



Planning Commission
Notice & Agenda
Wednesday, July 19, 2023

CITY COUNCIL CHAMBERS | 11465 WEST CIVIC CENTER DRIVE | AVONDALE, AZ 85323

REGULAR MEETING

6:00 PM

PHYSICAL ACCESS TO THE COUNCIL CHAMBERS WILL BE AVAILABLE 30 MINUTES PRIOR TO THE MEETING.

1. CALL TO ORDER

2. ROLL CALL

3. OPENING STATEMENT

4. APPROVAL OF MINUTES

Approval of June 21, 2023 Planning Commission Meeting Minutes

5. PUBLIC HEARING ITEMS

a. ZONING ORDINANCE TEXT AMENDMENTS PL-23-0072

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 be consistent with state law, reflect changes in policies and procedures, allow for clerical corrections, and address the overall accuracy and usability of the Zoning Ordinance. The Commission will take appropriate action and forward a recommendation to City Council.

Staff Contact: Catherine Lorbeer, AICP, Deputy Director of Planning

6. WORK SESSION ITEMS

a. GENERAL PLAN PROGRESS UPDATE

City staff, in partnership with consultants from Michael Baker International, are preparing the General Plan update and conducting this Planning Commission Work Session to present what has transpired since the last General Plan presentation with City Council and Planning Commission at a Work Session held on November 7, 2022. This item is for information and discussion only. No action will be taken.

Staff Contact: Jodie Novak, Director of Development Services

7. COMMISSION ANNOUNCEMENTS

8. PLANNING DIVISION REPORT

9. CALENDAR

August 16, 2023

10. ADJOURNMENT

Members will attend either in person or by telephone conference call. Los miembros asistirán en persona o 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 Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos días hábiles antes de la junta del Concejo.

**Wednesday, June 21, 2023
6:00 pm**

1. WELCOME AND CALL TO ORDER

Chair Thompson called the meeting to order at 6:00 p.m.

2. ROLL CALL

The following members and representatives were present.

COMMISSIONERS PRESENT IN PERSON / PHONE / VIDEO

Chair Christopher Thompson
Vice Chair Larry White
Commissioner Lisa Osborne
Commissioner Alan Agundez Castillo
Alternate Julia Arnette

COMMISSIONERS EXCUSED ABSENT

Commissioner Alisha Meginnis
Commissioner Denise Stanfield
Commissioner Linda Warren

CITY STAFF PRESENT

Catherine Lorbeer, Deputy Director of Planning
Arrianna Ramirez, Administrative Assistant
Stephen Kemp, Attorney
Michelle Simerdla, Senior Planner
Joshua Orton, Senior Planner
Marcella Carrillo, City Clerk

3. OPENING STATEMENT AND INSTRUCTIONS

Chair Thompson read the opening statement

4. APPROVAL OF MINUTES

Chair Thompson called for a motion on the May 17, 2023, meeting minutes. Commissioner Osborne moved to approve the minutes as written; Vice -Chair White seconded the motion

Chair Christopher Thompson	Aye
Vice Chair Larry White	Aye
Commissioner Lisa Osborne	Aye
Commissioner Alisha Meginnis	N/A
Commissioner Denise Stanfield	N/A
Commissioner Linda Warren	N/A
Commissioner Alan Agundez - Castillo	Aye
Alternate Julie Arnette	N/A

Upon vote, the motion passed 4 to 0

5. **PUBLIC HEARING: Discussion Items**

a. **Francis and Sons Express Car Wash - Rezone - Application PL-22-0308**

Michelle Simerdla, Senior Planner, stated the purpose of this presentation is to consider approval for a rezone from Freeway Commercial to Planned Area Development (PAD) with C-2 uses including permitting a self-service car wash with the approval of a Conditional Use Permit (CUP).

The 1.29-acre lot is located on McDowell Road and annexed in 2003. Surrounding land uses include a QuikTrip gas station that is under construction, planned Arby's, SRP Sub-Station, expansion of the IMS Family Medical Building. To the north is a Walgreens, medical office building, and single-family homes in the Crystal Gardens PAD. To the east on 107th Ave there is a vacant lot that is in the Park 10 PAD, zoned for commercial uses with a planned Whataburger, Coffee Bean, and Tea Leaf.

The General Plan (GP) designates the property as freeway commercial that provides for a broad range of non-residential uses. This site was part of a larger rezone from last year from C-3 from agriculture, which is surrounded by the C-3 district as well as the PAD district.

The driveway will be shared with the QuikTrip gas station and allows for a right in and right out only. The drive aisle will be access off McDowell Road, stay in their vehicle, and enter through the automated pay station, enter the tunnel with a conveyor style washing system and exit at the north of the building. The wash process will last approximately five minutes. Self-vacuuming station and canopies will be provided at the east of the building and along McDowell Road, which are not visible above the screen wall. The site is fully landscaped with a 30-foot landscape buffer. The daily hours of operation will be 7:00 a.m. to 9:00 p.m.

The conceptual building elevations meet City commercial and industrial design guidelines, aligns with the Freeway Commercial General Plan designation, furthers the goals in the General Plan and Freeway Corridor Specific Plan, compatible with surrounding land uses, has consistent traffic generation and sufficient access, and will meet C-2 development standards.

Required notifications were met with a neighborhood meeting held via Zoom on May 18, 2023, with no attendees besides the applicant, city staff, and one council member. One comment was received through Avondale Connect.

Staff recommends approval of PL-22-0308, Francis and Sons Car Wash request to rezone the subject property, subject to five conditions of approval.

There were no questions from the Commission.

There were no public comments.

Chair Thompson called for a motion.

Commissioner Osborne moved to approve Application PL-22-0308 for Francis and Sons Express Car Wash – Rezone; Commissioner Castillo seconded the motion.

Chair Christopher Thompson	Aye
Vice Chair Larry White	Aye
Commissioner Lisa Osborne	Aye
Commissioner Alisha Meginnis	N/A
Commissioner Denise Stanfield	N/A
Commissioner Linda Warren	N/A
Commissioner Alan Agundez - Castillo	Aye

Alternate Julie Arnette

N/A

Upon Roll Call Vote, the motion passed 4 to 0

6. COMMISSION ANNOUNCEMENTS

Catherine Lorbeer, Deputy Director of Planning, advised the Commission that next month's meeting will include code amendments and a work session on the General Plan Update.

7. PLANNING DIVISION REPORT

There were no Planning Division Reports.

8. CALENDAR

The next Planning Commission meeting will be held on July 19, 2023.

9. ADJOURNMENT

There was no further business; Chair Thompson called for a motion to adjourn.

Vice-Chair White made a motion to adjourn; seconded by Commissioner Osborne.

Chair Christopher Thompson	Aye
Vice Chair Larry White	Aye
Commissioner Lisa Osborne	Aye
Commissioner Alisha Meginnis	N/A
Commissioner Denise Stanfield	N/A
Commissioner Linda Warren	N/A
Commissioner Alan Agundez - Castillo	Aye
Alternate Julie Arnette	N/A

Upon vote, the motion passed 4 to 0

Meeting adjourned at 6:10 p.m.

Chair, Christopher Thompson

Date



AGENDA ITEM REPORT

SUBJECT: Zoning Ordinance Text Amendments PL-23-0072

MEETING DATE: 7/19/2023

TO: Planning Commission

FROM: Catherine Lorbeer, AICP, Deputy Director of Planning

THROUGH: Jodie Novak, Director of Development Services

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 be consistent with state law, reflect changes in policies and procedures, allow for clerical corrections, and address the overall accuracy and usability of the Zoning Ordinance. The 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 June 2023.

SUMMARY OF REQUEST:

The purpose of the text amendment is to update several sections of the Zoning Ordinance to reflect changes in policies and procedures and to ensure provisions for certain types of group housing are consistent with state law definitions and requirements. The proposed changes will benefit the community by improving the overall accuracy and usability of the Zoning Ordinance.

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

28-4(c) Development Review Procedures. Revise pre-applications procedures to clarify and limit the number of application types that are required for review.

28-5 (d) Reasonable Accommodation. Add a new sub-section for the reasonable accommodation process for persons with a disability.

28-6(d) Site plan and design review. Remove outdated notification requirements from this administrative process

28-7 Administrative relief. Clarify which development requirements may be granted relief from and remove outdated notification requirements from this administrative process.

28-13 Public notifications. Adjust application types that provide notification to public school districts.

28-15 Definitions. Add or revise definitions for clarity and cross references, including but not limited to, adult day care, assisted living facilities, auto body and repair, call center, community residence home, community residential setting, data center, department name, disability, family, group home, group foster home, kitchen incubator, reasonable accommodation, parking setback, single housekeeping unit, sober living home, and urgent care center.

28-32. Residential Districts, Land Use Matrices. In the Single Family and Multi Family districts, add uses and

revise when certain uses are permitted, permitted with conditions, and permitted with a conditional use permit, including but not limited to, adult day care in the home, adult day care center, child care in the home, community residential home, community residential setting, group home, group foster home, and sober living home.

28-33 Uses permitted with conditions. Add standards for adult day care in the home, child care in the home, community residential home, community residential setting, group home, group foster home, and sober living home.

28-34 Uses permitted with conditional use permit. Add and revise standards for adult day care center and child care center.

28-36(5)(C) Design standards. Revised amount of garage parking to 25 percent to match adopted design guidelines.

28-53 Commercial, Land use matrix. Add the word “center” to adult day care and replace emergency medical care facility with urgent care centers.

28-57 Old Town Avondale Business District (OTAB). Add kitchen incubator use to land use matrix. Amend clear distance free of all obstructions for sidewalk cafes to comply with the Americans with Disabilities Act (ADA). Remove references to outdated document (Historic Avondale Design and Development Guidelines) because the Specific Plan for Old Town was adopted.

28-72 Employment District Land use matrix. Move urgent care center to its own line in table.

28-91 The Blvd Land use matrix. Replace emergency medical care facility with urgent care centers.

28-92(c) Major Sports and Entertainment District. Update references to urgent care centers.

28-94(c) Historic Avondale Infill Overlay. Remove references to outdated Historic Avondale Design and Development Guidelines.

28-139 Design requirements for non-residential districts. Note roof ladders as part of mechanical equipment.

28-165 Parking and access standards. Clarify vehicle overhang.

28-293 General landscape provisions. Remove reference to nursery container sizes, and clarify trees required in new single family subdivision developments.

28-295 Landscape plans. Remove the requirement for landscape maintenance schedule and manual.

PUBLIC PARTICIPATION:

All required notifications for the Planning Commission and City Council public hearings were completed in accordance with notification requirements. Staff has not received any feedback on the proposed text amendment. At the time of writing this report, no comments related to the proposal have been posted on the City's Avondale Connect digital forum.

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 be consistent with state law, reflect changes in policies and procedures, allow for clerical corrections, and address the overall accuracy and usability of the Zoning Ordinance.

DISCUSSION:

Staff recommends approval of the request for the following reasons:

- The proposed text amendment will ensure consistency with state law.
- The proposed text amendment will improve usability of the code and enhance customer service.
- The proposed text amendment is deemed necessary to best serve the public health, safety, and general welfare of the city.

BUDGET IMPACT:

No budget impacts.

RECOMMENDATION:

The Planning Commission will conduct a public hearing and recommend **APPROVAL** of Application PL-23-0072, Zoning Ordinance Text Amendment, a request for text amendments to the Avondale Zoning Ordinance.

Chapter 28 ZONING ORDINANCE

Article 1 ADMINISTRATION AND PROCEDURES

* * *

28-4 Development review procedures.

* * *

(c) Pre-application.

1. Prior to submittal of a ~~development~~ application ~~for a general plan amendment, rezoning or conditional use permit, a pre-application meeting is required unless determined by the zoning administrator that no purpose will be served by the review. for any of the development review procedures outlined herein~~ For all other development application types, a pre-application meeting must be held unless waived by may be required as determined by the zoning administrator.
2. The purpose of the pre-application meeting is:
 - a. To familiarize the development review committee with the request.
 - b. To identify land use and development policies that may affect the request.
 - c. To familiarize the applicant with the review and approval process.
 - d. To provide the applicant with planning application(s) and checklist(s) of required submittal material for the project.
3. The development review committee shall review and comment on materials submitted for pre-application meetings and provide preliminary comments to the project applicant.
4. A formal application shall be submitted to the planning division not later than six (6) months after the date of the pre-application meeting or the date of the zoning administrator's determination that no pre-application meeting is necessary.

* * *

28-5 Administrative actions.

* * *

(d) Reasonable Accommodation.

- (1) A person seeking reasonable accommodation shall file with the Department a request for reasonable accommodation in writing. The request shall be a public record not subject to disclosure under the public records law as it contains private and medical information. The request shall identify the disability which the person seeks accommodation for, together with any medical, psychological supporting documents procedure exists. The request shall also indicate the administrative action being sought by the applicant to accommodate their disability. The written request shall contain sufficient facts to allow the Zoning Administrator to make an individualized determination of the needs, to address the City's safety and welfare concerns, and to ensure compliance with Zoning Code. If the request involves physical or structural changes, the request shall include supporting documents from a qualified professional outlining and supporting the request.

(2) Upon receipt of the request for reasonable accommodation, the Department shall respond within Ten (10) Calendar Days. The Zoning Administrator shall, in consultation with the City Attorney, review the written request and determine:

- a. Whether an accommodation should be made pursuant to the requirements of the Fair Housing Act.
- b. The nature of the accommodation taking into consideration the requirements of the Fair Housing Act, public safety and welfare concerns, and the residential character of the neighborhood.
- c. The extent of the accommodation required to comply with the Fair Housing Act.

The Department shall identify the administrative actions that it will authorize to accommodate the disability and any actions that would be undue burden upon the City. The City's response shall be in writing.

28-6 Site plan and design review.

* * *

- (c) Application. The applicant shall submit plans and drawings illustrating the proposed location of buildings, parking areas, loading and refuse areas, landscaping, drives, dimensions of improvements, drainage, typical elevations of buildings and all other improvements. The site plan shall be submitted in accordance with procedures and requirements established by the zoning administrator. The zoning administrator or designee may request additional information concerning the property. Where a comprehensive sign plan is required pursuant to section 28-194 of this ordinance, it shall be submitted as a component of a development application.
- (d) ~~Reserved. Notification. The applicant shall include with the application the names and addresses in electronic format for all property owners within one thousand (1,000) feet of the property. The planning division shall be responsible for mailing notice of the site plan and design review within five (5) business days of the receipt of the application using postcards to each owner of property situated wholly or partly within one thousand (1,000) feet of the property to which the site plan relates. This does not apply to limited design review.~~
- (e) Review.
 - (1) The planning division shall refer the site plan, design review, and/or comprehensive sign plan to the development review committee to determine compliance with this ordinance and any other applicable codes, plans and standards.
 - (2) The development review committee shall have the authority to request modifications to the site plan and design review and may approve conditions consistent with this ordinance and any other applicable codes, plans and standards deemed necessary to protect the public health, safety and welfare.

* * *

28-7 Administrative relief.

The zoning administrator or authorized designee may authorize relief of up to ten (10) percent of any development standard. For projects located within a revitalization area, the zoning administrator or authorized designee may authorize relief up to thirty (30) percent of any development standard and may also waive specific non-quantitative development requirements. Notwithstanding the foregoing, the zoning administrator or designee shall not grant relief for any increase or reduction in allowable numbers of stories in a building, any increase or reduction in permitted uses, any increase or reduction in permitted density, reduction in parking stall size

requirements, or required parking. Any relief authorized will be documented with findings consistent with all of the requirements below and filed with the building permit records, subdivision case file or other Planning Division records:

- (a) An application by the property or on behalf of the owner was submitted on a form prescribed by the zoning administrator or authorized representative, and any applicable fees were paid.
- (b) ~~Reserved. Notice, by first-class mail, postmarked at least five (5) days prior to the determination, was given to adjacent property owners determined by the zoning administrator or authorized designee as potentially affected by the request.~~
- (c) The proposed improvement requiring relief will not be detrimental to the property requesting relief, any adjacent property or the city as a whole.
- (d) The relief requested is needed due to the unusually small size or irregular shape of the parcel.
- (e) The relief granted is the minimum required to meet the needs of the proposed improvement.
- (f) The relief shall not be contrary to the purpose and intent of this ordinance.

* * *

28-13 Public notification.

In order to encourage and enhance citizen participation in the development process and to comply with state law, the City of Avondale requires notifications in advance of required neighborhood meetings, planning commission meetings, board of adjustment meetings, and city council meetings.

* * *

- (d) Proof of adequate school facilities.
 - (1) The applicant shall notify all applicable public school districts within four (4) business days of the submittal of a general plan amendment, ~~preliminary plat, final plat, rezoning, and for development plans in The BLVDD zoning district~~ request involving a residential use component.
 - (2) The applicant shall provide the planning division with certificates of adequate school facilities from both the elementary school district and high school district whose catchment areas include the property subject to the general plan amendment or rezoning, and for development plans in The BLVDD zoning district ~~request~~ prior to scheduling of any public hearings.

28-15 Definitions.

* * *

"Adult day care center:" A facility providing care for eleven (11) or more adult persons for less than twenty-four (24) hours per day and for compensation. the elderly and/or functionally impaired adults in a protective setting for a portion of a twenty-four hour day in a place other than the adults' own home. No overnight sleeping facilities are provided. An adult day care center shall be licensed by the State of Arizona.

"Adult day care home:" A residential home provided care for up to ten (10) adult individuals for less than twenty-four (24) hours per day and for compensation. An adult day care home shall be licensed by the State of Arizona, if required by the appropriate State agency.

* * *

"Assisted living facility:" A facility, licensed by the State of Arizona to provide supervised care for more than ten (10) adults who are living together by reason of age, disability, illness, infirmity or companionship and for

whom meals, recreation or other diversion, and general health care is provided. A facility served by a common kitchen that provides living quarters and assistance to residents for daily living activities such as bathing, dressing, taking medications and transportation, and May include nursing homes, hospice facilities, and other similar uses.

"Auto service and diagnostic facility:" A facility designed to provide limited servicing of automobiles, including, but not limited to, brakes, oil changes, and tune ups, excluding any facility which performs body work, engine repair, transmission overhauls, or other major repair or reconditioning.

Auto body and repair, full service: A facility design to provide complete servicing and repair of vehicles, including body work, engine repair, upholstery, painting facilities, transmission overalls, framework, welding, or other major repair or reconditioning.

* * *

"Boarding house:" A single-family detached or attached dwelling unit in which any of the rooms are rented or leased to persons on a transient basis, but which does not include group homes, dormitories, convalescent homes, nursing homes, substance abuse detoxification centers or substance abuse treatment centers.

* * *

"Cacti:" Any family of plants that have fleshy stems and branches with scales or spines instead of leaves and that is capable of storing water and requiring no supplemental irrigation.

"Call Center:" A facility for handling telephone calls from the public, as to a large corporation or institution, with staffers who, variously, answer inquiries, process orders, provide customer service or technical support, etc.

"Caretaker's quarters:" An accessory dwelling on non-residential premises that is occupied by the person who oversees the nonresidential operation twenty-four (24) hours per day, and his or her family.

* * *

"Community garden:" A private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants that is utilized by more than one (1) person or family.

"Community residence home:" Except as required by State law, a community residence home is a residential living arrangement for up to six (6) unrelated individuals with disabilities living as a single functional family in a single dwelling unit who are in need of the mutual support furnished by other residents of the community residence home as well as the services, if any, provided by the staff of the community residence home. Residents may be self-governing or supervised by a sponsoring entity or its staff, which provides on-site care, training, or support, or habilitative or rehabilitative services, related to the residents' disabilities. A community residence home seeks to emulate a biological family to normalize its residents and integrate them into the surrounding community. Its primary purpose is to provide shelter in a family-like environment; treatment is incidental as in any home. Supportive inter-relationships between residents are an essential component. A community residence home shall be considered a residential use of property for purposes of this Zoning Ordinance. The term does not include any other group living arrangement for unrelated individuals who are not disabled nor correctional transitional facilities, residential facilities for sex offenders or sober living homes. A community residence home shall be licensed by the State of Arizona in accordance with the provisions of Arizona Revised Statutes Title 36, Chapter 5.1.

"Community residential setting:"

(a) Means a residential facility that is licensed to serve more than four minors at any one time, that is licensed by the Arizona Department of health services pursuant to chapter 4 of this title or section 36-591, subsection A or by the department of child safety pursuant to title 8, chapter 4, article 4 and that provides services pursuant to a contract for minors determined to be dependent as defined in Arizona Revised Statutes section 8-201 or delinquent or incorrigible pursuant to section 8-341, or for minors with developmental disabilities, mental health or substance abuse needs.

(b) Does not include hospitals, nursing homes, child crisis and domestic violence shelters, adult homes, foster homes, group homes, group foster homes, community residential homes as defined in this ordinance; facilities

subject to any transient occupancy tax or behavioral health service agencies that provide twenty-four hour or continuous physician availability.

"Conditional use permit:" A permit issued that allows the city to impose additional development standards on that proposed use after consideration of adjacent uses and their functions and the special impacts that the proposed use may cause.

* * *

"Curb line:" The line at the face of the curb nearest the street or roadway. In the absence of a curb, the curb line shall be established by the city engineer.

"Data Center:" A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances, and other associated components related to digital data operations. Such facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at a data center.

"Day labor hiring center:" A for-profit or non-profit facility at which job seekers congregate to be hired by the day or by the job for short periods of time by third parties.

* * *

"Density:" The number of dwelling units permitted per net acre of land.

"Department:" The City of Avondale Development ~~and Engineering~~ Services Department.

"Design guidelines:" See design manuals.

* * *

"Disability:" (1) A physical or mental impairment that substantially limits one or more major life activities; (2) a record of having such an impairment; or (3) being regarded as having such an impairment. However, a person with a disability shall not include: (1) any person currently engaging in the illegal use of controlled substances [as defined in Section 102 of the Controlled Substances Act (21 United States Code 802), with the exception of the use of recreational or medical marijuana as permitted pursuant to Title 36, Arizona Revised statutes]; or (2) any person who would constitute a direct threat to the health or safety of other individuals or would result in substantial physical damage to the property of others that cannot be eliminated or reduced by reasonable accommodation. Disability and direct threat will be interpreted consistent with the Americans with Disabilities Act (42 United States Code 12101, et seq.), as amended, and the Federal Fair Housing Act (42 United States Code 3601 – 3619). The term "disability" means, with respect to an individual: (A) a physical or mental impairment that substantially limits one (1) or more major life activities of such individual; (B) a record of such an impairment or (C) being regarded as having such an impairment. For purposes of this definition, a qualified individual with a disability shall not include an individual who is currently engaging in the illegal use of drugs, when the covered entity acts on the basis of such use, except as provided in 42 U.S.C. § 12210. The term "illegal use of drugs" means the use of drugs, the possession or distribution of which is unlawful under the Controlled Substances Act, 21 U.S.C. § 812. Such term does not include the use of a drug taken under supervision by a licensed health care professional, or other uses authorized by the Controlled Substances Act or other provisions of Federal law. The term, disability, shall be interpreted in a manner consistent with the definition of disability in the Americans with Disabilities Amendment Act of 2008.

* * *

"Dwelling, triplex:" A building containing three (3) dwelling units.

~~"Emergency medical care facility:" A facility providing medical care to human beings by licensed medical personnel on an outpatient basis. No sleeping facilities or provisions for overnight stays are provided. Commonly known as "urgent care centers".~~

"Employee:" With respect to article 10 only, a person who performs any service on the premises of a sexually oriented business on a full-time, part-time or contract basis, whether or not the person is denominated an

employee, independent contractor, agent or otherwise and whether or not said person is paid a salary, wage or other compensation by the operator of said business. Employee does not include a person exclusively on the premises for repair or maintenance of the premises or equipment on the premises, or for the delivery of goods to the premises.

* * *

"Family:" Means any of the following: (1) An individual or group of two or more persons occupying a dwelling and living together as a single housekeeping unit in which each resident has access to all parts of the dwelling and where the adult residents share expenses for food or rent. (2) The occupants of a residential facility serving six or fewer persons. For purposes of this definition, "six or fewer persons" does not include people employed as staff. One (1) or more persons occupying a single dwelling unit, provided that unless all members are related by blood, marriage, or legal adoption, no such family contains more than six (6) non-transient unrelated persons, except where disability requires that more than six (6) unrelated persons reside together. This definition shall not include any society, club, coterie or organization that is not a recognized religious order nor does it include any group of individuals whose association is temporary or seasonal or similar to a resort, boarding house, hotel or whose association is for an anticipated limited duration or for a determinable period such as a school term.

* * *

"Groundcover, vegetative:" Living landscape materials characterized by horizontal as well as vertical growth but which generally do not exceed eighteen (18) inches in height. The intent of groundcover plants, when properly installed, is to form a continuous cover over the ground.

"Group home:" A residential home or building(s) for six (6) to ten (10) unrelated individuals providing living facilities and sleeping rooms; and which also provides limited services, such as, but not limited to, meals, services to promote emotional support, life skills development and/or employment training. For purposes of this code, any residential facility that does not fall within the other definitions of this code shall be deemed to be a "Group home". Housing occupied by unrelated persons who live in a dwelling because of a disability and may include staff persons, who may or may not be domiciled in the dwelling, who provide support services, including, but not limited to, domestic, medical, rehabilitation, or other similar services.

"Group foster home:" A home maintained by any individual or individuals having the care or control of six (6) to (10) ten minor children who are not: (a) related to such individuals or to each other by blood, marriage, or adoption; or (b) legal wards of such individuals. A group foster home shall be licensed by the State of Arizona and does not include homes licensed as a family foster home that are over capacity and have a group foster home certification.

"Guest house:" A building used to house guests of the occupants of the main building, which is not rented or leased separately from the main building.

* * *

"Joint use parking:" Use of the same parking spaces by adjacent uses that have staggered peak periods of demand, thereby reducing the amount of land consumed by parking. Also known as "shared parking".

"Kitchen Incubator:" An educational facility offering restaurant business training that operates similar to a restaurant kitchen.

"Kennel:" Any commercial establishment at which dogs and cats are bred or raised for sale, boarded or cared for, exclusive of dental, medical or surgical care.

* * *

"Queuing space:" A temporary waiting area for motor vehicles generally associated with a drive-through use or egress from a site. Also known as "stacking space".

"Reasonable accommodation:" Means an administrative adjustment of rules, policies, practices, or services, when such accommodations may be necessary to afford [the disabled] equal opportunity to use and enjoy a dwelling without resulting in an undue burden upon the city.

"Recreational vehicle:" A vehicle designed and/or used for living or sleeping and/or recreational purposes and equipped with wheels to facilitate movement from place to place, including automobiles when used for living or sleeping purposes and including pick-up coaches (campers), motorized homes, boats, travel trailers and camping trailers, none of which meet the specifications required for a manufactured home.

* * *

"Setback:" The ~~shortest horizontal minimum~~ distance between a building, structure, wall, property line, parking lot, sign or any combination thereof as defined by the type of setback in this ordinance.

"Setback, parking:" The minimum distance between a parking lot and the street side property line. Parking is not permitted within the required setback area and the parking lot line is determined by the edge of the paved surface.

"Setback line:" A line designating the distance which a building or parking lot must be set back from a property line.

* * *

"Single housekeeping unit:" One person or two or more individuals living together and sharing household responsibilities and activities, which may include, sharing expenses, chores, eating evening meals together and participating in recreational activities and having close social, economic and psychological commitments to each other. See also "Family".

"Single-user development:" Any lot and single-tenant building that is not part of a master planned development or multi-tenant non-residential development.

* * *

"Smoke shop:" An establishment that specializes in the sale of cigars and other tobacco-related paraphernalia, but does not allow patrons to smoke tobacco products on site.

"Sober living home" means any premises, place or building that provides alcohol-free or drug-free housing and that:

(a) Promotes independent living and life skills development.

(b) May provide activities that are directed primarily toward recovery from substance use disorders.

(c) Provides a supervised setting to a group of unrelated individuals who are recovering from substance use disorders.

(d) Does not provide any medical or clinical services or medication administration on-site, except for verification of abstinence.

(e) Is licensed by the Arizona Department of Health Services as a Sober Living Home.

"Special event:" A temporary outdoor event, excluding "seasonal sales" as defined by this ordinance and also excluding temporary outdoor uses occurring in the major sports and entertainment zoning district. Examples of special events include carnivals, circuses, and outdoor sales events.

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"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.

"Urgent care center:" A facility dedicated to the delivery of immediate care or emergency medical ~~services~~care outside of a hospital emergency department, usually on an unscheduled, walk-in basis, with no provision for continuing care on an inpatient basis. ~~Urgent care centers are primarily used to treat patients who have an injury or illness that requires immediate care but is not serious enough to warrant a visit to an emergency room, with no accommodations for overnight stays.~~

"Variance:" A license, granted by the board of adjustment to deviate from certain limited provision of the city zoning ordinance.

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Article 2 RESIDENTIAL DISTRICTS

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28-32 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
Adult Day Care in the home as an accessory to the primary residential use of the dwelling	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Adult day care center in conjunction with a place of worship or school	C	C	C	C	C	C	C	C	C	C
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.	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
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
Community residential home	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Community residential setting	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Dairy farm	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	-	-	-	-	-	-	-	-	-
Greenhouse, for propagation, cultivation, retail and wholesale distribution of plants sold on premises	P	P	-	-	-	-	-	-	-	-
Group home	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>
<u>Group foster home</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>
Guest house	PC	PC	PC	C	C	-	-	-	-	-
Home occupation, as an accessory to the primary residential use of a dwelling.	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Kennel for boarding and breeding dogs and cats with dog runs	C	C	-	-	-	-	-	-	-	-
Nursery for plants, for propagation, cultivation, retail and wholesale distribution of plants sold on premises	P	P	-	-	-	-	-	-	-	-
Park and recreation areas, public	P	P	P	P	P	P	P	P	P	P
Place of worship	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Public utility facility required for local service	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Public utility facility with the exception of those allowed as a use permitted with conditions above	C	C	C	C	C	C	C	C	C	C
Ranch for horses, commercial and guest	P	C	-	-	-	-	-	-	-	-
Retailing farm products produced on the premises	P	P	-	-	-	-	-	-	-	-
School, private	-	C	C	C	C	C	C	C	C	C
School, public	P	P	P	P	P	P	P	P	P	P
Single-family detached dwelling	P	P	P	P	P	P	P	P	P	P
<u>Sober living home</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>
Stable for horses, commercial	P	C	-	-	-	-	-	-	-	-
Wholesaling farm products produced on the premises	P	-	-	-	-	-	-	-	-	-

P = Permitted use

C = Conditional use permit required

PC = Permitted with conditions

- = Not permitted

B. Multi-family districts and manufactured home park.

Land Use Matrix

LAND USE	R-2	R-3	R-4	MH
<u>Adult Day Care in the home as an accessory to the primary residential use of the dwelling.</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	-
<u>Adult day care center in conjunction with a place of worship or school.</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Assisted living facility	C	C	C	-
Boarding house	C	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 a dwelling.	<u>PC</u>	<u>PC</u>	<u>PC</u>	-
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.	<u>C</u>	<u>C</u>	<u>C</u>	-
Child care center in conjunction with a place of worship	C	<u>PC</u>	<u>PC</u>	<u>PC</u>
Community garden, one acre or less	P	P	P	P
<u>Community residential home</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>
<u>Community residential setting</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>
Convalescent home	C	C	C	-
Group home	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>
<u>Group foster home</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>
Home occupation, as an accessory to the primary residential use of a dwelling.	PC	PC	PC	PC
Manufactured or mobile home	-	-	-	P
Multi-family dwelling	-	P	P	-
Nursing home	C	C	C	-
Park and recreation areas, public	P	P	P	-
Place of worship	C	C	C	C
Public utility facility required for local service	PC	PC	PC	-
Public utility facility with the exception of those allowed as a use permitted with conditions above	C	C	C	-
School, public	P	P	P	-
Single-family attached dwelling	P	P	P	PC
Single-family detached dwelling	P	P	-	PC
<u>Sober living home</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>

P = Permitted use

C = Conditional use permit required

PC = Permitted with conditions

- = Not permitted

(Ord. No. 2045-1220, § 6, 12-7-20)

28-33 Uses permitted with conditions.

The following land uses are listed in the land use matrix as permitted with conditions. These uses are permitted by right only if the conditions listed below for the individual uses are met. Based on site plan review, staff may add additional conditions of approval deemed necessary to protect the health, safety and public welfare.

- (a) Adult day care in the home providing care for up to ten (10) adult individuals not related to the residents may be permitted as an accessory use in certain residential zoning districts provided that:
 - (1) The residential character of the exterior of the structure shall be maintained.
 - (2) Signs related to the adult day care shall not be allowed.
 - (3) The minimum separation between day care uses on the same street shall be 300 feet, as measured from the closest property lines.
 - (4) All required licenses, certifications and registrations shall be obtained from the appropriate State agency prior to issuance of a business license.
 - (5) All requirements of the applicable State and/or City of Avondale Building Code, Fire Code and Zoning Ordinance as amended shall be complied with prior to issuance of a business license.
 - (6) Vehicles belonging to employees and residents are required to park onsite, in the garage or on an approved driveway.
 - (7) Existing garages, carports or driveways shall not be expanded, enclosed, or otherwise modified to accommodate this accessory use.
 - (8) The day care use shall not generate vehicular or truck traffic in greater volume than that normally expected in the residential district in which the day care use is located.
 - (9) All outdoor recreation areas shall be completely enclosed by a six (6) foot high masonry wall with self-closing and self-locking gates.
 - (10) All swimming pools shall be secured by a barrier in conformance with the Arizona State Statutes and International Building Code (IBC), as amended.
- (b) Apiary is allowed in certain residential zoning districts provided that:
 - (1) In the AG District, hives shall have a minimum separation of two hundred (200) feet from any adjacent residences.
 - (2) In the RR-43 District, hives shall have a minimum separation of seventy-five (75) feet from any adjacent residence.
- (c) Child care in the home providing care for up to ten (10) children not related to the residents may be permitted as an accessory use in certain residential zoning districts provided that:
 - (1) The residential character of the exterior of the structure shall be maintained.
 - (2) Signs related to the child day care shall not be allowed.
 - (3) The minimum separation between day care uses on the same street shall be 300 feet, as measured from the closest property lines.
 - (4) All required licenses, certifications and registrations shall be obtained from the appropriate State agency prior to issuance of a business license.

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- (5) All requirements of the applicable State and/or City of Avondale Building Code, Fire Code and Zoning Ordinance as amended shall be complied with prior to issuance of a business license.
 - (6) Vehicles belonging to employees and residents are required to park onsite, in the garage or on an approved driveway.
 - (7) Existing garages, carports or driveways shall not be expanded, enclosed, or otherwise modified to accommodate this accessory use.
 - (8) The day care use shall not generate vehicular or truck traffic in greater volume than that normally expected in the residential district in which the day care use is located.
 - (9) All outdoor recreation areas shall be completely enclosed by a six (6) foot high masonry wall with self-closing and self-locking gates.
 - (10) All swimming pools shall be secured by a barrier in conformance with the Arizona State Statutes and International Building Code (IBC), as amended.
 - (d) Community residential home providing care for up to six (6) unrelated individuals may be allowed in certain residential zoning districts provided that:
 - (1) Prior to operation, a completed registration for a community residential home must be submitted to the Development Services Department. The registration shall be deemed confidential and not subject to disclosure under the Arizona Records Law. A registration shall terminate when the use ceases.
 - (e) Community residential setting providing care for up to ten (10) children may be allowed in certain residential zoning districts provided that:
 - (1) Prior to operation, a completed registration for a community residential setting must be submitted, reviewed, and approved by the Development Services Director or their designee. No registration shall be accepted for a community residential setting that does not comply with the requirements of the Zoning Ordinance. A registration shall terminate when the use ceases.
 - (2) A minimum separation distance of 600 feet is required from another community residential setting, group home, group foster home, and sober living home.
 - (3) The residential character of the exterior of the structure shall be maintained.
 - (4) Signs related to the use shall not be allowed.
 - (5) Vehicles belonging to employees and residents are required to park onsite, in the garage or on an approved driveway.
 - (6) Deliveries or routine stops (exclusive of visitors) specific to a community residential setting shall be restricted to daylight hours only.
 - (7) Exclusive Use. All administrative activities including staffing, counseling and other visitations shall serve only the residents of the community residential setting.
 - (8) The operation shall comply with applicable licensing requirements. If Arizona law requires a State License, a copy of that license and all renewals thereto shall be provided to the City for record-keeping purposes within 10 days of receipt by the operator.
 - (9) The Development Services Director, or their designee, shall have the right to review, provide corrective action and if necessary, revoke any approval of a community residential setting if it is found to be endangering the public health, welfare, or safety of the surrounding community.
 - (10) The community residential setting shall meet all requirements of the applicable State of Arizona or City of Avondale Building and Fire Codes to be determined by the Chief Building Official and the Fire Chief, or their designees.

(fb) Dairy farm is allowed in certain residential zoning districts provided that the minimum site area is forty (40) acres.

(ge) 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 twenty-one thousand seven hundred eighty (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 twenty-one thousand seven hundred eighty (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 twenty-one thousand seven hundred eighty (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 twenty-one thousand seven hundred eighty (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.

(he) Feed lot for cattle is allowed in certain residential zoning districts provided that the minimum site is forty (40) acres.

(i) Group homes providing care for up to ten (10) unrelated individuals may be allowed in certain residential zoning district provided that:

- (1) Prior to operation, a completed registration for a group home must be submitted to the Development Services Department. The registration shall be deemed confidential and not subject to disclosure under the Arizona Records Law. A registration shall terminate when the use ceases.
- (2) A minimum separation distance of 600 feet is required from another group home, community residential setting, group foster home, and sober living home.
- (3) The residential character of the exterior of the structure shall be maintained.
- (4) Signs related to the use shall not be allowed.

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- (5) Vehicles belonging to employees and residents are required to park onsite, in the garage or on an approved driveway.
 - (6) Deliveries or routine stops (exclusive of visitors) specific to a group home shall be restricted to daylight hours only.
 - (7) Exclusive Use. All administrative activities including staffing, counseling and other visitations shall serve only the residents of the group home.
 - (8) The operation shall comply with applicable licensing requirements. If Arizona law requires a State License, a copy of that license and all renewals thereto shall be provided to the City for record-keeping purposes within 10 days of receipt by the operator.
 - (9) No group home shall house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or to substantial physical damage to the property of others.
 - (10) The Development Services Director, or their designee, shall have the right to review, provide corrective action and if necessary, revoke any approval of a group home if it is found to be endangering the public health, welfare, or safety of the surrounding community.
 - (11) The group home shall meet all requirements of the applicable State of Arizona or City of Avondale Building and Fire Codes to be determined by the Chief Building Official and the Fire Chief, or their designees.
- (j) Group foster homes for six (6) to ten (10) children may be allowed in certain residential zoning district provided that:
- (1) Prior to operation, a completed registration for a group foster home must be submitted to the Development Services Department. The registration shall be deemed confidential and not subject to disclosure under the Arizona Records Law. A registration shall terminate when the use ceases.
 - (2) A minimum separation distance of 600 feet is required from another group foster home, community residential setting, group home, and sober living home.
 - (3) The residential character of the exterior of the structure shall be maintained.
 - (4) Signs related to the use shall not be allowed.
 - (5) Vehicles belonging to employees and residents are required to park onsite, in the garage or on an approved driveway.
 - (6) Deliveries or routine stops (exclusive of visitors) specific to a group foster home shall be restricted to daylight hours only.
 - (7) Exclusive Use. All administrative activities including staffing, counseling and other visitations shall serve only the residents of the group foster home.
 - (8) The operation shall comply with applicable licensing requirements. If Arizona law requires a State License, a copy of that license and all renewals thereto shall be provided to the City for record-keeping purposes within 10 days of receipt by the operator.
 - (9) The Development Services Director, or their designee, shall have the right to review, provide corrective action and if necessary, revoke any approval of a group foster home if it is found to be endangering the public health, welfare, or safety of the surrounding community.
 - (10) The group foster home shall meet all requirements of the applicable State of Arizona or City of Avondale Building and Fire Codes to be determined by the Chief Building Official and the Fire Chief, or their designees.
- (ke) Guest house is allowed in certain residential zoning districts provided that:

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- (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 article 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 article 1 of this zoning ordinance is not required for guest houses.

(F) 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 twenty thousand (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 two hundred (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.

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- (11) The activity shall not generate vehicular or pedestrian traffic beyond that which is normal in its district.
- (mg) Places of worship shall be located on an arterial street or at the intersection of two (2) collector streets.
- (nh) 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.
- (oi) Single-family detached or attached dwellings are allowed in the Manufactured Home (MH) District subject to the development standards outlined in section 28-37(c).
- (p) Sober living home providing care to up to ten (10) unrelated individuals may be allowed in certain residential zoning districts provided that:
- (1) Prior to operation, a completed registration for a sober living home must be submitted, reviewed, and approved by the Development Services Director or their designee and the operator must obtain a valid Avondale business license. No registration shall be accepted for a sober living home that does not comply with the requirements of the Zoning Ordinance. A registration shall terminate when the use ceases.
 - (2) A minimum separation distance of 600 feet is required from another sober living home, community residential setting, group home, and group foster home.
 - (3) The residential character of the exterior of the structure shall be maintained.
 - (4) Signs related to the use shall not be allowed.
 - (5) Vehicles belonging to employees and residents are required to park onsite, in the garage or on an approved driveway.
 - (6) Deliveries or routine stops (exclusive of visitors) specific to a sober living home shall be restricted to daylight hours only.
 - (7) Exclusive Use. All administrative activities including staffing, counseling and other visitations shall serve only the residents of the sober living home.
 - (8) The operation shall comply with applicable licensing requirements. If Arizona law requires a State License, a copy of that license and all renewals thereto shall be provided to the City for record-keeping purposes within 10 days of receipt by the operator.
 - (9) No sober living home shall house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or to substantial physical damage to the property of others.
 - (10) The Development Services Director, or their designee, shall have the right to review, provide corrective action and if necessary, revoke the approval of a sober living home if it is found to be endangering the public health, welfare, or safety of the surrounding community.
 - (11) The sober living home shall meet all requirements of the applicable State of Arizona or City of Avondale Building and Fire Codes to be determined by the Chief Building Official and the Fire Chief, or their designees.

(Ord. No. 2045-1220, § 7, 12-7-20)

28-34 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 28-9 of this zoning ordinance, comply with the conditions listed below, if any, for the individual use. Based on review of the conditional use permit application, the city council may add additional conditions of approval deemed necessary to protect the health, safety and public welfare.

(a) Adult day care center in conjunction with a place of worship providing care for 11 or more adult individuals may be permitted as a conditional use in certain residential zoning districts provided that such activities are on the same lot and share joint use of worship facilities. Independent free-standing signs and wall identification signs for the adult day care center are not allowed.

~~(ca)~~ Assisted living facility may be permitted in certain residential zoning districts as a conditional use.

~~(db)~~ Bed and breakfast inn may be permitted as a conditional use in certain residential zoning districts provided that:

- (1) The bed and breakfast inn shall be owner-occupied. The guest rooms shall be part of the primary residence.
- (2) No more than four (4) rooms with a maximum of three (3) guests per room shall be allowed for the bed and breakfast inn.
- (3) The conditional use permit is non-transferable and shall be subject to review and may be revoked if the use authorized therein has been exercised in violation of this section or the approval conditions.
- (4) Meals shall be served only to overnight guests and residents.
- (5) No alteration to the exterior or interior of the residential dwelling, accessory building or yard that alters the residential character of the premises shall be permissible.
- (6) Off-street parking shall be at a rate of one (1) space per room.
- (7) Except as provided by city code and/or other regulations, no storage of commercial vehicles shall be allowed.
- (8) The bed and breakfast inn shall not be used for the hosting of receptions, private parties, or similar events.
- (9) A fire escape plan shall be developed and graphically displayed in each guest room. Such plan shall be filed with and approved by the City of Avondale Fire Department.
- (10) The bed and breakfast inn shall comply with all other provisions of the zone in which it is located and with all other applicable ordinances, codes or regulations.

~~(ee)~~ Boarding house may be permitted in certain residential zoning districts as a conditional use.

~~(d) Child care in the home for five (5) to ten (10) children not related to the residents may be permitted as a conditional use in certain residential zoning districts provided that:~~

- ~~(1) The residential character of the exterior of the structure shall be maintained.~~
- ~~(2) Signs related to the home child care shall not be allowed.~~
- ~~(3) All required licenses, certifications and registrations shall be obtained from the appropriate state or county agency prior to issuance of a business license.~~
- ~~(4) All requirements of the City of Avondale Building Code, Fire Code and Zoning Ordinance as amended shall be complied with prior to issuance of a business license.~~

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- ~~(5) Existing garages, carports or driveways shall not be expanded, enclosed or otherwise modified to accommodate this accessory use.~~
- ~~(6) All outdoor recreation areas shall be completely enclosed by a six (6) foot high masonry wall with self-closing and self-locking gates.~~
- ~~(7) All swimming pools shall be secured by a barrier in conformance with the Arizona State Statutes and International Building Code (IBC), as amended.~~
- ~~(8) Notification of the conditional use permit application shall be made to the subject home owners' association management prior to the neighborhood meeting.~~
- (fe) Child care center in conjunction with a place of worship providing care for 11 or more children may be permitted as a conditional use in certain residential zoning districts provided that such activities are on the same lot and share joint use of worship facilities. Independent free-standing signs and wall identification signs for the child care center are not allowed.
- (gf) Convalescent home may be permitted in certain residential zoning districts as a conditional use.
- (hg) Guest house may be permitted as a conditional use 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 article 7 of the zoning ordinance.
 - (6) Prior to issuance of a building permit for the guest house, a plot plan illustrating conformance with these requirements shall be submitted and approved.
- (ih) Kennel for boarding and breeding dogs and cats with dog runs may be permitted as a conditional use in certain residential zoning districts provided that such structures are not closer than seventy-five (75) feet to any neighboring residence.
- (ji) Public utility facility, with the exception of those allowed as a use permitted with conditions above, may be permitted in certain residential zoning districts as a conditional use.
- (kj) Ranch for horses, commercial and guest, may be permitted in certain residential zoning districts as a conditional use.
- (lk) School, private, may be permitted as a conditional use in certain residential zoning districts provided that it is located on an arterial street or at the intersection of two (2) collector streets.
- (ml) Stable for horses, commercial, may be permitted in certain residential zoning districts as a conditional use.

28-36 Design standards.

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- (b) Multi-family districts.

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(5) Parking.

- (A) All parking lots shall be screened from public streets by masonry walls or earth berms or combination thereof to a height of at least three (3) feet above the grade of the parking lot or adjacent street, whichever is higher in elevation. Such walls shall be designed and colored to complement the main buildings on and provided architectural features throughout the site.
- (B) A minimum of one (1) covered parking space per unit shall be provided.
- (C) Garage parking shall be provided for a minimum of twenty-five (25) percent of parking, excluding visitor parking, in apartment developments with one hundred (100) or more dwelling units. Single-Family attached, townhomes and condominiums shall provide a garage at a ratio of one (1) per dwelling unit, the same as a single-family detached dwelling unit.

Article 3 COMMERCIAL DISTRICTS

28-53 Land use matrix.

The following land use matrix 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 commercial zoning districts in the City of Avondale. The land use matrix is intended to serve as a guide for the convenience of the user of this zoning ordinance. Where the text of this zoning ordinance differs from the land use matrix, the text shall prevail.

LAND USE MATRIX	R-O	C-O	C-1	C-2	C-3
* * *					
Education, Religious & Institutional Uses					
Adult day care center	PC	PC	PC	PC	-
Assisted living facility	PC	PC	-	-	-
Child care center	-	C	C	C	C
College or university	-	-	-	-	PC
* * *					
Medical					
Emergency medical care facility	-	P	P	P	P
Funeral home	PC	-	-	P	P
Hospitals	-	-	-	P	P
Massage therapy (medical)	P	P	P	P	P
Medical, dental or health offices, clinics and laboratories, excluding plasma centers and medical marijuana uses	P	P	P	P	P
Plasma centers	-	-	-	C	-

Rehabilitation facilities and hospitals, excluding facilities for substance abuse and detoxification	-	-	-	P	P
<u>Urgent care center</u>	<u>-</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Veterinary hospital, offices and clinics, excluding animal boarding	-	-	PC	PC	PC
<u>* * *</u>					

P = Permitted Use

C = Conditional Use Permit required

PC = Permitted with Conditions

A = Accessory Use

- = Not Permitted

28-57 Old Town Avondale Business District (OTAB).

* * *

(d) OTAB land use matrix. The following land use matrix shows the uses that are:

- (P) Permitted outright
- (C) Permitted with a conditional use permit
- (PC) Permitted with conditions
- (A) Permitted as an accessory use
- (-) Prohibited

LAND USE	HERITAGE SUBDISTRICT	NEIGHBORHOOD SUBDISTRICT
<u>* * *</u>		
Educational, Institutional, and Office Uses		
<u>* * *</u>		
Dance studios	P	-
<u>Kitchen Incubator</u>	<u>P</u>	<u>P</u>
Medical, dental, or health offices, excluding plasma centers and medical marijuana uses.	P	PC
<u>* * *</u>		

* * *

(e) OTAB uses permitted with conditions. The following land uses are listed in the OTAB land use matrix as Permitted with Conditions. These uses are permitted by right only if the conditions listed below for the individual uses are met. Based on site plan and/or tenant improvement plan review, additional conditions of approval deemed necessary to protect the health, safety, and public welfare may be added.

* * *

(11) Sidewalk cafés are allowed in the Heritage Subdistrict provided that:

* * *

- (B) A sidewalk café shall be allowed only where the sidewalk or porch is wide enough to adequately accommodate both pedestrian traffic in the area and the operation of the proposed café. ~~For Americans with Disabilities Act (ADA) compliance, there shall be a minimum of fiveforty-eight (548) feetinches~~ clear distance free of all obstructions in order to allow adequate pedestrian movement.

* * *

- (14) Multi-family dwellings are allowed in the Neighborhood Subdistrict, ~~provided that new multi-family dwellings and additions to existing multi-family dwellings comply with the Historic Avondale Design and Development Guidelines.~~ For all development standards, accessory use standards and design standards (including landscaping and signage requirements) ~~not covered in the Historic Avondale Design and Development Guidelines,~~ multi-family dwellings shall comply with the requirements of either the R-3 or R-4 (Multi-Family Residential) Zoning District, whichever is determined to be more appropriate by the zoning administrator.

* * *

- (h) OTAB performance standards.
- (1) Any exterior modification of a building, structure or site within the OTAB District shall be subject to the standards ~~set forth in the Historic Avondale Design and Development Guidelines and future amendments thereto, as well as the requirements~~ contained within this subsection 28-57(h).
- (A) New and remodeled buildings shall be compatible with the Old Town character and architecture.
- (B) Design shall preserve the integrity of each individual structure and the character of its streetscape.
- (C) Important character-defining features and details of existing buildings shall be preserved when exterior alterations are proposed.
- (D) All new buildings shall be designed to be compatible with the human scale and shall also preserve the residential and historic character of the surrounding neighborhood.
- (E) For elevations fronting onto Western Avenue, Dysart Road or Central Avenue, storefront windows shall be utilized to allow views into and out of ground level spaces. Clear or lightly tinted glass shall be used in windows, doors and display windows.
- (F) Façade surfaces adjacent to major streets (Western Avenue, Dysart Road and Central Avenue) shall be no more than twenty-four (24) feet in length without an opening.
- (G) Any building over fifty (50) feet wide shall be designed to appear as a series of buildings no wider than fifty (50) feet each.
- (H) All retail entrances adjacent to major streets (Western Avenue, Dysart Road and Central Avenue) shall be sheltered by use of a porch, canopy or awning.
- (I) All customer entries shall be open to either the public right-of-way or an open air breezeway leading to the public right-of-way.

* * *

- (6) Signage within OTAB shall be provided in accordance with article 9 of the zoning ordinance ~~and the Historic Avondale Design and Development Guidelines.~~
- (7) Except where specified otherwise within this section 28-57, parking shall be provided in accordance with article 8 of the zoning ordinance ~~and the Historic Avondale Design and Development Guidelines.~~ Joint-use parking shall be permitted in accordance with the procedures outlined in that section.

- (8) Landscaping and walls shall be required in accordance with the provisions of article 12 of the zoning ordinance, landscaping, walls, and fences regulations, ~~and the Historic Avondale Design and Development Guidelines~~, except as follows:
- (A) Development in the OTAB District shall be exempt from the provisions of subsection 28-294(c)(1)(D), landscape design standards, required landscape areas, general. No minimum percentage of site landscaping shall be required.
 - (B) The provisions of subsection 28-294(c)(3), landscape design standards, landscape setback, shall apply to development in the OTAB District, except that the minimum dimension of landscape setbacks shall be determined by the development standard table, above.
 - (C) The provisions of subsection 29-294(c)(5), landscape design standards, land use buffers, shall not apply to development in the OTAB District.

Article 4 EMPLOYMENT DISTRICTS

~~***~~

28-72 Land use matrix.

The following land use matrix shows the uses that are permitted outright (P), permitted subject to a conditional use permit (C), permitted with conditions provided herein (PC), as an accessory use to an otherwise permitted use (A) or prohibited (-) in specific employment zoning districts in the City of Avondale. The land use matrix is intended to serve as a guide for the convenience of the user of this zoning ordinance. Where the text of this zoning ordinance differs from the land use matrix, the text shall prevail. Uses not listed as a permitted, permitted with conditions, or conditional use shall be prohibited from the applicable zoning district. In the event a particular use is not listed in this section and such use is not otherwise prohibited by law, the zoning administrator or designee shall determine whether such use is analogous to other listed uses; the determination shall be made pursuant to section 28-5 of this ordinance.

LAND USE	CP	A-1

Health and exercise centers, intended to serve the surrounding employment uses (maximum 10,000 square feet gross building area)	P	-
Hospital and urgent care facility	P	-
Hotel and conference center	P	-

Veterinary hospital, clinic	P	-
Urgent care center	P	-
Vehicle storage facility, excluding dead vehicle storage	-	P

P= Permitted use

PC = Permitted use with conditions

C = Conditional use permit

A = Accessory use

- = Not permitted

Article 5 SPECIAL DISTRICTS; OVERLAYS

28-91 The BLVD District.

* * *

- (e) Land uses. Land uses for each subdistrict shall comply with the land use matrix set forth below. Uses not listed as a permitted, permitted with conditions, or conditional use shall be prohibited from the applicable zoning district. In the event a particular use is not listed in this section and such use is not otherwise prohibited by law, the zoning administrator or designee shall determine whether such use is analogous to other listed uses; the determination shall be made pursuant to section 28-5 of this ordinance.

G = Gateway District

PA = Park Avenue District

N = Neighborhood District

V = Village District

R = Residential District

P = Promenade District

P = Permitted

C = Conditional use

PC = Permitted with conditions

A = Accessory

FF = First floor w/residential above

- = Not allowed

LAND USE	THE BLVD SUBDISTRICTS					
	G	V	PA	R	N	P
<u>* * *</u>						
Drive-through uses, including restaurants and financial institutions	PC	PC	PC	-	-	PC
Dry cleaning and laundry establishment, pick-up and drop-off only	P	P	P	FF	-	-
Emergency medical care facility	P	P	P	-	-	P
Employment agencies excluding day labor	P	P	P	-	-	P
Extended stay hotel	PC	PC	PC	-	-	-
<u>* * *</u>						
Tanning salon	P	P	P	FF	-	P
Theater, excluding movie theaters	P	P	P	-	-	P
Ticket and travel agency	P	P	P	FF	-	P
Urgent care center	P	P	P	-	-	P

Veterinary hospital, offices and clinics, excluding animal boarding	PC	PC	PC	-	-	PC
Video arcade or game room	P	P	P	FF	-	P
Wine bar	P	P	P	FF	-	P

* * *

- (k) City Center District. The City Center District (CCD) and the City Center Specific Plan (CCSP) were the precursors to The BLVDD and The BSP, respectively. Until all property owners within The BLVD Opt-In to The BLVDD District in accordance with the procedures outlined in section 28-91(d)(2) of this ordinance, the CCD regulations must be maintained. No new rezonings to CCD shall be considered. At such time that there are no properties zoned CCD, this subsection (k) will be deleted from the ordinance in accordance with the procedures outlined in section 28-9 of this zoning ordinance.

* * *

- (5) Land uses. Land uses for each subdistrict shall comply with the land use matrix set forth below. Uses not listed as a permitted, permitted with conditions, or conditional use shall be prohibited from the applicable zoning district. In the event a particular use is not listed in this section and such use is not otherwise prohibited by law, the zoning administrator or designee shall determine whether such use is analogous to other listed uses; the determination shall be made pursuant to section 28-5 of this ordinance.

P = Permitted

C = Conditional use

PC = Permitted with conditions

FF = First floor only

A = Accessory

- = Not allowed

LAND USE	CITY CENTER SUBDISTRICTS					
	GE	EMU	PR	NC	RMU	TR
* * *						
Drive-through uses, including restaurants and financial institutions	P	PC	-	P	-	-
Dry cleaning and laundry establishment, pick-up and drop-off only	P	P	P	P	FF	-
Emergency medical care facility	P	P	P	P	FF	-
Employment agencies excluding day labor	P	P	P	P	FF	-
Extended stay hotel	PC	PC	PC	PC	-	-
* * *						
Theater, excluding movie theaters	P	P	P	P	-	-
Ticket and travel agency	P	P	P	P	FF	-
Urgent care center	P	P	P	P	FF	-
Veterinary hospital, offices and clinics, excluding animal boarding	PC	PC	PC	PC	-	-
Video arcade or game room	P	P	P	P	FF	-

Wine bar	P	P	P	P	FF	-
Zoo	C	-	-	-	-	-

* * *

28-92 Major Sports and Entertainment District.

* * *

(c) Permitted uses. The following uses shall be permitted in the MSSED District:

* * *

- (16) Health and athletic clubs.
- (17) Hospitals and urgent-care ~~centers~~ facilities.
- (18) ~~Reserved. Emergency care clinics.~~

* * *

28-94 Historic Avondale Infill Overlay.

* * *

(c) Required development plan.

- (1) A development plan must be approved to allow development according to the HAIO.
- (2) All regulations and standards of the underlying zoning district shall remain in full force and effect, unless specifically addressed in the development plan.
- (3) Lots that are two (2) acres or less may ~~propose alternatives to request relief from the~~ development standards set forth in the ~~Avondale Zoning Ordinance as part of the HAIO request and the Historic Avondale Design and Development Guidelines, with the exception of the architectural section of the guidelines.~~
- ~~(4) Lots over two (2) acres may request relief from the standards set forth in the Avondale Zoning Ordinance. The Historic Avondale Design and Development Guidelines shall be adhered to.~~

* * *

Article 7 SUPPLEMENTARY REGULATIONS

28-139 Design requirements for non-residential districts.

* * *

(d) General building design.

- (1) Building architecture is expected to conform to the building design components in the applicable design manual.
- (2) Buildings shall be sited and designed to achieve an optimum level of energy efficiency with regard to solar orientation.
- (3) Mechanical equipment including roof ladders, whether ground level or roof-mounted, shall be screened from public view and be so located to be perceived as an integral part of the building.

-
- (4) Exterior electrical wall equipment, including but not limited to, service entrance sections, electrical access panels, and electrical cabinets, shall be located in the rear or side of the building and be fully enclosed or in a recessed area of the building so not to project past the exterior façade.
 - (5) All sides of a building shall receive consistent architectural treatment.
 - (6) All buildings located within a unified, planned development, such as a shopping center or business park, shall be architecturally styled to achieve harmony and continuity of design. Building elevations shall be coordinated with regard to color, texture, materials, finishes and form.
 - (7) Pedestrian-oriented site design is required.
 - (8) Buildings with metal or steel exteriors shall be architecturally altered through the construction of veneers, facades or other architectural treatments to minimize the extent of metal surfaces visible.
 - (9) All downspouts shall be internalized or architecturally integrated into the design of a building.

28-140 – 28-160 Reserved.

Article 8 PARKING

28-165 Parking and access standards.

- (a) Parking space sizes.

* * *

- (5) Vehicle overhang over curb, sidewalk or landscape areas shall not count towards minimum parking space dimensions, except as provided below:-
 - (A) Up to two (2) feet (twenty-four (24) inches) of overhang may be counted towards the minimum depth of a parking space if the overhang occurs over a landscape area with a minimum depth of ten (10) feet.
 - (B) Up to two (2) feet (twenty-four (24) inches) of overhang may be counted towards the minimum depth of a parking space if the overhang occurs over a private sidewalk with a minimum width of six (6) feet.

* * *

Article 12 LANDSCAPE, WALLS AND FENCES

28-295 Landscape plans.

- (a) General landscape plan requirements. Landscape plan submittals consisting of a preliminary landscape plan and, a final landscape plan ~~and a landscape maintenance schedule~~ shall be prepared, submitted and approved for all applicable development projects in accordance with the procedures and requirements set forth herein and as required under article 1 of this zoning ordinance. All plans shall be stamped and signed by a registered landscape architect licensed in the State of Arizona.

* * *

-
- (c) Final landscape plan. The final landscape plan shall be submitted concurrently with all other required site improvement and construction plans at the time of application for a building permit. Any alterations to the approved Preliminary Landscape plan must be approved by the zoning administrator or authorized designee prior to the final landscape plan submittal. The following information shall be added to the final landscape plans for review:
- (1) Revised locations, if any, for all landscape material, organic and inorganic.
 - (2) A final landscape materials schedule identifying each plant's common and botanical name, plant sizes and quantities, and the specification, size, and color of any inert materials.
 - (3) Final locations of all easements on the site including, but not limited to, public utility easements, drainage easements, roadway easements, construction easements, and United States of America irrigation easements.
 - (4) All final utility locations including, but not limited to, site lighting, transformers and utility cabinets, backflow preventers, street lights, and signs.
 - (5) Final landscape details and corresponding construction notes. All required City of Avondale notes are to be shown on all sheets.
 - (6) Final irrigation plans, irrigation details and irrigation construction notes shall be provided illustrating the layout and details of the irrigation system including the type and location of all materials utilized.
 - ~~(7) A landscape maintenance manual including, at a minimum:~~
 - ~~(A) A landscape maintenance narrative that describes the theme of the selected plant palette and the overall design intent (i.e. preserving the natural characteristics of each material).~~
 - ~~(B) The approved plant list including plant sizes, irrigation emitter gallonage per species and specific plant maintenance notes.~~
 - ~~(C) A monthly maintenance schedule describing seasonal maintenance requirements such as, but not limited to, fertilization, pest and weed control, pruning, and an irrigation schedule indicating the required adjustments to the watering schedule throughout the year, reflecting seasonal climatic changes.~~
 - ~~(D) Example photographs and clear directions for proper pruning techniques for each plant type. All pruning of plants shall conform to the current version of the American National Standard, ANSI A300—Tree Care Operations—Tree, Shrub, and Other Woody Plant maintenance—Standard Practices.~~
 - (78) Any other pertinent information as requested by the zoning administrator or authorized designee as necessary to evaluate the final landscape plans.



AGENDA ITEM REPORT

SUBJECT: General Plan Progress Update

MEETING DATE: 7/19/2023

TO: Planning Commission

FROM: Jodie Novak, Director of Development Services

THROUGH: Jodie Novak, Director of Development Services

PURPOSE:

City staff, in partnership with consultants from Michael Baker International, are preparing the General Plan update and conducting this Planning Commission Work Session to present what has transpired since the last General Plan presentation with City Council and Planning Commission at a Work Session held on November 7, 2022. This item is for information and discussion only. No action will be taken.

BACKGROUND:

On November 7, 2022, Staff and consultants from Michael Baker International conducted a City Council and Planning Commission Work Session as part of the General Plan Update. The Work Session provided City Council and Planning Commission with an opportunity to provide guidance and direction for updates to the General Plan 2030 document reflecting the City's vision and goals for the City's future growth and development.

This meeting provided valuable feedback for Staff highlighting key areas of interest to consider with the General Plan update including land uses, residential housing, employment, and development along the future State Route 30 (SR30) freeway and the Gila River Corridor. The discussion included development south of the Estrella Mountains requiring extensive infrastructure that would need to be in partnership with adjacent communities; considering the community's needs for single-family residential and multi-family residential housing encouraging more lower-density residential housing developments and commercial development; maintaining opportunities for medical and industrial development; and continuing to promote key economic development corridors, a connected community, and water conservation.

Following the above-mentioned Work Session meeting, Staff and the consultant reviewed planned land uses on the Land Use Map considering areas in the southern portion of the community where lower density residential could be provided, increased density could occur, providing more Gila River Scenic District land use, and maintaining employment opportunities.

On January 24, 2023, a Technical Advisory Committee meeting was held with representatives from several departments in the City to discuss the General Plan update and areas of focus for the update. The feedback was valuable with discussions about infrastructure, recreation, economic development, housing, water, transit, and sustainability.

On February 2, 2023, A Stakeholder Committee Meeting was held with representatives from school districts, development firms, utility companies, Planning Commission, City Council, and city Staff. The discussion was

focused on growth and development, schools impacted by more density, a desire for broader land use categories to be more flexible with densities, future employment along the SR30 freeway, the balance of single-family and multi-family densities, and providing more low density housing.

Following these meetings, Staff and the consultant considered land use updates on the General Plan's Land Use Map. The proposed updates are summarized below. The November 2022 version of the General Plan Land Use Map and the Draft Proposed Land Use Map Update are attached as Exhibits A and B.

- Commercial land use is being maintained at the northeast corner of Avondale Boulevard and Broadway Road. Surrounding the commercial land use is Medium Density Residential, formerly High Density Residential.
- Along the Gila River corridor south of Southern Avenue/SR30 freeway and west of El Mirage Road, the Corporate Park land use is replaced with additional Gila River Scenic District land use while maintaining Freeway Commercial along the SR30 freeway frontage. Nearby on the west side of Dysart Road and the south side of SR30, additional Gila River Scenic District land use replaces Rural/Low Density land use.
- The Mixed Use land use at the intersection of Avondale Boulevard and the SR30 freeway is replaced with Medium/High Density Residential and Medium Density Residential land uses. This change provides compatible residential densities adjacent to the Alamar subdivision while maintaining commercial use on the other four corners of the freeway.
- The Office/Professional property west of the northwest corner of SR30 and 107th Avenue, located in between two Freeway Commercial land use designations, is Corporate Park land use, replacing an Office/Professional land use.
- Property in the Las Ligas neighborhood south of Lower Buckeye Road and west of El Mirage Road is updated to reflect Medium Density Residential in place of Estate/Low Density Residential so that the land use aligns with the property's zoning district which allows medium density.
- Property north of Van Buren Street and east of El Mirage Road/Fairway Drive. This property is Business Park replacing Urban Residential land use. This change brings the property in alignment with other Business Park land use in the immediate area. There is also a small portion of land along the Fairway Drive right-of-way that is being replaced with Business Park to clean up the land use along this street frontage, formerly Urban Residential. Nearby, a map correction is occurring for a portion of a property that was previously amended and approved for High Density Residential as part of a multi-family residential development project. The map is being corrected to reflect High Density Residential, replacing Urban Residential.

Regarding the document's progress, various city departments provided updates to the General Plan's elements to include current information such as references to adopted plans, data, and goals. These updates are underway as Staff and the consultant prepares a draft General Plan document.

PUBLIC PARTICIPATION

A Community Meeting was held on April 18, 2023, providing an open house format for community members to view maps and ask questions about the General Plan update. The meeting was hosted by the consultant and Staff. The attendees included two Councilmembers and staff; no members of the public attended. The meeting was noticed online through Avondale Connect and social media.

At this meeting, Staff reviewed key corridors and land uses that are proposed for updates, as discussed above, to provide more lower density housing and employment opportunities.

DISCUSSION:

In accordance with State Statute, there will be a 60-day review period that begins at the end of July. The draft document will be provided to Planning Commission and City Council as well as other agencies for review. During this period, a second Community Meeting will be held to invite feedback from the public. Staff intends for the General Plan Update to be presented before Planning Commission and City Council before the end of the year.

BUDGET IMPACT:

No budget impact.

RECOMMENDATION:

This item is for discussion only. No action will be taken.



