Table 4-202B - Development Standards in Multi-Family Districts (1)							
Standard	R-2	R-3R	R-3	R-4	R-5	R-6	Use Permit Standard
Density (DU/acre)	10	15	20	25	30	45	NA
Minimum Lot Area per Dwelling Unit (square feet)	3,600 sf	2,900 sf	2,180 sf	1,740 sf	1,450 sf	-	NA
Building Height [Exceptions, see Section 4-205(A)]							
Building Height Maximum (feet)	30 ft	30 ft	30 ft	40 ft	50 ft	80 ft	10%
Building Height Step-Back Required Adjacent to SF or MF District, [Section 4-404, Building Height Step-Back]	No	No	No	Yes	Yes	Yes	NA
Maximum Lot Coverage (% of net site area)	45%	45%	50%	60%	70%	80%	10%
Minimum Landscape Area (% of net site area)	30%	30%	25%	25%	25%	15%	10%
Setbacks (feet) (b): [Setback Exceptions, See Section 4-205(B)]							
Front							
Building	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20%
Open Structures (e.g. porch, or trellis)	15 ft	15 ft	15 ft	15 ft	15 ft	15 ft	20%
Parking	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20%
Side (d)							
Building Walls	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	20%
Porch, or Balcony	5 ft (c)	5 ft (c)	5 ft (c)	5 ft (c)	5 ft (c)	5 ft (c)	20%
Common Walls	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft	
Rear (d)							
Building Wall, or Porch, Balcony	15 ft	15 ft	15 ft	10 ft	10 ft	5 ft	20%
Common Walls	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft	
Street Side (a)	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	20%
Parking	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20%

NS = No Standard.

NA = Not Applicable.

(1) An overlay district may modify the above standards. See Part 5.

(a) Street side yard setback for corner lots adjacent to key lots shall be increased by ten (10) additional feet.

(b) See also, Section 3-401 for setbacks applying to accessory structures and buildings.

(c) Use Permit standard does not apply.

(d) If adjacent to a dedicated public alley, setback shall be measured from the midpoint of the alley.

(e) See also Section 3-420, Single-Family Residential Second Story Addition or Rebuild.

Part 5 – Overlay Zoning Districts

Chapter 9 – Affordable Housing Development Bonus Overlay

Section 5-901 – Affordable Housing Development Bonus Program.

A. Purpose. The Affordable Housing Development Bonus Overlay is designed as a voluntary program that encourages construction of a range of affordable housing, through a guaranteed term, while providing property site bonuses in the form of density, height and parking reductions. The number of affordable housing units required for the development depends on the percentage of additional housing units guaranteed for the project within the defined area median income ranges.

B. Applicability.

1. Eligible zoning districts consist of Multi-Family Zoning Districts within R-2, R-3R, R-3, R-4, R-5 and R-6; Commercial Zoning Districts within CSS, PCC-1 and PCC-2; and Industrial Zoning Districts within LID, GID and HID. Development sites within an eligible zoning district are allowed a development bonus when the General Plan's "Projected Land Use & Density Map", has a density projection for a site that are greater than the underlying zoning district's maximum allowed density.

2. The additional allowed density provided within the Affordable Housing Development Bonus Program, beyond the zoning district standard density allowance, shall require to set aside a minimum percentage of affordable dwelling units from the approved increase, subject to an administrative review process authorized by the Community Development Director, or designee.

Section 5-902 – Affordable Housing Dedication.

A. The following affordability area median income ranges, based on the Phoenix-Mesa-Chandler AZ, MSA Small Area, shall determine the number of minimum qualified units for the project: See Table 5-901A below. For example, If a site is allowed a maximum of "A" (25 dwelling units) and the density bonus allowed under the General Plan results in (45 dwelling units), then the difference between the two densities results in "B" (twenty (20) additional dwelling units), which then is used to determine (C) the total required percentage of affordable housing units (either 5, 10 or 15 units based on AMI ranges) for the site.

B. The dedication of affordable dwelling units shall be equivalent to the number and size of bedroom unit types available throughout the total project.

C. The affordable housing units required for the development bonus program shall be committed by the developer, with successors in interest, to a term of no less than thirty (30) years from the date of certificate of occupancy for the affordable housing units.

D. The affordable housing dedicated units shall only be rented to households earning up to the area median income category to which the developer has agreed upon through

a real property restrictive covenant with the City. 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. Tenants who exceed the area median income ranges after signing a one-year lease term may remain within the affordable dedicated unit until the completion of the lease.

E. A restrictive covenant over the real property shall be finalized, outlining the requirements of the affordable housing units, the term limit/restrictions, and development bonuses provided to the subject site, which shall be signed and recorded through the Community Development Department, prior to the approval of the development plan review and acceptance of a building permit application.

F. Reporting requirement. The property owner shall provide an annual self-report and proof to the City of Tempe that demonstrates compliance with the affordable housing and rental requirements set forth in this Overlay. The annual report shall be submitted to the Community Health and Human Services Department Director, or designee, from the date of the recorded restrictive covenant and each year thereafter and shall cover the entire twelve (12) month period of the preceding the covenant restriction. At minimum, the annual report shall contain: 1) The period of the affordable housing units, the type of unit rented and the status by which its occupants qualified under the covenant restriction. 2) The monthly rent paid/received. 3) The taxes, special assessments, management fees and any other fees or charges included.

G. Failure to report; penalties. Failure to submit the annual report within the time requested or failure to comply with the restrictive covenant set forth, shall be a violation of this Code, pursuant to Section 1-201.

Table 5-902A – Affordable Housing Requirements

Standard	Standard Density Allowed Units	Additional Bonus Units	% of Units Designated Affordable	Total required Affordable Units
Affordable Housing requirements for rent and income eligible residents, based on Phoenix-Mesa-Chandler AZ, MSA Small Area, based on current fiscal year HUD data:				
Up to 50% AMI	A	B	25% (of B)	C
Up to 65% AMI	A	B	50% (of B)	C
Up to 80% AMI	A	B	75% (of B)	C

Section 5-903 – Affordable Housing Development Bonus Standards.

An eligible Affordable Housing Development is provided with modified standards from Part 4, Chapter 2, General Development Standards and Part 4, Chapter 6, Parking. Such development shall conform to the standards provided within any Overlay District or any Planned Area Development Overlay, unless such standard is more restrictive than the standards allowed in Part 5, Chapter 9, Affordable Housing Development Bonus Overlay.

A. **Parking.** Eligible project shall use alternate parking standards for residential land use. Minimum parking standards required for single-family and multi-family residential consisting of studios and 1-, 2- and 3-bedroom units, shall provide at least 1 space per unit. For more than 3-bedroom unit, an additional 0.5 parking space per additional bedroom is required. Minimum multi-family guest parking is required for projects at a ratio of 0.2 spaces per unit, which such spaces unrestricted for specific designation or tenant restrictions other than general guest or public parking. The maximum 125% parking identified in Section 4-603(C), Maximum Parking Spaces, shall not be modified as a result of the alternate parking standards.

Table 5-903A: Overlay Parking Reductions

Use	Vehicle Parking Minimums	Bicycle Parking Minimums	Bicycle Commute Area
Multi-family / Single-family		(no change)	(no change)
Guest <u>(UNRESTRICTED)</u>	0.2 space per unit		
Studio	1 space per unit		
1 Bedroom	~~1.5~~ <u>1</u> spaces per unit		
2 Bedroom	~~2~~ <u>1</u> spaces per unit		
3 Bedroom	~~2.5~~ <u>1</u> spaces per unit		
4 Bedroom	~~3~~ <u>1.5</u> spaces per unit		
<u>Additional bedrooms</u>	<u>+ 0.5 spaces per bedroom over 4</u>		

B. **Height.** Eligible projects may exceed the underlying zoning district's maximum building heights. Maximum height for buildings shall be based on the Overlay district standard found in Tables 5-903A, 5-903B, and 5-903C below.

C. **Density.** Eligible projects may exceed the maximum densities of the underlying zoning district and shall comply with the General Plan's Projected Land Use and Residential Density map, for the purposes of increasing the maximum allowed density, at the time of the application for a new development plan review. Subject to density ranges identified in Tables 5-903A, 5-903B, and 5-903C below.

E. **Setbacks.** Projects shall conform to the minimum/maximum setbacks of the underlying zoning district or overlay district. Additional modifications to setbacks may be allowed through the approval of the Use Permit Standard reductions allowed for building setbacks.

F. **Lot Coverage.** Projects shall conform to the maximum lot coverage requirements of the underlying zoning district or overlay district. Additional modifications to lot coverage may be allowed through the approval of the Use Permit Standard reductions allowed for lot coverage.

G. **Landscape.** Projects shall conform to the minimum landscape requirements of the underlying zoning district or overlay district, including the landscape standards identified in Part 4, Chapter 7, Landscape and Walls. Additional modifications may be allowed through the approval of the Use Permit Standard reductions allowed for landscape.

Table 5-903A – Development Bonus Standards in Multi-Family Districts							
Standard	R-2	R-3R	R-3	R-4	R-5	**R-6 (New)***	Use Permit Standard
Density (DU/acre)	10	15	20	25	30	45	NA
Density Bonus* based on the General Plan's Projected Land Use and Residential Density map for the subject site (maximum DU/acre overall)							
Multi-Family OR Mixed-Use Low-Moderate (Up to 25 du/ac)	25	25	25	-	-	-	
Multi-Family OR Mixed-Use Moderate (Up to 45 du/ac)	NA	NA	45	45	45	-	
Mixed-Use High (Up to 65 du/ac)	NA	NA	65	65	65	65	
Mixed-Use Urban (More than 65 du/ac)	NA	NA	80	80	80	90	
Building Height [Exceptions, see Section 4-205(A)]							
Building Height Maximum (feet)	30 ft	30 ft	30 ft	40 ft	50 ft	80 ft	10%
Building Height Step-Back Required Adjacent to SF ~~or MF~~ District, [Section 4-404, Building Height Step-Back]	No	No	~~No~~ Yes	Yes	Yes	Yes	NA
Height Bonus* (Maximum in feet) [See Section 5-9xx]	-						10%
26 to 45 du/ac	NA	NA	60 ft	60 ft	60 ft	-	10%
46 to 65 du/ac	NA	NA	80 ft	80 ft	80 ft	100 ft	10%
66 to 90 du/ac	NA	NA	100 ft	100 ft	100 ft	120 ft	10%

* = Modifications to the underlying zoning district standards

NS = No Standard.

NA = Not Applicable.

Table 5-903B - Development Bonus Standards in Commercial Districts							
Standard	R/O	CSS	CC	PCC-1	PCC-2	RCC	Use Permit Standard
Residential Density (DU/acre)	10	20(U)	NS	15(U)	25(U)	NS (U)	NA
Density Bonus* based on the General Plan's Projected Land Use and Residential Density map for the subject site (maximum DU/acre overall)	NA		NA			NA	
Commercial	-	25 (U)	-	25 (U)		-	
Multi-Family OR Mixed-Use Low-Moderate (Up to 25 du/ac)	-	25	-	25	NA	-	
Multi-Family OR Mixed-Use Moderate (Up to 45 du/ac)	-	45	-	45	45	-	
Mixed-Use High (Up to 65 du/ac)	-	65	-	65	65	-	
Mixed-Use Urban (More than 65 du/ac)	-	80	-	80	80	-	
Mixed-Use Industrial Low-Moderate (Up to 25 du/ac)	-	25	-	25	NA	-	
Mixed-Use Industrial Moderate (Up to 45 du/ac)	-	45	-	45	45	-	
Building Height Maximum	30 ft	35 ft	50 ft	35 ft	40 ft	75 ft	20%
Height Bonus* (Maximum in feet)							
26 to 45 du/ac	-	60 ft	-	60 ft	60 ft	-	20%
46 to 65 du/ac	-	80 ft	-	80 ft	80 ft	-	20%
66 to 80 du/ac	-	100 ft	-	100 ft	100 ft	-	20%
Building Height Step-Back Required Adjacent to SF ~~or MF~~ District, [Section 4-404, Building Height Step-Back]	No	~~No~~ YES	Yes	Yes	Yes	No	NA

* = Modifications to the underlying zoning district standards

NS = No Standard.

NA = Not Applicable.

(U) = Denotes *use permit* requirement in those districts.

Table 5-903C - Development Bonus Standards in Office/Industrial Districts				
Standard	**LID**	**GID**	**HID**	**Use Permit Standard**
Density Bonus* based on the General Plan's Projected Land Use and Residential Density map for the subject site (maximum DU/acre overall)				
Multi-Family OR Mixed-Use Low-Moderate (Up to 25 du/ac)	NA	25	25	
Multi-Family OR Mixed-Use Moderate (Up to 45 du/ac)	NA	45	45	
Mixed-Use High (Up to 65 du/ac)	NA	65	65	
Mixed-Use Urban (More than 65 du/ac)	NA	80	80	
Mixed-Use Industrial Low-Moderate (Up to 25 du/ac)	25	25	25	
Mixed-Use Industrial Moderate (Up to 45 du/ac)	45	45	45	
Building Height Maximum	30 ft	65 ft	65 ft	10%
Height Bonus* (Maximum in feet)				
26 to 45 du/ac	60 ft	65 ft	65 ft	20%
46 to 65 du/ac	-	80 ft	80 ft	20%
66 to 80 du/ac	-	100 ft	100 ft	20%
Building Height Step-Back Required Adjacent to SF ~~or MF~~ District [Section 4-404, Building Height Step-Back]	Yes	Yes	Yes	

* = Modifications to the underlying zoning district standards

Section 5-904 – Procedures.

A. The Affordable Housing Development Bonus Overlay is subject to the following approval processes:

1. A complete application in conformance with the City's Development Plan Review process, pursuant to Section 6-306, shall be submitted for any new development in order to comply with and apply for the Affordable Housing Development Bonus Overlay.

2. As an administrative action, when processed concurrent with the Development Plan Review, will allow the property owner(s) to complete the overlay form, provided by the Community Development Department, and allow the adopted overlay to apply to the subject site. The overlay will become effective as part of the conditional approval of the Development Plan Review.

3. The signed and completed Overlay form shall identify the change density designation to the Affordable Housing Development Overlay, notarized, include a legal description of any lots or parcels, and shall be recorded with the Maricopa County Recorder.

4. The completed restrictive covenant for the property shall also be recorded with the Maricopa County Recorder, upon successful completion of the Development Plan Review.

Section 5-905 – Exemptions

The following areas shall be exempted on applying for or receiving the Affordable Housing Development Bonus Overlay.

A. The Overlay shall not be used in combination with any other density or housing unit increase program, including Section 3-402 – Accessory Dwelling Units, Section 6-315 – Adaptive Reuse or Redevelopment for Multi-Family Residential, or Part 5, Chapter 8 – Middle Housing Overlay District.

B. The Overlay shall not be used on any site that includes a local historic designated property or building that is listed on the Tempe Historic Property Register or any national designated property or building listed on the National Register of Historic Places.

C. The Overlay shall not be used for any property with the underlying zoning districts of Single-Family Residential R1-PAD, R1-4, R1-5, R1-6, R1-7 R1-8, R1-10, R1-15, and including the AG, Agricultural District.