



Planning Commission
Online Meeting Agenda
Wednesday, November 18, 2020

To join the meeting and view presentations, visit <https://avondaleaz.zoom.us/j/3083557784>

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REGULAR MEETING

6:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. OPENING STATEMENT

4. APPROVAL OF MINUTES

October 21, 2020.

5. PUBLIC HEARING ITEMS

a. ZONING ORDINANCE TEXT AMENDMENTS - SECTION 1 (ADMINISTRATION AND PROCEDURES); SECTION 2 (RESIDENTIAL DISTRICTS); SECTION 5 (SPECIAL DISTRICTS; OVERLAYS); SECTION 8 (PARKING); SECTION 9 (SIGNS); AND SECTION 12 (LANDSCAPE, WALLS, AND FENCES) - APPLICATION PL-20-0248

Planning Commission will hold a public hearing and consider a Staff-initiated request for text amendments to the Zoning Ordinance. The amendments will allow for continued refinement of the Zoning Ordinance to reflect changes in policies and procedures, allow for clerical corrections, and address the overall accuracy and usability of the Zoning Ordinance.

Commission will take appropriate action and forward a recommendation to City Council.

Staff Contact: Brian Craig, Planning Manager

6. PLANNING DIVISION REPORT

7. CALENDAR

Next meeting date is December 16, 2020.

8. ADJOURNMENT

Members will attend by telephone conference call. Los miembros asistirán vía teleconferencia. Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the meeting. Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oído, o con necesidad de impresión grande o intérprete, deben comunicarse con la Secretaría de la Ciudad al 623-333-1200 o TDD 623-333-0010 cuando menos dos días hábiles antes de la junta del Concejo.

Wednesday, October 21, 2020
6:00 P.M.

Note from the Clerk: The October 21, 2020 Planning Commission meetings was hosted online using the online Zoom Cloud Meeting platform. Chair Iwanski attended in person and all other participants by phone or video.

1. CALL TO ORDER

Chair Iwanski called the Regular Meeting to order at 6:00 P.M.

2. ROLL CALL

The following members and representatives were present:

COMMISSIONERS PRESENT IN PERSON/PHONE/VIDEO

David Iwanski, Chair
Lisa Amos, Commissioner
Maribel Guerrero, Commissioner
Lisa Osborne, Commissioner
Denise Stanfield, Commissioner
Christopher Thompson, Commissioner
Larry White, Alternate Commissioner

COMMISSIONERS ABSENT (EXCUSED)

Linda Warren, Vice Chair

CITY STAFF PRESENT

Nicholle Harris, City Attorney
Jodie Novak, Assistant Director
Brian Craig, Planning Manager
Ken Galica, Division Lead Planner
Chris Sexton, Planner
Stephanie Small, Sr. Management Analyst
Denise Zazueta, Administrative Assistant

3. OPENING STATEMENT

Chair Iwanski read the Opening Statement.

Note: Commissioner Stanfield joined the meeting at 6:04 P.M.

4. APPROVAL OF MINUTES

a. September 16, 2020

Commissioner Thompson moved to approve the September 16, 2020 minutes as presented; Commissioner Amos seconded the motion.

Upon vote, the motion was carried unanimously 5 to 0.

David Iwanski, Chair	Aye
Commissioner Amos	Aye
Commissioner Guerrero	Aye
Commissioner Stanfield	Aye
Commissioner Thompson	Aye

Note: Commissioner Osborne joined the meeting at 6:09 P.M.

5. PUBLIC HEARING ITEMS

a. ZONING ORDINANCE TEXT AMENDMENT – SECTION 1303.B MEDICAL MARIJUANA DISPENSARY HOURS OF OPERATION - APPLICATION PL-20-0167

Planning Commission held a public hearing and considered a request by Lauren Neihaus, Harvest Health & Recreation, Inc., for a text amendment to the Avondale Zoning Ordinance, Section 1303.B (Medical Marijuana Uses/Requirements), extending the permitted hours of operation of medical marijuana dispensaries from 8:00 P.M. to 10:00 P.M. The Commission will take appropriate action.

Staff Contact: Chris Sexton, Planner

Ms. Sexton prefaced the presentation by stating that the request is for a simple text amendment and therefore the presentation will be brief. The applicant-initiated request is to amend Section 13 of the Zoning Ordinance, which is Medical Marijuana Uses, specifically Section 1303.B which determines hours of operation. Currently, the hours of operation for all medical marijuana dispensaries in the City of Avondale is no earlier than 9:00 a.m. and no later than 8:00 P.M. The request is to allow dispensaries to operate two (2) additional hours, to close no later than 10:00 P.M. As a point of clarification, this is an amendment to the Zoning Ordinance and not just to the one operating facility in the City.

By way of background, in November of 2010, voters approved Proposition 203 (Arizona Medical Marijuana Act). In February of 2011, the City Council approved Section 13, which is the City of Avondale medical marijuana uses regulations. Section 13 then established the regulations for dispensaries, including location requirements and limits on hours of operation. In August of 2014, City Council approved the amendment to the Zoning Ordinance to allow dispensaries to operate on weekends. In September 2019, City Council approved various amendments to the Zoning Ordinance, including the extension of operating hours for two (2) hours, from 6:00 P.M. to 8:00 P.M.

Ms. Sexton provided a slide comparison to other cities and their permitted dispensary hours. Glendale and Phoenix are both open until 10:00 P.M. Surprise has no restrictions. The Cities of Tolleson and Peoria

are open until 9:00 P.M. All required notifications for the Zoning Ordinance Text Amendment were completed. Two (2) comments were received on aVOICE; one in favor and one opposed. In looking at the extension of hours request, the proposed amendment would accommodate the diverse needs of patients who are not able to get to dispensaries due to their work hours. The time extension aligns with other municipalities in the West Valley. Staff recommends approval of the application.

Chair Iwanski invited the applicant to speak. Ms. Neihaus stated that the 10:00 P.M. closing time is in alignment with Arizona Administrative Code. The additional hours will provide patients with expanded access for those who do not work traditional work hours. The expanded hours will also keep revenues in the City, rather than having patients go to other jurisdictions.

Commissioner Thompson inquired as to the approach of extending only until 10:00 P.M. rather than following suit with Surprise, which has no time restrictions. Ms. Neihaus stated that the business aims to be in line with State law; Arizona Administrative Code outlines 10:00 P.M. as the closing time.

Chair Iwanski opened the public hearing on this item. Staff received no requests to speak and there were no comments from the public. Chair Iwanski closed the public hearing and invited a motion.

Commissioner Thompson moved that the Planning Commission recommend approval of Application PL-20-0167, a request for a text amendment to the Avondale Zoning Ordinance, Section 1303.B (Medical Marijuana Uses/Requirements), extending the permitted hours of operation of medical marijuana dispensaries from 8:00 P.M. to 10:00 P.M. Commissioner Osborne seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

David Iwanski, Chair	Aye
Commissioner Amos	Aye
Commissioner Guerrero	Aye
Commissioner Osborne	Aye
Commissioner Stanfield	Aye
Commissioner Thompson	Aye

6. ACTION ITEMS

a. VILLAGE AT THE BLVD - DEVELOPMENT PLAN - APPLICATION PL-20-0114

Planning Commission considered a request by Shelby Duplessis, EMC Management, LLC for approval of a Development Plan for Village at The BLVD, a proposed 187-unit, single-story multi-family residential community in The BLVD on 15.92 net acres located at the southwest corner of the alignments of Roosevelt Street and 111th Avenue. The proposed development provides for a density of 11.7 dwelling units per acre. The Commission will take appropriate action.

Staff Contact: Ken Galica, Division Lead Planner

Mr. Galica provided an overview of the development location. Surrounding uses are largely undeveloped to the east, north and west. To the east of the property is the Roosevelt Park Development, the last phase of which expected to be under construction within the next couple of years. To the north, there is no planned development. To the west is The BLVD area, which has several active projects in various planning phases. To the south is Waterford Square single-family residential community. Properties north, east, and

south of the site are zoned Planned Area Development (PAD). The property was annexed in 2009. It is located within The BLVD's Residential District, which allows for outwardly-oriented high-density multi-family residential developments. The property was rezoned to The BLVD District (BLVDD) in accordance with the property's The BLVD Residential District General Plan land use designation in March of 2020. Development plans within this area must go through an approval process requiring Planning Commission review and recommendation and City Council review and approval.

Mr. Galica reviewed the site plan for the gated community. The project will have primary access off the north side of the property from Roosevelt Street and secondary access off 111th Avenue on the east side. Both will be full access ingress, egress driveways. The project includes 187 units, including 22 detached three-bedroom units, 105 detached two-bedroom units and 60 duplex one-bedroom units (30 buildings each featuring two one-bedroom units). The development will also include a leasing office, clubhouse, and fitness center. The primary design challenge with this project has been to take a residential product that is traditionally inwardly-oriented and redesigning it to be outwardly focused, to achieve The BLVD Specific Plan's goal that The BLVD be a more urban, socially-oriented, pedestrian-connected area. To this goal, the project is designed so that units front directly onto Roosevelt Street and 111th Avenue, directly onto the public sidewalks. Residents of those perimeter units will have direct access to the public sidewalk from their front doors, a more urban type of design than having walled backyards adjacent to perimeter streets.

The interior of the project is designed more traditionally, with units fronting onto open space walkway corridors that connect residents to the project's open space, parking areas, and the like. These interior units will have indirect access to adjacent public sidewalks through a multitude of pedestrian gates to both Roosevelt Street and 111th Avenue. Sixteen (16) total garage buildings, each containing four (4) individual single-car garages (for a total of 64 single-car garages), are provided, eight of which contain personal storage units for resident use. The development includes 347 parking spaces inclusive of the 64 garages, 186 covered spaces, and remainder of uncovered spaces, ten (10) more than the 337-space minimum required by the Zoning Ordinance. Additionally, Roosevelt Street within The BLVD will be built using the modified The BLVD section which is slightly wider than the City's typical Minor Collector roadway section, allowing for on-street parallel parking along the south curb of Roosevelt Street.

Approximately 8.5 acres of open space are provided, with 2.5 usable acres, meeting the fifteen (15) percent minimum required in BLVDD zoning. The project's primary recreational area consists of a centralized 1.2-acre amenity zone, which includes a wide variety of multigenerational amenities including a resort-style pool, gaming area, grilling area, fire pit, yoga lawn, two (2) hammock lounging areas, dog park and large grass areas for open play. Additionally, a 70-foot-wide trail multi-use trail corridor is provided along the southern edge of the property. This corridor includes the southern 30-foot segment of the subject property as well as the existing adjacent 40-foot strip of right-of-way. Before the creation of The BLVD Specific Plan, Roosevelt Street had been expected to run south of the subject property. The Roosevelt Street alignment was revised to run north of the subject property, and the right-of-way south of the site was no longer needed to accommodate construction of a street, though a pedestrian-only connection in that location will provide much desired pedestrian connectivity from adjoining neighborhoods such as Waterford Square and Roosevelt Park to the existing and future amenities within The BLVD. The developer will be constructing a ten (10) foot multi-use trail within the existing 40-foot strip. Next to the right-of-way, on the private property, the developer will be providing seating nodes, lighting and landscaping to create a pleasant pedestrian experience. The full width of the corridor will be usable by all residents, not only those living within the Village at The BLVD development.

Architecture and elevation styles were reviewed. Staff highlighted the exceptional variety provided, noting that there are three (3) diverse building types, each with three (3) distinct elevations, and each elevation style being provided in three (3) contrasting color schemes. This means that 27 different building/elevation/color scheme combinations will be provided, ensuring that no two (2) adjacent buildings will be alike.

Staff believes that the project conforms to The BLVD Residential District General Plan designation as well as the BLVDD zoning and The BLVD Specific Plan. The density is under the minimum requirement within The BLVD Residential District, however, BLVDD zoning allows a master development to have components that are under density if the overall development meets minimum density requirements. This being a portion of a larger property, the remainder of the property, a little less than ten (10) acres, will have to be developed at a higher density of around 30 units per acre to achieve the minimum eighteen (18) dwelling unit per acre threshold for the entire property. With regard to compatibility with existing uses, the one-story units within this project will provide a compatible transition to the existing single-family residential to the south. There is functional access to the site for residents as well as for emergency vehicles and City trucks. Outside circulation also meets City requirements for fire truck turning radius. Parking is provided in excess of minimums. Open space and amenities exceed minimum requirements. The contemporary architecture provides exceptional variety with 27 different building type, elevation, and color scheme combinations. The developer will construct and complete all adjacent half street improvements. Staff recommends approval of the application subject to ten (10) conditions.

Chair Iwanski invited questions from the Commissioners.

Chair Iwanski inquired as to school district impacts. Mr. Galica stated that the development is in the Littleton Elementary School District service area, as well as the Tolleson Union High School District. As the zoning to allow for residential uses is already in place, the districts are not asked for confirmation of adequate capacity. However, as the City moved forward with The BLVD (and, originally, the City Center Specific Plan), both districts were aware that there would be the potential for significant student enrollment in the area resulting from high-density multi-family uses.

Chair Iwanski invited the applicant to address the Commission. Ms. Sherry Koshio stated that this will be the developer's fourth project of this type. They are currently working on three (3) other projects in the West Valley. There is a desire in the community for simple, yet high quality community living. They have touched base with the school districts and are preparing to enter into agreements.

Commissioner Amos asked whether the homes will have yard space. Mr. Galica confirmed that each of the units have small fenced private backyards. Though private, the property management company will ensure they are maintained in an orderly manner at all times.

Chair Iwanski invited further comments. There were no additional comments and Chair Iwanski invited a motion.

Commissioner Osborne moved that the Planning Commission recommend approval of Application PL-20-0114, approval of a Development Plan for Village at The BLVD, a proposed 187-unit, single-story multi-family residential community in The BLVD on 15.92 net acres located at the southwest corner of the alignments of Roosevelt Street and 111th Avenue subject to ten (10) recommended conditions of approval as listed in the staff report; Commissioner Thompson seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

David Iwanski, Chair	Aye
Commissioner Amos	Aye
Commissioner Guerrero	Aye
Commissioner Osborne	Aye
Commissioner Stanfield	Aye
Commissioner Thompson	Aye

7. PLANNING DIVISION REPORT

Mr. Craig stated that at the November 18th meeting, staff will be bringing text amendments to the Zoning Ordinance for the Commission's consideration. If approved by the Commission, they will be forwarded to the City Council in December.

The League of Arizona Cities and Towns is putting on a training on November 12th entitled "Roles, Responsibilities and Best Practices of a Planning and Zoning Commission Member." The City would be happy to pay for Commissioner entry fees to the webinar that will be put on via Zoom. Those interested should contact him by Monday, November 2nd.

Commissioner Guerrero announced her resignation from the Commission, as she is relocating to the City of Litchfield Park. She thanked everyone for their support. Chair Iwanski stated that it has been a privilege to know and work with Commissioner Guerrero.

8. CALENDAR

The next meeting is November 18, 2020

9. ADJOURNMENT

There being no further business before the Commission, Commissioner Thompson moved to adjourn the regular meeting; Commissioner Osborne seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

David Iwanski, Chair	Aye
Commissioner Amos	Aye
Commissioner Guerrero	Aye
Commissioner Osborne	Aye
Commissioner Stanfield	Aye
Commissioner Thompson	Aye

Meeting adjourned at 6:41 P.M.



AGENDA ITEM REPORT

SUBJECT: Zoning Ordinance Text Amendments - Section 1 (Administration and Procedures); Section 2 (Residential Districts); Section 5 (Special Districts; Overlays); Section 8 (Parking); Section 9 (Signs); and Section 12 (Landscape, Walls, and Fences) - Application PL-20-0248

MEETING DATE: 11/18/2020

TO: Planning Commission

FROM: Brian Craig, Planning Manager

PURPOSE:

Planning Commission will hold a public hearing and consider a Staff-initiated request for text amendments to the Zoning Ordinance. The amendments will allow for continued refinement of the Zoning Ordinance to reflect changes in policies and procedures, allow for clerical corrections, and address the overall accuracy and usability of the Zoning Ordinance. Commission will take appropriate action and forward a recommendation to City Council.

BACKGROUND:

The Avondale Zoning Ordinance was first adopted in 1951 and has been updated numerous times. The last update occurred in February 2020.

SUMMARY OF REQUEST:

The following is a summary of the proposed amendments to the Zoning Ordinance referenced by section number. The specific proposed text for each of these sections may be found in Exhibit A.

Section 1 (Administration and Procedures)

108 – Conditional Use Permit: Revise the application submittal process to require deliverables checklist be included. Revise the Conditional Use Permit application to require building elevations be included with the development plans.

110 – Zoning Ordinance Map Amendments (Rezoning): Revise the application submittal process to require deliverables checklist be included. Revise the Rezoning application to require building elevations be included with the development plans.

111 – Variances and Appeals: Revise the application submittal process to require deliverables checklist be included. Revise the Variance application to require building elevations be included with the development plans.

115 – Definitions: Update Townhouse definition to add requirement for a ground floor entrance and

a minimum 100 square foot private open space per unit.

Section 2 (Residential Districts)

202 – Land Use Matrices: Remove Data Center from use table. Data Center is currently permitted in the Agricultural (AG) District with conditions.

203 – Uses Permitted With Conditions: Remove Data Center paragraph from this section.

Section 5 (Special Districts; Overlays)

501 – The BLVD District: Remove the opt-in process from The BLVD Administration section as this process has been accomplished and future rezonings will follow the standard process.

Section 8 (Parking)

801 – Purpose: Add electric vehicle charging as a stated purpose of Section 8.

804 – Required Parking:

- Add electric vehicle charging station and future capacity requirements as a required percentage of overall parking requirements for new development and redevelopments.
- Update maximum parking requirements for manufacturing and industrial uses as it was inadvertently less than the minimum requirement.
- Increase the required ratio of visitor parking spaces from one (1) space for every ten (10) dwelling units to one (1) space for every five (5) dwelling units for multi-family developments.
- Clarify that townhomes must provide the two (2) required parking spaces as enclosed garage parking spaces.

Section 9 (Signs)

905 - General Requirements: Add location requirements for signs within The BLVD District.

907 - Permanent Sign Design, Illumination, and Construction: Add design requirements for signs within The BLVD District including references to adhering to the required development plan.

913 - Signs Authorized With Permits:

- Revise sign allowance within the General Industrial (A-1) district to allow signs on two (2) building elevations and to allow calculation of secondary street facing building elevations at 0.5 square feet per linear foot, consistent with the Commerce Park (CP) zoning district.
- Add quantity and sign area requirements for wall signs, directory signs, monument signs, multi-tenant signs, pedestrian kiosk signs, and freeway pylon signs within The BLVD District.

Section 12 (Landscape, Walls, and Fences)

1204 – Landscape Design Standards: Add an administrative exception to tree and shrub quantities in

easements, utility locations, and other spaces that prohibit quantities as required by Section 12.

ANALYSIS:

The Zoning Ordinance Text Amendments are not anticipated to result in any adverse impacts on the community. The amendments will allow for continued refinement of the Zoning Ordinance to reflect changes in policies and procedures, allow for clerical corrections, and address the overall accuracy and usability of the Zoning Ordinance.

PUBLIC PARTICIPATION:

All required notifications for Planning Commission and City Council public hearings have been completed. The meetings were advertised in the Wednesday, October 28, 2020, edition of the Southwest Valley Arizona Republic. Staff has not received any feedback on the proposal by phone or email.

At the time of writing this report, no comments related to the proposal have been posted on the City's aVOICE digital forum.

DISCUSSION:

STRATEGIC PLAN:

INITIATIVE: Encourage & Support Creative Innovation in Development & Service Delivery

- STRATEGIC GOAL: Encourage a flexible environment responsive to market trends

BUDGET IMPACT:

No budget impacts.

RECOMMENDATION:

The Planning Commission will conduct a public hearing and recommend **APPROVAL** of Application PL-20-0248, Zoning Ordinance Text Amendments, a request for text amendments to the City of Avondale Zoning Ordinance.

PROPOSED MOTION:

I move that Planning Commission recommend **APPROVAL** of Application PL-20-0248, Zoning Ordinance Text Amendments, a request for text amendments to the City of Avondale Zoning Ordinance.

Exhibit A

Abstract of Proposed Changes

evaluated for compliance with the required findings set forth below. The burden of proof for satisfying these findings rests with the applicant.

2. An application for a Conditional Use Permit shall be submitted on a form prescribed by the Planning Division with all required deliverables as outlined on the application checklist, including the required fee~~with the required fee~~ before the conditional use permit application can be processed.
3. The applicant shall conduct a neighborhood meeting in accordance with Section 112, below and complete notifications pursuant to Section 113, below.
4. The Planning Commission shall hold a public hearing and forward a recommendation to the City Council. The Planning Commission shall base its recommendation on whether or not the information provided is sufficient to meet the required findings. Notifications must be completed pursuant to Section 113, below.
5. The City Council shall hold a public hearing considering the information presented and may accept or reject the Planning Commission's recommendation with respect to whether the required findings have been met. Notifications must be completed pursuant to Section 113, below.
6. The City Council shall have complete discretion to approve, conditionally approve, or deny a request for a Conditional Use Permit based upon its determination of whether the required findings (set forth in subsection 108(B) below) have been met.

B. Required Findings

A Conditional Use Permit may only be approved if all the following findings are met:

1. That the proposed use (a) is consistent with the land-use designation set forth in the general plan, (b) will further the City's general guidelines and objectives for development of the area, as set forth in the general plan and (c) will be consistent with the desired character for the surrounding area.
2. That the use will be (a) compatible with other adjacent and nearby land uses and (b) will not be detrimental to persons residing or working in the area, adjacent property, the neighborhood or the public welfare in general.
3. That the site is adequate in size and shape to accommodate the proposed use, allow safe on-site circulation, and meet all required development standards including, but not limited to, setbacks, parking, screening, and landscaping.
4. That the site has appropriate access to public streets with adequate capacity to carry the type and quantity of traffic generated by the proposed use.
5. That adequate conditions have been incorporated into the approval to ensure that any potential adverse effects will be mitigated.

substantially similar use (2) located on the same site and (3) submitted within one (1) year from the date of the final denial or revocation.

109 Zoning Ordinance Text Amendment

The written regulations set forth in this Ordinance may be amended whenever deemed necessary to best serve the public health, safety and general welfare of the City. Amendments to the text of this Ordinance shall not be made except through the adoption of an amending Ordinance by the City Council after complying with State Law and following the procedures prescribed in this Section 110.

A. Process and Procedure

1. Requests for text amendments shall be submitted to the Planning Division on a form prescribed by the Planning Division with the required fee. The request may be submitted by the Planning Division, Zoning Administrator, Planning Commission or City Council.
2. A request for a text amendment shall first be heard by the Planning Commission, which shall hold a public hearing and transmit a recommendation to the City Council containing reasons for such recommendation. Notifications must be completed pursuant to Section 113, below.
3. The City Council shall hold a public hearing and approve, approve with conditions, or deny the request for the amendment. Notifications must be completed pursuant to Section 113, below.
4. The recommendation of approval of any amendment by the Planning Commission shall be void if the amendment has not been adopted by the City Council within one (1) year of the Planning Commission action.

B. Council Discretion

The City Council shall consider all of the information provided and may accept or reject the Planning Commission's recommendation. The City Council may approve or reject a Zoning Ordinance text amendment in its sole legislative discretion; provided that any such Amendment shall be consistent with the adopted General Plan.

110 Zoning Ordinance Map Amendments (Rezoning)

The boundaries of Zoning Districts set forth in the Zoning Map may be amended whenever deemed appropriate by the City Council. Amendments to the zoning map shall not be made except through the adoption of an amending Ordinance by the City Council and following the procedures prescribed in this Section 110.

A. Process and Procedure

1. Requests for map amendments shall be submitted to the Planning Division on a form prescribed by the Planning Division with the all required deliverables as outlined on the application checklist, including required fee. A Zoning Map amendment may be

C. Conditions for Approval

The Planning Commission may recommend and the City Council may approve a map amendment conditioned as deemed necessary by the City Council in its sole discretion. Any condition of zoning shall be set forth in the Ordinance amending the zoning text or map. All conditions of zoning approval shall become part of the regulations governing the use of the property. No building permits shall be issued except in conformity with the conditions of zoning approval.

111 Variances and Appeals

A. Variance

A variance is not a right. It may be granted to an applicant only if the applicant establishes compliance with the hardship criteria established in ARIZ. REV. STAT. § 9-462.06(G)(2), as amended. Pursuant to ARIZ. REV. STAT. § 9-462.06(H), as amended, no use variance or variance based upon self-imposed hardship shall be granted.

1. Process and Procedure:

- a. Requests for variances shall be submitted to the Planning Division on a form prescribed by the Planning Division all required deliverables as outlined on the application checklist, including the required fee. ~~with the required fee and submittal materials.~~
- b. The Board of Adjustment shall conduct a hearing on the variance pursuant to the procedures established in ARIZ. REV. STAT. § 9-462.06, as amended. The Board of Adjustment shall convene for a hearing within sixty (60) days of the acceptance of the application by the Planning Division. Notifications must be completed pursuant to Section 113, below.
- c. Once a variance is approved by the Board of Adjustment, it is effective and shall run with the land subject to the limitations set forth in this Ordinance.

2. Required Findings:

The Board of Adjustment may grant a variance only after all of the findings set forth below have been met:

- a. There are special circumstances or conditions applicable to the property, including size, shape, topography, location or surroundings.
- b. Due to these special circumstances, the strict interpretation of the Zoning Ordinance would deprive the property of privileges enjoyed by surrounding properties of the same classification in the same Zoning District.
- c. The proposed variance is the minimum necessary to alleviate the hardship.

Surplus Store: A store selling items that are used, or purchased but unused, and no longer needed. The surplus is often military, government or industrial excess. A surplus store may also sell items that are past their use by date.

Tandem Parking: The placement of parking spaces one (1) behind the other, so that the space nearest the driveway or street access serves as the only means of access to the other space.

Thrift Store: A retail store that specializes in the sale of previously owned and/or used goods and merchandise that has been donated. Thrift stores are distinct from consignment shops, pawn shops and non-consignment secondhand retail stores.

Townhouse/Townhome: A single-family dwelling unit, with a private ground floor entrance and private yard of at least 100 square feet, that is part of a structure whose dwelling units are attached horizontally in a linear arrangement, and having a totally exposed front and rear wall to be used for access, light and ventilation.

Trailer: Any towed vehicle that does not fall under the definitions of mobile home or recreational vehicle.

Transmitting Tower: An unmanned structure that transmits or receives communications by electromagnetic or optical means, such as a radio antenna, television antenna, radar station, or microwave tower, but excluding Wireless Facilities.

Tree: A woody plant that has a single or multiple trunk(s) at ground level.

Tree Height: A tree measurement from the ground to the topmost portion of the tree. On small, multi-trunked trees, tree height is measured to the top of the main body of the crown.

Tree Topping: The cutting back of limbs larger than one (1) inch in diameter to a point between branch collars/buds within the tree's crown. Also referred to as hat racking, heading and pollarding.

Truck Stop: A service station primarily oriented to servicing of trucks and tractor trailers and which may include restaurants, retail activities and truck repair services.

Turf: Continuous plant coverage consisting of grass species that is mowed to maintain an established height.

University: An institution of higher learning providing facilities for teaching and research and authorized to grant academic degrees.

Use: The conduct of an activity or the performance of a function or operation, on a site or in a building or facility.

Urban Agriculture: The growing, washing, packaging, and storage of fruits, vegetables, and other plant products for wholesale or retail sales within close proximity to where a community of people lives.

Urban Development: A form of development generally characterized by higher residential densities and integrated commercial and industrial land uses connected by multiple transportation modes, with a particular emphasis on pedestrians and transit users.

3. The R-4 Zoning District is intended to be located near high activity commercial areas of the City and providing for high intensity townhome, condominium, apartment, and loft apartments.

- F. Manufactured Home Park - MH Zoning District. The purpose of the MH Zoning District is to provide an alternative living style and dwelling type to conventional single-family and multi-family housing. Standards contained herein are designed to afford adequate separation of manufactured home units, screening and open space in order to enhance the park environment.

202 Land Use Matrices

The following land use matrices shows the uses, which are permitted outright (P), permitted with a conditional use permit (C), permitted with conditions (PC), permitted as accessory uses (A) or prohibited (-) in specific residential Zoning Districts in the City of Avondale. The land use matrix is intended to serve as a guide for the convenience of the reader. Where the text of this Zoning Ordinance differs from the land use matrix, the text shall prevail.

- A. Single-Family Districts

Land Use Matrix

LAND USE	AG	RR-43	RR-18	R1-35	R1-15	R1-10	R1-8	R1-7	R1-6	R1-5
Apiary	PC	PC	-	-	-	-	-	-	-	-
Bed and breakfast inn	-	C	-	C	-	-	-	-	-	-
Child care in the home for four (4) or fewer children not related to the residents as an accessory to the primary residential use of the dwelling.	P	P	P	P	P	P	P	P	P	P
Child care in the home for five (5) to ten (10) children not related to the residents as an accessory to the primary residential use of a dwelling.	C	C	C	C	C	C	C	C	C	C
Child Care Center in conjunction with a Place of Worship or School	C	C	C	C	C	C	C	C	C	C
Community garden, one acre or less	P	P	P	P	P	P	P	P	P	P
Dairy farm	PC	-	-	-	-	-	-	-	-	-
Data Center	PC	-	-	-	-	-	-	-	-	-
Farm animals, the raising and keeping of	P	PC	PC	PC	-	-	-	-	-	-
Farming, including all types of agriculture and horticulture	P	P	-	-	-	-	-	-	-	-
Feed lot for cattle	PC	-	-	-	-	-	-	-	-	-

~~C.~~ Data Center is allowed in an Agricultural Zoning District provided that:

- ~~1.~~ Data Centers are located within the Freeway Corridor Specific Plan (FCSP) boundaries and along an arterial roadway.
- ~~2.~~ Data Centers must be contained within a building architecturally designed to appear as a Class A or Class B office building.

~~DC.~~ Farm Animals. Raising and keeping farm animals is allowed in certain residential Zoning Districts, subject to the following:

1. In the RR-43 District:
 - a. The keeping of livestock such as cattle and horses shall be allowed at a ratio of one (1) animal per 21,780 square feet of lot area.
 - b. Small livestock such as goats and sheep shall be allowed at a ratio of two (2) animals per 21,780 square feet of lot area.
 - c. No more than two (2) swine per lot shall be allowed, excluding potbellied pigs.
 - d. Farm animals under the age of six (6) months shall not be limited to an animal per square footage ratio.
 - e. Structures for fowl shall not be located closer than seventy-five (75) feet to any neighboring residence.
2. In the RR-18 District:
 - a. All farm animals shall be contained on the property by an effective enclosure and shall not be allowed to run at large.
 - b. The property shall be maintained so that it does not create or contribute to a health nuisance caused by the presence of flies, mosquitoes or other vermin; objectionable odors or dust; ponded water or water runoff; the accumulation of manure, garbage, refuse or other obnoxious or putrescible material; or similar conditions.
3. In the R1-35 District:
 - a. The keeping of livestock such as cattle and horses shall be allowed at a ratio of one (1) animal per 21,780 square feet of lot area.
 - b. Small livestock such as goats and sheep shall be allowed at a ratio of two (2) animals per 21,780 square feet of lot area.
 - c. No more than two (2) swine per lot shall be allowed, excluding potbellied pigs.

- d. Farm animals under the age of six (6) months shall not be limited to an animal per square footage ratio.

~~FD~~. Feed Lot for cattle is allowed in certain residential Zoning Districts provided that the minimum site is forty (40) acres.

~~FE~~. Guest House is allowed in certain residential Zoning Districts provided that:

1. A guest house shall not be rented, leased or sold separately from the principal residence or otherwise used for compensation.
2. A separate address, water meter, utility meter, driveway or parking area shall not be provided for the guest house.
3. The materials, colors and architectural style of the guest house shall be similar to the principal residence.
4. The livable floor area of the guest house shall not exceed fifty (50) percent of the livable floor area of the principal residence.
5. A detached guest house shall meet the location, height and setback requirements in Section 7 of this Zoning Ordinance.
6. The Department shall maintain an administrative record that includes a site plan and a floor plan for each guest house with approved construction plans. The separate Design Review process outlined in Section 1 of this Zoning Ordinance is not required for guest houses.

~~GE~~. Home Occupations are allowed in certain residential Zoning Districts, provided that in addition to all of the use limitations applicable in the Zoning District in which the home occupation is located, no home occupation shall be permitted unless it complies with the following restrictions:

1. The home occupation shall be conducted entirely within the principal dwelling unit or in a permitted accessory building thereto, and in no event shall such use be apparent from any public way. Use of required garages shall not occur.
2. There shall be no signs, no exterior display, no exterior storage of materials, and no exterior parking of vehicles containing signs larger than six (6) square feet, and no other indication of the home occupation or variation from the residential character of the principal building.
3. No mechanical, electrical or other equipment that produces noise, electrical or magnetic interference, vibration, heat, glare or other nuisance outside the residential or accessory structure shall be used.
4. 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.

5. Any need for parking generated by the home occupation shall be off-street. One (1) off-street parking space is permitted for the home occupation.
6. No pick-up or delivery by business-related vehicles which exceed 20,000 pounds gross vehicle (except USPS and standard UPS/FedEx sized delivery trucks) is permitted.
7. Only one business-related vehicle with a manufacturer's gross vehicle weight rating (GVWR) of not more than ten thousand (10,000) pounds used for the home occupation may be parked or stored at the property.
8. Customers shall not visit the home occupation to purchase goods or services, excluding barber shops/beauty salons. Barber shops/beauty salons shall not occupy more than 200 square feet of the floor area, a maximum of one (1) washing station, and a maximum of two (2) customers per day.

Prohibited services include massage parlors, restaurants, veterinary hospitals, veterinary offices, commercial kennels, dog grooming, vehicle services and like services.

9. Employees who do not reside in the home are prohibited.
10. Such occupation shall not require internal or external alterations or construction features or equipment or machinery not customary in residential areas.
11. The activity shall not generate vehicular or pedestrian traffic beyond that which is normal in its district.

HG. Places of Worship shall be located on an arterial street or at the intersection of two (2) collector streets.

H. Public utility facility required for local service is allowed in certain residential Zoning Districts provided that:

1. It is required for local service.
2. There are no offices, maintenance facilities, outdoor storage or part-time employees related to the site.

H. Single-Family detached or attached dwellings are allowed in the Manufactured Home (MH) District subject to the development standards outlined in Section 207(C).

204 Uses Permitted With a Conditional Use Permit

The land uses listed in the land use matrix as being permitted subject to a Conditional Use Permit shall, in addition to the process set for in Section 109 of this Zoning Ordinance, comply with the conditions listed below, if any, for the individual use. Based on review of the Conditional Use Permit

development of urban rowhomes, townhomes, or other residential types that are more outwardly focused, strongly interfaced with adjacent streets, and that contribute to an overall sense of community within The BLVD at-large. The minimum required density in this District is 18 dwelling units per acre, though product types under the minimum density may occur as part of a master residential development that, as a whole, meets the minimum density requirement. Limited commercial uses are permitted if located on the ground floor of a multi-story building with residential uses above. Building heights shall not exceed six (6) stories; within 300 feet of single-family residential uses, building heights shall not exceed three (3) stories.

5. Neighborhood District.

The Neighborhood District, located east of Avondale Boulevard, south of Van Buren Street and north of the Civic Center complex, is designed to accommodate development of detached single-family residential homes and/or attached townhomes with a density between 4 and 12 dwelling units per acre. Urban form development is not required, but is encouraged, in the Neighborhood District. Building heights shall not exceed two (2) stories or 30 feet.

6. Promenade District.

The Promenade District, located south of Van Buren Street west of Avondale Boulevard, allows for a variety of retail, restaurant, service and office uses which will support the daily needs for goods and services of residents of The BLVD and surrounding neighborhoods. The character and form of development in the Promenade District will be noticeably more suburban than in other portions of The BLVD, though pedestrian-orientation is still a priority. Auto-oriented uses that are heavily restricted in other Districts, such as drive-throughs, are appropriate in the Promenade District. Building heights shall not exceed two (2) stories or 30 feet.

D. Administration

1. Establishment.

The BLVDD zoning may be established on property within The BLVD area, as defined by The BSP Figure 2-1, according to the procedures outlined in Section 110 of this Zoning Ordinance.

~~2. Opt In.~~

~~Owners of property located within the boundaries of The BSP will retain the existing City Center District (CCD) as the active zoning district until such time as the property owner chooses to Opt In to The BLVDD. All requirements of the existing CCD zoning (See Section 501.K) remain in effect until a property owner elects to Opt In to The BLVDD.~~

~~a. A property owner may Opt In to The BLVDD by signing, before a notary public a “The BLVDD Opt In” form prepared by the Zoning Administrator.~~

~~b. Such form shall state, at a minimum, that:~~

- ~~i. The BLVDD standards are in effect for the identified parcel(s) as of the signature date of the Opt-In form; and~~
- ~~ii. The requirements of the previous CCD are no longer applicable for that site; and~~
- ~~iii. Any future development shall adhere to the requirements of The BLVDD, including submittal of a Development Plan to be approved by the City Council.~~
- ~~e. Once an Opt-In form is signed and notarized, in no case may any subsequent development on the site be based upon the standards of the existing CCD, nor may the site be developed using a mixed set of standards of both the former CCD zone and The BLVDD zone at the same time.~~
- ~~d. Once signed, the City shall maintain an official record of the agreement in the files of the Planning Division and shall update the Official Zoning Map of the City to reflect the change to the property's zoning district from CCD to The BLVDD.~~

~~3.2.~~ Required Development Plan

In addition to the approved The BLVD base zoning, a City Council approved Development Plan is required prior to the application for a development permit within The BLVD.

- a. Development Plans may be filed for all or part of the property zoned or to be zoned The BLVDD. Development Plans shall be submitted in accordance with Section 106, Site Plan and Design Review; provided, however that the Planning Commission shall review, and City Council shall review and approve, all Development Plans for properties zoned The BLVDD.
- b. The ordinance approving the rezoning of a property to The BLVDD shall indicate, both by narrative text and a map, the location and boundaries of the Sub-Districts that are included in the area to be rezoned.

~~4.3.~~ Amendment.

The Zoning Administrator or designee shall determine whether a proposed amendment to an approved Development Plan is a Major or Minor Amendment. Major Amendments shall require City Council approval with a recommendation of the Planning Commission. Minor Amendments shall require administrative approval by the Zoning Administrator or designee only.

- a. Major Amendment: Any one (1) of the following shall be considered a Major Amendment of a Development Plan:
 - i. A significant change in boundary lines of the development. Minor and technical adjustments to the boundary lines within the Development Plan are permitted without a Major Amendment so long as (i) the area affected by the boundary change does not exceed fifteen (15) percent of the total area subject to the Development Plan, (ii) the adjustments do not significantly alter the traffic or pedestrian circulation system for the Development Plan and (iii) in the reasonable

SECTION 8 PARKING

801 Purpose and Applicability

A. Purpose

The purpose of this Section is to establish standards for the provision of parking, loading, ~~and~~ on-site circulation, and electric vehicle charging for the uses permitted in this Ordinance in a manner that is safe, efficient, convenient and visually attractive.

B. Applicability

1. The standards outlined in subsection 802 below shall apply to all property within the corporate limits of the City of Avondale from and after November 1, 2010.
2. The standards outlined in the remainder of this Section 8, excluding subsection 802, shall apply to all property within the corporate limits of the City of Avondale except for the following:
 - a. All buildings and uses of land constructed, developed or commenced prior to November 1, 2010.
 - b. Properties with parking improvements that were (i) completed prior to November 1, 2010, and (ii) in compliance with the then-existing provisions of this Ordinance, unless a change in the distinguishing characteristics of a building or land is proposed that results in (i) the expansion of a use through an increase in the size of a building, (ii) the creation of a new residential unit by adding to or subdividing an existing residential unit, (iii) an increase in the geographical area devoted to an outdoor use or (iv) a change of use from a less parking intensive use to a more parking intensive use.

802 General Parking Requirements for All Properties

- A. Prior to the construction of any parking lot, the conversion of any land area for parking use or the modification of an existing parking area, a Site Plan application must be submitted to the Department for review and approval in accordance with the Site Plan procedures set forth in Section 1 of this Ordinance.
- B. All required parking spaces shall be located on the lot upon which the use is located, except that within master planned commercial or employment developments, required spaces may be located on a lot contiguous to the lot on which the business is located if (a) buildings are situated such that a common parking area can be utilized by several buildings and (b) shared parking easements have been recorded in the Maricopa County Recorder's Office.

Use	Minimum Spaces Required
Manufacturing/Industrial Uses (unless otherwise specified)	1 space/400 SF<u>500 SF for the first 10,000 SF plus 1 space/5,000 SF for the remaining floor area</u> MAXIMUM spaces allowed: 0 – 150,000 SF – 1 space/750 SF 150,001 – 500,000 SF – 1 space/1,500 SF 500,001 SF or greater – 1 space/1,750 SF<u>1 space/300 SF for the first 10,000 SF plus 1 space/3,000 SF for the remaining floor area</u>
Movie and Recording Studios	1 space/300 SF for the first 10,000 SF plus 1 space/1,000 SF for the remaining floor area
Warehousing & Storage	1 space/500 SF for the first 10,000 SF plus 1 space/5,000 SF for the remaining floor area MAXIMUM spaces allowed – 1 space/300 SF for first 10,000 SF plus 1 space/3,000 SF for the remaining floor area
Wholesaling and Large Merchandise Sales	1 space/500 SF
<i>Institutional and Office Uses</i>	
Assisted Living Facility	1.5 spaces/unit, plus 1 space/200 SF of office area; Minimum 10 percent of required spaces shall be covered
Convalescent Home	1 space/3 beds; Minimum 10 percent of required spaces shall be covered
General/Professional Offices up to 50,000 SF	1 space/250 SF; Minimum 10 percent of required spaces shall be covered
General/Professional Offices 50,001 SF or greater	1 space/250 SF; Minimum 10 percent of required spaces shall be covered MAXIMUM spaces allowed – 1 space/140 SF

Use	Minimum Spaces Required
<i>Residential Uses</i>	
Dwelling, Manufactured Home Park	2 spaces/unit (Minimum 1 covered space)
Dwelling, Multi-Family	Studio: 1.5 spaces/unit 1 Bedroom: 1.5 spaces/unit 2 Bedroom: 1.75 spaces/unit 3 Bedroom: 2 spaces/unit Townhome: 2 spaces/unit <u>An enclosed garage with two (2) interior spaces is required</u> PLUS: One (1) visitor space per ten-five (405) units must be provided; and At least one (1) space per multi-family unit must be covered and assigned to a unit.
Dwelling, Single-Family	An enclosed garage with two (2) interior spaces is required (See subsection 804(G) for exceptions) One (1) visitor parking space per unit must be provided where on-street parking or driveway parking is not provided.
Dwelling, Duplex/Triplex	2 spaces/unit (Minimum 1 covered space)
<i>Retail Uses</i>	
Auto Sales	1 space/500 SF of indoor showroom and 1 space/1,000 SF of outdoor display area
Gas Station	1 space/300 SF of interior area
Restaurants and Bars	1 space/50 SF of indoor public area and 1 space/200 SF of outdoor area
Retail Establishments, including those not specified, with up to 50,000 SF of gross building area	1 space/300 SF floor area
Retail Establishments or Centers greater than 50,001 SF of gross building area	1 space/300 SF floor area MAXIMUM spaces allowed: 1 space/250 SF

- B. In the instance where a use is not listed in the preceding parking schedule and where no direct comparison can be made to a use listed above, the Zoning Administrator shall determine the minimum and maximum (if applicable) parking required/allowed.

- C. In the case where a business includes floor area devoted to a mix of the uses listed above, the total requirement for off-street parking spaces shall be the sum of the requirements of the various uses computed separately as specified in this Section.
- D. Cumulative parking space requirements may be reduced below minimum requirements where it can be demonstrated that the peak requirements of a user are less than the City's minimum prescribed limits. Said exceptions shall be considered administratively if supported by a parking demand study in accordance with subsection 808 below.
- E. Cumulative parking space requirements may be increased above maximum limits where it can be demonstrated that a use or user generates a need for parking in excess of the maximum prescribed limits. Said exceptions shall be considered administratively if supported by a parking demand study in accordance with subsection 808 below.
- F. Bicycle parking or bicycle racks shall be required to be provided at the minimum rate of one (1) space for every fifty (50) vehicle parking spaces for all new commercial and employment development. Sites with less than forty (40) vehicle spaces shall not be required to provide bicycle parking but are encouraged to do so. All bicycle rack designs that deviate from the City standard detail shall be reviewed by the City Engineer to ensure substantial conformance with the General Engineering Requirements (GER) manual.

G. Installation of electric vehicle (EV) charging stations and infrastructure to provide for future installation of EV charging stations shall be provided for all new, expanded or reconstructed parking areas according to the following schedule.

Minimum Requirements for EV Charging Stations and EV-Capable Parking Spaces Table

<u>Use Type</u>	<u>Minimum Percentage of Total Parking Spaces with Level 2 EV Charging Station Installed</u>	<u>Minimum Percentage of Total Parking Spaces to be EV-Capable for Level 2 EV Charging Station</u>	Formatted: Font: Garamond, 12 pt Formatted Table
<u>Automobile Related Uses; Eating & Drinking Establishments; Entertainment & Recreational Uses; General & Intense Retail Uses; Medical Uses; Mixed Uses; Personal Services; and Employment District Uses</u>	<u>1%</u>	<u>3%</u>	Formatted: Font: Garamond, 12 pt
<u>Administrative & Financial Uses; Education, Religious & Institutional Uses; and Lodging</u>	<u>2%</u>	<u>8%</u>	Formatted: Font: Garamond, 12 pt
<u>Miscellaneous Uses – Other</u>	<u>1%</u>	<u>3%</u>	Formatted: Font: Garamond, 12 pt
<u>Residential Uses – Multi-Family</u>	<u>4% of resident parking; 1% of visitor parking or 1 station (whichever is greater)</u>	<u>16% of resident parking; 3% of visitor parking</u>	Formatted: Font: Garamond, 12 pt
<u>Residential Uses – Single Family</u>	<u>0%</u>	<u>100%</u>	Formatted: Font: Garamond, 12 pt
<u>Residential Uses – Duplex/Triplex/Townhomes</u>	<u>4% of resident parking; 1% of visitor parking or 1 station (whichever is greater)</u>	<u>16% of resident parking; 3% of visitor parking</u>	Formatted: Font: Garamond, 12 pt Formatted: Font: Garamond, 12 pt

1. EV-Capable means that parking spaces shall provide the electrical capacity necessary to accommodate the future hardwire installation of Level 2 electric vehicle charging stations with subpanels sized to accommodate 60A or 40A breakers for each. It includes the installation of “raceway” (the enclosed conduit that forms the physical pathway for electrical wiring to protect it from damage) and adequate panel capacity to accommodate future installation of a dedicated branch circuit and charging station(s).
2. Level 2 EV Charging Station shall provide 30-80 amperes using a 208 to 240 volt outlet. An EV charging station capable of simultaneously charging at 30 amperes or greater for each of two vehicles (also known as dual-port charging station) shall be counted as two Level 2 EV Charging Stations.
3. In the instance where a use is not listed in the preceding table and where no direct comparison can be made to a use listed above, the Zoning Administrator shall determine the minimum percentage of electric vehicle charging stations to be installed and the minimum percentage of total parking spaces to be EV-Capable.
4. In the case where a development includes floor area devoted to a mix of the uses listed above, the total requirement for electric vehicle charging stations and EV-Capable parking spaces shall be the sum of the requirements of the various uses computed separately as specified in this Section.
5. Applicants may request a waiver or reduction of electric vehicle parking requirements from the Zoning Administrator during site plan approval.

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GH. Exceptions to Single-Family Residential parking requirements.

1. Carports are permitted in place of enclosed garages for any home (a) that was not originally built with an enclosed garage or (b) that is located in a neighborhood of homes with carports. The carport shall be integrated to appear as a continuation of the existing residence, must share materials, colors and architectural forms with the existing residence and must meet all Zoning Ordinance development standards, including setback and lot coverage requirements.
2. Existing carports may be enclosed as long as all on-site parking requirements are met.

805 Parking and Access Standards

A. Parking Space Sizes

1. The standard parking space shall be a minimum of nine and one-half (9-1/2) feet wide by twenty (20) feet long.
2. Compact parking spaces shall be a minimum of eight (8) feet wide by eighteen (18) feet long. Compact parking shall not exceed fifteen (15) percent of the total required spaces. Projects providing parking in excess of the minimum required number of

3. No sign or sign structure shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of any street, sidewalk, fire escape, fire lane, exit, or accessible route, as defined in the most current Americans with Disabilities Act Accessibility Guidelines (ADAAG).
 4. No sign or sign structure shall obstruct any street, sidewalk, private driveway, drive aisle, parking space, pedestrian path, or trail.
 5. No sign or sign structure shall project into or over any public sidewalk, street, alley, or other public place except within the City Center (CC)/~~The BLVD (BLVDD)~~ and Old Town Avondale Business (OTAB) Zoning Districts. Within the CC/~~BLVDD~~ and OTAB Districts, signs which project over public sidewalks a maximum of eight (8) feet may be approved if they meet aesthetic and safety requirements for their respective Districts.
 6. No sign or sign structure shall obstruct traffic by obscuring the vision of motorists. A minimum sight distance triangle of thirty-three (33) feet shall be maintained at all street and driveway intersections; larger sight distance triangles may be deemed necessary by the City Engineer.
 7. No sign or sign structure shall extend above a building's parapet except within the City Center (CC)/~~The BLVD (BLVDD)~~ Zoning District. Within the CC District/~~BLVDD~~, no sign shall extend above the building's parapet more than ten (10) feet.
 8. No permanent free-standing sign or permanent freestanding sign structure shall be located within five (5) feet of an interior property line.
 9. No illuminated wall-mounted sign shall be permitted on a building elevation abutting any residential District or use unless separated by a public street.
 10. No temporary sign shall be placed on, attached to, or hung from any permanent sign.
 11. No temporary sign or display shall be placed on the roof of any building.
 12. No sign or sign structure may be placed on private property without expressed, written consent of the landowner.
 13. No temporary sign shall be placed on, attached to, or hung from a tree without prior approval from the Zoning Administrator or authorized designee.
- B. No sign shall be animated by mechanical or atmospheric means, except where explicitly allowed by this Section 9. This shall not prevent the use of searchlights allowed in conjunction with special events and promotions, as regulated by Section 7 of this Ordinance.
- C. Sign Walkers shall be permitted subject to the following restrictions:
1. A temporary sign permit shall be required for sign walkers:

- C. The necessary supports or uprights on which any freestanding sign is placed shall be excluded from a sign area calculation.
- D. Only one (1) face of a double-faced sign shall be considered in determining its sign area, except that both sides shall be counted in instances where the distance between faces exceeds six (6) feet.
- E. Where permitted by this Section 9, multi-tenant monument signs may consist of more than one (1) sign panel provided all such sign panels are attached to one (1) common integrated sign structure. The calculation of area of a multi-tenant sign shall include all tenant panels and project identification information, excluding the portion(s) of a sign dedicated to providing the street number and/or address of the development site; provided, however, that this exclusion for the street number or address shall not apply to street numbers used as part of the business name.
- F. Where signs are of a three-dimensional, round, or other solid shape, the largest cross-section viewed as a flat projection shall be used for the purpose of determining the sign area. Signs visible from more than one (1) direction or without clearly defined sign faces shall be considered as having two (2) faces and each face calculated in the total allowable area.

907 Permanent Sign Design, Illumination, and Construction

A. General

- 1. Signage for projects within the Old Town Avondale Business (OTAB) Zoning District shall adhere to the Old Town Avondale Business District Design Guidelines and signage for projects within the City Center (CC)/~~The BLVD (BLVDD)~~ Zoning District shall adhere to Design Manual for the City Center and be reviewed with the required Development Plan, respectively.
- 2. The lighting source of a directly illuminated sign shall not be visible to any residential district adjacent to the lot or parcel on which said sign is located.
- 3. The use of reflective material is prohibited.

B. Freestanding Signs

- 1. All permanent freestanding signs shall be situated perpendicular to the street, excluding low-profile wall identification signs that may be situated parallel to a street.
- 2. All permanent freestanding signs shall be monument style only and shall complement the site architecture.
- 3. Landscaping shall be provided at the base of all permanent freestanding signage at a rate of four (4) square feet of landscaping for each one (1) square foot of sign area. A minimum of seventy-five (75) percent of the required landscape area shall be covered with vegetative plant material.

4. The width of the top of the sign structure shall be no more than one hundred twenty (120) percent the width of the base. The design of monument signs shall complement the architecture of the buildings on the site. In addition to tenant information, each monument sign shall contain the address(es) of the building(s) it supports.

C. Wall- and Building-Mounted Signs

1. Wall mounted signage shall be dimensional pan channel, reverse pan channel, or box cabinets up to (6) square feet in area, or custom cabinet, except if otherwise permitted herein. Custom cabinets shall be designed and fabricated with multi-level planes for lettering or graphics to create dept and interest and be internally illuminated or indirectly halo illuminated.
2. Signs mounted to wall mounted exposed raceways are prohibited unless structural limitations make other mounting alternatives infeasible, as determined by the Director or authorized designee.
3. No sign shall be painted directly onto building façades or walls, except within the City Center (CC)/The BLVD (BLVDD) and Old Town Avondale Business (OTAB) Zoning Districts, where graphic logos painted directly on façades may be permitted if the Director or authorized designee can determine that the proposed painted sign will be of a professional, artistic caliber. No text shall be painted on a building wall for the purposes of advertising a business or product except as an integral part of an approved graphic logo.
4. No sign shall be painted on, mounted to, or affixed in any way to an awning and/or canopy, except within the City Center (CC)/The BLVD and Old Town Avondale Business (OTAB) Zoning Districts. Interior illuminated awning signs are prohibited in all districts.

D. Variable Message Signs

1. Variable message signs using replaceable lettering shall have a secured, clear plastic cover, or equivalent.
2. Variable message signs shall have static displays. Video, animation, and special effects such as traveling, scrolling, fading, dissolving, and bursting shall not be permitted. Static message displays shall not change more than once every eight (8) seconds.
3. Variable message signs that incorporate electronic message displays shall not increase the brightness level by more than 0.3 foot-candles over ambient brightness levels, to be measured as follows:
 - a. With the sign off or displaying black copy, a foot candle meter shall be used to record the ambient light reading for an area. Said measurement shall occur at least thirty (30) minutes after sunset, from a distance which varies based upon the size of the sign, as follows:

3. It is recommended that Municipal, State, and Federal uses and Public and Charter Schools located in Single-Family Residential Districts adhere to the signage requirements of the C-1 District.

D. Commercial and Employment Districts

1. Wall-Mounted Signage.

- a. Wall-mounted signs are allowed in all Commercial and Employment Zoning Districts, as follows:

	R-O	C-O	C-1	C-2	C-3
Maximum Sign Area (Primary Elevation)	1 SF per Linear Foot	1 SF per Linear Foot	1 SF per Linear Foot	1 SF per Linear Foot	1.5 SF per Linear Foot
Maximum Sign Area (Secondary Elevations Facing Public Streets)	None	0.50 SF per Linear Foot	0.50 SF per Linear Foot	0.50 SF per Linear Foot	1 SF per Linear Foot
Maximum Sign Area (Freeway Facing Elevations)	None	1.50 SF per Linear Foot	None	None	2 SF per Linear Foot
Maximum Sign Size	50 SF	75 SF	100 SF	200 SF	250 SF
Minimum Sign Size	18 SF	18 SF	18 SF	18 SF	18 SF
Maximum Number of Elevations with Signs	Primary Elevation Only	Maximum of 3 Elevations; Illuminated signs cannot face residential	Maximum of 3 Elevations; Illuminated signs cannot face residential	Maximum of 3 Elevations; Illuminated signs cannot face residential	Maximum of 3 Elevations; Illuminated signs cannot face residential
Supplemental Design Requirements	Non-Illuminated or Indirectly Illuminated Signs Only	Additional Requirements for Buildings greater than 2 stories *(A)	None	None	None

	OTAB	Cashion	CP	A-1	CC/BLVDD
Maximum Sign Area (Primary Elevation)	1 SF per Linear Foot	1 SF per Linear Foot	1 SF per Linear Foot	1 SF per Linear Foot	1 SF per Linear Foot
Maximum Sign Area (Secondary Elevations Facing Public Streets)	0.50 SF per Linear Foot	0.50 SF per Linear Foot	0.50 SF per Linear Foot	None 0.50 SF per Linear Foot	0.50 SF per Linear Foot
Maximum Sign Area (Freeway Facing Elevations)	None	None	None	None	1.50 SF per Linear Foot
Maximum Sign Size	100 SF	100 SF	75 SF	150 SF	200 SF

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	OTAB	Cashion	CP	A-1	CC/ BLVD
Minimum Sign Size	18 SF	18 SF	18 SF	18 SF	18 SF
Maximum Number of Elevations with Signs	Maximum of 3 Elevations; Illuminated signs cannot face residential	Maximum of 3 Elevations; Illuminated signs cannot face residential	Maximum of 2 Elevations; Illuminated signs cannot face residential	<u>Maximum of 2 Elevations; Illuminated signs cannot face residential primary Elevation Only</u>	No Maximum
Supplemental Design Requirements	Non-Illuminated Directly Illuminated, or Indirectly Illuminated Signs Only	None	Additional Requirements for Master Planned Commerce Parks *(B)	None	Shall comply with City Center Specific Plan Chapter 5.4.23 and Design Manual for the City Center <u>or Design shall further architectural goals outlined within The BLVD Specific Plan</u>

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* (A) Excluding vertically integrated mixed use buildings which contain retail uses on the ground floor, buildings in excess of two (2) stories shall be allowed only one (1) wall-mounted sign per elevation, to be located in a sign band between the top of the upper story windows and the top of parapet. Said sign shall not be required to be located over the tenant's particular suite.

*(B) Wall-mounted signage for master planned commerce parks shall conform to a single color, font, and method of illumination, as approved during the design review process.

- b. Tenants with multiple building frontages that are eligible for wall-mounted signage on two (2) or more building elevations may transfer the allowed sign area between eligible building elevations, in whole or in part.
- c. In addition to the above, a total of three (3) square feet of non-illuminated sign area shall be permitted on each building or tenant frontage, adjacent to the primary entry.

- d. Wall-mounted signage shall not be permitted for any tenant suite that does not abut an exterior building wall.

2. Low-Profile Wall Identification Signs.

- a. One (1) low profile wall identification sign is permitted for each master planned development in the R-O, C-O, C-1, C-2, C-3, CP, A-1, OTAB, and Cashion Business Zoning Districts. The leading edge of a low profile wall identification sign shall be set back at least five (5) feet from any property line and out of any sight visibility lines. The maximum height and area varies depending on the district in which the sign is located, as follows:

	R-O	C-O	C-1	C-2	C-3	OTAB	Cashion	CP	A-1	CC
Maximum Height	3.5 Feet	3.5 Feet	3.5 Feet	3.5 Feet	3.5 Feet	3.5 Feet	3.5 Feet	3.5 Feet	3.5 Feet	Not Permitted
Maximum Sign Area	20 SF	40 SF	40 SF	60 SF	80 SF	20 SF	40 SF	40 SF	40 SF	Not Permitted

- b. A low-profile wall identification sign shall display the name/logo and address of the master planned development only.
- c. Final location of low-profile wall identification signs shall be approved during the site plan review process.

3. Directory Signs.

- a. Directory signs shall be permitted for multi-tenant developments within all commercial and employment districts, excluding the R-O District. The quantity and location of directory signs shall be approved during the site plan review process.
- b. In all districts except for City Center (CC)/~~The BLVD (BLVDD)~~ and Old Town Avondale Business (OTAB), directory signs shall not exceed twelve (12) square feet in area and six (6) feet in height. Within the CC/~~BLVDD~~ and OTAB districts, directory signs shall be designed at a pedestrian scale and shall not exceed ten (10) square feet in area and five (5) feet in height.
- c. Directory signs may be building-mounted or freestanding. Freestanding directory signs shall be located behind the required building setbacks.
- d. Directory signs shall be illuminated, either by an internal source or through the use of down-lighting.

4. Single-Tenant Monument Signs.

- a. One (1) single-tenant monument sign shall be permitted for single-user developments within the C-O, C-1, C-2, C-3, Cashion Business, and A-1 Zoning Districts. Two (2) single-tenant monument signs shall be permitted for properties

with frontage on two (2) arterial streets; provided, however, that both signs shall not be placed along the same street frontage.

- b. Within the City Center (CC)/The BLVD (BLVDD) Zoning District, one (1) single-tenant monument sign shall be permitted for single-user developments over five (5) acres in area with frontage on Avondale Boulevard, Van Buren Street, or Roosevelt Street. Two (2) single-tenant monument signs shall be permitted for properties that have frontage on two (2) of the above-mentioned streets; provided, however, that both signs shall not be placed along the same street frontage. Single-tenant monument signs are not permitted adjacent to local streets within The BLVD. All monument signs in The BLVD require consideration and approval with the required Development Plan.

- c. The maximum height and area varies depending on the district in which the sign is located, as follows:

	C-O	C-1	C-2	C-3	Cashion	A-1	CC/ <u>BLVDD</u>
Maximum Height	6 Feet	6 Feet	8 Feet	10 Feet	6 Feet	6 Feet	<i>Determined During Design Review</i>
Maximum Sign Area	40 SF	40 SF	60 SF	80 SF	40 SF	40 SF	

- d. Places of Worship located within the R-O, CP, and OTAB Zoning Districts shall be permitted single tenant monument signs equivalent to the C-1 Zoning District standards contained herein.
- e. No single-tenant monument sign shall be permitted for an individual user or pad site within a master planned multi-tenant development. Panels on multi-tenant monument signs shall be used in place of individual single-tenant monument signs in those instances.
- f. The single-tenant monument sign structure may extend above the maximum allowable height for the purpose of architectural embellishment. Such embellishment shall not extend the height of the sign more than twenty (20) percent over the allowed sign height. No commercial symbol, representation, logo, insignia, illustration, or other form of advertising message may extend into the architectural embellishment portion of the sign.
- g. The leading edge of a single-tenant monument sign shall be set back at least five (5) feet from any property line and out of any sight visibility lines.
- h. The single-tenant monument sign shall include the street number of the site. The street number shall not count against the maximum sign area allowed.
- i. The final location of permitted signs shall be approved during the site plan review process.

5. Multi-Tenant Monument Signs.

- a. Each multi-user development in the C-1, C-2, C-3, Cashion, CP, and A-1 districts shall be permitted one (1) multi-tenant monument sign on each street frontage. For properties with a street frontage of eight hundred (800) feet or more, multi-tenant monument signs shall be permitted at the rate of one (1) sign per every four hundred (400) feet of frontage. Multi-tenant monument signs shall be separated by a minimum distance of three hundred thirty (330) feet and may not be transferred from one street frontage to another.
- b. Within the City Center (CC)/The BLVD (BLVDD) Zoning District, one (1) multi-tenant monument sign shall be permitted for multiple-user developments over five (5) acres in area with frontage on Avondale Boulevard, Van Buren Street, or Roosevelt Street. Two (2) multi-tenant monument signs shall be permitted on properties that have frontage on two (2) of the above-mentioned streets; both signs cannot be placed along the same street frontage. Multi-tenant monument signs are not permitted adjacent to local streets within The BLVD. All monument signs in The BLVD require consideration and approval with the required Development Plan.
- c. The maximum height, area, and tenant panels allowed varies depending on the district in which the sign is located, as follows:

	C-1	C-2	C-3	Cashion	CP	A-1	CC/ <u>BLVDD</u>
Maximum Height	8 Feet	12 Feet	14 Feet	8 Feet	8 Feet	8 Feet	<i>Determined During Design Review</i>
Maximum Sign Area	60 SF	80 SF	100 SF	60 SF	60 SF	60 SF	
Maximum Number of Tenant Panels	6	10	12	6	6	6	

- d. The multi-tenant monument sign structure may extend above the maximum allowable height for the purpose of architectural embellishment. Such embellishment shall not extend the height of the sign more than twenty (20) percent over the allowed sign height. No commercial symbol, representation, logo, insignia, illustration, or other form of advertising message may extend into the architectural embellishment portion of the sign.
- e. The leading edge of a multi-tenant monument sign shall be set back at least five (5) feet from any property line and out of any sight visibility lines.
- f. The name of the office complex, shopping center, or commerce/industrial park shall be prominently included on the sign.
- g. The multi-tenant monument sign shall include the street number of the site. The street number shall not count against the maximum sign area allowed.

- d. The maximum size, height, and design will be determined during the design review process.

3. Pedestrian Kiosk Signs.

- a. Within ~~The BLVD (BLVDD)~~, the City Center (CC), and Old Town Avondale Business (OTAB) Zoning Districts, or on the campus of any college or university, pedestrian kiosk signs may be permitted for the purpose of providing directional information to community facilities and attractions, buildings, and commercial businesses within the Zoning District or campus within which the sign is located, and advertising official City meetings and special events.
- b. A pedestrian kiosk sign location plan shall be prepared showing the location of each kiosk and shall be submitted and approved by the Department prior to issuance of a sign permit. Pedestrian kiosk signs may be located within the public right-of-way subject to approval by the Department.
- c. Pedestrian kiosk signs shall be designed at a pedestrian scale. Specific dimensions of pedestrian kiosk signs shall be reviewed and approved by the Department to ensure this condition has been met.
- d. The design of all pedestrian kiosk signs located within the OTAB Zoning District shall reflect a single architectural theme. Similarly, all pedestrian kiosk signs located within a college or university campus shall reflect a single architectural theme. Within the City Center, an architectural theme may be identified for each sub-district. For the sake of creating interest, variation among pedestrian kiosk signs within the selected architectural themes shall be encouraged.
- e. Pedestrian kiosk signs may contain the following:
 - i. The name and logo of the City of Avondale and/or the district in which the sign is located (e.g. Old Town; City Center/~~The BLVD, Park Avenue District, etc~~).
 - ii. A weather-protected map of the campus, business district or sub-district identifying the locations of businesses, buildings, and public facilities within the district, sub-district, or campus, relative to the location of the kiosk. Maps and legends shall be updated and replaced every four (4) months to reflect business openings and closings.
 - iii. Space reserved for the advertising of official City meetings and City-organized special events. Said space shall not be used as a bulletin board for want ads, classified ads, garage sale notices, or any other non-City-organized event.
 - iv. Appurtenances (e.g. weather vanes) indicating the direction and distance of City facilities. Said appurtenances shall not be used to indicate the direction of any business.

- i. All shrub and accent plants located within sight visibility lines shall be less than two (2) feet in height at their mature growth unless otherwise approved by the Zoning Administrator or authorized designee. All trees located within sight visibility lines shall be single-trunked with canopies higher than seven (7) feet.
- j. For medians in arterial roadways that will be built in phases, landscaping shall be located to minimize future relocation of trees, pavers and irrigation.

~~k. The Zoning Administrator may authorize reduced landscaping quantities if easements or other special site conditions reduce the available planting area.~~

3. Landscape Setback.

- a. Landscaping shall be planted along all street frontages in a designated landscape setback as approved through the development plan review process. The landscape setback shall be measured from the right-of-way line to the nearest building, structure, on-site parking or outdoor storage area. Plantings in the landscape setback may be integrated into the adjacent street right-of-way landscaping.
- b. Parking and maneuvering areas shall not be permitted in the landscape setback except access drives and access walkways.
- c. The landscape setback shall be a minimum width along a particular street frontage and shall be established and maintained along all classified streets between any building and/or structure, on-site parking area or outdoor storage area and the nearest point of the property line. Landscape setbacks shall be as follows:
 - i. Single-Family residential Zoning Districts: For arterial streets, a landscape setback of thirty (30) feet shall be required. For collector streets, a landscape setback of fifteen (15) feet shall be required.
 - ii. Multi-Family and Employment Zoning Districts: The minimum depth of a landscape setback shall be equal to the required street-side setback for the Zoning District in which the development is located.
 - iii. Commercial Zoning Districts: For commercial developments, the minimum depth of a landscape setback shall be equal to the required parking setback for the district that the development is located in, except in the instance where a building(s) encroaches into a required parking setback, the minimum landscape setback shall be the shortest distance between the street-side property line and nearest point of the building(s).
 - iv. The landscape setback requirements shall not be applied to the OTAB District and Cashion District.
- d. The installation of trees, shrubs and vegetative groundcover shall be required in an amount equal to or greater than one (1) tree and ten (10) shrubs for every twenty (20) feet of street frontage, and vegetative groundcover as required to meet a minimum of sixty-five (65) percent cover of the total street frontage landscaped

area. The minimum percentage of total vegetative cover shall be calculated by using two thirds the mature plant canopy width or spread.

- e. All landscaping located in the landscape setback adjacent to driveway exits and street intersections, and within sight visibility lines shall be designed, installed and maintained in a manner that preserves sight line visibility.

f. The Zoning Administrator may authorize reduced landscaping quantities if easements or other special site conditions reduce the available planting area.

4. Arterial Intersections.

- a. Landscaping shall be enhanced within arterial rights-of-way as determined through development review, and shall not be less than what is required for street frontages.
- b. All landscape treatments within this planting easement shall meet the requirements adopted by the City relating to sight visibility.

5. Land Use Buffers.

- a. Minimum landscape buffers shall be required along all property lines of a site developed for Multi-Family Residential, Commercial or Employment Zoning Districts or uses when such property lines are “contiguous” with any Single-Family Residential use or Single-Family Residential Zoning District. For the purpose of this subsection 1204(C) (5), “contiguous” shall include properties separated only by an alley. Buffers shall be required as follows:
 - i. Fifteen (15) feet where any Multi-Family Residential Zoning District or use abuts a Single-Family Residential Zoning District or use.
 - ii. Twenty-five (25) feet where any Commercial Zoning District or use abuts a Single-Family Residential Zoning District or use.
 - iii. Thirty-five (35) feet where any Employment Zoning District or use abuts a Single-Family Residential Zoning District or use.
 - iv. Forty (40) feet where any loading docks, trash enclosures and service drives abut a Single-Family Residential Zoning District or use.
- b. Minimum landscape buffers shall be required along all property lines of a site developed for Commercial or Employment Zoning Districts or uses when such property lines are “contiguous” with any Multi-Family Residential use or Multi-Family Residential Zoning District. For the purpose of this Subsection 1204 (C)(5), “contiguous” shall include properties separated only by an alley. Buffers shall be required as follows:
 - i. Fifteen (15) feet where any Commercial Zoning District or use abuts a Multi-Family Residential Zoning District or use.