented environment to identify their business name and/or service on a removable sign at a defined location.
- B. Applicability.** Way-finding signs are permitted in the CC District, located within the Downtown Tempe Community boundaries only.
- C. Location.** Way-finding signs shall not be affixed or otherwise attached to objects including but not limited to light poles, trees, traffic signals, benches, street signs, fencing or bike racks, and shall be subject to the following regulations:
 1. Signs must allow for a minimum six (6) foot wide clear pedestrian pathway to and from all building entrances and exits.
 2. Signs for individual ground floor businesses shall be located within three (3) feet of the building frontage and within ten (10) feet of the business entry. Businesses above the ground floor shall locate signs within ten (10) feet of a stairway or elevator. Alternate locations may be accepted within designated areas; and
 3. Signs for courtyard entries shall be limited to one (1) sign for all businesses located within the courtyard, utilizing the same common entry. Signs shall be located within ten (10) feet of the courtyard entrance.
- D. Size.** Way-finding signs shall be a maximum of eight (8) square feet in area, five (5) feet in height and shall not exceed two (2) feet in width.
- E. Design.** Way-finding signs shall have a compatible design, constructed of durable materials with a substantial base, and colors that compliment the existing allowable signage for the business. Signs shall not be constructed as an “A-frame” or “sandwich board” sign.
- F. Miscellaneous.**
 - a. Way-finding signs shall not be counted in the total aggregate allowable sign area for the business;
 - b. Signs shall not be illuminated;
 - c. One (1) sign is allowed per business;
 - d. Signs shall only be displayed during normal hours of operation;

- e. No sign can be displayed without authorization of both the property owner and permitted by the Downtown Tempe Community (or a future subsidiary);
- f. Way-finding signs may be maintained for a maximum of one (1) year, at such time a new permit shall be required;
- g. No City sign permit is required. If sign is located in the public right-of-way, an encroachment permit is required, subject to review by the Public Works Department; and
- h. Decisions made by the Downtown Tempe Community (or a future subsidiary) may be appealed to the Development Services Manager or designee.

Section 6-304 Zoning Map Amendments (including Overlay Districts) and Code Text Amendments.

- A. Purpose.** The regulations and boundaries of zoning districts set forth in this Code may be amended whenever deemed necessary to best serve the public interest, and the health, comfort, convenience, safety, and general welfare of the city.
- B. Applicability.** Amendments to the text or zoning map of this Code shall not be made except through the adoption of an amending ordinance by the City Council and following the procedure prescribed in this Code.
- C. Procedure.** An application for zoning map or code text amendment shall be made as a written request submitted to the Development Services Manager, or designee. The written request shall specify the nature of the amendment with pertinent details to explain or support the request. Requests for zoning map or code text amendments shall be taken to the applicable decision-making body, by the owner or owners of real property situated in the city or by any officer, department, board or commission of the city, or by the City Council, under its own motion. In addition the following are required:
1. The applicable recommending body shall review the request and make a recommendation to City Council in a public hearing. The recommendation of approval of any amendment by the recommending body shall be based on a finding of consistency and conformance with the General Plan and may include conditions of approval.
 2. City Council Review and Approval Criteria. The City Council shall conduct at least one public hearing for zoning map and code text amendments. Approval by the City Council of an amendment shall be based on a finding that the zoning amendment is in the public interest and is consistent and conforms with the General Plan. Any approval may be subject to such conditions as the council deems applicable in order to fully carry out the provisions and intent of this Code. Zoning map amendments are subject to legal protest, pursuant to procedures in Section 6-502.

State law reference—Zoning amendments, procedures, A.R.S. §9-462.01, §9-462.03, §9-462.04.

Section 6-305 Planned Area Development Overlay Districts.

- A. Purpose.** The purpose of *Planned Area Development Overlay Districts* is to accommodate, encourage and promote innovatively designed *developments* involving residential and/or non-residential land uses, which form an attractive and harmonious unit of the community. Such a planned *development* may be designed as a large-scale separate entity, able to function as an individual community, neighborhood, or *mixed-use development*; as a small-scale project which requires flexibility because of unique circumstances or design characteristics; or as a transitional area between dissimilar land uses.

This zoning designation recognizes that adherence to a traditional pattern of *development* standards, (i.e. height, *setback*, *lot coverage*) space, bulk and use specifications contained elsewhere in this Code would preclude the application of the PAD concept. Therefore, where PAD zoning is deemed appropriate or necessary, traditional zoning regulations are replaced by performance considerations to fulfill the objectives of the General Plan. The PAD *overlay district* may be tailored to meet the specific *development* representations of an application. Hence one PAD overlay may vary considerably from another overlay.

B. Applicability. PAD Overlays may be applied to any zoning district in the City of Tempe and shall be processed as a zoning map amendment. A PAD Overlay District may not be used for an individual detached single *family dwelling*.

C. Procedure.

1. PAD Overlay Districts shall be processed to the Development Review Commission or Joint Review Committee, as applicable, using the public hearing procedure. PAD Overlay Districts shall also be processed to the City Council, using the public hearing procedure, after review and recommendation by the recommending body;
2. Modifications. Once a PAD Overlay District request has been approved, it can be modified or amended per Section 6-312. Questions as to procedure for modifications to existing PADs shall be determined by the Zoning Administrator; and
3. Development Plan Review. *Development Plan Review* approval is required prior to issuance of building permits.

D. Approval Criteria. Approval of a PAD Overlay District requires conformance with the standards with the following criteria:

1. The allowable land uses in Part 3;
2. The *development* standards as established as part of the PAD Overlay District process, as well as, the standards allowed by *use permit* in Part 4;
3. Any applicable overlay district provisions in Part 5; and
4. The decision-making body may impose reasonable conditions to ensure conformance with these provisions.

E. Property Owners Associations. If a property owners association(s) is required, the covenants, conditions and restrictions shall include all applicable requirements under the Tempe City Code, and shall be reviewed by the City Attorney and Development Services Manager, or designee, to determine if the association will remain responsible for maintaining common areas within the *development*. Such covenants, conditions and restrictions shall be recorded with the Maricopa County Recorder.

CHAPTER 4 – PUBLIC NOTICE AND STAFF REPORTS

Section 6-401 General Provisions.

- A. Mailed Notices.** Notices mailed under provisions of this Code shall be mailed to property owners and neighborhood/homeowner associations, and tenants (if required) within the notification area as defined in Section 6-401(B). The applicant is responsible for mailing neighborhood meeting notices in accordance with Section 6-402, and the city is responsible for mailing all other public notices under this Code in accordance with Section 6-404 and 6-405. The city is not responsible for receipt of mailed notices.
- B. Notification Area.** The boundary of the subject property shall be used in determining the geographic area to be notified. For projects containing more than one parcel, or phases of a larger project, the three hundred (300) foot measurement shall be taken from the perimeter of the entire project (all phases). The Development Services Department will provide a list of recognized neighborhood and homeowner associations, within the vicinity of the project, for notification.

Section 6-402 Neighborhood Meetings.

- A. Purpose.** The purpose of the neighborhood meeting is to provide a means for the applicant, surrounding residential neighbors, and registered neighborhood and homeowner's association representatives to review a preliminary *development* proposal and solicit input and exchange information about the proposed *development*. This preliminary meeting is intended to result in an application that is responsive to neighborhood concerns and to expedite and lessen the expense of the review process by avoiding needless delays, appeals, remands or denials. The applicant is responsible for all costs associated with the neighborhood meeting.
- B. Applicability.** A neighborhood meeting is required for the following types of applications when located within three hundred (300) feet from the lot line of a residential use:
1. Variances;
 2. Planned Area Development Overlay Districts;
 3. Major modification to an approved plan or condition of approval (when original approval requires neighborhood meeting);
 4. Zoning map amendments; and
 5. General Plan map amendments.

- C. Meeting Schedule.** The applicant is required to hold one (1) meeting, prior to the first public hearing on an application for a specific site, but may hold more if desired. The required meeting shall be held at least fifteen (15) calendar days before the first public hearing on the application.
- D. Meeting Location.** Neighborhood meetings shall be held at a location near the proposed *development* site. The meeting shall be held on a weekday evening, or weekends at any reasonable time and in a publicly *accessible* location.
- E. Notification Requirements.** Notice of the meeting shall be provided by the applicant as follows:
1. The development site shall be posted with public notice about the meeting not less than fourteen (14) calendar days prior to the date of neighborhood meeting, a notice of the date, time and place and a summary of the request. Such notice shall be clearly legible and wherever possible, placed adjacent to the right-of-way of a *public street* or road. It shall be the responsibility of the applicant to use reasonable efforts to maintain the notice once it has been placed on the subject property. The Development Services Department will supply the *sign(s)* that shall be no smaller than six (6) square feet at a cost to the applicant. It is the responsibility of the applicant to post the notice affiliated with items identified in Section 6-402(B)(2-5), with a *sign* having a minimum *sign* area of sixteen (16) square feet;
 2. Mailing a notice not less than fourteen (14) calendar days prior to the date of the neighborhood meeting to:
 - a. All property owners of record within three hundred (300) feet of the subject property which are included on the mailing list submitted by the applicant;
 - b. The chairperson of the registered neighborhood association(s) and home owners association(s) within six hundred (600) feet of the subject property; and
 - c. All tenants, within the boundary of the subject property(ies).
- F. Meeting Summary.** The applicant shall submit to the Development Services Department seven (7) calendar days before the first public hearing on the matter a written summary of the issues and discussions from the meeting and the meeting notes.

Section 6-403 Notice for Public Meetings.

- A. Purpose and Applicability.** The purpose of a public meeting is to provide a means for the decision-making body to receive input from the public.
- B. Agenda as Notice of Meeting.** Agendas for all public meetings shall be posted at City Hall at least twenty-four (24) hours prior to such meetings, in accordance with Arizona open meeting law.

- C. Notice of Decision.** Written notice of the decision made by the decision-making body in a public meeting shall be provided to the applicant and property owner (if different) and made available for public inspection at the Development Services Department.

Section 6-404 Notice for Public Hearings.

- A. Public Notice.** Public hearings shall be preceded by public notice in accordance with this section and Arizona open meeting law. Public hearings for General Plan amendments have additional notification requirements; see Section 6-302. When multiple applications are under review for the same project, the city may simultaneously issue notice for multiple applications. Such notice may be given in the initial posting and of the initial hearing and any subsequent hearing.
- B. Agenda.** Upon receiving a complete application for action requiring a public hearing under this Code, the Development Services Manager, or designee, shall place the request upon the next available agenda for a regular meeting of the decision-making body.
- C. Notification Requirements.** The Development Services Department or the City Clerk shall issue public notices for all types of hearings under this Code as follows:
1. Posting the agenda at City Hall at least twenty-four (24) hours prior to such meetings, in accordance with Arizona open meeting law;
 2. The development site shall be posted with public notice about the hearing not less than fifteen (15) calendar days prior to the dates of public hearings, a notice of the date, time and place of each public hearing and a summary of the request. Such notice shall be clearly legible and wherever possible, placed adjacent to the right-of-way of a *public street* or road. It shall be the responsibility of the applicant to use reasonable efforts to maintain the notice once it has been placed on the subject property. Signs shall be no smaller than sixteen (16) square feet, except applications for *single-family dwellings* and inline commercial sites without *landscape* frontage, when not part of a zoning map amendment or PAD overlay. Such sign shall be no smaller than six (6) square feet. Hearing signs are not required for Zoning and Development Code text amendments;
 3. Submitting for publication in the official newspaper the hearing notice, at least once, fifteen (15) days prior to the public hearing; and
 4. Mailing a hearing notice not less than fifteen (15) calendar days prior to the date of the initial hearing to:
 - a. The applicant or representative and owners of the subject property;
 - b. All property owners of record within three hundred (300) feet of the subject property which are included on the mailing list submitted by the applicant;
 - c. The chairperson of the registered neighborhood association(s) and home owners association(s) within the vicinity of the project;

- d. All tenants, within the boundary of the subject property(ies); and
 - e. Mailing of hearing notices does not apply to Zoning and Development Code text amendments.
5. If notification is required for a public hearing with City Council, the City Clerk shall submit for publication in the official newspaper the request, at least once, fifteen (15) days prior to the action hearing. If a Tempe City Code amendment is involved, the City Clerk shall comply with the requirements of the City Charter.

D. Content of Public Hearing Notice. Public hearing notices pursuant to Section 6-404(C) shall contain:

- 1. The name of the applicant or owner;
- 2. A description of the subject property reasonably sufficient to inform the public of its location;
- 3. A concise description of the proposed *development* or use;
- 4. The designation of the hearing body; and
- 5. The time, date and place of the hearing.

E. Decision Notice. Written notice of the decision of the hearing body shall be provided to the applicant and property owner (if different). The notice of decision shall contain a brief summary of the decision and conditions of approval, if any.

Section 6-405 Notice of Appeals.

Notice of an appeal of a decision made at the public meeting or public hearing shall be provided in the same manner as the original meeting or hearing.

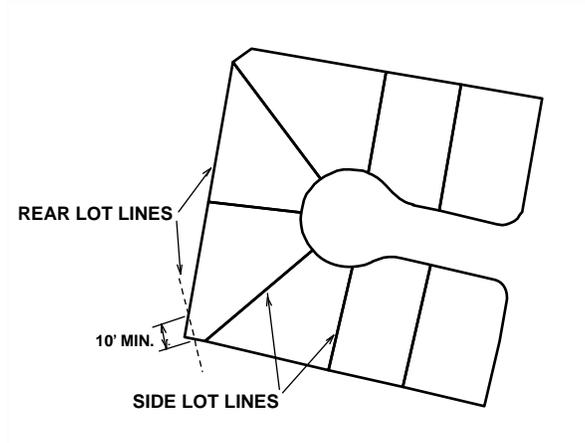
Section 6-406 Staff Reports.

A. Staff Reports for Boards and Commissions. After any application has been submitted for a public hearing/meeting as provided for in this Code and has been placed on an agenda, the Development Services Department shall prepare a written report for the decision-making body that includes the following information:

- 1. The name of the applicant or initiating party;
- 2. A description of the subject property or amendment, including any maps, drawings etc.;
- 3. A statement of the proposed request and any history pertinent to such request or property;

2. *Rear.* The rear lot line of a lot is that lot line opposite to the front lot line. Where the side lot lines meet in a point (if a radius, an extension of side lot lines to an intersecting point), the rear lot line shall be assumed to be a line not less than ten (10) feet long, lying within the lot and parallel to a line tangent to the front property line at its midpoint.
3. *Side.* The side lot lines are those lot lines connecting the front and rear lot lines.

Figure 7-113 F.



Section 7-114 “M” Definitions.

Maintenance means the replacing of a part, or parts, or the general periodic upkeep, of buildings, structures, landscaping and lighting, made unusable or deteriorated by ordinary wear or tear, vandalism, or by the weather that does change form, materials or color.

Manufactured building means a transportable building that is manufactured specifically to be transported and placed on a building site. Includes manufactured homes, mobile homes, manufactured office and storage buildings, and similar buildings.

Manufactured home means a transportable single-family dwelling conforming to the Manufactured Housing Construction and Safety Standards Code of the United States Department of Housing and Urban Development.

Massage establishment means a business that practices or administers within the city, any massage or body work techniques as defined in the Tempe City Code, Chapter 16A, for a fee or income of any kind.

Mechanical equipment means any equipment ancillary to the function of a structure including, but not limited to, heating or cooling equipment; pool pumps and filters; electrical equipment, transformers, satellite receiving earth stations, including dishes and antennas; vaults and cabinets for telecommunication towers; solar heating/cooling devices; exhaust stacks and roof vents; and similar equipment.

Mezzanine means an intermediate building story that projects in the form of a balcony.

Mini-warehouse means a commercial use in which enclosed storage space divided into separate compartments no larger than five hundred (500) square feet in area is provided for use by individuals to store personal items or by businesses to store material for operation of a business establishment at another location.

Mixed-Use means the combination on a site of residential uses with commercial uses.

Mixed use means, in the MU-Ed zoning district, uses that are a combination of either a *Public University* use or *Public University* related use and a commercial and/or residential use within the same building or project.

Mobile home means a dwelling unit built on a chassis in excess of eight (8) feet in width and forty (40) feet in length and containing complete electrical, plumbing and sanitary facilities, and designed to be installed on a temporary or a permanent foundation for permanent living quarters.

Mobile home park means a development providing rental or individually-owned spaces for occupancy by mobile homes, together with certain accessory buildings and uses provided for the benefit and enjoyment of the residents of the park.

Mobile home subdivision means a single-family subdivision that is to be used specifically as single-family residential uses, for mobile homes. Expressly prohibited for residential purposes are buses, recreational vehicles, motor homes, campers, trailers and other similar vehicles.

Model homes means single-family residential homes built and used by developers for the initial purpose of showing prospective buyers similar type homes for sale. Model homes are not used for residential purposes until the home is sold for this use.

Motel see "hotel".

Motor vehicle see "vehicle, motor".

Motorist amenity means any use that provides services to people in their vehicles or services the vehicle itself. Examples include *drive-throughs*, drive-ins, auto service station, or car wash.

Multi-family dwelling means two (2) or more dwelling units in one structure.

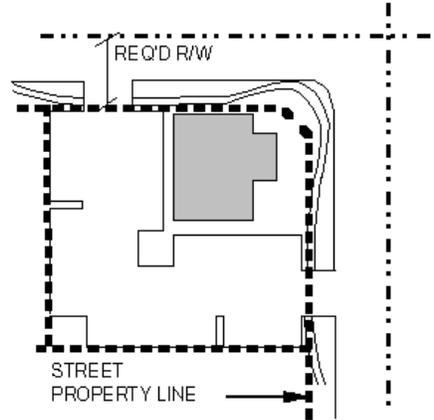
Section 7-115 "N" Definitions.

Non-conforming development means a development that does not fully comply with a Code standard because of setbacks, building height, lot coverage, signs, landscape or with some other standard of this Code.

Non-conforming use means a use that is not permitted outright and has not received conditional approval (e.g., use permit) in the district, but was lawfully established prior to it becoming nonconforming.

Street property line means the boundary which separates the required or actual street right-of-way, whichever is greater, whether dedicated or not, from abutting property according to the City of Tempe Street Standards.

Figure 7-120 C.



Structure means any object constructed in or on the ground. Structure includes buildings, decks, fences, towers, flag poles, signs, and other similar objects. Structure does not include paved areas or vegetative landscaping materials.

Subdivision means the land divided into two (2) or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into two (2) or more lots, tracts or parcels of land, or any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two (2) parts. *Subdivision* also includes any condominium, community apartment, townhouse or similar project containing two (2) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon.

City code reference—See TCC §30, Subdivisions.

Section 7-121 “T” Definitions.

Tattoo, body piercing establishment means any establishment offering indelible designs, letters, scrolls, figures, symbols or other marks that are placed on or under the skin with ink or colors by the aid of needles or other instruments and that cannot be removed without a surgical procedure; any establishment offering designs, letters, scrolls, figures or symbols or other marks done by scarring/branding on or under the skin; any establishment where decorations or other devices are inserted into the skin; any establishment using techniques such as penetrating, perforating, boring or creating a hole in the skin or another human body part; or any establishment whose primary function is permanent body alteration for non-surgical purposes. The following establishments shall be exempt from this definition: those where offering permanent facial make-up/cosmetics ancillary to the primary business; those where procedures are performed by a person authorized by the laws of this state to practice medicine, osteopathy, chiropractic, podiatry, naturopathy or acupuncture and the procedures are performed in conformity with the standards of that profession; those where procedures are performed by registered nurses, licensed practical nurses or technicians, when acting under the supervision of a licensed physician or osteopath; those where the only type of piercing offered is ear piercing.

Telecommunications Hotel means a windowless controlled environment buildings which allow for businesses to lease computer server space for connection to local exchange carriers, interexchange carriers, Internet service providers, competitive access providers and telephone services. In addition to voice and data connectivity, the amenities include controlled temperature and humidity, 24-hour security, fire detection/suppression systems and generator power backup. These facilities have no pedestrian activity associated with the use.

Tobacco retailer means any person or business who primarily sells or offers for sale, tobacco, tobacco products, or tobacco paraphernalia, or who distributes samples of tobacco products or paraphernalia. These businesses include but are not limited to, smoke shops, tobacco shops, cigars and pipe retailer, cigarette retailer, and hookah lounges.

TOD means a Transportation Overlay District, which creates an overlay to existing zoning to encourage development supportive of light rail, bus, bicycle and pedestrian uses.

(TOD) Corridor means the portion of the Overlay District not located within a *Station Area*.

(TOD) Station Area means the portion of the Overlay District located Only areas within 400 linear feet of a light rail transit station are referred to as *Station Areas*, measured from the center point of the platform, extending 400 feet in a linear direction along the center of any public right of way, including only properties adjacent to the public right-of-way, with required uses, development and design standards that encourage intensified development around the light rail stations.

Transit shelter means a structure provided at a bus or train stop to provide shelter from weather and/or sun to transit patrons waiting at the stop.

Tourist court see "hotel".

Townhouse means an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in a subdivided lot.

Trailer means any platform or frame with wheels that is designed or customarily used to carry personal property and for being drawn or towed by a motor vehicle.

Trailer park means any lot, tract, or parcel of land used or offered for use in whole or in part for the rental of trailer sites for the parking of three (3) or more recreational vehicles.

Tutoring center means a facility that provides assistance and instruction to students enrolled in schools. The facilities themselves are not schools where attendance results in the confirmation of a degree.

Section 7-122 “U” Definitions.

Use permit means a permit granted to a property owner or lessee to conduct a use not otherwise permitted; or the use of alternate development standards following a compatibility review.

Section 7-123 “V” Definitions.

Variance means permission granted by the city to deviate from a regulation of the city’s development standards.

Vehicles, motor means vehicles that have their own motive power and that are used for the transportation of people or goods on streets. Motor vehicle includes, but not limited to motorcycles, passenger vehicles, trucks and recreational vehicles with motive power.

Vehicle repair means an automotive retail sales and service use in which general motor repair work is done as well as the replacement of new or reconditioned parts in motorized vehicles of ten thousand (10,000) pounds or less gross vehicle weight; but not including any operation included in the definition of "*auto body repair*."

Video arcade see "*amusement game arcade*".

Section 7-124 “W” Definitions.

Warehouse means the storage of goods of any type without retailing operations on a parcel or within a structure.

1. *Commercial.* Any warehouse that is ancillary to a use on-site for storage of related materials.

Wholesaling means the selling of goods or merchandise to retailers or jobbers for resale to the ultimate consumer.

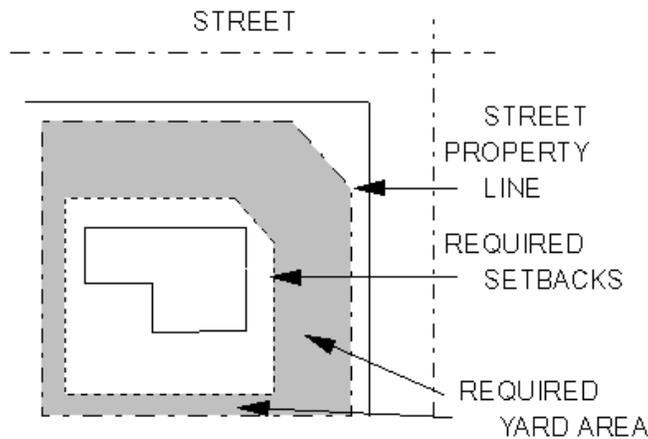
Wireless Telecommunication Facilities (WTF) means an un-staffed facility for the transmission and reception of radio or microwave signals for commercial communications. WTFs are composed of two or more of the following components: (1) antenna; (2) support structure; (3) equipment enclosures; and (4) security barrier.

Section 7-125 “X” Definitions.
[reserved]

Section 7-126 “Y” Definitions.

Yard means a required space on a lot other than a court, which is open and unobstructed to the sky, and which is measured from a property line inward to the required setback specified herein. Such required yards shall be measured across the full width or across the full depth of a lot as applicable.

Figure 7-126 A.



Section 7-127 “Z” Definitions.

Zero-lot line means a use with at least one side yard setback equal to zero (0).

3' Plant List

<i>Botanical Name</i>	<i>Species Name</i>	<i>Common Name</i>
AGAVE	angustifolia(desmettiana) bovicornuta chrysantha colorata geminiflora murpheyi pariyi staiata	
AMSONIA	palmeri	Blue Star
AQUILEGIA	chrysantha	Golden Columbine
BACCHARIS	centennial starn	Thompson
CALLIANDRA	eriphylla	Pink Fairy Duster
CARISSA	macrocarpa	Tomlinson Tuttle
CERATOIDES	lanata	Winterfat Sage
CONVOLVULUS	ceneorum	Bush Morning Glory
CUPHEA	llavea	Bat-faced
DALEA	frutescens versicolor	Sierra Negra Mtn. Delight
ENCELIA	farinosa	Brittlebush
EPHEDRA	nevadenses viridis	Mormon Tea
GAURA	lindheimeri	Corrie's Gold Whirling Butterflies
HESPERALOE	parviflora species	Red Yucca Bell Flower
JUNIPERUS	sabina (tamariscifolia)	Tam Juniper
JUSTICIA	candicans spicigera	Mexican Honeysuckle
LEUCOPHYLLUM	candidum frutescens zygophyllum	Silver Cloud Thunder Cloud Heavenly Cloud Cimarron (blue ranger)
MUHLENBERGIA	capillaris	Regal Mist

**MAXIMUM HEIGHT OF MATURE SHRUBS and GROWDCOVERS IN:
 Parking Islands after the first 6' adjacent to a parking space; Borders from
 the next 6' to 12'; Walks - from the next 6' to 12';
 IS 3'-0"**

<i>Botanical Name</i>	<i>Species Name</i>	<i>Common Name</i>
MUHLENBERGIA	dumosa	Giant Mulle
PEDILANTHUS	macrocarpus	Egieji Lady Slipper
PENSTEMON	ambiguus	Pink Plains
PITTOSPORUM	tobira	Wheeler's Dwarf
PLUMBAGO	scandens	Summer Snow
POLIOMINTHA	maderenis	Lavender Spice
RHAPHIOLEPIS	indica	Enchantress Indian Princess
ROSMARINUS	officinalis	Benenden Blue Collingwood Ingran Golden Rain Irene Santa Barbara
RUELLIA	brittoniana	Alba Chi Chi
SALVIA	coccinea greggii microphylla	Cherry Red Sage Autumn Sage Sierra Linda (red sage) Red Storm
SPHAERALCEA	ambigua	Desert Mallow
TAGETES	erecta lemmonii lucida	American Marigold Copper Canyon Mexican Tarragon
VIGUIERA	stenoloba	Skeleton-leaf Goldeneye
YUCCA	whipplei	Our Lord's Candle

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Ordinance Number	Adoption Date	Subject or Description	Location in Code
2006.88	Jan. 4, 2007	Zoning Map Amendment from R/O, R-3, and CSS to R-4	Sec. 2-107
2007.01	Feb. 2, 2007	Code Text Amendment for Adult-Oriented Businesses	Sec. 3-403 Sec. 7-102
2007.06	Feb. 15, 2007	Zoning Map Amendment from R-3 to R-4(PAD)	Sec. 2-107
2007.09	Mar. 1, 2007	Zoning Map Amendment from GID to GID(PAD)	Sec. 2-107
2007.08	Mar. 1, 2007	Zoning Map Amendment from MU-4/CC to MU-4/CC (PAD)	Sec. 2-107
2007.11	Mar. 22, 2007	Zoning Map Amendment from R-4 to R-4(PAD)	Sec. 2-107
2007.15	Apr. 5, 2007	Zoning Map Amendment from CC to CC(PAD)	Sec. 2-107
2007.17	May 17, 2007	Zoning Map Amendment for MU-4(PAD)	Sec. 2-107
2007.26	June 28, 2007	Zoning Map Amendment from R-2 to R-2(PAD)	Sec. 2-107
2007.29	June 28, 2007	Zoning Map Amendment from R-2 to R1-PAD	Sec. 2-107
2007.27	June 28, 2007	Zoning Map Amendment from GID/CSS to MU-4(PAD)	Sec. 2-107
2007.25	June 28, 2007	Zoning Map Amendment from CSS to CSS(PAD)	Sec. 2-107
2007.24	June 28, 2007	Zoning Map Amendment from PCC-1 to PCC-1(PAD)	Sec. 2-107
2007.36	June 28, 2007	Code Text Amendments for tobacco retailers and accessory building setbacks	Sec. 3-202 Sec. 3-401 Sec. 3-423 Sec. 7-109
2007.38	June 28, 2007	Zoning Map Amendment from MU-Ed to MU-Ed(PAD)	Sec. 2-107
2007.37	June 28, 2007	Zoning Map Amendment from MU-Ed to MU-4(PAD)	Sec. 2-107
2007.49	July 19, 2007	Zoning Map Amendment from PCC-2 to MU-3(PAD)	Sec. 2-107
2007.58	Sept. 20, 2007	Zoning Map Amendment from RMH to R-4	Sec. 2-107
2007.63	Oct. 4, 2007	Code Text Amendments for Way-Finding Signs	Sec. 4-905
2007.68	Nov. 8, 2007	Zoning Map Amendment from GID to MU-4(PAD)	Sec. 2-107
2007.66	Nov. 8, 2008	Zoning Map Amendment from GID to MU-4(PAD)	Sec. 2-107

Ordinance Number	Adoption Date	Subject or Description	Location in Code
2007.74	Dec. 13, 2007	Code Text Amendment for Outdoor Seating, Massage Establishment, Tattoo Body Piercing Establishments, Employee Service Entrances and Exits, Menu Boards, Sign Permit Fees and Procedures, PAD Overlay Procedure, Neighborhood Meetings, Notice for Public Hearings, and Definitions for Massage, Directional Sign, and Tattoo, Body Piercing Establishments.	Sec. 3-202 Sec. 3-424 Sec. 3-425 Sec. 4-406 Sec. 4-903 Sec. 4-904 Sec. 6-305 Sec. 6-402 Sec. 6-404 Sec. 7-114 Sec. 7-120 Sec. 7-121