

ORDINANCE NO. 5075

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, DECLARING THAT DOCUMENT ENTITLED “2024 AMENDMENTS TO CHANDLER CITY CODE CHAPTERS 30, 35, 39, AND 44” TO BE A PUBLIC RECORD; AMENDING CHAPTER 30 PROPERTY MAINTENANCE SECTIONS 30-14, 30-18, 30-19, AND 30-20, INCLUDING AMENDMENTS REGARDING ABATEMENT COSTS, LAND MAINTENANCE, INOPERABLE VEHICLE STORAGE, AND LIGHTING; AMENDING CHAPTER 35 LAND USE AND ZONING ARTICLES II, III, IV, V, VI, VI.1, VIII, IX, X, XII, XV, XVII, XVIII, XIX, XXI, AND XXII, INCLUDING AMENDMENTS TO THE REGULATION OF HOME OCCUPATIONS, ACCESSORY DWELLING UNITS, PARKING REQUIREMENTS, OPEN-AIR RAMADAS, PERIMETER WALLS, SWIMMING POOL SETBACKS, SATELLITES DISHES, SINGLE-FAMILY WITHIN MULTI-FAMILY ZONED PROPERTIES, USE OF SHIPPING CONTAINERS, REQUIREMENTS FOR DRIVE-THROUGH DEVELOPMENT, SCREENING OF ROOF-MOUNTED EQUIPMENT, MID-RISE DEVELOPMENT HEIGHT, MURALS, TABLE OF PERMITTED USES, USE PERMIT RENEWAL, FRONT YARD BUILDING SETBACKS FOR NON-RESIDENTIAL DEVELOPMENT, AND AMOUNT OF FREE-STANDING PADS PERMITTED; AMENDING CHAPTER 39 SIGN CODE SECTIONS 39.3, 39-7.8, AND 39-10.3, INCLUDING AMENDMENTS TO DEFINITIONS, REGULATION OF SIGNS, AND TEMPORARY SIGNS; AMENDING CHAPTER 44 GARBAGE AND REFUSE SECTION 44-4.5. CONVERSION FROM ALLEY TO CURBSIDE COLLECTION; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

WHEREAS, in accordance with Ariz. Rev. Stat. § 9-240, the City Council may adopt by ordinance, any change or amendment to the regulations and provisions set forth in the Chandler City Code; and

WHEREAS, notice of this amendment has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days’ notice of the time, place, and date of public hearing; and

WHEREAS, the City Council has considered the probable impact of this ordinance on the cost to construct housing for sale or rent; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission on November 15, 2023.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

Section 1. That certain document known as the “2024 Amendments to Chandler City Code Chapters 30, 35, 39, and 44,” one paper copy and one electronic copy of which shall remain on file in the Office of the City Clerk, a copy of which is attached to this Ordinance as Exhibit A, is hereby declared to be a public record.

Section 2. That the Chandler City Code is hereby amended by adoption of the amendments contained in the “2024 Amendments to Chandler City Code Chapters 30, 35, 29, and 44.”

Section 3. Providing for Repeal of Conflicting Ordinances.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance, or any parts hereof, are hereby repealed.

Section 4. Providing for Severability.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2024.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2024.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 5075 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2024, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY TA

Published:

“2024 Amendments to Chandler City Code Chapters 30, 35, 39, and 44”

The Chandler City Code Chapter 30- Property Maintenance, Chapter 35- Land Use and Zoning, Chapter 39- Sign Code, and Chapter 44- Garbage and Refuse; hereby amended to read as follows (additions in ALL CAPS, deletions in ~~strikethrough~~, omitted text indicated by ellipses as “. . .”):

Chapter 30- PROPERTY MAINTENANCE

30-14. - Abatement costs.

A. If the owner or occupant of any property within the City does not remove or abate from their property ANY PUBLIC NUISANCE OR OTHER VIOLATIONS AS DEFINED IN THIS CHAPTER ~~a violation that constitutes a hazard to public health and safety~~ within thirty (30) days after written notice has been served by the City, the City may, at the expense of the owner or occupant, remove or cause the removal thereof and the ~~record~~-owner OF RECORD shall be liable for all costs incurred. The notice shall include the estimated cost of such removal to the City if the owner or occupant does not comply.

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30-18. - Land maintenance.

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J. No person shall allow or permit to remain any exterior property condition that presents a blighted or deteriorated appearance including, but not limited to, yards, ground covers, trees, shrubs or other landscaping vegetation that is substantially dead or damaged, characterized by uncontrolled growth or lack of maintenance, or any other similar conditions. ROCK LANDSCAPING MUST BE MAINTAINED SUBSTANTIALLY FREE OF GRASS AND WEEDS.

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30-19. - Vehicles.

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J. NO PERSON SHALL ALLOW, PARK, OR PERMIT TO BE PARKED, ANY VEHICLE ON ANY PRIVATE PROPERTY WHEN SUCH VEHICLE OVERHANGS INTO A PUBLIC SIDEWALK, STREET, OR OTHERWISE INTERFERES WITH THE FREE FLOW OF PEDESTRIAN OR VEHICLE TRAFFIC.

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30-20. - Miscellaneous.

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N. NO PERSON SHALL CAUSE, ALLOW, OR PERMIT ANY EXTERIOR LIGHTING RAYS TO BE DIRECTED OFF THE PROPERTY UPON WHICH THE LIGHTING IS LOCATED ONTO ANY ABUTTING OR ADJACENT PUBLIC OR PRIVATE PROPERTY.

Chapter 35- LAND USE AND ZONING

ARTICLE II. - DEFINITIONS

35-200. - Definitions.

Accessory building: One (1) detached building which is subordinate and customarily incidental to and on the same lot with a main building, **ACCESSORY BUILDINGS MAY include STRUCTURES SUCH AS BUT NOT LIMITED TO** a private garage ~~but not involving any activity used for commercial purposes~~, **WORKSHOP, ACCESSORY DWELLING UNIT, OR GUEST QUARTER.** Greenhouses and/or hydroponic houses for hobby purposes shall be excluded for this definition.

ACCESSORY DWELLING UNIT: A SECONDARY DWELLING UNIT SHARING THE LOT OF A LARGER, PRIMARY SINGLE-FAMILY HOME.

~~*Amusement arcade:* Any building or portion thereof having its primary use devoted to mechanical amusement devices and/or vending machines.~~

BAR: ANY ESTABLISHMENT OPERATING UNDER A SERIES 6 BAR LICENSE AND SELLING SPIRITUOUS BEVERAGE TO THE PUBLIC.

FILM PRODUCTION STUDIO: A BUILDING OR SPACE USED FOR THE PURPOSE OF MAKING FILM PRODUCTIONS. PORNOGRAPHIC FILM PRODUCTION DEPICTING SPECIFIED SEXUAL ACTIVITIES SHALL BE PROHIBITED.

~~*Home occupation:* Any occupation or profession conducted entirely within a dwelling unit and carried on by a member of the family residing therein and which occupation or profession is clearly incidental and subordinate to the use of the dwelling unit for dwelling purposes and does not change the character thereof, and in connection with which there are no employees other than a member of the immediate family residing in the dwelling unit; provided that no mechanical equipment is used except such that is normally used for domestic, hobby or household purposes; and provided that no commodity is sold upon the premises and provided that no inventory of saleable commodities are kept or stored upon the premises.~~

~~"Home occupation" includes the use of a dwelling unit by a physician, surgeon, dentist, lawyer, clergyman or other professional person for consultation or emergency treatment, but not for the general practice of his/her profession. "Home occupation" does not include clinic, hospital, barbershop, beauty shop, animal hospital, advertising or public relations agency, interior decorator's office or workshop, real estate or insurance office, stockbroker's office or similar use.~~ **A BUSINESS OR PROFESSION**

CONDUCTED IN A DWELLING UNIT OR ACCESSORY BUILDING WITHIN A RESIDENTIAL DISTRICT IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.

Mid-rise development: Any building(s) having a height greater than ~~forty-five (45)~~ FIFTY-FIVE (55) feet as measured from grade, exclusive of any penthouse built on the roof for the sole purpose of housing the mechanical equipment used in the building, and which does not have a height exception under [section 35-2202](#) of this Code.

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35-305. Use permits.

(1) *General use permits:* Land uses permitted by use permit are identified under each zoning district established within this Code. Except as provided in subsections (2), (3), and (4) below, approval of use permits shall be subject to the following standards and procedures:

(a) *Application:* Application procedures for use permits shall be the same as applications for amendments to the Zoning Code as outlined in Article XXVI. The Planning and Zoning Commission shall make a recommendation to [the] City Council on applications after proper advertising of public notices and posting of property.

(b) *Review:* Review and approval of use permits shall include but not be limited to examination of the following factors, where applicable:

1. Consistency with general plan.
2. Ingress and egress to property and proposed structures, pedestrian and vehicular circulation with particular reference to fire protection.
3. Off-street parking and loading.
4. General compatibility of use with adjacent property and property in the district.
5. Impact on public services, including schools, recreation and utilities.
6. Screening and buffering of uses.
7. Signage.
8. Exterior lighting with reference to adjacent properties.
9. Stormwater retention and landscaping.
10. Site and building design for conformance with the general plan and policies and City standards.

(c) *Approval:* Use permits may be granted by the City Council upon a finding that the request:

1. Is in conformance with the general plan and its policies.
2. Will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general, and that the use will be in full conformity with the conditions, requirements or standards prescribed by this Code or higher as may be deemed necessary by City Council in any one (1) situation.

Minor changes to the approved plan may be approved by the Zoning Administrator. Any major deviations may be approved by the City Council.

(d) *Timing condition:* Use permits granted by the City Council shall be void if the use is not commenced or substantial construction has not taken place within one (1) year of such Council action or within a time

period stipulated by the Council.

CONTINUATION OF THE USE PERMIT BEYOND THE EXPIRATION DATE SHALL REQUIRE RE-APPLICATION AND APPROVAL BY THE CITY COUNCIL.

ONCE AN APPLICATION IS SUBMITTED, THE ENFORCEMENT ON ANY VIOLATION FOR OPERATING WITHOUT A USE PERMIT IS STAYED UNTIL FINAL VOTE OF THE CITY COUNCIL.

(E) Revocation or suspension:

1. In addition to any other penalties or remedies provided by this Zoning Code, the Zoning Administrator may suspend or revoke a use permit upon a finding of:

A material change in the permitted use or the conditions prescribed upon issuance of the use permit has occurred without an amendment to the use permit having been obtained; or

Material noncompliance with the conditions prescribed upon issuance of the use permit or with the representations made by the permit holder in connection with the application for the use permit as to the nature of the conditional use to be conducted; or

Operation of the permitted use in such a manner as to cause a substantial detrimental impact on neighboring persons or property.

2. To suspend or revoke a use permit, the Zoning Administrator shall deliver or mail by certified mail to the address indicated on the use permit application and, if different from application address, the address of the property subject to the use permit, a written notice that the use permit is suspended or revoked and which states the grounds therefore.

Upon written request received by the Zoning Administrator within ten (10) days of the date of the notice by the permit holder, or any person whose use of the permitted property will be adversely affected by the suspension or revocation, the matter will be referred to the Board of Adjustment on an appeal pursuant to the appeal procedures provided under section 35-2503 of this Zoning Code. If an appeal is not received within ten (10) days of the date of the notice, the suspension or revocation shall take effect on the eleventh day after the date of the notice.

The decision of the Board of Adjustment may be appealed as provided in section 35-2503 of this Zoning Code.

3. A USE PERMIT MAY BE RENEWED BY FILING AN APPLICATION FOR RENEWAL AND UPON APPROVAL BY CITY COUNCIL. THE APPLICATION FOR RENEWAL SHALL BE FILED WITH THE ZONING ADMINISTRATOR NOT LESS THAN SIXTY (60) DAYS PRIOR TO EXPIRATION OF THE CURRENT PERMIT. ANY APPLICATION FOR RENEWAL SHALL BE CONSIDERED IN ACCORDANCE WITH THE SAME STANDARDS AND PROCEDURES AS AN ORIGINAL APPLICATION.

(2) *Adult use permits:* A use permit to operate a sexually oriented business shall be obtained pursuant to the provisions of this subsection. Approval of such an adult use permit shall be subject to the following standards and procedures:

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(f) Permit renewal:

1. An adult use permit may be renewed by filing an application for renewal on a form provided by the Zoning Administrator. The application for renewal shall be received by the Zoning Administrator not less than seventy (70) days before the expiration of the permit. When the application for renewal is received less than seventy (70) days before the expiration date, the expiration of the permit shall not be delayed, postponed or otherwise affected.

2. An application for renewal shall be considered following the same procedures as an original application. The application for renewal may be denied for any reason that an original application may be denied or revoked.

3. ONCE AN APPLICATION FOR RENEWAL IS SUBMITTED, THE ENFORCEMENT ON ANY VIOLATION FOR OPERATING WITHOUT A USE PERMIT MAY BE STAYED UNTIL FINAL VOTE OF THE CITY COUNCIL.

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(3) *Residential child care*: A use permit to operate residential child care, as defined in section 35-200 of this chapter, shall be required in any residential zoning designation, including Planned Area Development (PAD), in accordance with the provisions of this subsection. In Home Day Care, also as defined in Section 35-200 of this chapter, shall be exempt from these requirements. Approval of any use permit to operate residential child care shall be subject to the following standards and procedures:

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(e) *Use permit effect*. Use permit approval for operating residential child care shall be valid for a period of one (1) year from the date of City Council approval, or for any longer period as may be specified by Council, but shall be deemed void if the use is not commenced by the applicant within nine (9) months after the date of approval for a one (1) year period, or if not commenced within one (1) year after the date of approval for any period greater than one (1) year.

1. Use permit approval for operating residential child care shall be applicable only to the applicant and location identified on the application, and shall not be transferable to any other person or location.

2. A use permit to operate residential child care may be renewed by filing an application for renewal, and upon approval by City Council. The application for renewal shall be filed with the Zoning Administrator not less than sixty (60) days prior to expiration of the current permit. Any application for renewal shall be considered in accordance with the same standards and procedures as an original application.

3. ONCE AN APPLICATION IS SUBMITTED, THE ENFORCEMENT ON ANY VIOLATION FOR OPERATING WITHOUT A USE PERMIT MAY BE STAYED UNTIL FINAL VOTE OF THE CITY COUNCIL.

(4) *Entertainment use permits*: A use permit to provide entertainment activity, as defined in section 35-200 of this chapter, or outdoor seating with external speakers, shall be obtained pursuant to the provisions of this subsection. Approval of an entertainment use permit shall be subject to the following standards and procedures:

(a) *Applicability*:

1. Entertainment activity shall require a use permit, when all of the following criteria are met:

i. Entertainment activity, as defined in section 35-200, is provided, or outdoor seating with external speakers is provided; and

ii. Alcoholic beverages are sold or served **AND CONSUMED ON-SITE**; and

iii. If live entertainment is not provided outdoors, the property is located six hundred (600) feet or less from a residentially zoned property. Said distance shall be measured from the closest exterior wall or fence of any indoor or outdoor space occupied by the subject establishment to the closest property line of a residentially zoned property; and

iv. If live entertainment is provided outdoors, the property is located one thousand three hundred twenty (1,320) feet or less from a residentially zoned property. Said distance shall be measured from the closest exterior wall or fence of any indoor or outdoor space occupied by the subject establishment to the closest property line of a residentially zoned property.

2. A property with a current liquor use permit shall not be required to obtain an entertainment use permit, unless subject to a condition of approval related to a time limit. Liquor use permit conditions related to entertainment activity shall remain in effect.

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(g) *Renewal*: An entertainment use permit approved with a time limit shall submit a new application for renewal of the entertainment use permit **NOT LESS THAN SIXTY (60) DAYS** prior to the expiration of the time limit. The application shall be considered, reviewed, approved or denied following the same procedures and criteria as the original application.

ONCE AN APPLICATION IS SUBMITTED, THE ENFORCEMENT ON ANY VIOLATION FOR OPERATING WITHOUT A USE PERMIT MAY BE STAYED UNTIL FINAL VOTE OF THE CITY COUNCIL.

(h) *Revocation or suspension*: The Zoning Administrator may suspend or revoke an entertainment use permit pursuant to the criteria and procedures specified in section 35-305.

(Ord. No. 956, § 1, 6-11-81; Ord. No. 2413; § 2, 11-18-93; Ord. No. 2645, §§ 3, 4, 6-13-96; Ord. No. 3063, § 3, 11-18-99; Ord. No. 3240, § 2, 6-14-01; Ord. No. 3421, § 2, 1-23-03; Ord. No. 4278, § 2, 2-24-11; Ord. No. 4513, § II, 11-8-13; Ord. No. 4567, § II, 10-20-14; Ord. No. 4764, § I, 8-10-17; Ord. No. 4846, § 2(Exh.), 12-10-18; Ord. No. 4931, § 2(Exh.), 8-13-20)

ARTICLE IV. AG-1—AGRICULTURAL DISTRICT

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35-401. Uses permitted.

[The following are uses permitted in this district:]

- (1) Single-family dwellings.
- (2) Field crops such as cotton, grain, vegetables, fruit trees, flowers.
- (3) Raising and marketing of poultry, rabbits and other small domesticated animals provided they are contained within a fence or cage. No slaughtering of animals for commercial purposes.
- (4) Agrarian subdivisions, subject to:
 - (a) Livestock raising and grazing is permitted for a maximum of one (1) livestock animal per seven thousand (7,000) square feet of lot area.
 - (b) No more than one (1) hog, weighing more than fifty (50) pounds, may be kept per thirty-five thousand (35,000) square feet of lot area.
 - (c) All animals must be contained in a stock-tight fence and/or corral. Such fence or corral shall not be permitted closer than one hundred (100) feet to the front property line. For corner lots, no such fence or corral shall be located closer to the side right-of-way line than the principal building.
 - (d) Accessory buildings used specifically for animals and fowl, provided they are located within the area fenced for animals and maintain the same front yard requirements as provided for the principal building.
- (5) Farm roadside stand.
- (6) Riding stables (minimum area, ten (10) acres).
- (7) Home occupations, ~~as defined~~ in ACCORDANCE WITH Article ~~H~~ XXII, SECTION 2215 OF THIS CODE.
- (8) Fences, walls, landscape screens not exceeding seven (7) feet in height adjacent to rear and side property lines and not to exceed three (3) feet in height adjacent to front yard.
- (9) Swimming pools, private, in accordance with Article XXII, section ~~2204~~ [2205] of this Code.
- (10) One (1) accessory building, ~~as defined~~ IN ACCORDANCE WITH Article ~~H~~ XXII, SECTION 2202 OF THIS CODE.
- (11) Signs are permitted in accordance with the Chandler Sign Code [Chapter 39].
- (12) Storage shed, ~~as defined~~ IN ACCORDANCE WITH Article ~~H~~ XXII, SECTION 2203 OF THIS CODE.

(Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

ARTICLE V. SF-33—SINGLE-FAMILY DISTRICT

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35-501. Uses permitted.

[The following uses are permitted in this district:]

- (1) Single-family dwellings.
- (2) One (1) accessory building, ~~as defined~~ IN ACCORDANCE WITH Article ~~H-XXII~~, SECTION 2202 OF THIS CODE.
- (3) Home occupations, ~~as defined by~~ IN ACCORDANCE WITH Article ~~H-XXII~~, SECTION 2215 OF THIS CODE.
- (4) Storage shed, ~~as defined~~ IN ACCORDANCE WITH Article ~~H-XXII~~, SECTION 2203 OF THIS CODE.
- (5) Signs in accordance with the Chandler Sign Code [Chapter 39].
- (6) Fences, walls, landscape screens not exceeding seven (7) feet in height adjacent to rear and side property lines and not to exceed three (3) feet in height adjacent to front yard.
- (7) Swimming pools, private, in accordance with Article XXII, section ~~2204~~[2205] of this Code.
- (8) Agrarian subdivisions, subject to:
 - (a) Livestock raising and grazing, excluding hogs, pigs, burros, donkeys or roosters, is permitted for a maximum of one (1) animal per ten thousand (10,000) square feet of lot area.
 - (b) Excluding household pets, the raising of poultry, rabbits and other small domesticated animals provided they are contained within a fence or cage.
 - (c) All animals must be contained in a stock-tight fence and/or corral. Such fence or corral shall not be permitted closer than one hundred (100) feet to the front property line. For corner lots, no such fence or corral shall be located closer to the side right-of-way line than the principal building.
 - (d) Field crops, including vegetables and fruit trees.
 - (e) Accessory buildings used specifically for animals and fowl authorized under paragraphs a. and b. above, provided they are located within the area fenced for animals and maintain the same front, side and rear yard requirements as provided for the principal building.

(Ord. No. 955, § 1, 5-28-81; Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

ARTICLE VI. SF-18—SINGLE-FAMILY DISTRICT

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35-601. Uses permitted.

[The following uses are permitted in this district:]

- (1) Single-family dwellings.
- (2) One (1) accessory building, ~~as defined~~ IN ACCORDANCE WITH Article H-XXII, SECTION 2202 OF THIS CODE.
- (3) Home occupations ~~as defined by~~ IN ACCORDANCE WITH Article H XXII, SECTION 2215 OF THIS CODE.
- (4) Storage shed, ~~as defined by~~ IN ACCORDANCE WITH Article H-XXII, SECTION 2203 OF THIS CODE.
- (5) Signs in accordance with Chandler Sign Code [Chapter 39].
- (6) Fences, walls and landscape screens not exceeding seven (7) feet in height adjacent or contiguous to rear and side yard lines and not to exceed three (3) feet in height adjacent or contiguous to the front yard lines.
- (7) Swimming pools, private, in accordance with Article XXII, section 2204 [2205] of this Code.
(Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

ARTICLE VI.1. SF-10—SINGLE-FAMILY DISTRICT

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35-601.1. Uses permitted.

[The following uses are permitted in this district:]

- (1) Single-family dwellings.
- (2) One (1) accessory building, ~~as defined~~ IN ACCORDANCE WITH Article H-XXII, SECTION 2202 OF THIS CODE.
- (3) Home occupations as defined ~~by~~ IN ACCORDANCE WITH Article H XXII, SECTION 2215 OF THIS CODE.
- (4) Storage shed, ~~as defined~~ IN ACCORDANCE WITH Article H-XXII, SECTION 2203 OF THIS CODE.
- (5) Signs in accordance with the Chandler Sign Code [Chapter 39].

(6) Fences, walls and landscape screens not exceeding seven (7) feet in height adjacent or contiguous to rear and side yard lines and not to exceed three (3) feet in height adjacent or contiguous to the front yard lines.

(7) Swimming pools, private, in accordance with Article XXII, section 2204 [2205] of this Code.

(Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

ARTICLE VIII. MF-1—MEDIUM-DENSITY RESIDENTIAL DISTRICT

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35-801. Uses permitted.

ALL BUILDINGS ARE SUBJECT TO APPROVAL OF SITE DEVELOPMENT PLAN IN ACCORDANCE WITH ARTICLE XIX OF THIS CODE.

~~[The following uses are permitted in this district:]~~

(1) Two-family dwellings.

(2) Multi-family dwellings (subject to site development plan).

(3) Home occupations, ~~as defined by~~ IN ACCORDANCE WITH Article H XXII, SECTION 2215 OF THIS CODE.

(4) Signs in accordance with the Chandler Sign Code [Chapter 39].

(5) Storage shed, ~~as defined by~~ IN ACCORDANCE WITH Article H-XXII, SECTION 2203 OF THIS CODE.

(6) One (1) accessory building, ~~as defined by~~ IN ACCORDANCE WITH Article H-XXII, SECTION 2202 OF THIS CODE, EXCLUDING ACCESSORY DWELLING UNIT.

(7) Fences, walls and landscape screens not exceeding seven (7) feet in height adjacent or contiguous to side or rear yard lines and not [more than] three (3) feet in height adjacent or contiguous to front yard lines.

(8) Swimming pools, private, in accordance with Article XXII [section 2205] of this Code.

(9) SINGLE-FAMILY DWELLING ON EXISTING LOTS THAT ARE LESS THAN TWELVE THOUSAND (12,000) SQUARE FEET AS OF FEBRUARY 8, 2024. LOTS LESS THAN TWELVE THOUSAND (12,000) SQUARE FEET THAT WERE FIRST SUBDIVIDED ON OR AFTER FEBRUARY 8, 2024 ARE NOT ELIGIBLE FOR A SINGLE-FAMILY DWELLING UNLESS A USE PERMIT IS GRANTED PURSUANT TO THIS CHAPTER.

(Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

35-802. Uses permitted by use permit.

[The following uses are permitted in this district subject to use permit:]

(1) Single-family dwellings FOR EXISTING LOTS EXCEEDING TWELVE THOUSAND (12,000) SQUARE FEET AS OF FEBRUARY 8, 2024.

(2) Townhouses.

(3) Churches, schools, public buildings and facilities.

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- (4) Elderly care housing.
 - (5) Any other uses the City Council determines are compatible and in the best interests of the community.
(Ord. No. 1506, 8-11-85; Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

ARTICLE IX. MF-2—MULTIPLE-FAMILY RESIDENTIAL DISTRICT

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35-901. Uses permitted.

All buildings are subject to approval of site development plan in accordance with Article XIX of this Code.

- (1) Multiple-family dwellings.
- (2) Home occupations, ~~as defined by~~ IN ACCORDANCE WITH Article H XXII, SECTION 2215 OF THIS CODE.
- (3) Signs in accordance with the Chandler Sign Code [Chapter 39].
- (4) Storage shed, ~~as defined by~~ IN ACCORDANCE WITH Article H-XXII, SECTION 2203 OF THIS CODE.
- (5) Fences, walls and landscape screens not exceeding seven (7) feet in height adjacent or contiguous to side or rear yard lines and not exceeding three (3) feet in height adjacent or ~~contiguous to side or rear yard lines and not exceeding three (3) feet in height where adjacent or~~ contiguous to front yard lines.
- (6) Swimming pools, private, in accordance with Article XXII [section 2205] of this Code.
- (7) One (1) accessory building, ~~as defined by~~ IN ACCORDANCE WITH Article H-XXII, SECTION 2202 OF THIS CODE, EXCLUDING ACESSORY DWELLING UNIT.
- (8) Churches, schools, public buildings and facilities.
- (9) SINGLE-FAMILY DWELLING ON EXISTING LOTS THAT ARE LESS THAN TWELVE THOUSAND (12,000) SQUARE FEET AS OF FEBRUARY 8, 2024. LOTS LESS THAN TWELVE THOUSAND (12,000) SQUARE FEET THAT WERE FIRST SUBDIVIDED ON OR AFTER FEBRUARY 8, 2024 ARE NOT ELIGIBLE FOR A SINGLE-FAMILY DWELLING UNLESS A USE PERMIT IS GRANTED PURSUANT TO THIS CHAPTER.

(Ord. No. 3063, § 3, 11-18-99; Ord. No. 3320, § 1, 12-10-01; Ord. No. 4931, § 2(Exh.), 8-13-20)

35-902. Uses permitted by use permit.

[The following uses are permitted in this district subject to use permit:]

- (1) Single-family dwellings- EXISTING LOTS EXCEEDING TWELVE THOUSAND (12,000) SQUARE FEET AS OF FEBRUARY 8, 2024.
- (2) Two-family dwellings.

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- (3) Townhouses.
 - (4) Elevator multiple-family structures, including accessory business uses which are primarily for the convenience of the tenants.
 - (5) Offices and office buildings.
 - (6) Elderly care housing.
 - (7) Any other uses the City Council determines are compatible and in the best interests of the community. (Ord. No. 1506, 8-11-85; Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

ARTICLE X. MF-3—HIGH-DENSITY RESIDENTIAL DISTRICT

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35-1001. Uses permitted.

All buildings are subject to an approved site development plan in accordance with Article XIX of this Code.

- (1) Multiple-family buildings.
 - (2) Elevator multiple-family buildings, including accessory business uses which are primarily for the convenience of the tenants.
 - (3) Churches, schools, public buildings and facilities.
 - (4) Offices and office buildings.
 - (5) Home occupations, ~~as defined by~~ [IN ACCORDANCE WITH Article H XXII, SECTION 2215 OF THIS CODE.](#)
 - (6) Signs in accordance with the Chandler Sign Code [Chapter 39].
 - (7) Fences, walls and landscape screens not exceeding seven (7) feet in height when adjacent or contiguous to side or rear lot lines and not more than three (3) feet in height when adjacent or contiguous to front yard lines.
 - (8) Swimming pools, private, in accordance with Article XXII [section 2205] of this Code.
 - (9) ~~ONE (1) A~~ accessory building, ~~as defined by~~ [IN ACCORDANCE WITH Article H-XXII, SECTION 2202 OF THIS CODE.](#)
 - (10) [STORAGE SHED IN ACCORDANCE WITH ARTICLE XXII, SECTION 2203 OF THIS CODE.](#)
 - (11) [SINGLE-FAMILY DWELLING ON EXISTING LOTS THAT ARE LESS THAN TWELVE THOUSAND \(12,000\) SQUARE FEET AS OF FEBRUARY 8, 2024. LOTS LESS THAN TWELVE THOUSAND \(12,000\) SQUARE FEET THAT WERE FIRST SUBDIVIDED ON OR AFTER FEBRUARY 8, 2024 ARE NOT ELIGIBLE FOR A SINGLE-FAMILY DWELLING UNLESS A USE PERMIT IS GRANTED PURSUANT TO THIS CHAPTER.](#)
- (Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

35-1002. Uses permitted by use permit.

[The following uses are permitted in this district subject to use permit:]

- (1) Single-family dwellings- EXISTING LOTS EXCEEDING TWELVE THOUSAND (12,000) SQUARE FEET AS OF FEBRUARY 8, 2024.
- (2) Two-family dwellings.
- (3) Townhouses.
- (4) Elderly care housing.
- (5) Any other uses the City Council determines are compatible and in the best interests of the community.

ARTICLE XII. C-1—NEIGHBORHOOD COMMERCIAL DISTRICT

...

35-1203. Height and area regulations.

- (1) *Height Regulations:* No building shall exceed thirty (30) feet in height or twenty (20) feet adjacent to residential uses. At the ~~thirty-foot~~ building setback line, a building may exceed such height provided that at no point it projects above a line sloping inward and upward at a forty-five-degree angle at the required height and setback line to a maximum height of forty-five (45) feet.
- (2) *Front Yard:* Buildings shall be set back at least fifty (50) feet from the right-of-way line along arterial streets and at least thirty (30) feet from the right-of-way line along all other streets. In the proximity of street intersections, see section 1902(4).

IN ORDER TO ACCOMMODATE, ENCOURAGE, OR PROMOTE INFILL DEVELOPMENT OR REDEVELOPMENT ON PROPERTIES LOCATED WITHIN THE INFILL INCENTIVE DISTRICT, THE ZONING ADMINISTRATOR MAY REDUCE FRONT-YARD BUILDING SETBACKS BY UP TO 25 FEET FOR ARTERIAL STREETS AND UP TO 15 FEET FOR COLLECTOR STREETS AFTER HAVING MADE A FINDING IN WRITING THAT ALL OF THE FOLLOWING CRITERIA HAVE BEEN MET:

- A. SUCH DEVIATION, ON BALANCE, WILL RESULT IN A SUPERIOR ENVIRONMENTAL AND DESIGN QUALITY THROUGH ITEMS SUCH AS BUT NOT LIMITED TO:
 - i. INCREASED LEVELS OF ARCHITECTURAL QUALITY
 - ii. GREATER MATERIAL DIVERSITY
 - iii. ENHANCED USABLE SPACE AND/OR PEDESTRIAN CONNECTION
 - iv. ACTIVATION OF STREET FRONTAGE
 - v. HIGHER LEVEL OF LANDSCAPE DESIGN
 - vi. CREATIVE DESIGN SOLUTIONS FOR BACK-OF-HOUSE FUNCTIONS
- B. THE SITE IS DESIGNED TO ENSURE SAFE AND ADEQUATE ON-SITE TRAFFIC CIRCULATION AND PREVENT DRIVE-THROUGH QUEUING FROM BACKING ONTO MAIN DRIVEWAYS OR PUBLIC STREETS;
- C. SUFFICIENT PARKING IS PROVIDED ON-SITE;

- D. THE DEVELOPMENT WILL ENHANCE THE QUALITY OF A NEIGHBORHOOD BY DEVELOPING A VACANT LOT OR REDEVELOPING AN EXISTING DELAPIDATED COMMERCIAL BUILDING OR CENTER;
- E. THE DEVELOPMENT COMPLIES WITH REQUIRED SETBACKS AND LANDSCAPE BUFFERS FROM ADJACENT RESIDENTIAL PROPERTIES; AND
- F. THE REDUCED SETBACK MAINTAINS THE GOALS OF PROVIDING LANDSCAPING ALONG STREETS AND STREET INTERSECTIONS AS IDENTIFIED IN SECTION 35-1903.1

(3) *Side Yard*: A minimum side yard of twelve (12) feet shall be required on one (1) side of any lot or parcel not having rear or alley access. On multi-building projects with on-site drives suitable for fire lanes, the required side yard setbacks may be waived upon approval of the site development plan by the Planning Director and the Fire Chief. In all instances, a minimum twenty-foot side yard setback shall be required for commercial development when abutting residentially zoned property.

(4) *Rear Yard*: None required where solid masonry building wall and/or six-foot masonry wall is constructed along rear property line and provided also no access or servicing is permitted to rear of property. Twenty-five-foot setback is required in all other instances.

(5) *Intensity of lot use*: No building(s) shall occupy more than fifty-five (55) percent of the lot area.

(Ord. No. 1518, § I, 8-1-85; Ord. No. 1421, 1-10-85; Ord. No. 3063, § 3, 11-18-99)

...

ARTICLE XV. I-1—PLANNED INDUSTRIAL DISTRICT

...

35-1503. Height and area regulations.

(1) *Height regulations*: No building shall exceed thirty (30) feet in height at a ~~thirty-foot~~ front building setback line, except a building may exceed such height provided that at no point it projects above a line sloping inward and upward at a forty-five-degree angle at the required height and setback line.

(2) *Front yard*: Buildings shall be set back at least fifty (50) feet from the right-of-way line along arterial streets and at least thirty (30) feet from the right-of-way line along all other streets. In the proximity of street intersections, see section 1902(4).

IN ORDER TO ACCOMMODATE, ENCOURAGE, OR PROMOTE INFILL DEVELOPMENT OR REDEVELOPMENT ON PROPERTIES LOCATED WITHIN THE INFILL INCENTIVE DISTRICT, THE ZONING ADMINISTRATOR MAY REDUCE FRONT-YARD BUILDING SETBACKS BY UP TO 25 FEET FOR ARTERIAL STREETS AND UP TO 15 FEET FOR COLLECTOR STREETS AFTER HAVING MADE A FINDING IN WRITING THAT ALL OF THE FOLLOWING CRITERIA HAVE BEEN MET:

- A. SUCH DEVIATION, ON BALANCE, WILL RESULT IN A SUPERIOR ENVIRONMENTAL AND DESIGN QUALITY THROUGH ITEMS SUCH AS BUT NOT LIMITED TO;
 - i. INCREASED LEVELS OF ARCHITECTURAL QUALITY
 - ii. GREATER MATERIAL DIVERSITY INCLUDING GENEROUS AMOUNTS OF GLAZING INCORPORATED

iii. HIGHER LEVEL OF LANDSCAPE DESIGN

iv. SCREENING OF REAR YARDS AND ALL DOCK DOORS

- B. THE SITE IS DESIGNED TO ENSURE SAFE AND ADEQUATE ON-SITE TRAFFIC CIRCULATION;
- C. SUFFICIENT PARKING IS PROVIDED ON-SITE;
- D. THE DEVELOPMENT WILL ENHANCE THE QUALITY OF THE AREA BY DEVELOPING A VACANT LOT, OR REDEVELOPING AN EXISTING INDUSTRIAL BUILDING OR CENTER;
- E. THE DEVELOPMENT COMPLIES WITH REQUIRED SETBACKS AND LANDSCAPE BUFFERS FROM ADJACENT RESIDENTIAL PROPERTIES; AND
- F. THE REDUCED SETBACK MAINTAINS THE GOALS OF PROVIDING LANDSCAPING ALONG STREETS AND STREET INTERSECTIONS AS IDENTIFIED IN SECTION 35-1903.1

(3) *Side yard*: A minimum side yard of twelve (12) feet shall be required on one (1) side of any lot or parcel not having rear or alley access. On multi-building projects with on-site drives suitable for fire lanes, the required side yard setbacks may be waived upon approval of the site development plan by the Planning Director and the Fire Chief. In all instances, a minimum fifty-foot side yard setback shall be required for industrial development when abutting residentially zoned property.

(4) *Rear yard*: Fifty (50) feet when abutting or adjacent to residential zoned property. No rear yard is required when a minimum six-foot solid masonry wall and/or building wall is constructed along the rear property line and provided also no access or servicing is permitted to the rear of the property. A rear yard of twenty-five (25) feet is required in all other instances.

(5) *Intensity of lot use*: No building(s) shall occupy more than fifty-five (55) percent of the lot area.

(Ord. No. 1518, § II, 8-1-85; Ord. No. 3063, § 3, 11-18-99)

...

ARTICLE XVII. PLANNED AREA DEVELOPMENTS

...

35-1703. Intensity of land use.

Densities and intensity permitted in the PAD zoning designation shall be determined by the quality of the PAD designation and shall be consistent with the Chandler General Plan.

IN ORDER TO ACCOMMODATE, ENCOURAGE, OR PROMOTE INFILL DEVELOPMENT OR REDEVELOPMENT ON PROPERTIES LOCATED WITHIN THE INFILL INCENTIVE DISTRICT, THE ZONING ADMINISTRATOR MAY REDUCE FRONT-YARD BUILDING SETBACKS BY UP TO 25 FEET FOR ARTERIAL STREETS AND UP TO 15 FEET FOR COLLECTOR STREETS AFTER HAVING MADE A FINDING IN WRITING THAT ALL OF THE FOLLOWING CRITERIA HAVE BEEN MET:

- A. SUCH DEVIATION, ON BALANCE, WILL RESULT IN A SUPERIOR ENVIRONMENTAL AND DESIGN QUALITY THROUGH ITEMS SUCH AS BUT NOT LIMITED TO;
-

- i. INCREASED LEVELS OF ARCHITECTURAL QUALITY
 - ii. GREATER MATERIAL DIVERSITY
 - iii. ENHANCED USABLE SPACE AND/OR PEDESTRIAN CONNECTION
 - iv. ACTIVATION OF STREET FRONTAGE
 - v. HIGHER LEVEL OF LANDSCAPE DESIGN
 - vi. CREATIVE DESIGN SOLUTIONS FOR BACK-OF-HOUSE FUNCTIONS
- B. THE SITE IS DESIGNED TO ENSURE SAFE AND ADEQUATE ON-SITE TRAFFIC CIRCULATION;
- C. SUFFICIENT PARKING IS PROVIDED ON-SITE;
- D. THE DEVELOPMENT WILL ENHANCE THE QUALITY OF A NEIGHBORHOOD BY DEVELOPING A VACANT LOT, OR REDEVELOPING AN EXISTING DELAPIDATED BUILDING OR DEVELOPMENT;
- E. THE DEVELOPMENT COMPLIES WITH REQUIRED SETBACKS AND LANDSCAPE BUFFERS FROM ADJACENT RESIDENTIAL PROPERTIES; AND
- F. THE REDUCED SETBACK MAINTAINS THE GOALS OF PROVIDING LANDSCAPING ALONG STREETS AND STREET INTERSECTIONS AS IDENTIFIED IN SECTION 35-1903.1

(Ord. No. 3063, § 3, 11-18-99; Ord. No. 3386, § 1, 9-12-02)

ARTICLE XVIII. PARKING AND LOADING REGULATIONS¹

35-1802. - General requirements.

...

(10) Motor vehicles may be parked in the front yard only when on an improved driveway (as defined in (5) above) ~~leading to required off-street parking.~~

35-1804. Parking schedule.

The following schedule provides the minimum parking spaces required for individual stand-alone uses. Parking shared by multiple uses shall be subject to parking requirements for shopping centers where permitted by the underlying zoning and/or shared parking requirements pursuant to Section 35-1807(2) Shared Parking. All parking requirements are based on gross floor area unless otherwise stated.

(1) *Residential:*

Single-family	** 2 spaces/unit PLUS GUEST PARKING PER SECTION A BELOW
Two-family	** 2 spaces/unit

	PLUS GUEST PARKING PER SECTION A BELOW
Townhouse, patio home	** 2 spaces/unit PLUS GUEST PARKING PER SECTION A BELOW
Multi-family: Efficiency or studio One-bedroom Two-bedroom Each additional bedroom GUEST PARKING	*** 1 space/unit *** 1.5 spaces/unit *** 2 spaces/unit *** 0.25 spaces 0.25 SPACES PER UNIT
Mobile home subdivision or park	*** 2 spaces/home or trailer

**2 spaces per unit shall be covered

***1 space per unit shall be covered

(Note: The entire space nine (9) by nineteen (19) feet as defined in Section 35-1802(1) shall be covered.)

A. GUEST PARKING FOR NON-MULTIFAMILY RESIDENTIAL:

IF ON-STREET PARKING IS NOT PROVIDED, GUEST SPACES SHALL BE PROVIDED EVENLY DISTRIBUTED THROUGHOUT THE DEVELOPMENT AT THE FOLLOWING RATE:

0.5 PER UNIT FOR DEVELOPMENTS WITH NO DRIVEWAYS

0.25 PER UNIT FOR DEVELOPMENTS WITH DRIVEWAYS

B. MINIMUM ASSIGNED PARKING SPACES FOR MULTIFAMILY RESIDENTIAL:

1. A MINIMUM OF ONE COVERED PARKING SPACE SHALL BE ASSIGNED TO EACH EFFICIENCY, STUDIO, OR ONE-BEDROOM UNIT. THE ASSIGNED SPACE MUST BE MADE AVAILABLE FOR THE EXCLUSIVE USE OF THE TENANT LEASING THE UNIT AND MAY NOT BE MADE AVAILABLE FOR USE BY OTHER TENANTS OR VISITORS.
2. A MINIMUM OF TWO PARKING SPACES (AT LEAST ONE OF WHICH SHALL BE COVERED) SHALL BE ASSIGNED TO EACH TWO-OR-MORE-BEDROOM UNIT. THE ASSIGNED SPACES MUST BE MADE AVAILABLE FOR THE EXCLUSIVE USE OF THE TENANT LEASING THE UNIT AND MAY NOT BE MADE AVAILABLE FOR USE BY OTHER TENANTS OR VISITORS.

(2) Institutional:

Elementary and junior high school	One (1) space/classroom Plus one (1) space for each two hundred (200) square feet of floor area in office use
High schools, colleges	One (1) space/two hundred (200) square feet gross floor space
Trade or business schools	One (1) space/two hundred (200) square feet
Library	One (1) space/two hundred fifty (250) square feet

Museum	One (1) space/two hundred fifty (250) square feet
Churches	One (1) space/four (4) seats
Hospitals	Three (3) space/bed
Convalescent homes	One (1) space/three (3) beds
Government offices	One (1) space/two hundred (200) square feet
Elderly care housing	0.75 spaces/unit Plus one (1) additional space per project employee/attendant

(3) *Commercial:*

Auditorium, theaters, stadium or similar place of assembly	One (1) space/two hundred (200) square feet or one (1) space/five (5) seats, whichever is greater
Private clubs, lodges (no overnight accommodations)	One (1) space/two hundred (200) square feet or one (1) space/five (5) seats, whichever is greater
Dance halls	One (1) space/two hundred (200) square feet
Health club or fitness club with multiple amenities (Gymnasium, fitness center and other recreational uses offering multiple amenities such as swimming pools, ball courts, and exercise equipment)	One (1) space/two hundred (200) square feet
Recreational community centers with multiple amenities (public or nonprofit facilities providing multiple amenities and recreational services such as swimming pools, ball courts, outdoor athletic fields, meeting rooms, classes, fitness center, day care, locker rooms, and lounge/snack area)	One (1) space/two hundred (200) square feet
Single use recreational facilities (athletic training, family recreational, or other recreational facilities specializing in a single use such as amusement centers, skating rinks, bounce gyms, party places, baseball/batting training facility, cheerleading training, dance studio, swimming, martial arts studio, yoga/pilates studio, personal training, fencing, laser tag, indoor paintball, boxing training) not hosting tournaments, exhibitions or other similar events	One (1) space/three hundred (300) square feet
Single use recreational facilities hosting tournaments, exhibitions or other similar regional events	To be determined by a parking demand study based on seating capacity prepared specifically for the subject use
Funeral homes	One (1) space/four (4) seats in main assembly area or one (1) space/three hundred (300) square feet, whichever is greater
Medical, dental offices, clinics	One (1) space/one hundred fifty (150) square feet
OUT-PATIENT SURGREY CENTERS AND OTHER SIMILAR MEDICAL FACILITIES	ONE (1) SPACE/ TWO HUNDRED (200) SQUARE FEET
General offices, nonretail, excluding call centers	One (1) space/two hundred fifty (250) square feet

Call Center	One (1) space/one hundred fifty (150) square feet
Hotels, motels, boarding homes	One (1) spaces for each sleeping room Plus one (1) space/one hundred (100) square feet of meeting, banquet and restaurant space not solely intended for hotel guests and/or staff
Restaurants, cafes, bars, cocktail lounges	One (1) space/fifty (50) square feet of public serving area Plus one (1) space/two hundred (200) square feet of preparation area
Shopping centers (less than ten (10) gross acres in size)	Five and one-half (5.5) spaces/one thousand (1,000) square feet
Shopping centers (ten (10) gross acres or larger in size)	One (1) space/two hundred fifty (250) square feet
Retail sales	One (1) space/two hundred fifty (250) square feet
Childcare or Child daycare	One (1) space/three hundred (300) square feet
Bulky merchandise sales, nurseries, building materials, equipment rental	One (1) space/three hundred (300) square feet
Banks and personal service	One (1) space/one hundred fifty (150) square feet
Bowling alleys	Four (4) spaces/lane
Tennis, handball courts	Three (3) spaces/court
Golf course	One (1) space/two hundred (200) square feet in main building Plus four (4) spaces per green
Motor vehicle repair	Three and one-half (3.5) spaces/vehicle service bay
Motor vehicle sales and rental	One (1) space/two hundred fifty (250) square feet of interior display space and office Plus three and one-half (3.5) spaces/vehicle service bay
Motor vehicle wash	Two (2) spaces minimum Plus other uses (Retail sales, motor vehicle repair, restaurant, office)

(4) *Industrial:*

Manufacturing	One (1) space/one thousand (1,000) square feet gross floor area (Ord. No. 1506, 8-11-85) Plus one (1) space/two hundred fifty (250) square feet of office space
Warehousing	One (1) space/five hundred (500) square feet for the first ten thousand (10,000) square feet Plus one (1) space/five thousand (5,000) square feet for remaining warehouse Plus one (1) space/two hundred and fifty (250) square feet of office space

FLEX INDUSTRIAL	TWO (2) SPACES/ONE THOUSAND (1,000) SQUARE FEET OF FLEX INDUSTRIAL
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...

ARTICLE XIX. SITE DEVELOPMENT PLAN

...

35-1902. Site development plan design standards.

(1) *Purpose:* These standards shall function to guide development toward the highest attainable environmental quality at a time in which development and expansion are taking place at a rapid rate; as such development once established provides the living and working environment for hundreds of thousands of families over numerous decades and generations.

...

(4) *Site organization:*

(a) *Setbacks:*

1. For parking lots:
 - a. In proximity to street intersections. See below 2.a.
 - b. Along arterial streets, parking lots shall be set back at least twenty (20) feet from right-of-way lines.
 - c. Along nonarterial streets, parking lots shall be set back at least twenty (20) feet from right-of-way lines.
 - d. Along all other rights-of-way and property lines, unless said property lines are of a smaller parcel (pad) within a larger planned development, all parking spaces and access drives shall be set back at least ten (10) feet.
2. For structures or any physical improvement in proximity to street intersections:
 - a. Intersections as described below are of value to the entire community. Land situated at the corner of such street intersections shall be landscaped, and remain open and free of buildings, parking areas, driveways, and walls in excess of two (2) feet six (6) inches in height. Ingress and egress drives perpendicular to the street are expected. The dimensions of these open areas shall satisfy at a minimum, the following standards:

Type of Intersections	Setback From Right-of-Way	Setback Shall Apply for a Distance From the Intersection for
Arterial street with arterial street	50 feet	250 feet along both streets
Arterial street with any other street	50 feet	100 feet along arterial street
	30 feet	100 feet along other street
Collector street with collector street	30 feet	60 feet along both streets

b. No vehicle or other obstruction exceeding two (2) feet in height shall be parked at an intersection of two (2) right-of-way lines within triangular area formed by the right-of-way lines and the line connecting them between points located thirty (30) feet from the intersection of said lines.

IN ORDER TO ACCOMMODATE, ENCOURAGE, OR PROMOTE INFILL DEVELOPMENT OR REDEVELOPMENT FOR PROPERTIES LOCATED WITHIN THE INFILL INCENTIVE DISTRICT, THE ZONING ADMINISTRATOR MAY DEPART FROM LANDSCAPE SETBACKS PRESCRIBED HEREIN AFTER HAVING MADE A FINDING IN WRITING THAT SUCH DEVIATION, ON BALANCE, WILL RESULT IN ENVIRONMENTAL AND DESIGN QUALITY SUPERIOR TO THAT OTHERWISE ATTAINABLE WITHOUT SUCH DEVIATION.

...

(5) *Building design:*

...

(c) *Mechanical equipment screening:* All mechanical equipment and appurtenances shall be concealed and/or screened from view in their entirety as an integral part of the building in one (1) of the following manners, and subject to approval by the Zoning Administrator:

1. Parapets are acceptable for screening, provided the height shall be equal to, or higher than, the highest point on the mechanical equipment; or
2. Screening of mechanical equipment shall be constructed of similar materials and painted colors similar to the building, and so arranged that the screening is perceived to be an integral part of the building mass.

All mechanical equipment and appurtenances shall be indicated and shown on building sections and elevations indicating dimensions of equipment and screening.

THE ZONING ADMINISTRATOR MAY REDUCE OR WAIVE SCREENING REQUIREMENTS FOR ROOF-MOUNTED EQUIPMENT IF:

- i. THE BUILDING IS A MID-RISE DEVELOPMENT AND ROOF-MOUNTED EQUIPMENT WILL NOT BE VISIBLE FROM ANY ADJACENT PROPERTY AS SEEN FROM A POINT SIX (6) FEET ABOVE GROUND LEVEL AT THE PROPERTY LINE OR SIDEWALK ON THE OPPOSITE SIDE OF THE STREET; OR
- ii. THE BUILDING IS LOCATED WITHIN AN INDUSTRIAL CENTER OR BUSINESS PARK AND ROOF-MOUNTED EQUIPMENT WILL NOT BE VISIBLE FROM ANY ARTERIAL STREET OR RESIDENTIAL PROPERTY.

ALL MECHANICAL EQUIPMENT SHALL BE SCREENED FROM VIEW IN THEIR ENTIRETY AS AN INTEGRAL PART OF THE BUILDING AS REQUIRED IN SECTION 5.C WHEN THE SUBJECT BUILDING IS ABUTTING A RESIDENTIAL ZONED PROPERTY REGARDLESS OF LOCATION OR BUILDING HEIGHT.

(d) *Metal buildings:*

1. Metal buildings will not be allowed on roads designated by the General Plan as arterial roads except that:

- a. A portion of a building may be constructed using an exterior metal finish where said portion is DETERMINED TO ENHANCE THE DESIGN QUALITY OF THE BUILDING ARCHITECTURE AND IS NOT THE PRIMARY BUILDING MATERIAL ~~not visible from the arterial road upon which the building fronts.~~

B. SHIPPING CONTAINERS MAY BE USED AS A BUILDING MATERIAL IF THE BUILDING IS DESIGNED WITH ADDITIONAL MATERIALS AND

FENESTRATION TO ENHANCE THE QUALITY OF THE ARCHITECTURE THAT TOGETHER PROVIDE A CREATIVE AND INNOVATIVE ARCHITECTURAL DESIGN. THE CHARACTER, SCALE, AND MASSING OF SAID DESIGN SHALL BE COMPATIBLE WITH THE BUILDINGS OF THE SURROUNDING AREA.

2. Metal buildings may be allowed within industrial parks and at other locations not visible from an arterial street upon the Planning and Zoning Commission finding that the facade of the building is architecturally treated so as to assure mitigation of the starkness of metal construction and environmental compatibility with the surroundings.

(8) *Additional requirements for shopping centers, office and commercial complexes:*

...

(c) *Independent building ~~PAD~~ Pad sites:* For the purpose of this section, commercial ~~PAD~~ pad sites are uses that stand apart from, and hence not perceivable as, part of the main building complex. ~~PAD~~ pad sites may be developed as single freestanding uses, such as a restaurant or bank, or a cluster of uses sharing common architectural detail and materials, open spaces, and shaded areas and pedestrian connections. The number of ~~PAD~~ pad sites permissible in a shopping center shall be limited to one (1) per arterial street frontage, with corner ~~PAD~~ pad sites to count as one (1) of the frontage allowances. Multi-user ~~PAD~~ pad sites are permitted only when the uses are integrated and clustered within a common open space with seating areas and pedestrian walks, share common architectural details and materials (i.e., color, texture) portrayed by the main complex, and not separated by vehicular movement. The number of uses on one (1) ~~PAD~~ pad site shall not exceed two (2) although ~~the Commission may consider a larger number~~ MORE MAY BE APPROVED through the ~~Planned Area Development (PAD)~~ PRELIMINARY DEVELOPMENT PLAN (PDP) process when environmentally commensurate with the size and scale of the shopping center.

NOTWITHSTANDING THE FOREGOING, THE ZONING ADMINISTRATOR MAY APPROVE MORE THAN TWO FREE-STANDING PAD SITES PER DEVELOPMENT ADMINISTRATIVELY, UPON DETERMINING THAT ALL OF THE FOLLOWING APPLY:

- A. THE PAD WILL ENHANCE THE QUALITY OF THE OVERALL DEVELOPMENT OR REVITALIZE AN EXISTING COMMERCIAL CENTER;
 - B. AN ADDITIONAL PAD WILL MAKE USE OF AN AREA THAT IS CURRENTLY UNDERUTILIZED;
 - C. THERE IS SUFFICIENT AREA ON THE SITE TO ACCOMMODATE SAFE AND ADEQUATE ON-SITE TRAFFIC CIRCULATION AND THE SITE HAS BEEN DESIGNED TO PREVENT DRIVE-THROUGH QUEUING FROM BACKING ONTO MAIN DRIVEWAYS OR PUBLIC STREETS;
 - D. NO MORE THAN ONE HIGH-TURNOVER USER PER STREET FRONTAGE;
 - E. THE PAD(S) AND THE OVERALL COMMERCIAL CENTER IN WHICH IT IS LOCATED COMPLY WITH ARTICLE XVIII PARKING AND LOADING REGULATIONS;
 - F. THE ARCHITECTURAL DESIGN (I.E. BUILDING FORM AND MATERIALS) OF THE PAD IS COMPATIBLE WITH AND SUPERIOR TO EXISTING BUILDINGS IN THE SAME CENTER THROUGH THE FOLLOWING BUT NOT LIMITED TO:
 - i. INCREASED LEVELS OF ARCHITECTURAL QUALITY
 - ii. GREATER MATERIAL DIVERSITY
 - iii. ENHANCED USABLE SPACE AND/OR PEDESTRIAN CONNECTION
 - iv. ACTIVATION OF STREET FRONTAGE
 - v. HIGHER LEVELS OF LANDSCAPE DESIGN
 - vi. CREATIVE DESIGN SOLUTIONS FOR BACK-OF-HOUSE FUNCTIONS
-

1. *Circulation*: One (1) drive-up or drive through window per ~~PAD~~ pad site is permissible as long as the drive-up does not conflict with parking maneuvering areas, main-stream vehicular movement, or in itself create an unsafe traffic situation. Drive through lane entry and exit shall be separated from vehicular parking areas, through curbing, landscaping, etc. Textured paving treatments shall be provided at all crosswalks, driveway entrances, and on-site pedestrian crosswalks. All drive-up facilities, including drive-up lanes and queuing areas shall be adequately screened from street view by building orientation, or by a landscaped berm and retaining wall measuring four (4) feet from grade of the driving lane, and situated so as not to disrupt safe traffic flow. ~~ALL Queuing~~ QUEUING lanes for fast food and similar high turnover uses shall be a minimum of fourteen (14) feet in width. ESTABLISHMENTS WITH MULTIPLE QUEUING LANES THAT OFFER ON-SITE ORDERING SHALL HAVE AT LEAST ONE (1) QUEUING LANE WITH A MINIMUM OF ~~and at least~~ one hundred AND fifty (150) feet in length MEASURED from THE drive-up window to THE start of THE lane ~~with queuing~~. Queuing ON SAID LANE shall be provided to accommodate a minimum of ~~six (6) vehicles~~ ONE HUNDRED AND TWENTY (120) FEET from the start of THE lane to the menu board. ANY ADDITIONAL QUEUING LANES SHALL NOT BE COUNTED TOWARDS THE MINIMUM QUEUING REQUIREMENT PROVIDED HEREIN. QUEUING LANES DEDICATED SOLELY FOR PICKING UP PRE-ORDERED ITEMS AND WHICH DO NOT HAVE A MENU BOARD SHALL PROVIDE A MINIMUM OF SIXTY (60) FEET IN LENGTH MEASURED FROM THE PICK-UP WINDOW TO START OF THE LANE. This queuing length standard is not intended for such uses as drug stores, banks, dry cleaners, etc.

...

[Section 35-2100 is hereby repealed and replaced with the following:]

35-2100. - PURPOSE.

THE FOLLOWING TABLE INDICATES USES PERMITTED BY ZONING DISTRICTS WITH "X" AND USES PERMITTED WITH A USE PERMIT WITH "UP."

TABLE OF PERMITTED USES FOR NONRESIDENTIAL DISTRICTS

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Agriculture					
Community Garden	X	X	UP	UP	UP
Dairy products, processing, bottling and distribution, cream manufacturing, all on a wholesale basis			X	X	X
Farm equipment sale and rental, with inventory and repair			X	UP	UP

Farm machinery repair			X	UP	UP
Feed and grain sales and storage			X	X	X
Greenhouse and nursery, commercial	UP	X	X	X	X
Hatcheries					X
Nursery and greenhouse, commercial	UP	X	X	X	X

Aviation

Airport			UP	UP	UP
Hanger, with taxiway access				X	X
Helipad - ancillary use	X	X	X	X	X
Heliport	UP	UP	UP	UP	UP

Quasi-Public / Institutional

Cemeteries, mausoleums			UP	UP	UP
Charitable and philanthropic organizations	X	X	X	UP	UP
Churches and other places of worship Including Sunday School buildings, assembly halls, parish houses, rectories and other residences of clergy)	X	X	X	UP	UP
Clubs, membership (not operated for profit), excluding adult service business (Ord. No. 2413, § 4.B, 11-18-93)		X	X		
Penal and correctional institutions	UP	UP	UP	UP	UP
Community centers Defined as a building or group of buildings in which members of the community may gather for social, educational, recreational, and or cultural activities	X	X	X	UP	
Crematoriums					UP
Funeral homes, funeral parlors, mortuaries		X	X		
Libraries	X	X	X	UP	
Lodges, fraternal and social organizations, headquarters for scout and other youth organizations		X	X		
Lodges, fraternal and social organizations, headquarters for scout and other youth organizations (Entertainment activity pursuant to section 35-305(4))		UP	UP		

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Rescue service		X	X	X	X
Transient service facilities Defined as an establishment where the principal function involves providing on-site food, clothing, shelter, employment or other related services primarily intended for transient populations with limited ability for self-care, or those persons in need of counseling for employment, or those persons with personal or behavioral disabilities. The term shall include the principal assistance or service facility and all appurtenant or related establishments intended for use by the patrons of the principal facility. The term shall include homeless shelters, charity dining facilities, plasma centers, rescue missions, day labor hiring centers, and similar facilities, but shall not include State licensed care facilities such as homes for the developmentally disabled, child crisis, and domestic violence centers.	UP	UP	UP	UP	UP

Cultural & Entertainment

Artistic programs or events	UP	UP	UP	UP	UP
Assembly halls		X	X	UP	UP
Coliseums and stadiums Entertainment activity pursuant to section 35-305(4)		UP	UP	UP	UP
Museums, art galleries	X	X	X	UP	
Wedding reception and event facilities		X	X	UP	
Wedding reception and event facilities Entertainment activity pursuant to section 35-305(4)		UP	UP	UP	

Day Care Services

Adults with developmental disabilities, including life skills training, specialized teaching and support and/or therapy	X	X	X		
Adults with developmental disabilities, including life skills training, specialized teaching and support and/or therapy - with vocational training services	X	X	X	UP	
Animal day care indoors only, with or without overnight boarding	X	X	X		
Animal day care with outdoor play areas, with or without overnight boarding		UP	UP		
Childcare, child daycare	X	X	UP		
Kindergartens and day nurseries - meeting all requirements of appropriate State and local regulations and standards	X	X	UP		
Senior care, adult day care	X	X	X		

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2

Dwellings

Hotels, motels, tourist homes on-site manager's quarters		X	X	UP	UP
Self-storage on-site manager's quarters		UP	X	X	X

Eating, Drinking & Lounge Establishments

Bar, cocktail lounge Excluding adult service business (Ord. No. 2413, § 4.B, 11-18-93)	UP	UP	UP	UP	UP
Breweries, distilleries and wineries where the primary use is a restaurant. For breweries that primarily produce and distribute, see Industrial Services, Manufacturing & Production category.	X	X	X	UP	UP
Commercial, cloud, or ghost kitchen, food prep - with customer seating	X	X	X	UP	
Commercial, cloud, or ghost kitchen, food prep - no customer seating		X	X	X	
Entertainment activities, pursuant to section 35-305(4)	UP	UP	UP	UP	UP
Hookah lounge		X	X		
Restaurant or drive-through Food or drink sales for immediate consumption within principal building and all types of drive-in establishments serving food or drink outside of a building or catering to takeout trade, but not featuring adult service (Ord. No. 2413, § 4.D, 11-18-93)	X	X	X	UP	UP

Educational Facilities

Alternative schools and higher education (college, business college, beauty school)		X	X	UP	
Educational facilities and industrial research (technical)□		X	X	X	X
Elementary school (kindergarten through 8th grade)	X	X			
High school (9th through 12th grade)		X	X		
Music or dancing school	X	X	X		
Trade/vocational schools (industrial, HVAC, plumbing, motor vehicle)			X	X	UP
Tutoring services	X	X	X		

Industrial Services, Manufacturing & Production

* Ancillary uses are permitted provided they do not exceed 15% of the net floor area.

** Ancillary office space is permitted provided it does not exceed 40% of the net floor area, and all required parking is provided

Alcoholic beverage package store		X	X	UP	UP
Alcoholic production (brewery, distillery, winery) Ancillary tasting rooms are permitted provided they do not exceed 15% of the net floor area.			UP	X	X

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Bakery, wholesale Ancillary sales area is permitted provided it does not exceed 15% of the net floor area			UP	X	X
Bottling works for soft drinks			X	X	X
Brick, tile, and terra cotta manufacturing					X
Building contractors, building maintenance services – fully enclosed in building(s) Including electrical, plumbing, and roofing contractors with all storage of goods, materials and equipment and all processing and manufacturing kept within a completely enclosed building or buildings.		X	X	X	X
Building contractors, building maintenance services – utilizing outside storage Including electrical, plumbing, and roofing contractors with all storage of goods, materials and equipment and all processing and manufacturing utilizing outside storage.			UP	X	X
Candy manufacture			X	X	X
Cleaning of building exteriors, disinfecting, or exterminating establishments with all materials and equipment completely enclosed within the principal building and the entire establishment occupying no more than two thousand (2,000) square feet of net floor space		X	X	X	X
Clothing manufacturer	X	X	X		
Cold storage facility			X	X	X
Dry cleaning, laundering (industrial)			X	X	X
Dyeing plant			UP	UP	UP
Electrical and industrial equipment repair			X	X	X
Electrical equipment assembly			UP	X	X
Film production studio			UP	X	X
Food processing in wholesale quantities, except meat, fish, poultry, vinegar, and yeast			X	X	X
Foundries (producing iron and steel products)					UP
Furniture manufacturing (cabinets and household furniture)				X	X

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Gasoline dispensing (other than service station) Fuel shall not be located closer than twenty (20) feet to a right-of-way line or ten (10) feet to a property line	UP	UP	UP	UP	UP
Gasoline, compressed gases, or chemical bulk terminal plants for wholesale storage Receiving, storage, handling and distribution areas shall not be located closer than one hundred (100) feet to the front property line and no closer than fifty (50) feet to side rear property lines. Storage areas for containerized liquids shall be covered and screened from public view. Setback areas may be used for parking retention, or nonhazardous uses as defined by the UBC consistent with the I-2 Zone setback regulations, but a minimum of one thousand (1,000) feet from any existing or planned residential area. (Ord. No. 1353, § II, 8-25-84)					UP
General contractor or workman with all storage of goods, materials and equipment and all processing and manufacturing kept within a completely enclosed building or buildings		X	X	X	X
Home improvement company, upholsterer, general contractor or workman, building materials company, sign-making company with all storage of goods, materials and equipment and all processing and manufacturing kept within a completely enclosed building or buildings and the entire establishment occupying no more than five thousand (5,000) square feet of net floor area		X	X	UP	UP
Ice manufacturer (excluding ice machines)			UP	X	X
Industrial Light operations or light mechanical, not offensive, obnoxious or detrimental to neighboring uses by reason of dust, smoke, vibration, noise, odor, or effluents)			UP	X	X
Industrial equipment machinery repair and service			UP	X	X
Laboratories Serving professional requirements, dentist, medical, etc.		X	X	X	UP
Laundering plant, dry cleaning, diaper service (industrial)			X	X	X
Leather goods manufacturer			UP	X	X
Machine shops			UP	X	X
Machine tool manufacturing				UP	X

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Magazine or newspaper distribution, excluding adult bookstores		X	X	UP	UP
Manufacturing uses not otherwise named herein upon the approval of Zoning Administrator Provided that no use shall be permitted in this section which is likely to be dangerous, offensive or detrimental to the health, safety, welfare or general character of this zoning district or of the community by reason of the emission of dust, gas, smoke, noise, fumes, odors, vibration, glare or otherwise (Ord. No. 1506, 8-11-85)				UP	UP
Meat processing and packing				UP	UP
Mechanical (light) Light industrial operation, not offensive, obnoxious or detrimental to neighboring uses by reason of dust, smoke, vibrations, noise, odor, or effluents)			UP	X	X
Medical supplies, manufacturing and distributing				X	X
Newspaper publishing			X	UP	UP
Optical and scientific instrument manufacturer		UP	X	X	X
Pharmaceutical manufacturer			UP	X	X
Plastics manufacturing				UP	X
Pottery and porcelain manufacturer				X	X
Pottery, porcelain, and vitreous china manufacturing					X
Prefabricated homes, mobile homes, camper manufacture				UP	X
Research and development				X	X
Sheet metal products, tin smithing - no outside storage Light, such as ventilating ducts and eaves, with all storage of goods, materials and equipment and all processing and manufacturing kept within a completely enclosed building			X	X	X
Sheet metal products, tin smithing - with outside storage Light, such as ventilating ducts and eaves, with all storage of goods, materials and equipment and processing and manufacturing, utilizing outside storage)			UP	X	X
Showrooms, ancillary display and/or sales area is permitted provided it does not exceed 15% of the net floor area				X	X
Sign-making company With all storage of goods, materials and equipment and all processing and manufacturing kept within a completely enclosed building or buildings and the entire establishment occupying no more than four thousand (4,000) square feet of net floor area		X	X	UP	UP

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Sign manufacturer				X	X
Storage of commercial vehicles Where not an accessory use to another use which is permitted			UP	X	X
Storage (outside) of materials and equipment (ancillary use) Not allowed as a stand-alone use. Outside storage is only allowed as an accessory use to another use permitted in I-1 and I-2 districts, only when fully screened by a wall/gate on all sides				X	X
Storage (outside) of materials and equipment (stand-alone use)				UP	UP
Textile manufacturer				X	X
Tobacco products manufacture and storage				X	X
Trailers, modular buildings (for laboratory, educational, office or storage), when it is not the primary/only building and is located in an area that is completely screened from view	UP	UP	UP	UP	UP
Welding shops			UP	X	X
Marijuana Facilities (see footnote #3 and #4 at end of table)					
Medical marijuana - Cultivation site ³		X	X		
Medical marijuana - Facility ³				X	X
Medical marijuana - Infusion food establishment ³				X	X
Medical / Health Care					
Convalescence homes, nursing homes, homes for the aged and residential care homes		X	UP		
Hospitals (excluding animal hospitals)	X	X	X		
Medical office uses for out-patient care Includes such uses as health care clinics, urgent care, primary care provider offices, medical specialist offices, surgery centers, dental offices, optometrist offices, rehab services, occupational therapy, physical therapy, speech therapy, psychologist offices, psychiatrist offices, plastic surgery, and other similar uses. Medical office uses can offer ancillary inpatient services	X	X	X	UP	UP
Veterinarian hospital or clinic All equipment, storage of animals and services are wholly contained within the principal building		X	X		
Office and Financial					
Bank	X	X	X	UP	UP
Broker, investments, loans	X	X	X		

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Call center		X	X	UP	
Coworking office space		X	X	UP	
Credit bureaus		X	X		
Express office			X	X	X
Government buildings Used exclusively by the Federal, State, County or City Government purposes except for garages, repair or storage yards, warehouses and buildings used for industrial type operations, or for operations requiring heavy and frequent movement of trucks	X	X	X	X	X
Insurance company or agency	X	X	X		
Letters, duplicating and mailing		X	X	UP	UP
Office, PRIMARY USE Professional, business, administrative, executive, and other offices having no storage of stock-in-trade (other than samples) or heavy equipment and no sale of commodities on the premises	X	X	X	UP	UP
Patrol system and burglar alarm watching service		X	X	X	X
Travel agencies	X	X	X	UP	

Play & Recreational

Amusement park		UP	UP		
Aquariums		UP	X		
Billiard or pool hall		X	X		
Bowling alley		X	X		
Dance hall, club, excluding adult service business (Ord. No. 2413, 4.B, 11-18-93)		X	X		
Dance hall, club, excluding adult service business (Ord. No. 2413, 4.B, 11-18-93) Entertainment activity pursuant to section 35-305(4)		UP	UP		
Drive-in theater Excluding the showing of films involving specified sexual activities and specified anatomical areas, defined in section 200		X	X	UP	UP
Entertainment venues such as but not limited to bowling, laser tag, arcades, billiards, ziplines, virtual reality		X	X	UP	
Go-kart racing		X	X	UP	
Golf courses, miniature golf and driving ranges	X	X	X	UP	UP
Gymnasium, fitness center, personal training, martial arts studio, yoga/pilates studio	X	X	X		

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Playgrounds	UP	UP	UP	UP	UP
Recreational assembly uses offering one or more of the following: trampolines, wall climbing, ziplines, parkouring, skateboarding, ninja warrior courses, party places, baseball/batting training, cheerleading training, gymnastics training, dance studio training, swimming, sport courts, and other similar uses	X	X	X	UP	
Shooting range indoors only		X	X	UP	UP
Skating rink		X	X		
Theaters, cinema, excluding drive-in and adult video facilities (Ord. No. 2413, § 4.F, 11-18-93)		X	X		
Theaters, performing arts programs or events		X	X	UP	
Retail Sales & Service					
Animal rescue shelter (see kennel)					
Appliance repairer With all storage of goods, materials and equipment and all processing and manufacturing kept within a completely enclosed building or buildings and the entire establishment	UP	X	X	UP	UP
Automobile accessories (sales)		X	X	UP	
Automobile and truck sales With inventory, rental with inventory and repair when carried on entirely within the principal building and incidental to the principal use			X	UP	UP
Bakery (goods baked and sold on premises)	X	X	X	UP	
Barbershops	X	X	X	UP	
Beauty shops	X	X	X	UP	
Beauty and barbershop supplies	X	X	X	UP	
Bicycle sales, rental, service and storage	X	X	X		
Boat building, repair, service and storage			X	X	X
Boat sales With inventory, rental with inventory and repair when carried on entirely within the principal building and incidental to the principal use		X	X	UP	
Building materials companies With all storage of goods, materials and equipment and all processing and manufacturing kept within a completely enclosed building or buildings		X	X	UP	UP

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Building supplies and materials, glass sales, and installation - with outside storage yard for lumber, bricks, cement blocks or other materials			X	X	X
Building supplies and materials, glass sales, and installation - no outside storage of lumber, brick cement blocks or other materials (see footnote #2 at end of table)		X	X	X	X
Candy (manufactured and sold on the premises)	X	X	X		
Caterers		X	X	X	X
Cleaners, dryers, clothing storage establishments (all including pickup station) or self-service laundromat, all performing services entirely for retail trade on the premises	X	X	X	UP	
Clothing and apparel store (see footnote #2 at end of table)	X	X	X		
Compounding pharmacy	X	X	X	X	
Cosmetic services uses - med spas, day spas, botox, laser skin treatments, massage establishments, tanning services, tattoo services	X	X	X		
Cosmetic store, including sale of goods and services customarily incidental thereto	X	X	X		
Dental supplies, retail		X	X	UP	
Department store (see footnote #2 at end of table) Including sale of items shown elsewhere in this table if customarily sold in such a store.	X	X	X		
Diaper service			X	X	X
Donation center (clothing and household goods)		X	X		
Dressmaker	X	X	X	UP	
Drive-through, drive-up, and all fast-turnover establishments Defined as businesses that include in their design and function the use of drive-in windows, curbside service, express lines and/or layout of retail stock and checkout facilities to facilitate the rapid delivery of goods and services to customers, such as but not limited to cleaners, banks, liquor stores, fast-food restaurants, service stations, convenience markets and similar uses (see footnote #1 at end of table)	X	X	X	UP	UP
Driving school		X	X		
Drugstore or cosmetic store Including sale of goods and services customarily incidental thereto	X	X	X		
Electric vehicle chargers	X	X	X	X	X
Electric vehicle charging lots	X	X	X	X	X

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Exterminating establishment, pest control With materials and equipment completely enclosed within the principal building and the entire establishment occupying no more than four thousand (4,000) square feet of net floor space)			X	X	X
Florist	X	X	X		
Food specialty store Including but not limited to the following lines: meat (excluding slaughtering and eviscerating), fish, eggs, poultry (excluding slaughtering), fruit, vegetables, candy, nuts, coffee, tea, confection, dairy products, health foods, retail bakery)	X	X	X	UP	
Furniture and appliance repairer		X	X	UP	UP
Garden shop	X	X	X		
Gift shop	X	X	X		
Grocery, delicatessen, supermarket, or other store carrying a variety of food and related goods (see footnote #2 at end of table)	X	X	X	UP	UP
Handicrafts Manufacture and sale of, at retail or wholesale which are manufactured predominantly by hand and involve the application of artistic skills)			X	X	X
Hobby shop	X	X	X		
Home improvement retailer (see footnote #2 at end of table)	X	X	X		
Household appliance store (see footnote #2 at end of table)	X	X	X		
Interior decorator	X	X	X		
Jewelry store	X	X	X		
Kennel, commercial Or other establishment where the care, breeding or sale of animals is the principal purpose of the enterprise, with no animals to be located within five hundred (500) feet from any residentially zoned property or one hundred (100) feet from any property line)			UP		
Laundromat, self-service Performing services entirely for retail trade)	X	X	X	UP	
Liquor, wine, beer sales - retail (excluding bars and cocktail lounges)	X	X	X		
Laboratory supplies, RETAIL		X	X	UP	UP
Medical / laboratory supplies, retail		X	X	UP	
Mobile home sales and rental, not including occupancy on the site			X	UP	UP

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Monument sales establishment, headstones With incidental processing to order but excluding the shaping of stones and similar processes		X	X	UP	
Orthopedic braces, artificial limbs, etc., (sales)		X	X		
Outside displays Shall be limited to boats, trailers, trucks, and other vehicles, products and materials such as grills, storage sheds and plants not normally or in limited numbers found exhibited in stores within retail and wholesale establishments. Items such as food, furniture, tools, appliances, bag materials such as cement, fertilizer, etc., shall not be displayed outside. Outside displays shall not be located within fifteen (15) feet to any property line	X	X	X	X	X
Pawn shop		X	X		
Personal service establishments Providing but not limited to barber and beauty shops, shoe repair shop, travel agencies, photographers, reducing salons, tailors, dressmaker, massage, tattoo shops, beauty/day spa	X	X	X	UP	
Photographers	X	X	X	UP	
Prefabricated home sales			X	X	X
Printing, blueprinting, engraving Or other reproduction services with no limit as to floor area (Ord. No. 1506, 8-11-85)			X	X	X
Repair shop for repairs or adjustments to bicycles, small appliances, watches, locks, musical instruments, guns and similar items conducted wholly within a building with no outside storage of materials or equipment	X	X	X		
Restaurant supplies		X	X	UP	
Retail stores selling or renting goods predominantly at retail on the premises, including but not limited to the following: (see footnote #2 at end of table)					
1. Hardware, paint, wallpaper, fabrics, supplies, curtains, linens, knitting supplies, china, glass, pottery, firearms	X	X	X		
2. Furniture, floor covering, appliances		X	X		
3. Farm and garden supplies, including nursery stock, feed, and grain	UP	X	X		
4. Antiques and secondhand goods, excluding materials held only for discard or repossessing		X	X		

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Shoe repair shop	X	X	X	UP	
Signs conforming to requirements of sign code [Ch. 39]	X	X	X	X	X
Specialty stores (see footnote #2 at end of table) Selling or renting goods predominantly at retail on the premises, including but not limited to the following lines: tobacco, newspapers, books, stationary, gifts, cards, novelties, jewelry, luggage, optical goods, sporting goods, bicycles, pets, hobby supplies, toys, coins, stamps, photo supplies, art supplies, works of art, music, musical instruments, sewing machines, radio and TV sales and service, but excluding adult bookstores (Ord. No. 2413, § 4.E, 11-18-93))	X	X	X		
Tailors	X	X	X	UP	
Uniforms sales or renting	X	X	X		
Upholsterer With all storage of goods, materials and equipment and all processing and manufacturing kept within a completely enclosed building or buildings and the entire establishment occupying no more than two thousand (2,000) square feet of net floor area		X	X	UP	UP
Temporary Uses					
Carnival, fair, rodeo, etc.		UP	UP	UP	UP
Farmer's Market		X	X		
Flea market / swap meet		X	X		
Tourism / Visitor Accommodations					
Conference / convention facilities		X	X		
Hotels, motels, tourist homes		X	X	UP	UP
Transportation					
Ambulance service		X	X	UP	
Bus passenger station (inter-City)			X	X	X
Parking lot On-site or off-site or parking structure for employees, customers, or visitors for any business or industrial use or commercial or public parking lot or parking structure	X	X	X	X	X
Railroad passenger station			X	X	X
Taxi dispatching station		X	X	X	X

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Taxi terminal			X	X	X
Truck or rail freight yard or terminal				X	X

Utility

Radio and television stations and transmitting towers			UP	X	X
Radio and television stations excluding transmitting towers		X	X	X	X
Solar energy system (ancillary)	X	X	X	X	X
Solar energy system (utility scale)	UP	UP	UP	UP	UP
Utility company offices, including exchanges	X	X	X	X	UP
Utility (public) Distribution lines, transformer stations, transmission lines and towers, water tanks and towers, and telephone exchanges but not service or storage yards)	UP	UP	UP	UP	UP
Utility (public) storage yards			UP	X	X

Motor Vehicle Services

Fuel dispensing equipment Pumps shall not be located closer than twenty (20) feet to a right-of-way or ten (10) feet to a property line	UP	UP	UP	UP	UP
Gas station and/or service station (gasoline) complying with the following conditions: <ol style="list-style-type: none"> Does not perform body work, painting or dismantling and/or salvage work Does not store any vehicle for more than five (5) days Provides amenities and safeguards of such dimensions that occupants in adjoining or adjacent structures are not unreasonably disturbed, either day or night, by the movement of vehicles and lighting facilities Has at least one (1) street frontage having a minimum width of one hundred fifty (150) feet No pump island or part of a canopy shall be located or extended within twenty (20) feet of a right-of-way, or ten (10) feet to a property line Any service station which remains vacant for a period of ninety (90) consecutive days shall be considered "abandoned." In the event of abandonment, all tanks shall be removed or safeguarded in accordance with the Uniform Fire Code 		UP	UP	UP	UP

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Gas station and/or service station (gasoline, self-service) complying with the following conditions:	UP	UP	UP	UP	UP
1. Limited to the dispensing of fuels, oil, antifreeze and other minor accessories					
2. Does not rent or sell motor vehicles, trailers or general replacement parts, nor do any type of vehicle repair or maintenance work				1	
3. Does not provide for the storage or parking of vehicles for a period in excess of twenty-four (24) hours				1	
4. Provides amenities and safeguards of such dimensions z that occupants in adjoining or adjacent structures are not unreasonably disturbed, either day or night, by the movement of vehicles and lighting facilities				1	
5. Has at least one (1) street frontage having a minimum width of one hundred fifty (150) feet				1	
6. No pump island or part of a canopy shall be located or extended within twenty (20) feet of a right-of-way line				1	
7. Any service station which remains vacant for a period of ninety (90) consecutive days shall be considered "abandoned." In the event of abandonment, all tanks shall be removed or safeguarded in accordance with the Uniform Fire Code				1	
Motor vehicle impound yard				UP	UP
Motor vehicle rentals		X	X		
Motor vehicle repairs, wholesale and retail Including full body paint spraying and body and fender work carried on within a structure with storage of wrecked vehicles or parts permitted only behind the principal building. Such storage of vehicles or their parts will be incidental to the principal business and will not constitute a junkyard as defined in section 200 of this Code (Ord. No. 1942, 3-10-88; Ord. No. 1995, § I, 7-25-88)			X	UP	UP
Motor vehicle repairs, wholesale and retail, including accessories, customization and detailing Excluding full body paint spraying and body and fender work except replacement, carried on completely within a structure and having no outside storage of vehicles or parts of vehicles except those to be serviced or repaired for retail customers. Such storage shall be clearly incidental to the principal business and time of such outside storage shall not exceed 1 week for each vehicle (Ord. No. 1942, 3-10-88; Ord. No. 1995, § I, 7-25-88)		X	X	UP	UP

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2
Motor vehicle wash May have incidental detailing, minor vehicle maintenance, and windshield repair within the primary building	UP	X	X	UP	UP
Motorcycle sales, rental and repair When repair is carried on within the principal building			X	UP	
Tire recapping and retreading (in accordance with Fire Code)			UP	X	X

Warehousing / Storage

Garage condominiums, luxury storage units		UP	X	X	X
Moving, storage or warehousing establishments			UP	X	X
Recreational vehicle storage (RV's, boats, etc.)			UP	X	X
Self-storage, mini-warehousing and moving establishment consisting of individual storage units which are independently accessed and locked and provided such units are used solely for dead storage purposes. The facility may contain as an accessory uses, storage for recreational vehicles and boats, and allow for on-site manager's quarters		UP	X	X	X
Warehousing, storage establishment			UP	X	X
Wholesaling or distribution Including the handling of stock and incidental retail			UP	X	X

Waste Related

Incinerators; landfill	UP	UP	UP	UP	UP
Junk yards - providing all conditions set forth below are met: 1. No material which fails to meet the conditions set forth in the definition of a junk yard in section 200 of this Code. 2. No material shall be placed in any junk yard in such a manner that it is capable of being transferred out of the junk yard by wind, water, or other causes. 3. Any land or structure which has not been used as a junk yard and has been abandoned for a period of at least 3 months shall not be used as a junk yard except by use permit. 4. All paper, rags, cloth and other fibers and activities involving the same, other than loading or unloading, shall be fully within enclosed buildings. 5. In order to lessen the adverse effect on adjoining property, reduce wind-blown trash, prevent hazards to children and create a more healthful environment, suitable screening such as a masonry wall or solid fencing shall be required as a condition set in approving a junk yard by use permit.					UP

USES	DISTRICTS				
	C-1	C-2	C-3	I-1	I-2

Recycling collection facility and transfer only facility Conducted on a small scale for individual residents to deposit aluminum cans or similar, not including outdoor storage or large truck deliveries)				X	X
Recycling collection, transfer, and processing facility					UP

Footnotes:

- 1) Drive-in, drive-up, and all fast-turnover establishments may be located at the intersection of a major arterial road and any other road when it is an integral part of larger planned commercial project and providing the driveway is at least one hundred fifty (150) feet from the intersection when approaching the intersection and at least one hundred fifty (150) feet from the intersection when leaving the intersection.
- 2) Large single use retail, as defined in section 35-200 of this Code, shall only be permitted at permitted at locations specified, and when developed in accordance with section 35-1902(10) of this Code.
- 3) Medical marijuana facilities, medical marijuana cultivation sites and infusion food establishments shall be permitted in the specified districts only upon obtaining a zoning clearance or use permit, as required by section 35-2100 Table of Permitted Uses for Nonresidential Uses, in accordance with section 35-2213 of this Code.
- 4) A medical marijuana facility located in the I-1 District or the I-2 District must be incidental to a cultivation site and/or infusion food establishment and: (1) Shall be located within one thousand three hundred twenty (1,320) feet of an arterial roadway measured in a straight line from the closest exterior wall of the cultivation site and/or infusion food establishment to the centerline of the arterial roadway and within five hundred (500) feet of the C-2 or C-3 District, or pad district where C-2 or C-3 uses are allowed measured in a straight line from the nearest property line of the medical marijuana cultivation site and/or infusion food establishment to a zoning district boundary line; and (2) Shall have frontage and access from public right-of-way. A medical marijuana facility incidental to a medical marijuana cultivation site and/or infusion food establishment shall comply with Article XVIII of this Code.
- 5) A medical marijuana facility located in the I-1 District or the I-2 District shall not exceed two thousand five hundred (2,500) gross square feet or twenty-five percent (25%) of the gross building square-footage, whichever is less.

This requirement is not intended to preclude access to any subdivided lot of record, previously zoned for commercial use, but in all cases to require the maximum possible distance within the above limits for the location of access and egress driveways, consistent with the spirit of the ordinance.

The Council, by minute action, may further modify this requirement in cases of hardship. (Ord. No. 1506, 8-11-85; Ord. No. 2549, § 2, 5-25-95; Ord. No. 3063, § 3, 11-18-99; Ord. No. 3290, § 2, 8-9-01; Ord. No. 4278, § 3, 2-24-11; Ord. No. 4311, § 1, 6-23-11; Ord. No. 4764, § II, 8-10-17; Ord. No. 4846, § 2(Exh.), 12-10-18; Ord. No. 4931, § 2(Exh.), 8-13-20; Ord. No. 5044, § 2(Exh.), 2-9-23)

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ARTICLE XXII. ADDITIONAL HEIGHT AND AREA REGULATIONS

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35-2202. Accessory buildings ~~and guest quarters~~.

(1) Accessory buildings **SUCH AS BUT NOT LIMITED TO ACCESSORY DWELLING UNITS**, guest quarters, **GARAGES, AND WORKSHOPS** shall be located behind the front wall plane of the home and in the side yard or in the rear yard of the principal building and shall not occupy more than thirty (30) percent of the rear area.

(2) Accessory buildings shall meet the minimum side and rear yard setbacks for the district in which it is located. Any accessory buildings within a Planned Area Development (PAD) zoning designation shall be subject to the applicable provisions of the adopted preliminary development plan.

(3) Accessory buildings ~~in single-family residential districts~~ shall not exceed fifteen (15) feet in height.

(4) No carport or garage entered from an alley shall be located closer than ten (10) feet to a rear lot line.

(5) No accessory building shall be constructed prior to the construction of a principal building.

(6) Guest quarters are permitted subject to the following:

(a) Guest quarters shall utilize the same utility services provided to the principal building (i.e. separate utility meters directly serving the guest quarters shall not be permitted).

(b) No ovens, ranges, or built-in cooking facilities shall be permitted.

(C) NOTWITHSTANDING ANY OTHER PROVISION, USING THE GUEST QUARTERS FOR AN ACTIVITY REQUIRING A LICENSE UNDER CHAPTER 22 (SHORT-TERM RENTALS) OF THE CITY CODE SHALL BE PROHIBITED, EXCEPT FOR SHORT-TERM RENTALS REGISTERED PRIOR TO FEBRUARY 8, 2024.

(7) A maximum of one accessory building (**E.G., ACCESSORY DWELLING UNIT**, ~~or one~~ guest quarters, **GARAGE, WORKSHOP**) is permitted on a lot.

(8) The exterior design of ~~an ANY~~ accessory building, ~~or guest quarters~~ shall be commensurate with the exterior design of the principal building in materials, colors and architectural style.

(9) ACCESSORY DWELLING UNITS ARE PERMITTED SUBJECT TO THE FOLLOWING:

(A) AN ACCESSORY DWELLING UNIT SHALL ONLY BE PERMITTED IN A RESIDENTIAL DISTRICT, THE PRINCIPAL USE OF WHICH IS A SINGLE-FAMILY RESIDENTIAL HOME.

(B) ACCESSORY DWELLING UNITS SHALL UTILIZE THE SAME UTILITY SERVICES PROVIDED TO THE PRINCIPAL BUILDING (I.E., SEPARATE UTILITY METERS DIRECTLY SERING THE ACCESSORY DWELLING UNIT SHALL NOT BE PERMITTED).

(C) ONE (1) UNCOVERED OR COVERED OFF-STREET PARKING SPACE SHALL BE REQUIRED IN ADDITION TO THE COVERED PARKING SPACES REQUIRED FOR THE PRINCIPAL USE. SAID ADDITIONAL PARKING SPACE SHALL NOT OBSTRUCT ANY REQUIRED OFF-STREET PARKING (I.E., IT IS PROHIBITED TO UTILIZE THE DRIVEWAY LEADING TO THE REQUIRED OFF-STREET PARKING SPACES FOR THE PRINCIPAL USE AS PARKING FOR THE ACCESSORY DWELLING UNIT).

(D) NOTWITHSTANDING ANY OTHER PROVISION, USING THE ACCESSORY DWELLING UNIT FOR AN ACTIVITY REQUIRING A LICENSE UNDER CHAPTER 22 (SHORT TERM RENTALS) OF THE CITY CODE SHALL BE PROHIBITED.

(Ord. No. 1421, § V, 1-10-85; Ord. No. 1937, § 2, 3-10-88; Ord. No. 3063, § 3, 11-18-99; Ord. No. 4931, § 2(Exh.), 8-13-20)

35-2202.1. Open-air ramadas.

- (1) Open-air ramadas are permitted within the side yard or rear yard of the property.
- (2) The maximum height shall not exceed ten (10) feet as measured to the top of roof or lattice.
- ~~(3) Ramadas shall not exceed one hundred fifty (150) square feet in area, as measured around the perimeter of the roof.~~
- (4) More than one ramada is permitted ON ~~within~~ the property subject to the provisions of this section. **THE TOTAL SQUARE FOOTAGE OF ALL RAMADAS SHALL NOT OCCUPY MORE THAN THIRTY (30) PERCENT OF THE REAR AREA and SHALL BE COUNTED TOWARD** the zoning district's maximum lot coverage. ~~Each ramada shall be separated from another structure by no less than one (1) foot as measured from the edge of the roof or cover.~~
- (5) Ramadas shall not be located closer than five (5) feet to the side and rear property lines as measured from the edge of the roof or cover. If an alley, or common open space public or private open space, other than a street, adjoins the rear yard along one (1) or more of the property lines, the five (5) foot setback from that property line to such ramada may be eliminated.
- (6) RAMADAS SHALL BE OPEN ON ALL SIDES EXCEPT ONE, WHICH MAY HAVE A SOLID WALL UP TO A MAXIMUM OF SEVEN FEET IN HEIGHT, EXCLUDING CHIMNEYS.**

(Ord. No. 4931, § 2(Exh.), 8-13-20)

...

35-2204. General.

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- (8) The following development standards for walls and fences within any residential or nonresidential zoning district shall not apply to any lot, parcel, subdivision or other development for which the construction of fencing has either begun or been completed prior to the effective date of these requirements:
 - (a) No fence or wall shall be constructed in the front yard of a lot in a residential district exceeding a height of three (3) feet, and such fence or wall located in the rear and/or side yard(s) shall not exceed a height of seven (7) feet; except open wire fence shall be permitted in front yards of schools, public and quasi-public buildings when needed for the safety or restraint of the occupants thereof.
 1. No fence along the street side or alley frontage of any new residential lot, parcel or subdivision shall feature wood as its primary structural building element; except that total fencing shall be permitted for agrarian subdivisions and uses.
 2. Fences along interior property lines or within yards not visible from any street or alley may feature total wood construction.
 - (b) No fence or wall shall be constructed within the front yard of any nonresidential lot, parcel or subdivision exceeding a height of three (3) feet; and such fence or wall located in the side or rear yard(s) shall not exceed a height of eight (8) feet, except that:
 1. A wrought-iron fence or a combination three-foot masonry wall topped by wrought iron or other similar fencing, either of which not to exceed a height of six (6) feet to achieve security

for those uses featuring display of merchandise or equipment, may be permitted along the street property line or within the front yard setback. Chain-link fencing for this purpose shall be prohibited.

2. Any wall or fence exceeding six (6) feet in height shall not feature fence block unless sufficiently reinforced to avoid toppling. The means of reinforcement shall be subject to approval by the City of Chandler Building Division.

Wood fencing within any nonresidential zoning district shall be prohibited except for fences constructed inside the property boundaries and not visible from any street, alley or adjoining property.

(C) NEW DEVELOPMENTS SHALL REQUIRE A MINIMUM SIX (6) FOOT TALL PERIMETER FENCE OR WALL WHEN ADJACENT TO RESIDENTIAL PROPERTIES. THE MINIMUM HEIGHT REQUIRED FOR THE FENCE OR WALL SHALL BE MEASURED FROM THE HIGHEST POINT OF GRADE WITHIN FIVE (5) FEET OF THE PROPOSED FENCE.

D) DOUBLE FENCES OR WALLS SHALL BE PROHIBITED UNLESS WAIVED BY THE ZONING ADMINISTRATOR.

(Ord. No. 1421, § VI, 1-10-85; Ord. No. 1735, § 2, 1-22-87; Ord. No. 3063, § 3, 11-18-99; Ord. No. 4567, § V, 10-20-14)

35-2205. Swimming pools.

(1) Swimming pools shall not occupy any front yard ~~nor shall the interior edge of the pool decking be located closer than five (5) feet to any side or rear property line.~~

(2) All pools shall be enclosed by a masonry or concrete wall or decorative fencing (such as wrought iron) at least six (6) NOMINAL feet but not to exceed seven (7) feet in height. A horizontal combination of masonry and wrought iron may be permitted with a concrete curb of maximum four (4) inches height to prevent erosion. This curb shall be three (3) inches under the ground and one (1) inch above the grade, as shown in graphic A.

ALL EXTERIOR AND INTERIOR BARRIERS SHALL CONFORM WITH THE ADOPTED INTERNATIONAL SWIMMING POOL AND SPA CODE AS AMENDED BY THE CITY OF CHANDLER.

~~(3) Wall/fence heights shall be measured on the exterior side of the enclosure from the top of the foundation stem wall or at the lowest point of elevation within a line five (5) feet from the fence.~~

~~In varying grade situations, the average height of the majority of the fence shall be deemed the overall fence height but in no case less than six (6) feet nominal height.~~

~~Fences constructed and approved by the City prior to the adoption of this ordinance [September 30, 1986] shall be considered a nominal six-foot fence provided that the measured fence height is not less than five (5) feet six (6) inches and that such conditions are not dangerous to life safety.~~

~~Such fencing shall not be constructed in a manner as to provide hand or foot holds for climbing. Self-locking gates and/or entrances shall be used if openings are provided in pool walls or fences.~~

~~(4) All pedestrian gates shall be self-closing and self-latching and open outwards from the pool if no interior barrier is installed, under the provisions of section 7-6.1(c) of the City Code. Gate latches shall not be less than fifty-four (54) inches above finished grade, and shall not require a key to exit from inside the enclosure.~~

~~Gates for openings of four (4) feet or greater leaf width must be secured with a locking device and be kept locked.~~

(53) Wood fencing may be used only to replace an existing wood fence, in all other cases wood fencing is prohibited.

(64) The exterior fence enclosure for swimming pools, as required by this section, need not necessarily be located on the side or rear property lines. In the case where the interior barrier, as required under section 7-6.1(c) of the City Code, also serves as the exterior barrier, said barrier shall be six (6) feet in height, in addition to complying with all the applicable barrier standards as set forth in section 7-6.1(c). Said barrier shall also preclude exterior access.

(75) In the case where the rear yard of a single-family property abuts the edge of a lake within any one (1) of the several approved lake communities or subdivisions within the City of Chandler; and where no public access is permitted or allowed along the lakeshore; and where side yard fences extend to and beyond the water's edge a minimum of eighteen (18) inches; no rear yard fence will be required between the lakeshore and the swimming pool.

(86) In any zoning district, if the fence or gate material is of such construction or design that there are openings in the enclosure, such openings shall be of such size that a spherical object four (4) inches in diameter cannot pass through the openings, as shown in graphic A.

(Ord. No. 1421, § VII, 1-10-85; Ord. No. 1630, § 2, 6-12-86; Ord. No. 1713, § 1, 10-9-86; Ord. No. 2838, § 1, 5-28-98; Ord. No. 3063, § 3, 11-18-99)

Editor's note(s)—Graphic A, referenced above, is not set out herein, but is on file and available for inspection in the Office of the City Clerk and the Zoning Administrator.

35-2208. Satellite dish antennas.

(1) Single-family zoning districts:

(a) Ground-mounted dish antennas **GREATER THAN ONE (1) METER IN DIAMETER** shall be located within rear yards, with a minimum ten-foot setback from any rear property line.

(b) Roof-mounted dish antennas shall not exceed ~~four (4)~~ **ONE (1) METER** in diameter., ~~and shall not be visible from street view.~~

(c) The maximum height for any ground-mounted dish antennas shall be ten (10) feet as measured from ground level to its highest point.

(d) Any ground-mounted dish antennas shall be screened by a minimum six-foot-high solid wall, fence or dense vegetation.

(2) Multi-family and commercial zoning districts:

(a) Ground-mounted dish antennas **GREATER THAN ONE (1) METER IN DIAMETER** shall be located within the side or rear yard, and shall be enclosed with a six-foot-high solid wall or fence.

(b) Roof-mounted dish antennas shall not exceed ~~four (4) feet~~ **ONE (1) METER** in diameter and ~~shall not be visible from street view.~~

(c) Any dish antenna exceeding ten (10) feet in height, as measured from ground level to its highest point, shall be subject to approval of a use permit.

(3) Industrial zoning districts:

(a) All dish antennas **GREATER THAN ONE (1) METER IN DIAMETER** shall be **SCREENED FROM STREET VIEW** ~~located so as not to be visible from street view.~~

(b) Any dish antenna **GREATER THAN ONE (1) METER AND NOT SCREENED OR** exceeding twenty-five (25) feet in height, as measured from ground level to its highest point, shall be subject to approval of a use permit.

(Ord. No. 3063, § 3, 11-18-99; Ord. No. 1506, 7-11-85)

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35-2215. HOME OCCUPATION.

HOME OCCUPATIONS ARE PERMITTED WITHIN A RESIDENCE PROVIDED THAT IN ADDITION TO ALL OF THE USE LIMITATIONS APPLICABLE IN THE ZONING DISTRICT IN WHICH THE RESIDENCE IS LOCATED, HOME OCCUPATIONS SHALL COMPLY WITH THE FOLLOWING:

- (1) PERMITTED USES SHALL BE THOSE THAT ARE CLEARLY INCIDENTAL TO AND SUBORDINATE TO THE USE OF THE PROPERTY FOR DWELLING PURPOSES AND DO NOT CHANGE THE RESIDENTIAL CHARACTER THEREOF. SUCH USES MAY INCLUDE BUT ARE NOT LIMITED TO; PHOTOGRAPHY, PERSONAL SERVICES, THERAPY, CONSULTING, LAW OFFICE, REAL ESTATE, INSURANCE, PROFESSIONAL OFFICE, PROFESSIONAL DESIGN SERVICES, MUSICAL INSTRUMENT LESSONS, SWIM LESSONS, AND SMALL-SCALE E-COMMERCE. THE FOLLOWING USES SHALL BE PROHIBITED EXCEPT IF APPROVED THROUGH A USE PERMIT APPLICATION PURSUANT TO SECTION 35-305: MEDICAL, DENTAL, RESTAURANT, VETERINARY, KENNEL, DOG GROOMING, MOTOR VEHICLE SERVICES, MASSAGE ESTABLISHMENTS, AND OTHER USES THAT ARE MORE LIKELY TO ALTER THE RESIDENTIAL CHARACTER OF THE NEIGHBORHOOD OR NEGATIVELY IMPACT SURROUNDING RESIDENTIAL PROPERTIES PURSUANT TO SECTION 35-2215.6;
- (2) THE PRIMARY BUSINESS OPERATOR SHALL BE A MEMBER OF THE FAMILY RESIDING THEREIN;
- (3) BUSINESS ACTIVITIES SHALL BE CONDUCTED WITHIN THE PRINCIPAL DWELLING UNIT OR A PERMITTED ACCESSORY STRUCTURE, OR A RESIDENTIAL BACKYARD POOL IN THE CASE OF SWIM LESSONS; BUSINESS ACTIVITIES MAY TAKE PLACE IN A GARAGE SO LONG AS NO PERMANENT MODIFICATIONS ARE MADE TO THE GARAGE THUS MAINTAINING THE ABILITY TO PARK VEHICLES;
- (4) EMPLOYEE AND CUSTOMER VISITS SHALL BE LIMITED TO THE HOURS OF 8AM TO 7PM. ONE EMPLOYEE AND ONE CUSTOMER APPOINTMENT, EACH CONSISTING OF NO MORE THAN ONE VEHICLE MAY OCCUR AT A TIME;
- (5) THERE SHALL BE NO SIGNS, NO EXTERIOR DISPLAY, NO EXTERIOR STORAGE OF MATERIALS, AND NO OTHER INDICATION OF THE HOME BUSINESS OR VARIATION FROM THE RESIDENTIAL CHARACTER OF THE PRINCIPAL DWELLING UNIT;
- (6) NO HOME OCCUPATION SHALL BE PERMITTED THAT IS NOXIOUS, OFFENSIVE, OR HAZARDOUS BY REASON OF VEHICULAR TRAFFIC, GENERATION OR EMISSION OF NOISE, VIBRATION, SMOKE, DUST, OR OTHER PARTICULATE MATTER, ODOROUS MATTER, HEAT, HUMIDITY, GLARE, REFUSE, RADIATION OR OTHER OBJECTIONABLE

EMISSIONS;

- (7) ACTIVITY ASSOCIATED WITH THE HOME OCCUPATION SHALL NOT GENERATE VEHICULAR OR PEDESTRIAN TRAFFIC THAT ALTERS THE NEIGHBORHOOD CHARACTER. ALL BUSINESS-RELATED VEHICLES SHALL PARK ON-SITE TO THE GREATEST EXTENT POSSIBLE;
- (8) EXTERNAL MODIFICATIONS TO THE RESIDENCE INTENDED SOLELY FOR THE HOME OCCUPATION, INCLUDING CONSTRUCTION FEATURES, EQUIPMENT, OR MACHINERY THAT ARE NOT CUSTOMARY IN RESIDENTIAL AREAS SHALL BE PROHIBITED.

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CHAPTER 39 – SIGN CODE

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39-3. Definitions.

MURAL: ANY GRAPHIC ARTWORK THAT IS PAINTED OR APPLIED DIRECTLY ON A WALL THAT DOES NOT DIRECTLY OR INDIRECTLY NAME, ADVERTISE, OR CALL ATTENTION TO A BUSINESS, ORGANIZATION, PRODUCT, SERVICE, OR COMMERCIAL ACTIVITY.

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Sign: Any visual communication which is used to attract the attention of the public, when the display is visible beyond the boundaries of the property, AND THAT DIRECTLY OR INDIRECTLY NAMES, ADVERTISES, OR CALLS ATTENTION TO A BUSINESS, ORGANIZATION, PRODUCT, SERVICE, OR COMMERCIAL ACTIVITY.

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39-7.8 Location restrictions for all signs (permanent and temporary).

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F. SIGNS ON PROPERTIES ABUTTING RESIDENTIAL. SIGNS LOCATED ON A PROPERTY THAT ABUTS A RESIDENTIALLY ZONED PROPERTY AND FACES SAID RESIDENTIAL SHALL BE NON-ILLUMINATED, HALO-ILLUMINATED, OR SHALL UTILIZE OTHER LOW-INTENSITY LIGHTING METHODS SUBJECT TO APPROVAL BY THE ZONING ADMINISTRATOR.

39-10.3 Regulations for specific temporary sign types.

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C. Banners.

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4. *Duration:*

- a) Each multiple family development, business or nonresidential use shall be allotted no more than thirty (30) cumulative days within each six (6) month period in a calendar year to display air-activated signs, banners, or feather signs. One (1) day shall be counted as being exhausted from the total allotment for each day that one or any combination of the aforementioned signs is displayed,

except that the display of vertical banners located in permitted outside display areas and banners that are displayed during construction of a site or during a City funded or designated construction project that is located adjacent to the business or nonresidential use erecting said sign shall not be counted toward said allotment. **NOTWITHSTANDING THE FOREGOING, AN UNOCCUPIED TENANT SPACE IN A NONRESIDENTIAL DEVELOPMENT MAY DISPLAY A BANNER ADVERTISING THE SPACE AS AVAILABLE TO LEASE UNTIL SAID TENANT SPACE IS OCCUPIED AND SHALL BE SUBJECT TO PERMIT APPLICATION AND RENEWAL EVERY TWELVE (12) MONTHS.**

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Chapter 44 - GARBAGE AND REFUSE

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44-4. - Collection of solid waste.

44-4.5. Conversion from alley to curbside collection. The Director may convert areas receiving alley collection to curbside collection pursuant to established administrative procedures under either of the following circumstances:

A. Where the Director determines that there are safety issues associated with continued alley collection; or

B. Where a majority of residents in a neighborhood ~~wish~~ **VOTES** to convert from alley collection to curbside collection.